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NOTICE

OF

MEETING



BOROUGH WIDE DEVELOPMENT MANAGEMENT PANEL

will meet on

WEDNESDAY, 28TH NOVEMBER, 2018

At 7.00 pm

in the

COUNCIL CHAMBER - GUILDHALL WINDSOR

TO: MEMBERS OF THE BOROUGH WIDE DEVELOPMENT MANAGEMENT PANEL

COUNCILLORS DAVID BURBAGE (CHAIRMAN), MALCOLM ALEXANDER (VICE-CHAIRMAN), MAUREEN HUNT, RICHARD KELLAWAY, DEREK WILSON, CHRISTINE BATESON, MALCOLM BEER, PHILLIP BICKNELL, DR LILLY EVANS, DAVID HILTON, COLIN RAYNER, LEO WALTERS, MJ SAUNDERS, GEOFF HILL AND MICHAEL AIREY

SUBSTITUTE MEMBERS

COUNCILLORS GERRY CLARK, EILEEN QUICK, JACK RANKIN, MOHAMMED ILYAS, JULIAN SHARPE, JOHN BOWDEN, PAUL LION, JUDITH DIMENT, CLAIRE STRETTON, ASGHAR MAJEED, MARION MILLS, SHAMSUL SHELIM, ADAM SMITH, JOHN STORY AND EDWARD WILSON

Karen Shepherd – Service Lead - Governance - Issued: Tuesday 20 November 2018

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 on 01628 796319**

Accessibility - Members of the public wishing to attend this meeting are requested to notify the clerk in advance of any accessibility issues

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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<u>AGENDA</u>

<u>PART I</u>

<u>ITEM</u>	<u>SUBJECT</u>	PAGE NO
1.	APOLOGIES FOR ABSENCE	
	To receive any apologies for absence.	
2.	DECLARATIONS OF INTEREST	5 - 6
	To receive any declarations of interest.	
3.	MINUTES	7 - 10
	To approve the minutes of the previous meeting.	
4.	PLANNING APPLICATIONS (DECISION)	11 - 68
	To consider the Head of Planning'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 at http://www.rbwm.gov.uk/pam/search.jsp .	



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 \underline{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

BOROUGH WIDE DEVELOPMENT MANAGEMENT PANEL

THURSDAY, 4 OCTOBER 2018

PRESENT: Councillors David Burbage (Chairman), Malcolm Alexander (Vice-Chairman), Maureen Hunt, Richard Kellaway, Derek Wilson, Christine Bateson, Malcolm Beer, Dr Lilly Evans, David Hilton, Colin Rayner, Leo Walters, MJ Saunders, Julian Sharpe and Claire Stretton

Also in attendance: Councillor David Coppinger

Officers: Jenifer Jackson, Helen Leonard, Shilpa Manek and Sean O'Connor

The Panel held a minutes silence in memory of Councillor Jesse Grey.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Hill and Bicknell. Councillors Sharpe and Stretton were substituting.

DECLARATIONS OF INTEREST

Councillor Lilly Evans declared a personal interest as she is a member of Sunningdale Parish Council and had been involved in the discussions for Items 1 and 2 but had come to Panel with an open mind.

Councillor David Hilton declared a personal interest for Items 1 and 2 as he had had a meeting with the Chairman and officers prior to Panel. He was attending the Panel with an open mind.

Councillor Colin Rayner declared a personal interest for items 1 and 2 and would leave the room before any discussions and any voting as he did socialise with the Chairman of Berkeley Homes.

Councillor Julian Sharpe declared a personal interest for Items 1 and 2 as his wife was the Chairman at Sunninghill and Ascot Parish Council. He was attending the Panel with an open mind.

Councillors Leo Walters and Derek Wilson, both declared a personal interest for item 4 as they are members of the Bray Parish Council. Both councillors were attending with an open mind.

MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting held 5 September 2018 be approved.

PLANNING APPLICATIONS (DECISION)

The Panel Unanimously voted to change the order of the Agenda and hear Item 3 last as there were no speakers for that application.

*Item 1	The redevelopment of Sunningdale Park		
	including the part demolition, alteration,		
18/00356/FULL	restoration, conversion and extension of		
10,00000,1 022	Northcote House (Grade II Listed),		

Sunningdale Park Larch Avenue Ascot SL5 0QE

Gloucester Stables and the Walled Garden: the alteration, restoration, conversion and extension of North Lodge, the alteration, restoration and conversion of Gamekeeper's Lodge and Store, and The Dairy; the part demolition and part alteration, restoration and conversion of South Lodge; refurbishment and extension of Gardeners Cottages and the demolition of other buildings including Park House; and the erection of new buildings to provide 168 dwellings (Use Class C3) (160 net), a Care Community of 103 units of accommodation incorporating communal facilities (Use Class C2), restoration of the Registered Park and Garden, provision of 16.97 Hectares of SANG (within 19 hectares of open space in total), plus associated internal access roads, parking, landscaping, footpaths, drainage and other associated works.

Councillor Saunders proposed the motion for Officer recommendation to DELEGATE to the Head of Planning to:

- 1. To grant planning permission on the satisfactory completion of a S106 Agreement that incorporates the Heads of Terms identified in Sections 7 of this report and with the conditions listed in Section 11, following referral to the Department for Communities and Local Government and there being no intervention by the Secretary of State in the decision making process.
- 2. To refuse planning permission if a S106 Agreement to secure the Heads of Terms identified in Section 7 of this report has not been satisfactorily completed by 30th April 2019 (or another date as agreed with the Head of Planning) for the reason that the proposed development would accompanied not be associated infrastructure improvements, that it would not secure sustainable travel, that it would not secure the long term management and maintenance of the Registered Park and nor secure public Garden access into it and to Northcote House, that it would not secure of

maintenance/management

SANG and that it would not provide for affordable housing.

This was seconded by Councillor Wilson.

A named vote was carried out. Councillors Alexander, Bateson, Burbage, Hilton, Hunt, Kellaway, Saunders, Walters and Wilson voted for officers recommendation. Councillors Beer, Evans, Sharpe and Stretton voted against officers recommendation.

The Panel agreed to **DEFER and DELEGATE** to the Head of Planning as per the Officers recommendation.

(The Panel were addressed by Brendan Fitzmorris, Objector, Julia Chester, SPAE, Councillor's Michael Burn and Peter Deason, Parish Councillors and Andrew Saunders Davies, Berkeley Homes).

Consent for the redevelopment of Sunningdale Park including the part demolition, alteration, restoration,

conversion and extension of Northcote House (Grade II Listed), Gloucester Stables and the Walled Garden; the alteration, restoration, conversion and extension of North Lodge, the alteration, restoration and conversion of the Gamekeeper's Lodge and Store, and The Dairy; the part demolition and part alteration, restoration and

conversion of South Lodge; refurbishment and extension of Gardeners Cottages and the demolition of other buildings including Park House; and the erection of new buildings to provide 168 dwellings (Use Class C3) (160 net), a Care Community of 103 units of accommodation incorporating communal facilities (Use Class C2),

restoration of the Registered Park and Garden, provision of 16.97 Hectares of SANG (within 19 hectares of open space in total), plus associated internal access roads, parking, landscaping, footpaths, drainage and other associated works.

Councillor Wilson proposed the motion for the Officers recommendation to DELEGATE to the Head of Planning to grant listed building consent with the conditions listed in Section 9, following referral to the Department for Communities and Local Government and there being no intervention by the Secretary of State in the decision making process. This was seconded by Councillor Hilton.

The Panel voted Unanimously (Councillor

Item 2

18/00357/LBC

Sunningdale Park Larch Avenue Ascot SL5 0QE

	Saunders was not present) to DELEGATE to the Head of Planning.
*Item 3 18/00600/FULL	Demolition of existing warehouse (B8) and construction of extended warehouse (B8), with access from Oldfield Road.
John Guest Speedfit Ltd Oldfield Road Maidenhead SL6 8BY	Councillor Wilson proposed the motion for officers recommendation and this was seconded by Councillor Hilton. After a named vote, this motion fell. Councillors Alexander, Bateson, Hilton, Walters and Wilson voted for the motion. Councillors Beer, Hunt, Kellaway, Saunders, Sharpe and Stretton voted against the motion and Councillors Burbage and Evans abstained from voting.
	Councillor Hunt put forward the motion to defer for two cycles for the applicant to fulfil all the Head of Planning's reasons for refusing the application. If still not fulfilled, the application to be presented at Maidenhead Development Management Panel in two cycles. This was seconded by Councillor Saunders.
	The Panel voted Unanimously to DEFER the item for two cycles and to be presented to MDMP.
18/00954/FULL Land Bounded by The Cut And the M4	Construction of a single storey building as headquarters for Swan Support with associated parking.
Upper Bray Road Bray Maidenhead	Councillor Walters put forward the motion to DEFER for two cycles to resolve issues. The Item then to be presented to Maidenhead Development Management Panel in two cycles. This was seconded by Councillor Burbage. It was noted by the Chairman that the Head of Planning advised that the agenda for the November Maidenhead Development Management Panel meeting was already full.
	The Panel voted Unanimously to DEFER the item for two cycles and to be presented to MDMP if still refused.
	(The Panel was addressed by Councillor Brian Millin, Parish Councillor and Wendy Harmon, Applicant)

The meeting, which began at 7.00 pm, finished at 9.52 pm

CHAIRMAN	
DATE	

Agenda Item 4

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

Panel

28th November 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. 18/02704/FULL Recommendation PERM Page No. 13

Location: Former British Gas Site Bridge Road Ascot

Proposal: Redevelopment of the site to provide x53 houses and x23 apartments (Class C3) including the provision of new

pedestrian and vehicular accesses and routes, car parking, landscaping, open space, remediation and

associated works, following demolition of two existing redundant cottages.

Applicant:Mr SimonsMember Call-in:Expiry Date:19 December 2018

AGLIST 11



ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

BOROUGHWIDE DEVELOPMENT CONTROL PANEL

28 November 2018 Item: 1

Application

18/02704/FULL

No.:

Location: Former British Gas Site Bridge Road Ascot

Proposal: Redevelopment of the site to provide x53 houses and x23 apartments (Class C3)

including the provision of new pedestrian and vehicular accesses and routes, car parking, landscaping, open space, remediation and associated works, following

demolition of two existing redundant cottages.

Applicant: Mr Simons **Agent:** Not Applicable

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.iackson@rbwm.gov.uk

1. SUMMARY

- 1.1 This application is a resubmission of planning application 17/03036 which following the applicant's lodging of an appeal against non- determination the Borough Wide Development Management Panel resolved they would have refused. This application seeks to overcome the previous reasons for refusal which were raised on the grounds of poor design, harm to the townscape, inadequate landscaping, harm to future occupiers amenities, inadequate drainage and unresolved issues regarding open space, manoeuvrability for a refuse vehicle, affordable housing, land contamination and mitigating the development's impact upon the Special Protection Area Thames Basin Health's.
- 1.2 The application site is identified for housing within the Ascot, Sunninghill and Sunningdale Neighbourhood Plan and the Borough Local Plan Submission Version (BLPSV). In the emerging Borough Local Plan the site is allocated for 53 residential dwellings. Whilst the proposed development of 76 dwellings exceeds this figure the site allocation does not act as a maximum figure. Furthermore there are currently unresolved objections in relation to the housing allocation policies in general and as such limited weight is given to policy HA35 of the BLPSV.
- 1.3 Compared to the previous scheme (17/03036) a number of changes have been made to the layout of the development, particularly at the Bridge Road end of the site which improves the way the site assimilates and connects with the surrounding area and also improves connectivity within the site itself. The apartment buildings have been redesigned to take greater influence from the Victorian character of the area to the north of the site and the reduction in the number of dwellings, revised car parking and a much improved landscaping scheme have addressed issues of overdevelopment. Whilst additional links into Charters Lane and Cavendish Meads have not been achieved the layout does allow for connections to be made in the future should this become a possibility i.e. land ownership issues. The main area of Green Space within the site amounts to around 7.5% of the site which is short of the 15% figure set out in the neighbourhood plan. However, it is now sited adjacent to the playing field of St Michael's School in the south west corner of the site, opening up the possibility of it being linked to this area in the future increasing the usability of this green space which is a significant benefit of the scheme.
- 1.4 It is considered that the future occupiers of the dwellings would be provided with a good standard of amenity and the layout of the development has been amended so that the poor relationship between the previous units 6 and 7 has been removed. Furthermore the proposed layout would not result in any significant impacts to the amenities of existing residents.

- 1.5 The application is supported by an affordable housing statement which sets out that 23 apartments i.e. 30% of the units on site will be classed as affordable (shared ownership). A legal agreement is currently being drafted to secure this.
- 1.6 The proposal to provide a second access into the site through Cavendish Meads thereby splitting the traffic movements is supported. The applicant has through the use of TRICS data, surveys and a PICADY assessment demonstrated that the junction formed by Cavendish Meads and Bagshot Road and the junction formed by Bridge Road and the High Street can accommodate the additional extra traffic. Adequate parking would be provided on site and suitable provision has also been made for cycle and refuse storage facilities. It has also been demonstrated that a 10.98m refuse vehicle can safely manoeuvre around the site.
- 1.7 The application site is heavily contaminated. Whilst the type of contaminants on site are known further detailed quantitative risk assessments are required to understand the full extent of the contamination on site. It is not until the information put forward by the applicant to discharge the contamination condition prior to any works being carried out on the site that the Local Planning Authority (LPA) will fully understand the nature and extent of the contamination, including whether there is a level and type of contaminant that could pose a risk to public health. Should the situation arise that on site monitoring during the decontamination process is required, the legal agreement includes a trigger to require a financial contribution of no more than £75,000 towards the cost of the Council employing an onsite monitoring officer as part of the mitigation strategy. Environmental Protection has confirmed that from the information submitted, it is clear that to make the site suitable for residential use substantial decontamination must take place. As such it is accepted that the existing on site trees will not survive this process due to the need to remove/move and treat large quantities of soil. The loss of the trees is accepted as being necessary and a suitable landscaping scheme including a good level of structural planting has been proposed to mitigate for this and overcome this policy objection.
- 1.8 The applicant has demonstrated using the biodiversity toolkit that the development would offer a net gain in biodiversity across the site as long as all the habitats proposed are implemented. A Landscape and Ecology Management Plan is necessary to ensure that the creation, maintenance and management of the habitats and other enhancements are undertaken and maintained to the necessary standards to ensure a net gain in biodiversity. (See condition 4). Additionally a good standard of replacement planting is proposed along the northern boundary improving the secondary green corridor.
- 1.9 A drainage strategy has been submitted with the application, and the Lead Local Flood Authority who is the statutory consultee on these matters has confirmed raised no objection to the strategy subject to final details being secured by condition. (See condition 7). Thames Water has also confirmed they raise no objection with the proposed discharge rates for surface water drainage.
- 1.10 The application site is within 5km of the Thames Basin Heaths Special Protection Area and as such it is necessary to mitigate against the negative impacts from increased visitor and recreational pressure. In this instance the application site is allocated for housing in the BLPSV, however, it is only allocated for 53 dwellings whereas the development proposal is for 76. It is agreed that Allen's Field can be relied upon for 53 of these dwelling plus an additional 9 as would usually be allowed for unplanned developments and a further 2 taking account of the existing 2 residential properties' on the site. However, alternative mitigation will need to be provided for the remaining 12 dwellings. This is to be achieved by linking this scheme to the proposed development at Sunningdale Park which provides its own on site SANG with additional capacity. A clause will need to be inserted into the legal agreements securing the mitigation necessary for this outstanding number of units and to prevent these units from being occupied until the mitigation from the Sunningdale Park development is secured and provided. This is only possible in this instance as the applicant company sits under the same umbrella as the applicant at Sunningdale Park.

It is recommended the Panel authorises the Head of Planning:

To grant planning permission on the satisfactory completion of an undertaking to secure

- i) 23 apartments (9 x 2 bed and 14 x 1 bed) to be shared ownership affordable housing
- ii) adequate mitigation regarding impact on the SPA through SANG and SAMM payments towards Allen's Field for 64 units and adequate mitigation through linking this application with application 18/00356/FULL Sunningdale Park and the on-site SANG and SAMM associated with this development
- iii) a maximum contribution of £75,000 to secure adequate mitigation should contamination be found on site which could pose a threat to human health and require on site monitoring and with the conditions listed in Section 13 of this report.

To refuse planning permission if an undertaking to secure the above has not been satisfactorily completed for the reason that the proposed development would not secure

- i) adequate affordable housing,
- ii) mitigation in order to protect the SPA, and
- iii) demonstrate that the site can be decontaminated without posing a risk to public health.

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 at the end of Bridge Road which is accessed via Sunninghill High Street. The site has historically been used as a gas works, and was decommissioned 4 years ago. The site has already undergone some remediation work in recent years, however, additional remediation will be required to decontaminate the site to a level acceptable for residential development. The site is one of 8 strategic sites identified in the Ascot, Sunninghill and Sunningdale Neighbourhood Plan as being suitable for housing and is also identified as a housing allocation site in the Borough Local Plan Submission Version (BLPSV).
- 3.2 The site is 2.36 hectares and is surrounded by existing residential development to the east, south and west. To the east and North West are the Victorian properties of Bridge Road and beyond that the High Street. To the south is Cavendish Meads a modern development within the 'Late 20th Century Suburbs' townscape area and to the west a less densely populated section of Cavendish Meads within the 'Executive Residential Estates' townscape area. The application site itself sits within the 'Industrial and Commercial Estates' townscape area. To the North is the railway line and along the embankment and part of the northern edge of the site is a secondary green corridor designed to provide connectivity for wildlife between local wildlife sites and other significant habitat areas. To the south west of the site is a playing field currently used by St Michael's C of E Primary School.
- 3.3 On the site itself are a number of protected trees including the rows of trees along the north and east boundaries and a copse in the south east corner of the site. In the north east corner is an electrical substation building which does not form part of the application site and as such is to be retained. The rest of the site is largely clear.
- 3.4 The site is currently accessed from Bridge Road with a new access proposed from Cavendish Meads. The site is not provided with strong public transport links as Sunninghill is located between Ascot and Sunningdale Train Stations and bus services are infrequent.

4. KEY CONSTRAINTS

- 4.1 The key constraints for the site are:
 - Contaminated land
 - Protected trees
 - Thames Basin Heaths Special Protection Area

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposal is for 76 residential units split into; 53 residential dwellings and 23 residential apartments (across 2 blocks). The proposal would involve the creation of a new vehicular access via Cavendish Meads as well as new parking and pedestrian and vehicular routes through the site, the creation of new public open space and landscaping and the decontamination of the site. 2 existing residential properties in the North West corner of the site are to be demolished.
- 5.2 The type of houses vary across the site with the larger detached and semi-detached properties set more spaciously within the southern part of the site and more compact terraced properties to the north. The majority of properties on the site are 2 and ½ or 3 storeys tall. The heights of dwellings range between 10.5 and 11.7m in height with the exception of the coach houses which are between 8.8 and 9.3m tall. This is similar to the refused scheme where the height of the main dwellings, excluding the coach house ranged between 10.7 and 11.2m. Two apartment buildings are proposed on site, one to the north which has a max height of 11.5m and one to the east which has a max height of 13m. This is below the height of the apartment buildings on the refused scheme which were 12.8m and 13.8m tall. Each of the dwellings across the site will be provided with either a garage and/or parking spaces (split between the front of properties and parking courts to the rear and side of properties) and small garden spaces to the rear of properties. Vehicle access to the apartment building to the north of the site is provided via Bridge Road with the remainder of the site being accessed via Cavendish Meads.
- 5.3 The apartment building to the north of the site has 14 units (8 x 1 bedroom and 6 x 2 bedroom) and the apartment building to the east of the site has 9 units (6 x 1 bedroom and 3 x 2 bedroom). The apartments are not provided with individual gardens, however, the flats at first floor and above are provided with small balconies and a small amount of communal green space is provided around the apartments. Behind each apartment block is a parking court providing 20 spaces for the larger apartment building and 12 spaces for the smaller apartment building. Each apartment building is provided with a dedicated cycle store and refuse store.

Reference	Description	Decision
01/80362/TLDTT	Application for determination as to whether prior approval is required for the siting and appearance of a 15m high shareable lattice tower with 6 cellular antenna and associated ground based equipment cabin at entrance of gas depot.	No objection – 16.02.2001
13/03062/FULL	Remediation works, including removal and disposal of materials and the creation of boreholes.	Permitted – 17.01.2014
14/00475/CONDIT	Details required by condition 3 (Construction and Environmental Management Plan) of planning permission 13/03062 for remediation works, including removal and disposal of materials and the creation of boreholes.	Approved – 10.04.2014

14/00705/CONDIT	Details required by condition 2 part 3 (implementation of Approved Remediation Scheme) of planning permission 13/03062, Remediation works, including removal and disposal of materials and the creation of boreholes.	Approved – 26.03.2014
14/01087/CONDIT	Details required by condition 2 part 1 (site investigation and risk assessment) and part 2 (remediation scheme) of planning permission 13/03062 for remediation works, including removal and disposal of materials and the creation of boreholes.	Approved - 14.05.2014
14/01565/VAR	Remediation works, including removal and disposal of materials and the creation of boreholes as approved under planning permission 13/03062 without complying with condition 2 part 5 (Long Term Monitoring and Maintenance) so that this part of the condition is removed.	Withdrawn – 10.06.2014
14/04161/SHLAA	SHLAA: Gasholder site, Sunninghill	N/A
15/01063/CONDIT	Environmental improvement works (remediation) to the decommissioned below ground electrical cable route corridor.	Permitted – 04.10.2017

6 **DEVELOPMENT PLAN**

Adopted Royal Borough Local Plan (2003)

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

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance	DG1, H10, H11
of area	DG1,1110,1111
Affordable housing	H3
Cycle parking	T7
Highways	P4, T5
Trees important to the area	N6
Archaeology	ARCH3
Pollution	NAP3
Drainage and surface water	NAP4

These policies can be found at https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Adopted Ascot Sunninghill and Sunningdale Neighbourhood Plan (2011-2026)

Issue	Neighbourhood Plan Policy
Design in keeping with character and appearance	DG1, DG2, DG3
of area	DG1, DG2, DG3
Highways	T1
Cycle routes	T2
Trees	EN2
Biodiversity	EN4
Green Corridors	EN5
Development briefs	H1
Mix of housing type	H2
Gasholder site	SS7

These policies can be found at

https://www3.rbwm.gov.uk/info/200209/planning_policy/477/neighbourhood_plans/2

Adopted The South East Plan - Regional Spatial Strategy

Issue	Plan Policy
Thames Basin Heaths Special Protection Area	NRM6

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2018)

Section 4 - Decision making

Section 5 – Delivering a sufficient supply of homes

Section 8 – Promoting healthy and safe communities

Section 9 - Promoting Sustainable Transport

Section 12 - Achieving well-designed places

Borough Local Plan: Submission Version

Issue	Local Plan Policy	Weight afforded
Design in keeping with character and appearance of area	SP2, SP3	Significant
Infrastructure and developer contributions	IF1	Significant
Sustainable Transport	IF2	Significant
Green and blue infrastructure	IF3	Significant
Open space	IF4	Significant
Housing development sites	HO1	Significant
Housing mix and type	HO2	Significant
Provision of affordable housing	HO3	Significant
Housing density	HO5	Significant
Trees, woodlands and hedgerows	NR2	Significant
Nature conservation	NR3	Significant
Thames Basin Heaths Special Protection Area	NR4	Significant
Environmental protection	EP1	Significant
Air, light and noise pollution	EP2, EP3, EP4	Significant
Contaminated land and water	EP5	Significant
Gas holder site, housing allocation site	HA35	Limited

- 7.1 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 Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.
- 7.2 This document can be found at: https://www3.rbwm.gov.uk/info/201026/borough local plan/1351/submission/1

Supplementary Planning Documents

RBWM Thames Basin Health's SPA

Other Local Strategies or Publications

- 7.3 Other Strategies or publications relevant to the proposal are:
 - RBWM Townscape Assessment
 - RBWM Parking Strategy
 - Affordable Housing Planning Guidance

More information on these documents can be found at: https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

95 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 25.09.2018

The application was advertised in a local paper circulated in the Borough on 27.09.2018

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

Coi	mment	Where in the report this is considered
1.	Concerns have been raised regarding the impact of the development on traffic congestion and highway safety.	See paragraphs 9.21 and 9.22
2.	Concerns have been raised regarding the disruption to existing residents during the building process.	Noted. Impact on residents can be minimised through the use of conditions (See condition 8)

3.	Concerns have been raised that some of the parking spaces for Bridge Road residents are not on land owned by St William.	Noted. The entirety of the works are shown to be within the red line site boundary. The correct ownership certificates have been filled in a notice has been served on any other interested parties.
4.	Concerns have been raised regarding the number of proposed dwellings and the level of development on site.	See paragraphs 9.10 to 9.17

Statutory consultees

Consultee	Comment	Where in the report this is considered
Thames Water	Advises that they have no objections to the application with regard to the impact on the sewerage infrastructure capacity and requests informative is attached regarding works within 15m of underground waste water assets.	Noted. The suggested informative has been included.
Natural England	The application is within 5km and over 400m from the Thames Basin Heaths SPA. Subject to the financial contribution as required through the LPA Local Policies/ Strategies/ SPDs Natural England is satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s), and has no objection to this aspect of the application.	The impact on the Thames Basin Heaths Special Protection Area has been considered in paragraphs 9.30 and 9.31.
Lead Local Flood Authority	No objections subject to a condition requiring the submission of full details of the proposed surface water drainage system and its maintenance arrangements.	Drainage issues have been considered in paragraph 9.29 and the suggested condition has been included.
Environment Agency	No objections to the proposed development subject to conditions securing a remediation strategy to deal with risk associated with contamination on the site and a condition securing a verification report demonstrating the completion of works set out in the remediation strategy. Conditions are also requested restricting the infiltration of surface water drainage and penetrative piling.	Contamination has been considered in paragraph 9.7. The conditions relating to contamination have been covered by the contaminated land condition suggested by Environmental Protection. All other conditions have been included.

Consultees

Consultee	Comment	Where in the report this is considered
RBWM Access Advisory Forum	 Welcomes the fact that the majority of the apartments will be built to Part M4 (2) standards and that all external spaces are accessible to wheelchair users and people with mobility impairment. Concerns that none of the parking 	Noted. Parking is considered in paragraph 9.23. There is no requirement for disabled spaces to be provided for a residential scheme.

	spaces are shown as being disabled spaces.		
Archaeology Officer	No objections subject to a condition securing the implementation of an approved programme of archaeological works.	Noted. The suggested condition has been included.	
Ecology Officer	No objections subject to conditions for the submission of a landscape environmental management plan, the submission of a lighting strategy, and to ensure that work is carried out in accordance with the mitigation measures within the ecology assessment.	Considered in paragraph 9.25 onwards. The suggested conditions have been included.	
Highways Officer	No objections subject to conditions securing: details of the accesses, a construction management plan, the provision of parking in accordance with submitted drawing, details of cycle parking facilities and the provision of refuse storage in accordance with the submitted drawings.	Considered from paragraph 9.21 onwards. The suggested conditions have been included.	
Environmental Protection Officer	Suggests conditions relating to construction management, dust management, construction hours and noise management. With regards to contaminated land it is suggested that a full contaminated land condition is imposed, securing details of: site characterisation, remediation details and long term monitoring and maintenance details. The condition also sets out what should be done in the event that unexpected contamination is discovered. It is also requested that funding is secured to fund independent oversight to ensure remediation is undertaken correctly.	Considered from paragraph 9.7 onwards. The construction environmental management plan (CEMP) and the condition relating to contaminated land have been included. Conditions relating to dust and noise management are covered by the CEMP condition and as such are not necessary. An informative has been included to make the applicant aware of the permitted hours for construction in the Borough.	
Tree Officer	Objects for the following reasons: • Larger off site trees to the south and east will over-dominate some of the individual units which have small rear gardens and the rear of plots 54-62. Extensive shading and leaf fall and apprehension when trees sway in the wind will lead to pressure to detrimentally prune these trees. • The northern elevation of apartment block 13-26 is approximately 2m from the tree planting along the northern boundary. Some of the rooms are single aspect with one window facing out into the planted	The impact on trees has been considered in paragraphs 9.15 and 9.16 and in paragraph 9.26 in the 'Impact on biodiversity' section.	

T		
	area. Trees will not have adequate space to mature without physically contacting the building, restricting the area for maintenance and will limit views out from the windows and increase the perception of shading of those windows Network may wish to ensure branches do not overhang their operational land. This means trees on the northern boundary would need to be planted further back in the site to avoid the need for detrimental pruning or tree loss. The proposed 6 parking bays in the North West corner will prevent sustainable planting and will block restoration of the green corridor. The layout does not sufficiently mitigate for the wholesale loss of trees. The trees in plots 2 and 3 are unsustainable. The landscape masterplan does not show patios is the rear gardens of properties. This gives an unrealistic impression the scheme will be greener than what actually will be the result.	
Parish Council	 Pleased that some of the previous objections had been partially addressed, however, objects for the following reasons: Pedestrian and cycle routes are too narrow The affordable housing is not entirely integrated Tandem parking on site. Cars parked in garages would also restrict space for bin storage. There remains a shortfall in public open space There is a diminution of affordable housing, and 3 and 4 bed houses and 	 Pedestrian and cycle routes as well as the integration of affordable housing and the provision of open space have all been considered in the 'scale, site layout, building design and landscaping' section from paragraph 9.10 onwards. Issues of highway safety and traffic

Others

Group	Comment	Where in the report this is considered
Neighbourhood Plan Delivery Group	Pleased to see that the concerns with the previous application have largely been addressed and on the assumption that the Council is satisfied on the following, supports the applications: - Sufficient improvements to Bridge Road can be conditioned - That pedestrian and cycle routes through the site meet the required standards - That the tree officer is satisfied with the tree planting proposal - That the affordable housing provision is policy compliant	 Issues of traffic generation and the suitability of the proposed access points has been considered in paragraphs 9.21 and 9.22 Pedestrian and cycle routes and connectivity through the site has been considered in paragraph 9.13 Issues relating to trees have been considered in paragraphs 9.15 and 9.16 Affordable housing has been considered in

	paragraph 9.20

9. EXPLANATION OF RECOMMENDATION

- 9.1 The key issues for consideration are:
 - i The principle of development of the site for residential use
 - ii Decontamination of the site and the loss of trees
 - iii Scale, site layout, building design and landscaping
 - iv Impact on residential amenity and the amenities of future residents
 - v Provision of affordable housing
 - vi The adequacy of car parking and the impact on highway safety
 - vii Impact on biodiversity
 - viii Impact on drainage and surface water
 - ix Impact on the Thames Basin Heaths Special Protection Area
 - x Other material considerations

The principle of development of the site for residential use

- 9.2 The application site is the Former British Gas site at the end of Bridge Road, Sunninghill. The site is one of the strategic sites set out in the Ascot, Sunninghill and Sunningdale Neighbourhood Plan (Neighbourhood Plan) and is identified as being suitable for housing and/or for a use by St. Michael's School by policy NP/SS7. The intent of this policy is:
 - To actively support the redevelopment of the Gas Holder site.
 - To minimise the impact on Sunninghill High Street from the likely increases in traffic movements.
 - To ensure that site accesses are safe, viable and do not adversely impact on the amenity of residents and businesses along them.
 - To ensure a mix of dwellings, appropriate for the area, with a strong preference for houses over flats.
 - To avoid exacerbating the congestion and existing shortage of parking in Sunninghill.
 - To deliver a publicly accessible open green space for the community.
 - To improve cycle and pedestrian routes in the area.
 - To support the possibility of moving St Michaels's school to a new building on this site.

Policy NP/SS7.1 also sets out that any development proposals for the site must encompass the entire area, and that development proposals must be in accordance with a development brief which is in line with the requirements of policy NP/H1, and accompanied by a statement of community consultation which meets the criteria set out in appendix D of the Neighbourhood Plan. These requirements have been met. The compliance of the application with the rest of the policy requirements for the site and the intent of the policy as set out above is discussed within the relevant sections of this report below.

9.3 The site is also identified within the Borough Local Plan Submission Version (BLPSV) as a potential housing allocation site. Policy HA35 of the BLPSV sets out that the site is suitable for approximately 53 residential units and sets out the requirements for any development on the site which are as follows:

- Retain existing mature trees
- Provide appropriate mitigation measures to address the impact of noise and air quality from the railway
- Preserve and enhance the green corridor adjacent to the railway line
- Provide an appropriate solution for addressing possible contamination of the site
- Enhance vehicular access to Bridge Road and High Street
- Provide pedestrian and cycle access to Bridge Road and High Street
- Designed sensitively to conserve biodiversity of the area
- 9.4 The National Planning Policy Framework (NPPF) at paragraph 48 advises that weight may be given to the relevant policies in emerging plans according to:
 - The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the wright that may be given); and
 - The degree of consistency of the relevant policies in the emerging plan to this framework (The closer the policies in the emerging plan to the policies in the framework, the greater the weight that may be given)

In this case there are significant unresolved objections in relation to the BLPSV housing allocation policy and as such limited weight is given to this policy.

- 9.5 This application is a re-submission of application 17/03036/FULL which was for 81 new dwellings. This application was refused and is currently the subject of an appeal. The previous application was refused for the following summarised reasons:
 - 1. The application site sits between the townscape areas of 'Victorian Villages', 'Late 20th Century Suburbs' and 'Executive Residential Estates'. The development due to the design of the dwellings and the density and layout of the development does not assimilate well with the characters of these surrounding areas. The proposed development also lacks connections through the site and does not integrate well with Sunninghill High Street and the surrounding area.
 - 2. The area to the north of the site and accessed from Bridge Road is of poor design. The flatted developments turn their backs on and are not fully integrated with the rest of the development. Furthermore the design of the flats fails to reflect the Victorian character of Bridge Road resulting in an incongruous form of development.
 - 3. The landscaping scheme proposed is insufficient to offset the substantial loss of onsite trees. The loss of the trees on site is harmful to the character and appearance of the area and a stronger more integrated landscaping scheme is necessary to mitigate for this required by the Neighbourhood Plan.
 - 4. The dwelling proposed on plot 7 would have an unacceptable overbearing impact on the garden space of the plot 6 dwelling. Equally the dwelling on plot 6 would have an unacceptable overbearing impact on the balcony of plot number 7 and would result in a significant loss of light into the front of this property.
 - 5. The application site is heavily contaminated and as such it is necessary for significant decontamination to take place prior to the use of the site for residential purposes. It is necessary for a contaminated land specialist to oversee the decontamination and development of the site. Financial contributions from the applicant are necessary to cover the cost of this which will need to be secured via a S106 agreement. These financial contributions have not been secured.
 - 6. The developer has stated that they will be providing 30% on site affordable housing which is in compliance with local standards, however, a S106 agreement is required to secure this. No such agreement is in place and further discussion and taking to place as to whether 100% shared ownership is acceptable.

- 7. The application is classified as a major and as such it is necessary for a fully detailed drainage strategy to be submitted. A drainage strategy has been submitted, however, the Lead Local Flood Authority who are the statutory consultee on these matters have raised a number of concerns with the contents of this strategy. Insufficient information has been submitted to demonstrate that surface water and drainage can be satisfactorily managed on site.
- 8. The applicant has stated that their intention is to make a financial contribution to the Council's SANG which is Allen's field. The number of new dwellings which can rely on Allen's Field, however, is limited. For housing allocation sites therefore the Council can only allow Allen's field to be relied upon for the number of units proposed within the site allocation, which in this case is 53. Alternative mitigation is therefore necessary for the remaining 28 units proposed. Notwithstanding the above in order to secure the necessary mitigation a S106 legal agreement will need to be put in place; at the time of writing there is no such agreement.
- 9. The proposal also fails to provide a green space which amounts to 15% of the site area as required by the Neighbourhood Plan.
- 9.6 This application has been submitted to try and address the issues set out in the above reasons for refusal. The main changes are:
 - A reduction in the number of homes from 81 to 76;
 - The public open space has been relocated adjacent to the school playing pitch which is owned by RBWM;
 - An alternative landscape strategy which includes semi-private amenity space around each
 of the apartment buildings;
 - An increase in tree planting (117 in original application v 154 in revised scheme);
 - An increase in the number of visitors car parking spaces (7 in original planning application v 13 in revised scheme):
 - A fitness trail has been provided within the open space to the south;
 - The entrance via Bridge Road has been reconfigured;
 - A new approach to permeability within the site including a new east west pedestrian route; and
 - An improvement to the design of the apartment buildings, including the removal of the crown roofs and their re-siting.

Decontamination of the site and the loss of trees

9.7 The application site due to its previous use as a gasworks has a number of contaminants present on the site. The results of the intrusive site investigation undertaken by JNP Group on behalf of St. Williams Homes show the presence of spent oxide, black liquids - tars, heavy metals, polycyclic aromatic hydrocarbons (PAH's) and total petroleum hydrocarbons (TPH's) and confirms that the contamination is wide spread across the site. Left untreated the contaminants identified can cause a significant risk to human health and controlled waters should the site be redeveloped for housing. Whilst the type of contaminants on site are known, the site has not yet been fully characterised and as such it is not clear from the investigation report submitted the full extent of the contaminants present on site. A detailed quantitative risk assessment to further assess the contamination on site will be necessary. It is not until the information put forward by the applicant to discharge the contamination condition prior to any works being carried out on the site that the Local Planning Authority (LPA) will fully understand the nature and extent of the contamination, including whether there is a level and type of contaminant that could pose a risk to public health i.e. neighbouring residents. This information is crucial before developing a remediation strategy as this will have a significant impact on all other environmental aspects such as: dust, noise, odour and vehicle movements. Should it be identified that the level and type of contamination could pose a public health risk then part of the remediation strategy to make the scheme acceptable would be to require on site monitoring of which an s106 payment would be necessary. If there is no risk to public health then the clause within the legal agreement requiring this payment would not be triggered. The Environment Agency has commented on the application and confirmed that it will be possible to suitably manage the risk posed to controlled waters, and request that a remediation strategy, by way of condition be agreed with the LPA prior to any built development is undertaken. This condition is covered by the requirements of the contaminated land condition suggested by the Council's Environmental Protection team. (See condition 9).

- 9.8 Whilst the full extent of the contamination across the site is not yet known, it is clear from what is known that for the site to be suitable for residential use substantial decontamination must take place and that existing on site trees will not survive this process due to the need to remove/move and treat large quantities of soil. The trees along the northern and eastern boundaries as well as the copse within the south east corner of the site are all covered by a tree preservation order. The possibility of leaving the land supporting the group of protected trees in the south east corner has been explored, however, to leave this area un-remediated would pose serious risks to human health even if it were to be fenced off. Contamination reduces towards the edge of the site and it is believed therefore that the soil along the edge of the site can be replaced without significantly harming neighbouring trees.
- 9.9 Local Plan Policy N6 of the Royal Borough of Windsor and Maidenhead aims to retain all important trees and this advice is reiterated in policy SS7 of the Neighbourhood Plan and policy NR2 of the submission version of the emerging Borough Local Plan, however, evidence demonstrates that it is not possible to safely deliver housing on the site and retain the trees. The number of trees proposed on site has been increased from 117 to 154 compared to the previous scheme and in general there is additional green space across the site. The majority of the proposed tree planting on site is focused along the street frontages, however significant planting is also proposed to the south both within the public open space and around the houses and also to the north where a strip of trees are proposed along the boundary. The proposed planting would make a strong positive contribution to the character and appearance of the area and would suitably mitigate for the loss of the existing trees on site which overcomes the policy objection.

Scale, site layout, building design and landscaping

- 9.10 The application site sits in close proximity to Sunninghill High Street and is bordered by two very different types of townscape. Bridge Road, Charters Lane and the High Street to the north and west of the site are classified within the RBWM Townscape Assessment document (TA) as 'Victorian Villages. To the south is a part of Cavendish Meads which is classified as 'Late 20th Century Suburbs' and to the east another part of Cavendish Meads with a looser density and classified as 'Executive Residential Estates'. The application site will have physical links between the 'Victorian Villages' and the 'Late 20th Century Suburbs' areas and as such the character of the site will be viewed closely in connection with these areas. Policy SS7 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan is also keen for development across the site to reflect these surrounding character types, with the larger homes at the Cavendish Meads end and smaller homes at the Bridge Road end. The TA sets out the key characteristics of all the townscape areas. Some of the key characteristics for 'Victorian Villages' include:
 - Urban form defined by a hierarchy of principal villages streets and secondary side streets, with narrow building plots
 - Rows of terraces and semi-detached properties, typically 2-2.5 stories
 - Detailed building frontages and variation in roof lines
 - Strong building lines
 - Consistent palettes of materials
 - Few street trees, but ornamental planting within front gardens
 - On street parking, owing to the fact that villages were not built with the car in mind

Some of the key characteristics of 'Late 20th Century Suburbs' include:

- Medium density residential suburbs
- Built form defined by semi-detached and detached two storey houses
- Consistency in plot form, density and building scale
- Car orientated development with generous street widths, and private off-street parking
- Ornamental tree species within public open spaces and private gardens

- Wide grass verges and shared amenity greenspaces
- Quiet suburban character due to dead-end street layout.
- 9.11 Concerns were raised during the previous application that the development was confused due to the inspiration for the design of the buildings coming from the 'Victorian Villages' character area whereas the layout and density of the development closer resembled that of the 'Late 20th Century Suburbs' character area. The development, due to the failure to integrate parking well into the area, the weak landscaping scheme and number of proposed units; was also considered to represent an overdevelopment of the site. Concerns were also raised specifically to the design of the apartment buildings which were not well integrated with the rest of the site and were of poor design in general. Views into the site via Bridge Road were also of the car park, which was not conducive to creating an attractive development. Opportunities for connecting the site to the wider area in general were missed and permeability across the site was poor due to the strong north south emphasis of the roads and footpaths within the site. Finally the green space was considered to be substandard and the loss of trees was not suitably mitigated for.
- 9.12 The current application makes a number of changes to the previous scheme including:
 - A reduction in the number of homes from 81 to 76
 - The relocation of the public space (7.5% of the site) adjacent to the school playing field.
 - An alternative landscape strategy which includes semi-private amenity space around each of the apartment buildings
 - Increased tree planting (117 in the original application v 154 in the revised scheme)
 - A reconfigured arrival space at Bridge Road entrance creating a visual "end stop".
 - A new approach to permeability, including a new east west pedestrian route
 - An improvement in the design of the apartment buildings (removal of crown roofs)
 - The re-siting of the apartment buildings so that they no longer turn their backs on the rest of the development and one of the blocks has been moved to the east of the site.
- 9.13 The layout of the site is considered to be an improvement compared to the previous application with a reduction in the overall density and an increase in the amount of planting and space around dwellings in particular the flatted developments. The larger properties within the less densely populated area to the south have also been redesigned slightly and include a wider palette of materials which helps create a greater distinction between the areas to the north and the south of the site as you transition from the 'Victorian Villages' to the 'Late 20th Century Suburbs' character area. The connectivity through the site is improved with a 2m wide path now proposed from east to west just south of apartment building to the north of the site. Although connections through to the wider area are unchanged effort has been made to create spaces where possible connections can be made in the future such as with Charters Lane. Parking is also better integrated with a reduction in the reliance on rear parking courts. The Green Space in the south west corner is still below the 15% figure (7.5%) required by policy SS7 of the Neighbourhood Plan, however, its location adjacent to the existing school playing fields allows for the possibility of it being linked through to this area in the future making it a much more usable space and this weighs in favour of the scheme. Furthermore the scheme's good level of design, general level of open space within the development and the benefits of bringing forward housing on this site are considered to cumulatively outweigh the limited harm caused by the failure to achieve 15% public open space.
- 9.14 The Apartment buildings have been redesigned and take a greater level of influence from the Victorian Character of the area. The crown roof design has also been removed, thereby reducing their bulk and creating more attractive buildings. The entrance into Bridge Road has also been redesigned with the apartment building turned 90 degrees to face towards Bridge Road and create a more attractive focal point as you approach the site. The area to the north of the site is also better integrated with the wider site with the apartment buildings no longer turning their back on the rest of the development and stronger pedestrian links through to the north of the site and Bridge Road being provided.

- 9.15 Several potential conflicts between trees and built development have been raised by the Councils Tree Officer. Firstly the issue of properties and gardens along the southern and eastern boundaries being shadowed by trees has been raised and this along with leaf fall and possible apprehension from tree sway leading to a pressure to prune the trees. The properties along the eastern boundary are the closest to existing trees however there remains a gap of at least 15m which is considered sufficient to prevent significant overshadowing at most times of the day. To the south there is a buffer of 10m between the boundary trees and the residential gardens. The gardens are also approximately 10-11m wide so even the maximum amount of shadowing predicted (15m) would not cover the entirety of these gardens. It is considered that any pressure to prune trees as a result of leaf fall of from trees swaying in the wind could be resisted. The relationship between plot 1 and the boundary trees to the west was also raised however as with the houses to the south and east the separation to the trees and the size of this property's garden is considered sufficient to prevent significant overshadowing. Finally concerns have been raised that the trees to be planted along the northern boundary will conflict with the apartment building (plots 13-26). Even if the trees along this boundary do not have sufficient space to reach full maturity they will still make a positive contribution to the character and appearance of the area and offer a value. The windows within the side elevation of the apartment building either serve bedrooms which are not main amenity areas or they serve kitchen/living rooms which also have windows to the front and rear meaning they would be provided with sufficient light from elsewhere.
- 9.16 Further concerns have been raised by the Councils tree officer with regards to the proximity of the trees along the northern boundary to the railway line which could therefore be pruned back by network rail however this is the case with the existing boundary trees. Other trees such as those within the front gardens of plots 2 and 3 are said to be unsustainable a matter which the applicant's tree consultant strongly disputes. However the longevity of 2 trees when 154 are being planted does not warrant refusal of the scheme.
- 9.17 The changes to the scheme compared to the refused proposal has resulted in a scheme that assimilates much better with the surrounding area and mitigates suitably for the loss of the existing on-site trees so not to cause harm to the character and appearance of the area. The proposal is therefore in this regard compliant with Local Plan Policies N6, H10 and H11, Neighbourhood Plan Polices DG1, DG2, DG1 and EN2 and the spatial strategy as set out in the emerging local plan to which significant weight is attributed. Although the proposal does not comply with policy SS7 of the Neighbourhood Plan due to the substandard green space (7.5% of the site rather than the 15% required) it is considered that the location of this open space next to an existing playing field, the scheme's good level of design and level of general open space provided within the development as well as the benefits of bringing forward housing on this site outweigh this limited harm.

Impact on residential amenity and the amenities of future residents

9.18 The application site is bounded on three sides (east, south and west) by residential development. To the west there is a separation distance of approximately 11-13 metres between the rear elevation of the proposed dwellings and the gardens of the Bridge Road and Charters Lane properties; the proposed dwellings along this boundary have a maximum height of approximately 10.8m. Along the eastern boundary this gap is increased to between 15m and 20m with the exception of the apartment building which has a rear projection within 6m of this boundary, however, this is at ground floor only and the gap increases to around 11m at first floor and above. Level differences (Cavendish is set slightly higher than the application site) and significant boundary planting will also help to reduce any impact. The houses along this boundary have a maximum height of approximately 10.8m and the apartment building is between 12m and 13m with the lower part of the roof being to the rear. To the south the proposed dwellings are not directly adjacent to any key amenity areas of the Cavendish Meads properties and are separated by a strip of mature trees. In all cases it is considered that the relationship between the proposed dwellings and the existing properties is acceptable and there would be no significant impact to the amenities of existing residents.

9.19 The majority of the dwellings with exception of the coach houses and the flats are provided with rear gardens of approximately 50sqm and some of the larger dwellings have gardens in excess of 100sqm. This is sufficient to provide the future occupiers of these dwellings with a good standard of outdoor amenity. The occupiers of the flats and coach houses will not have private garden spaces, however, will be provided with a small terrace or balcony and will have use of the green proposed in the south west corner of the site. The amount of space around the flats has also been increased from the previous scheme providing the future occupiers with a good sized semiprivate outdoor amenity space. These properties have a maximum of 2 bedrooms and are therefore less likely to be occupied by large families, making this arrangement acceptable. There are back to back distances of 21 metres between the properties proposed in the middle of the site which is sufficient to ensure the future occupiers are provided with a good level of amenity. The conflict between plots 6 and 7, raised as an issue in the previous scheme has been addressed as a result of the new layout. None of the proposed apartments fall below the minimum sizes contained within the Nationally Described Space Standards as set out in the table below. A Council Environmental Protection Officer has considered the proposal and has raised no issues with the flats/gardens being in close proximity to the railway line. The proposed development would therefore comply with paragraph 127 (f) of the National Planning Policy Framework which requires planning decisions to ensure that developments provide a high standard of amenity for all existing and future users.

Nationally described space standards

No. of bedrooms	No. of bed spaces (persons)	Minimum Size
1	2	50sqm
2	3	61sqm
2	4	70sqm

Provision of affordable housing

9.20 The application is supported by an affordable housing statement which sets out that 23 of the 76 (30%) of the dwellings on site will be classed as affordable which is in line with policy H3 of the Adopted Local Plan. This offer is based on the current proposed quantum of development for the site and will be achieved by marketing the 1 and 2 bedroom apartments for shared ownership. The Strategic Housing Market Assessment suggests that the majority of housing need (70 -75%) is for rented accommodation, however, the Council is keen to encourage opportunities for residents to enter home ownership. Additionally the tenure mix is not specified in adopted policy; this is a consideration in the BLPSV and the NPPF (2018) has also introduced other factors in relation to affordable housing which have to be considered as material to the scheme. It is recognised that the applicant is delivering a mix of units' sizes 1 and 2 bed which are sited in two clusters through the scheme and this complies with the 30% level cited in the Adopted Local Plan. On this basis the proposed affordable housing provision is considered to be acceptable. Affordable housing units will be secured in the legal agreement. The proposal complies with policy H3 of the Adopted Local Plan and paragraph 64 of the National Planning Policy Framework which sets out for major developments involving the provision of affordable housing that at least 10% of homes should be available for affordable home ownership.

The adequacy of car parking and the impact on highway safety

9.21 The site is currently served from Bridge Road which is classified as a private street that is accessed off Sunninghill High Street. The road is predominantly residential, but does serve a small number of commercial units. The width of Bridge Road varies between 4.5 and 5 metres and is bordered on the southern side by a footway, approximately 1m in width. The majority of dwellings along Bridge Road do not benefit from curtilage parking and as a consequence onstreet parking effectively reduces Bridge Road to a single lane highway. Bridge Road is further constrained by substandard visibility splays at the junction with the High Street. A new access, in addition to the existing access is proposed from Cavendish Meads which is an adopted residential road accessed from Bagshot Road. The junction between these two roads provides in

both directions visibility splays greater than the current requirement set at 2.4m x 30m. The main access for the development will be via Cavendish Meads which will serve the majority of the residential units (62 units). The width of the entrance is 3.7m with priority to be given to vehicles entering the site. The internal road network has a minimum width of 4.8m which complies with the guidelines set out in the Department for Transport's Manual for Streets. The secondary access will serve 14 of the apartments.

- 9.22 The application has been supported by a transport survey which has been assessed and found to be sound by a Council Highway Officer. In order to predict the trips generated by the 53 houses accessing the Cavendish Meads/Bagshot Road junction the applicant has undertaken a survey of the existing traffic flows of the existing 144 residential dwellings in Cavendish Meads. Based on these results the dwellings could potentially generate 38 and 33 two-way trips during the am and pm peak periods respectively which is a reduction in 4 trips compared to the previous refused scheme when 57 dwellings were to be accessed from Cavendish Meads. In addition 9 apartments are to be accessed from Cavendish Meads and 14 from Bridge Road. The predicted trip generation has been worked out using TRICS (Trip Rate Information Computer System) data from comparable sites in the local area. Residential apartments typically generate fewer vehicle trips than residential houses and using the TRICS database it is predicted that the apartments could generate 7 two way trips in the am and pm peak periods respectively. This gives a total of 45 and 40 two way trips in the am and pm peak periods across the site. This is a reduction from 49 and 45 predicted for the previous refused scheme. In addition the number of trips via Bridge Road will decrease due to the reduction in the number of apartments accessed via this road from 23 to 14 which is considered to be a benefit due to the restricted nature of Bridge Road and limited visibility at the Bridge Road and High Street junction. Whilst it is acknowledged that there are constraints surrounding Bridge Road as an access, the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts of development are severe. It is considered that the limited number of cars using this road/junction would not result in a severe impact to highway safety. As such the evidence with regard to trips generated demonstrates that the proposal would not have a severe independent or cumulative impact on traffic congestion in Sunninghill High Street and the proposal complies with NP/SV1.1.
- 9.23 The development will provide 171 allocated/garage parking spaces, which is 1 space above the Borough's maximum parking standards. The development also proposes a further 11 spaces for Bridge Road residents, 13 visitor parking spaces (including 1 electric charging point) and 1 space to be used for access to the existing pressure reduction system on site bringing the total number up to 196 spaces. A table has been set out below setting out the spread of parking across the site and the spaces per dwelling. In this instance there is an overprovision of parking spaces by 25 spaces, however, this is considered to be acceptable because i) additional spaces are required for use by the Bridge Road residents who would otherwise be losing an area which can currently be utilised for parking and ii) given the scale of development proposed and site's proximity to Sunninghill High Street it is important to prevent parking from the development over spilling into the High Street to the detriment of its viability and vitality and in order to adequately address NP SV1.2. The allocated parking spaces for the proposed dwellings are provided within a mix of garages, parking courts and on driveways and all spaces meet the minimum standards of 2.4m x 4.8m for a parking space and 3m x 6m for a garage (which includes space for a car and storage). Concerns have been raised by the parish council with regards to the tandem parking arrangement on some sites, however, as these are private residential properties this can be managed successfully by each household.

Parking spread across site

Type of space	Parking spaces	
	provided	
Allocated parking	400	
spaces	138	
-		
Garage/car port	33	
spaces	00	
Visitor spaces	13	
Bridge Road parking	11	
Pressure reduction	1	
system space		

No. spaces per dwelling

Unit size (number of units)	Parking spaces provided
1 bedroom apartments (14)	14
2 bedroom apartments (9)	18
2 bed coach houses (4)	9
3 bed houses (17)	34
4 bed houses (24)	72
5 bed houses (8)	24
Total spaces	171

9.24 Cycle parking facilities are also provided with each apartment provided with 1 space within a covered cycle store and each dwelling with the exception of the coach houses has either a rear access or access through to the garden via the garage and space within the rear garden to accommodate a cycle storage facility, details of which would need to be secured. Space is provided within the rear gardens of the dwellings for refuse storage. The apartments and coach houses are provided with external bin stores. A series of drawings have been provided which show that a 10.98m refuse vehicle as well as vehicles used by the emergency services can manoeuvre safely within the site.

Impact on biodiversity

- 9.25 The NPPF requires the planning system to contribute to the natural environment by minimising the impact on biodiversity and providing net gains where possible. Information has been provided by the applicant using the biodiversity toolkit and within an Ecology Assessment undertaken by Ecology Solutions. The habitat losses during development and habitat gains as part of the proposed development plan have been calculated to give a habitat impact score. It has been demonstrated that the current proposal will provide a small net gain in biodiversity at the site as long as all the habitats proposed, including grassland, woodland, hedgerows and shrubs are provided. A Landscape and Ecology Management Plan is necessary to ensure that the creation, maintenance and management of the habitats and other enhancements are undertaken and maintained to the necessary standards to ensure a net gain in biodiversity. A condition can also be used to ensure that the work is carried out in accordance with the precautionary mitigation measures detailed within section 5.3 of the Ecology Assessment. (See conditions 4 and 6).
- 9.26 To the north of the site is a secondary green corridor which as set out in the neighbourhood plan is designated to deliver contiguous and uninterrupted semi-natural habitats to provide connectivity between designated local wildlife sites. Where a corridor does not follow a watercourse, its width shall be taken to be 10m. Concerns have been raised by the Tree Officer that the 6 parking spaces in the North West corner of the site will interrupt this corridor by limiting the amount of potential planting. At this particular point along the boundary the width would be less than 10m however new planting elsewhere along this boundary gives a minimum width of 4 metres which, when taken together with existing planting along the embankments either side of the railway line, is well in excess of the required 10 metres. The proposed planting to the north is also continuous and provides an improvement of the existing tree line which supports large gaps and as such the planting along the northern boundary provides an improvement to the green corridor and would provide a more suitable commuting habitat for wildlife.
- 9.27 The application site provides habitats suitable for a number of species on site and most notably evidence of bats and slow worms were recorded. The trees within the site are not considered to support features of value for bats. One of the existing buildings (B2 on the ecological features plan) offers some limited opportunities for roosting however no bats were recorded as emerging or re-entering the building and it is not considered therefore that the development proposal will have an effect on roosting bats. Surveys undertaken by the applicant suggest that the site is currently used by a small number of foraging and commuting bats and the planting proposed as

part of the biodiversity mitigation and enhancements will improve opportunities for bats in this regard. Habitats along the western boundary suitable for slow worms are to be removed and caught slow worms will be released into grassland along the northern boundary of the application site allowing their dispersal into suitable habitat in the wider area.

9.28 It is considered that these species and their habitats can be sufficiently protected through the use of planning conditions which secure the habitat enhancement and mitigation measures set out in the ecology assessment via a landscaping and ecology management plan. This will also set out the final location for biodiversity enhancements and details of how these will be managed. A lighting strategy will also be necessary to ensure that external lighting does not adversely impact upon wildlife; the strategy shall set out the layout and beam orientation of external lighting and the equipment to be used and their level of illuminance (See condition 4, 5 and 6). Subject to these conditions it is considered that the development will have an acceptable impact on ecological grounds and therefore complies with paragraph 175 of the National Planning Policy Framework and policy NR3 of the submission version of the emerging Borough Local Plan.

Impact on drainage and surface water

The application is supported by a Flood Risk Assessment which includes a surface water 9.29 drainage strategy. The Lead Local Flood Authority has commented on the application and are satisfied with the proposed surface water discharge rates which have also been approved by Thames Water. Whilst there remains some uncertainty regarding the exact layout and performance of the proposed surface water drainage system, the submitted plans and supporting calculations indicate that an adequate on-site attenuation storage can be achieved. There are no objections therefore to the scheme on drainage grounds subject to full details of the surface water drainage scheme and details of the maintenance arrangements relating to the proposed surface water drainage system. As such the proposal complies with paragraph 163 of the National Planning Policy Framework.

Impact on the Thames Basin Heaths Special Protection Area

- The Thames Basin Heaths Special Protection Area (the SPA) was designated in 2005 to protect 9.30 and manage the ecological structure and function of the area to sustain the nationally important breeding populations of three threatened bird species. The application site is located within five kilometres from the closest part of the Thames Basin Heaths Special Protection Area (SPA), which is protected by European and national legislation. This imposes requirements on the Local Planning Authority to protect this sensitive area of natural/semi-natural habitat. Although the Council has an adopted Suitable Alternative Natural Greenspace (SANG) known as Allen's Field. this only has a limited amount of remaining capacity. However this capacity has already been safeguarded for the delivery of submission allocated sites in the Borough Local Plan Submission Version (BLPSV). Unplanned development using up this capacity could result in sustainably located plan-led developments being put at risk of not being implemented in a timely manner or not at all. To avoid this arising, the Council's position is that unplanned development of over 9 dwellings is not able to rely on capacity at the Council's SANG at Allen's Field and would need to find alternative mitigation.
- 9.31 In this instance the application site is allocated for housing in the BLPSV, however, it is only allocated for 53 dwellings whereas the development proposal is for 76. It is agreed that Allen's Field can be relied upon for 53 of these dwelling plus an additional 9 as would usually be allowed for unplanned developments and a further 2 taking account of the existing 2 residential properties' on the site. However, alternative mitigation will need to be provided for the remaining 12 dwellings. This is to be achieved by linking this scheme to the proposed development at Sunningdale Park which provided its own on site SANG with additional capacity. Clauses will need to be inserted into the legal agreement tied to this development and the development at Sunningdale Park to secure this necessary mitigation. Furthermore a condition is recommended preventing the 12 outstanding dwellings from being occupied until the mitigation is provided. (See condition 18). This is only possible here as the development company is the applicant for both sites and both are at application stage enabling certainty and control through legal agreement 35

Other Material Considerations

Heads of Terms to be secured in the Legal Agreement

- 9.32 1) Secure the public use and maintenance of the village green and public areas throughout the development.
 - 2) Secure the deliverability of the affordable housing under a suitable timeframe.
 - 3) Secure SPA mitigation (64 at Allen's Field and 12 at Sunningdale Park) including the necessary SANG and SAMM payments.
 - 4) Secure funding to oversee the decontamination of the site (max £75,000) should further testing confirm that there may be a potential risk to public health.

Housing Land Supply

9.33 Paragraphs 10 and 11 of the NPPF (2018) set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Footnote 7 of the NPPF (2018) clarifies that policies which are most important for determining the application are out-of-date includes include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer).

Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council formally submitted in January 2018. The Borough Local Plan Submissions Version sets out a stepped housing trajectory over the plan period (2013-2033). As detailed in the supporting Housing Land Availability Assessment a five year supply of deliverable housing sites can be demonstrated against this proposed stepped trajectory. However as the BLPSV is not yet adopted planning policy, due regard also needs to be given regarding the NPPF (2018) standard method in national planning guidance to determine the minimum number of homes needed for the borough. At the time of writing, based on this methodology the Council is able to demonstrate a five year rolling housing land supply based on the current national guidance.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

10.1 The development is CIL liable at a rate of £240 per sqm. The proposed floor space of the dwellings is 10,310sqm resulting in a contribution of £2,474,400.

11. CONCLUSION

11.1 Local Plan Policy N6 of the Royal Borough of Windsor and Maidenhead aims to retain all important trees and this advice is reiterated in policy SS7 of the Neighbourhood Plan and policy NR2 of the submission version of the emerging Borough Local Plan, however, evidence demonstrates that it is not possible to safely deliver housing on the site and retain the trees. 154 trees are to be planted across the site with adequate green spaces within the development to prevent it appearing overdeveloped. The proposed planting would make a positive contribution to the character and appearance of the area and would suitably mitigate for the loss of the existing trees on site which overcomes the policy objection.

- 11.2 The changes to the scheme compared to the refused proposal has resulted in a scheme that assimilates much better with the surrounding area and mitigates suitably for the loss of the existing on-site trees so not to cause harm to the character and appearance of the area. The proposal is therefore in this regard compliant with Local Plan Policies N6, H10 and H11, Neighbourhood Plan Polices DG1, DG2, DG1 and EN2 and the spatial strategy as set out in the emerging local plan to which significant weight is attributed. Although the proposal does not comply with policy SS7 of the Neighbourhood Plan due to the substandard green space (7.5% of the site rather than the 15% required) it is considered that the location of this open space next to an existing playing field, the scheme's good level of design and level of general open space provided within the development as well as the benefits of bringing forward housing on this site outweigh this limited harm.
- 11.3 In all cases it is considered that the relationship between the proposed dwellings and the existing properties is acceptable and there would be no significant impact to the amenities of existing residents. All properties are provided with a sufficient standard of outdoor amenity and none of the proposed apartments fall below the minimum sizes contained within the Nationally Described Space Standards. A Council Environmental Protection Officer has considered the proposal and has raised no issues with the flats being in close proximity to the railway line. The proposed development would therefore comply with paragraph 127 (f) of the National Planning Policy Framework which requires planning decisions to ensure that developments provide a high standard of amenity for all existing and future users.
- 11.4 The application is supported by an affordable housing statement which sets out that 23 of the 76 (30%) of the dwellings on site will be classed as affordable which is in line with policy H3 of the Adopted Local Plan. The proposal complies with policy H3 of the Adopted Local Plan and paragraph 64 of the National Planning Policy Framework which sets out for major developments involving the provision of affordable housing that at least 10% of homes should be available for affordable home ownership.
- 11.5 The development will be provided with sufficient parking and details of cycle and refuse storage can be secured via condition. It has been demonstrated that the additional traffic generated by the proposal can be accommodated within the existing road infrastructure and there would not therefore significantly impact highway safety. The proposal complies with policies P4 and T5 of the RBWM Local Plan, policy SV1 parts 1.1 and 1.2. (Part 1.3 is not relevant to this application) and T1 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan and policy IF2 of the submission version of the emerging Borough Local Plan.
- 11.6 Subject to conditions it is considered that the development will have an acceptable impact on ecological grounds and therefore complies with paragraph 175 of the National Planning Policy Framework and policy NR3 of the submission version of the emerging Borough Local Plan.
- 11.7 There are no objections to the scheme on drainage grounds subject to full details of the surface water drainage scheme and details of the maintenance arrangements relating to the proposed surface water drainage system being secured via condition. As such the proposal complies with paragraph 163 of the National Planning Policy Framework.
- 11.8 In this instance the application site is allocated for housing in the BLPSV, however, is only allocated for 53 dwellings whereas the development proposal is for 76. It is agreed that Allen's Field can be relied upon for 53 of these dwelling plus an additional 9 as would usually be allowed for unplanned developments and a further 2 taking account of the existing 2 residential properties' on the site. However, alternative mitigation will need to be provided for the remaining 12 dwellings. This is to be achieved by linking this scheme to the proposed development at Sunningdale Park which provided its own on site SANG with additional capacity.
- 11.9 For the above reasons the proposed development is considered acceptable and would provide a good residential development.

12. APPENDICES TO THIS REPORT

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

13. 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.
 - <u>Reason:</u> To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development above slab level shall take place until details of the materials to be used on the external surfaces of the development have first 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.
 - <u>Reason:</u> In the interests of the visual amenities of the area. Relevant Policies Royal Borough of Windsor and Maidenhead Local Plan Local Plan DG1, Ascot Sunninghill and Sunningdale Neighbourhood Plan policies NP/DG1 and NP/DG3, policy SP3 of the submission version of the emerging Borough Local Plan and paragraph 127 of the National Planning Policy Framework.
- No development shall take place, other than tree felling but not stump removal, within housing plots 63 to 72 inclusive (as shown on Site Layout Drawing 2765-A-1005-G, dated September 2018), until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological works (which may comprise more than one phase of investigation) in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority.
 - <u>Reason:</u> The site lies within an area of archaeological potential, mostly relating to the proximity of a Roman road and possible Roman villa. A programme of works is required to mitigate the impact of development and to record any surviving remains so as to advance our understanding of their significance in accordance with national and local plan policy. Relevant Policies National Planning Policy Framework paragraph 199.
- 4 A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the local planning authority prior to the occupation of the development. The LEMP shall include the following:
 - a) Description and evaluation of features to be managed, including the location and specifications of biodiversity enhancements
 - b) Aims and objectives of management.
 - c) Prescriptions for management actions.
 - d) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - e) Details of the organization responsible for implementation of the plan, as well as funding mechanisms.
 - f) Ongoing monitoring and remedial measures, and where the results from monitoring show that conservation aims of the LEMP are not being met contingencies and/or remedial actions to ensure that the development still delivers the fully functioning biodiversity objectives.

The plan will be implemented in accordance with the approved details.

<u>Reason:</u> To ensure that opportunities for wildlife are provided, in line with paragraph 175 of the National Planning Policy Framework, policies EN4 and EN5 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan and Policy NR3 of the submission version of the emerging Borough Local Plan.

- 5 No external lighting shall be installed until a report detailing the lighting scheme and how this will not adversely impact upon wildlife has been submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:
 - a) A layout plan with beam orientation
 - b) A schedule of equipment
 - c) Measures to avoid glare
 - d) An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being ecologically sensitive.

The approved lighting plan shall thereafter be implemented and maintained as agreed.

Reason: To ensure that wildlife is not adversely affected by the proposed development in line with paragraph 175 of the National Planning Policy Framework, policy EN4 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan and policy NR3 of the submission version of the emerging Borough Local Plan.

- 6 Works shall be carried out in accordance with the precautionary mitigation detailed in Section 5.3 of the Ecology Assessment (Ecology Solutions, September 2018) unless otherwise agreed in writing by the council.
 - Reason: To ensure that protected wildlife is safeguarded in accordance with paragraph 175 of the Neighbourhood Plan and policy NR3 of the submission version of the emerging Borough Local Plan
- 7 No development (excluding demolition) shall commence until a surface water drainage scheme for the development based on the principles set out in the Drainage Strategy Drawing, ref 4799-1002 rev P7, dated 17th September 2018, has been submitted to and approved in writing by the Local Planning Authority. Details shall include:
 - a) Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details.
 - b) Supporting calculations demonstrating the adequacy of the proposed surface water drainage system.
 - c) Details of proposed exceedance routes demonstrating the mitigation of flood risk within the development and that the proposed development will not increase flood risk adjacent to the site
 - d) 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 that the proposed development is safe from flooding and does not increase flood risk elsewhere. This condition is precommencement to ensure that the surface water drainage scheme can be fully implemented without conflicting with the approved development.

- 8 No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust, odour and site lighting. The development shall be carried out in accordance with the approved details. The plan should include, but not be limited to:
 - a) Procedures for maintaining good public relations including complaint management, public consultation and liaison
 - b) Arrangements for liaison with the Environmental Protection Team
 - c) All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
 - 08:00 Hours and 18:00 Hours on Mondays to Fridays
 - 08:00 and 13:00 Hours on Saturdays and;

- No time on Sundays and Bank Holidays.
- d) Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- e) Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- f) Procedures for emergency deviation of the agreed working hours.
- g) Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- h) Measures for controlling the use of site lighting whether required for safe working or for security purposes.

<u>Reason:</u> This is a pre-commencement condition to ensure that the development is carried out in a way that would not harm the amenities of surrounding occupiers at any stage of the development. Relevant policies - Local Plan policy NAP4 and policy EP1 of the submission version of the emerging Borough Local Plan.

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions a to d have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition d has been complied with in relation to that contamination.

a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- a survey of the extent, scale and nature of contamination;
- an assessment of the potential risks to:
 - o human health
 - o property (existing or proposed) including buildings, crops, livestock, adjoining land,
 - groundwater and surface waters,
 - ecological systems; and
 - o archaeological sites and ancient monuments
- an appraisal of remedial options, and proposal of preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of land contamination, CLR 11'.

b) Submission of Remediation Scheme.

A detailed remediation scheme to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) Implementation of Approved Remediation Scheme.

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

d) Reporting Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition b), 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 in accordance with condition c).

e) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of (x) years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

<u>Reason:</u> 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, policy EP5 of the submission version of the emerging Borough Local Plan and paragraph 170 of the National Planning Policy Framework.

10. No part of the development shall be occupied until the relevant access has been constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and opened for traffic. The access shall thereafter be maintained for vehicular traffic.

<u>Reason:</u> This condition is a pre-commencement condition in the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1, policy T1 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan and policy SP3 of the submission version of the emerging Borough Local Plan.

Prior to the commencement of any works, a construction management plan showing how 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.

<u>Reason:</u> This is a pre-commencement condition to ensure that details of construction management are considered prior to any work being carried out on site so as to minimise impacts to traffic flow and highway safety throughout the course of the development. Relevant Policies - Local Plan T5, policy T1 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan and policy SP3 of the submission version of the emerging Borough Local Plan.

- No residential unit shall be occupied until its vehicle parking space and access to it from the public highway has been provided in accordance with the approved drawing unless otherwise agreed in writing by the Local Planning Authority. The space approved shall be retained for parking in association with the development.
 - <u>Reason:</u> 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, policy T1 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan and policy IF2 of the submission version of the emerging Borough Local Plan
- No residential unit shall be occupied until its 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.
 - <u>Reason:</u> 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 and policy IF2 of the submission version of the emerging Borough Local Plan.
- No residential unit shall be occupied until its refuse bin storage area and recycling facilities and access to the said facilities for purposes of refuse collection 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.
 - <u>Reason:</u> 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.
- No infiltration of surface water drainage into the ground at the application site is permitted other than with the prior written consent of the Local Planning Authority.
 - <u>Reason:</u> To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilized contaminants in line with paragraph 170 of the National Planning Policy Framework. This was a gas works site and therefore the surface water drainage plans for this site should not include the use of infiltration drainage (e.g. soakaways).
- Piling using penetrative methods shall not be carried out other than with the prior written consent of the local planning authority. The development shall be carried out in accordance with the approved details.
 - <u>Reason:</u> To ensure that the proposed potential piling does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework. It is proposed that piling will be used for this development. We need to see results of additional site investigation and also a comprehensive conceptual model produced for this site. This should address the potential for a layered aquifer to be present within the Bagshot Beds. A piling risk assessment should address the potential for significantly contaminated perched groundwater to be connected to deeper and less contaminated layers of the aquifer through the use of piling.
- Prior to commencement a phasing programme of works shall be submitted to and approved in writing by the Local Planning Authority, this programme will include details of when the Bridge Road parking as shown on plan 2765-A-1701-C is to be provided. The proposed development shall be carried out in accordance with these details unless agreed in writing by the Local Planning Authority. The Bridge Road spaces shall not be allocated for use in association with any other part of the development and shall be marked out for use by the Bridge Road residents only and permanently retained as such.

Reason: To ensure that the residents of Bridge Road are provided with sufficient parking. 43

Relevant Policies - Local Plan P4, Ascot Sunninghill and Sunningdale T1 and policy IF2 of the submission version of the emerging Borough Local Plan.

- No more than 64 of the units shall be occupied until the necessary SPA mitigation has been provided through the delivery of the Suitable Alternative Natural Greenspace (SANG) associated with planning application 18/00356/FULL Sunningdale Park and the necessary provisions towards this SANG and the Strategic Access Management and Monitoring (SAMM) secured. None of the unoccupied units shall consist of units allocated for affordable housing.

 Reason: To ensure that the development, either on its own or in combination with other plans or projects, does not have a significant adverse effect on a European site within the Conservation of Habitats and Species Regulations 2010 and Local Plan Policy H3 and paragraph 64 of the NPPF.
- No above ground development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping. All hard and soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be agreed before above ground development commences and shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, for a period for ten years from the date of the approved scheme was completed.

 Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. Relevant Policies Local Plan DG1, policies EN2 and DG3 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan and policy SP3 and NR2 of the submission version of the emerging Borough Local Plan.
- A Landscape Management Plan, including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. The Landscape Management Plan shall be carried out as approved.
 - <u>Reason:</u> To ensure satisfactory landscaping of the site in the interests of visual amenity. Relevant Policies Local Plan DG1, policies EN2 and DG3 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan and policy SP3 and NR2 of the submission version of the emerging Borough Local Plan.
- No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the implementation/erection of tree protection measures for off-site trees in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority. The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within 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. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.
 - <u>Reason:</u> This is a pre commencement condition to protect the visual amenities of the trees in the Sunninghill and Sunningdale Neighbourhood Plan
- The physical barrier (bollards) used to prevent vehicular traffic accessing through the site as shown on the approved layout drawing shall remain in place at all times and shall be constructed prior to any dwelling being occupied.
 - Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies Local Plan T5, DG1, policy T1 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan and policy SP3 of the submission version of the emerging Borough Local Plan.
- No more than 50 per cent of the residential units of the development shall be occupied until the Village Green has been fully laid out in accordance with the approved plans. It shall be permanently retained and maintained as open space in accordance with the approved details.

 Reason: To accord with the terms of the application. Relevant Policies Local Plan R3, H10, DG1.

- No gates shall be provided across the vehicular entrance and access roads other than during the construction phase. There shall also be no lockable gate to the pedestrian access points.

 Reason: To promote inclusive communities in accordance with the NPPF and to ensure there are safe and accessible pedestrian and cycle routes from Cavendish Meads through the site to Sunninghill High Street in accordance with policy SS7 of the Ascot Sunninghill and Sunningdale Neighbourhood Plan.
- 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 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.

<u>Reason:</u> In the interests of the visual amenities of the area. Details are required prior to commencement of development as the details to be approved will inform the initial construction. Relevant Policy - Local Plan DG1.

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

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

Informatives

- The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. hytps://developers.thameswater.co.uk/Developing-a-largesite/ Planning-your-development/Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 0093921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB
- 2 The applicant is advised that the permitted hours of construction in the Borough are as follows:
 - 08:00 Hours and 18:00 Hours on Mondays to Fridays
 - 08:00 and 13:00 Hours on Saturdays
 - At no time on Sundays and Bank Holidays.

Appendix A - Site location plan and site layout

Location plan





Parking strategy plan



Appendix B – Plan and elevation drawings

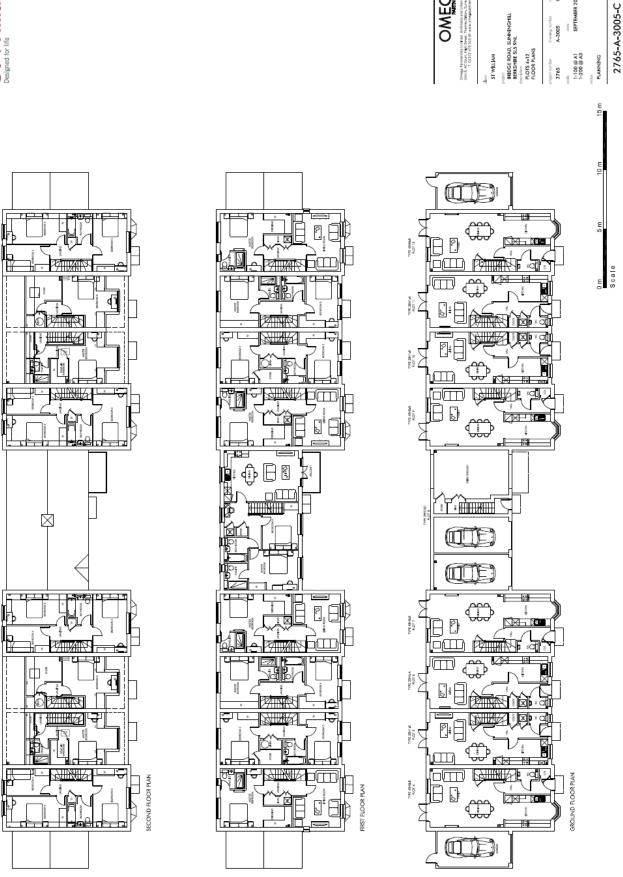
Street Elevations



Plots 1-3 Floorplans and Elevations



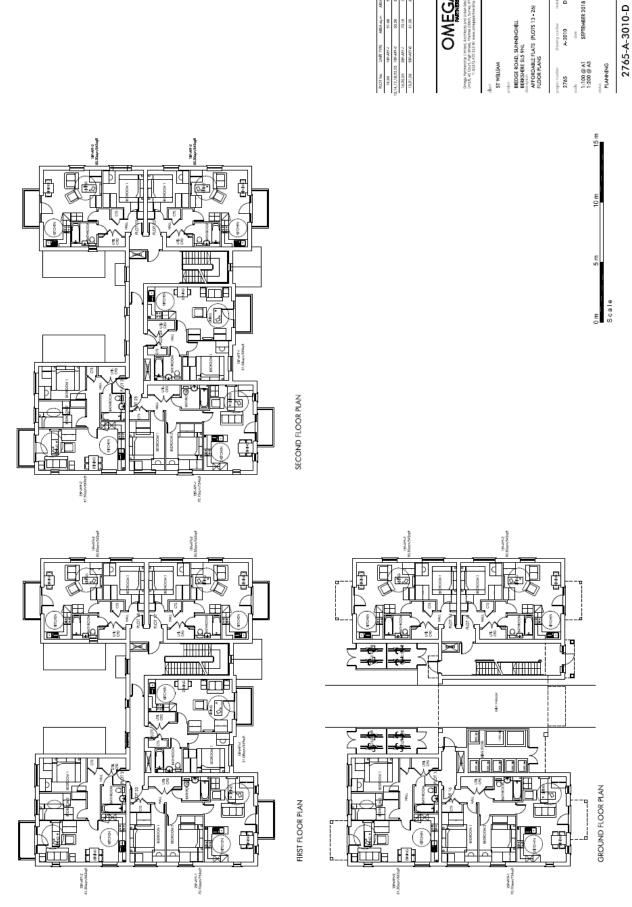


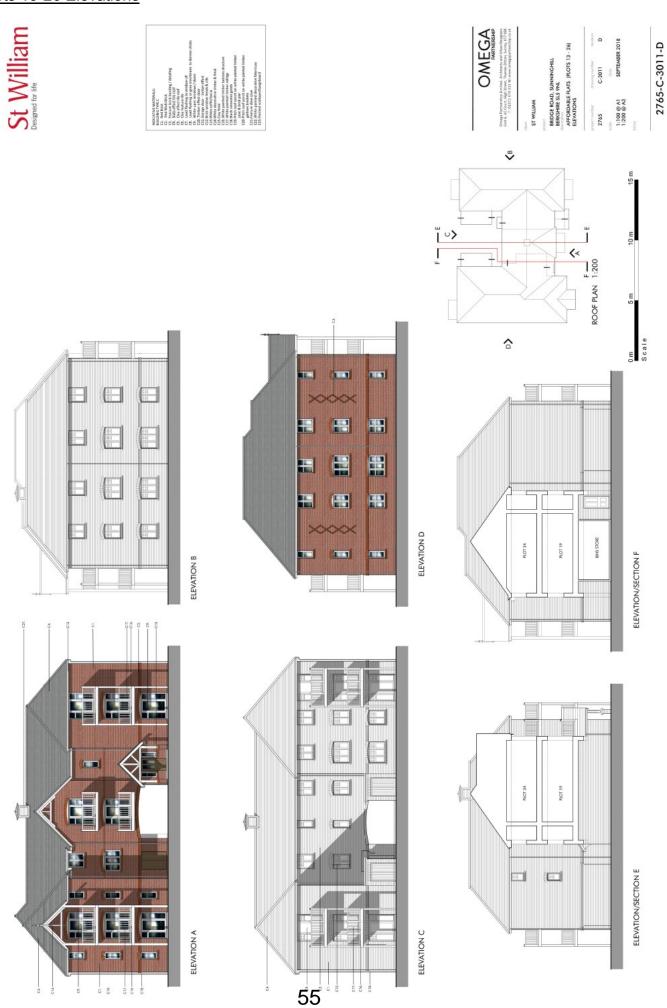


Plots 4-12 Elevations

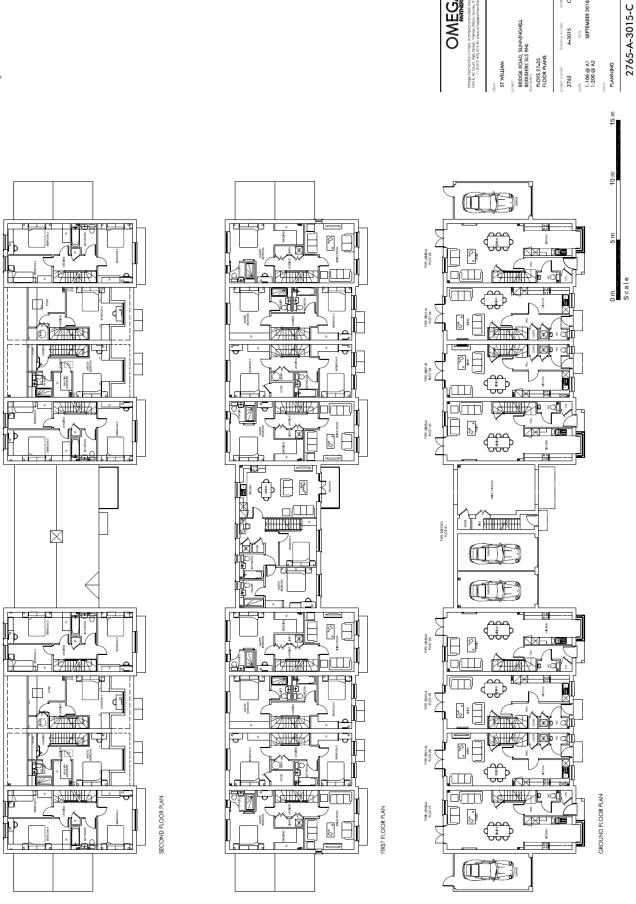










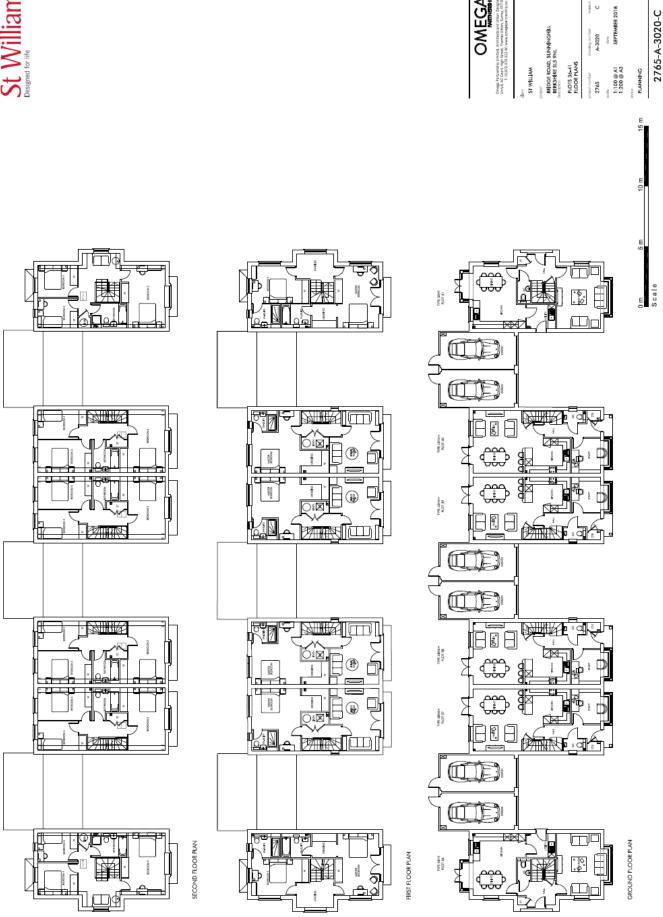


Plots 27-35 Elevations







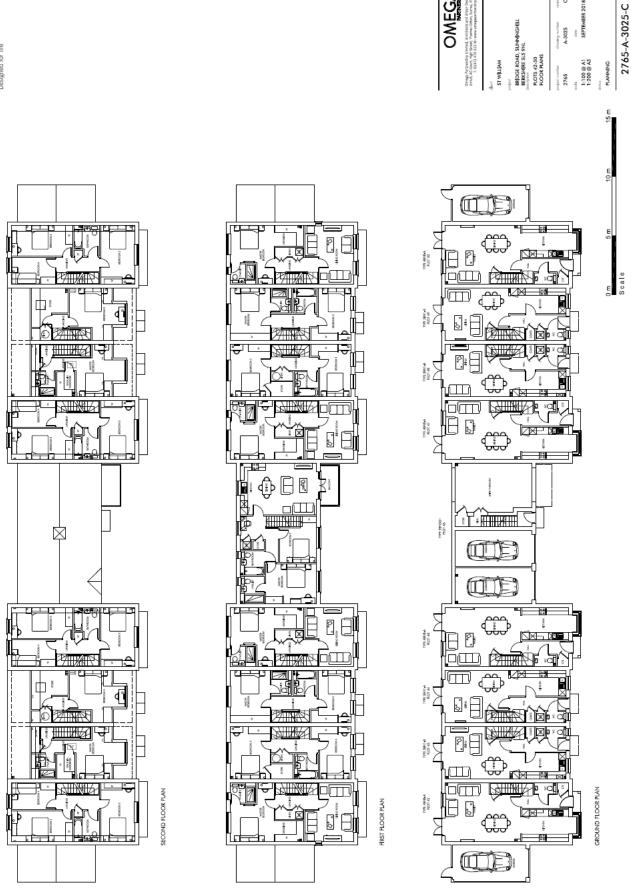


Plots 36-41 Elevations







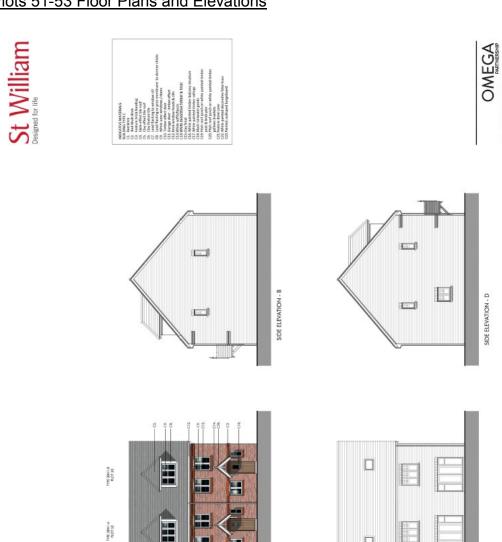


Plots 42-50 Elevations





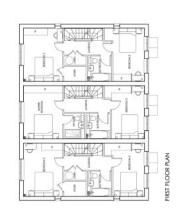
Plots 51-53 Floor Plans and Elevations

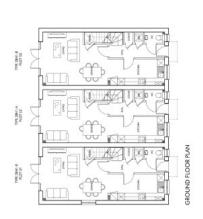




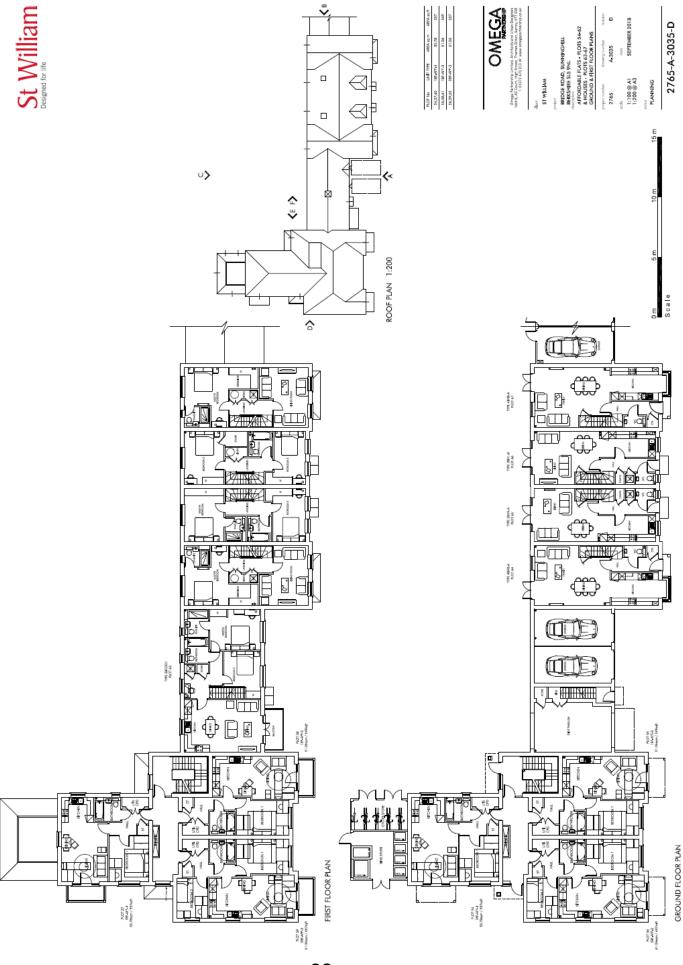


TYPE 38H1-8 FLOT 51

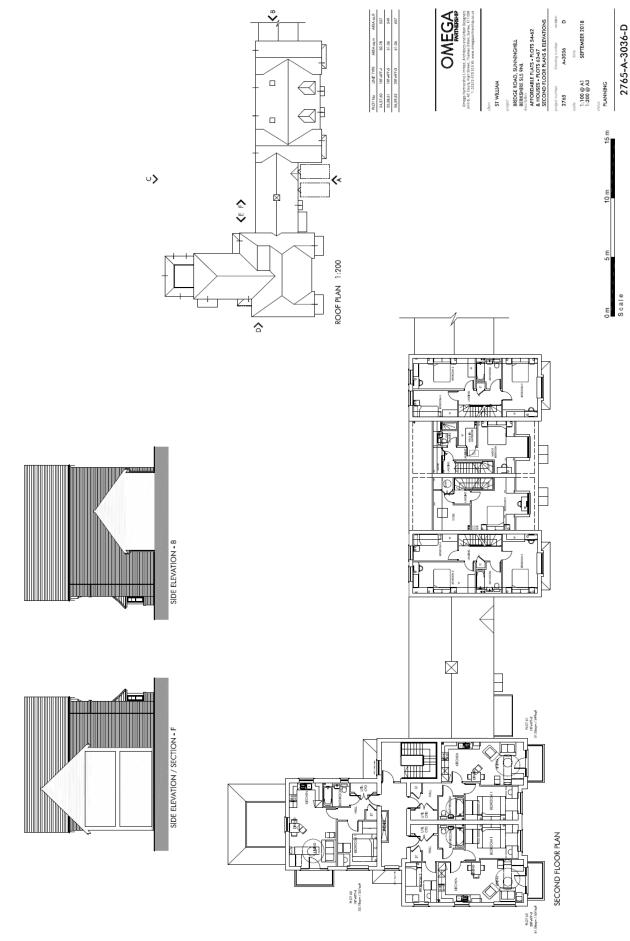




REAR ELEVATION - C

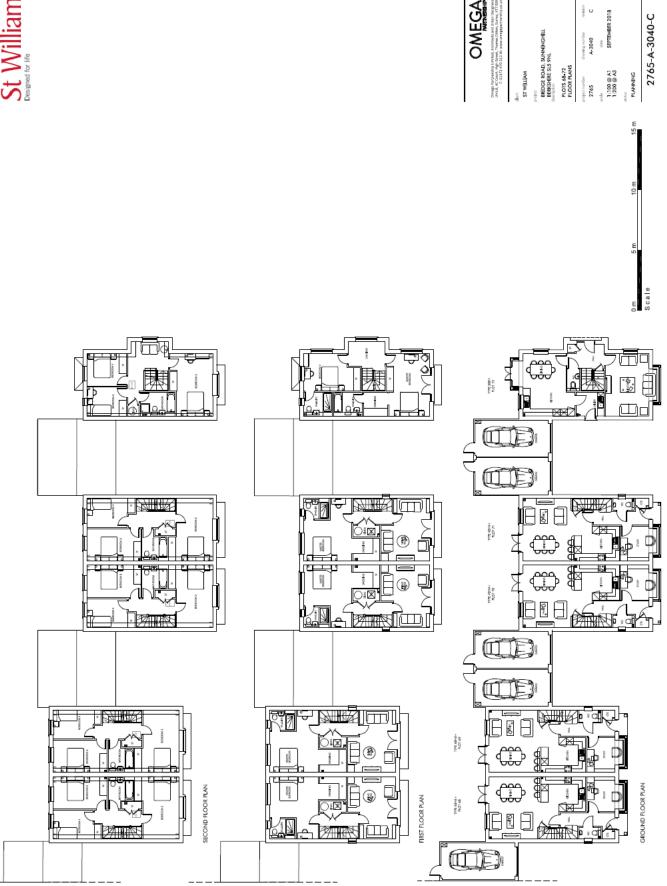






Plots 54-67 Elevations





Plots 68-72 Elevations



Plots 73 and 76 Floor Plans and Elevations

