

NOTICE  
OF  
MEETING

**ROYAL BOROUGH DEVELOPMENT  
MANAGEMENT PANEL**

will meet on

**WEDNESDAY, 19TH MAY, 2021**

**At 7.00 pm**

at

**HOLIDAY INN, MANOR LANE, MAIDENHEAD SL6 2RA**

TO: MEMBERS OF THE ROYAL BOROUGH DEVELOPMENT MANAGEMENT PANEL

COUNCILLORS PHIL HASELER (CHAIRMAN), DAVID CANNON (VICE-CHAIRMAN),  
JOHN BOWDEN, GEOFF HILL, DAVID HILTON, NEIL KNOWLES,  
JOSHUA REYNOLDS, AMY TISI AND LEO WALTERS

SUBSTITUTE MEMBERS

COUNCILLORS GURPREET BHANGRA, MANDY BRAR, KAREN DAVIES,  
ANDREW JOHNSON, GREG JONES, JULIAN SHARPE, SHAMSUL SHELIM,  
HELEN TAYLOR AND JON DAVEY

Karen Shepherd – Head of Governance - Issued: May 11<sup>th</sup> 2021

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) or contact the Panel Administrator **Shilpa Manek** 01628 796310

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**Recording of Meetings** – Filming, recording and photography of public Council meetings may be undertaken by any person attending the meeting. By entering the meeting room you are acknowledging that you may be audio or video recorded and that this recording will be in the public domain. If you have any questions regarding the council's policy, please speak to the Democratic Services or Legal representative at the meeting.

## AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<p><u>APOLOGIES FOR ABSENCE</u></p> <p>To receive any apologies for absence.</p>	-
2.	<p><u>DECLARATIONS OF INTEREST</u></p> <p>To receive any declarations of interest.</p>	5 - 6
3.	<p><u>MINUTES OF THE MEETING HELD ON 21 APRIL 2021</u></p> <p>To approve the minutes of the meeting held on 21 April 2021 as a true and accurate record.</p>	7 - 10
4.	<p><u>20/02462/FULL - BELLMAN HANGER - SHURLOCK ROW - READING - RG10 OPL</u></p> <p><b>PROPOSAL: Erection of 14 dwellings with associated parking and landscaping and the retention of the existing access road following the demolition of the existing buildings, warehouse, external storage areas and hardstanding.</b></p> <p><b>RECOMMENDATION: REFUSE</b></p> <p><b>APPLICANT: Shanley Homes Ltd</b></p> <p><b>MEMBER CALL-IN: N/A</b></p> <p><b>EXPIRY DATE: 31 MAY 2021</b></p>	11 - 32
5.	<p><u>20/03418/FULL - LAND ADJACENT TO THE DRAWERY - WINDSOR GREAT PARK - WINDSOR</u></p> <p><i>PROPOSAL: Change of use of land for construction of film set and use of associated land for parking and storage purposes for a 5 year period.</i></p> <p><i>RECOMMENDATION: REFUSE</i></p> <p><i>APPLICANT: Mr Hood</i></p> <p><i>MEMBER CALL-IN: N/A</i></p> <p><i>EXPIRY: 18 March 2021</i></p>	33 - 72
6.	<p><u>20/03478/FULL - KINGS COPSE HOUSE - ST LEONARDS HILL - WINDSOR - SL4 4AL</u></p> <p><b>PROPOSAL: Part single part two storey rear extension with x2 rear balconies, x1 external staircase, raising of the eaves and ridge with x1 front dormer, x1 side rooflight, x3 side rooflights and alterations to fenestration.</b></p> <p><b>RECOMMENDATION: PERMIT</b></p>	73 - 96

**APPLICANT: Mrs Joseph**

**MEMBER CALL-IN: N/A**

**EXPIRY: 30 April 2021**

7. PLANNING APPEALS RECEIVED AND PLANNING DECISION  
REPORT

To note the contents of the report.

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

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

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

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

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

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

“Comments Awaited”.

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

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

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

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

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

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

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

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

## MEMBERS' GUIDANCE NOTE

### DECLARING INTERESTS IN MEETINGS

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

DPIs include:

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

#### **PREJUDICIAL INTERESTS**

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

#### **DECLARING INTERESTS**

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

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

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

# Agenda Item 3

## ROYAL BOROUGH DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 21 APRIL 2021

PRESENT: Councillors Phil Haseler (Chairman), David Cannon (Vice-Chairman), John Bowden, Geoff Hill, David Hilton, Neil Knowles, Joshua Reynolds, Amy Tisi and Leo Walters

Also in attendance: Councillor Karen Davies, Councillor Andrew Johnson and Councillor Shamsul Shelim

Officers: Tony Franklin, Victoria Gibson, Shilpa Manek, Emma Duncan, Andrew Durrant, Lyndsay Jennings, Sian Saadeh and Andy Carswell

### APOLOGIES FOR ABSENCE

No apologies for absence were received.

### DECLARATIONS OF INTEREST

Councillors Haseler and Tisi both declared a personal interest that they had attended a site meeting at the new Thames Hospice site but were both attending with an open mind.

### MINUTES OF THE MEETING HELD ON 17 MARCH 2021

**RESOLVED UNANIMOUSLY: that the minutes of the meeting held on 17 March 2021 were a true and accurate record of the meeting.**

This was proposed by Councillor Hilton and seconded by Councillor Walters.

### 19/02085/FULL - ST EDMUNDS HOUSE AND 20 RAY MILL ROAD WEST – MAIDENHEAD

A motion was put forward by Councillor Walters to refuse the application, contrary to Officers recommendation. This was seconded by Councillor Hill. The reasons for refusal were that the application would lose a non-designated heritage asset, that the design of the scheme would be cramped, poor quality of materials and out of character and that there would be a lack of parking provided.

A named vote was taken.

<b>19/02085/FULL - ST EDMUNDS HOUSE AND 20 RAY MILL ROAD WEST - MAIDENHEAD (Motion)</b>	
Councillor Phil Haseler	Against
Councillor David Cannon	Against
Councillor John Bowden	Against
Councillor Geoffrey Hill	For
Councillor David Hilton	Against
Councillor Neil Knowles	Against
Councillor Joshua Reynolds	For
Councillor Amy Tisi	For
Councillor Leo Walters	For
<b>Rejected</b>	

The motion fell away.

A second motion was put forward by Councillor Hilton to approve the application, as per Officers recommendation. This was seconded by Councillor Cannon.

A named vote was taken.

<b>19/02085/FULL - ST EDMUNDS HOUSE AND 20 RAY MILL ROAD WEST - MAIDENHEAD (Motion)</b>	
Councillor Phil Haseler	For
Councillor David Cannon	For
Councillor John Bowden	For
Councillor Geoffrey Hill	Against
Councillor David Hilton	For
Councillor Neil Knowles	For
Councillor Joshua Reynolds	Against
Councillor Amy Tisi	Against
Councillor Leo Walters	Against
<b>Carried</b>	

**RESOLVED: That the application be Approved as per Officers recommendation and the Panel authorises the Head of Planning to grant planning permission on the satisfactory completion of undertaking and with the conditions listed in Section 12 of the main report with the amended conditions in section 4 of the update report.**

20/00529/FULL - LAND TO THE NORTH OF CLOCK COTTAGE - STURT GREEN – HOLYPORT - MAIDENHEAD

A motion was put forward by Councillor Walters to refuse the application as per Officers recommendation. This was seconded by Councillor Knowles.

A named vote was taken.

<b>20/00529/FULL - LAND TO THE NORTH OF CLOCK COTTAGE - STURT GREEN - HOLYPORT - MAIDENHEAD (Motion)</b>	
Councillor Phil Haseler	For
Councillor David Cannon	For
Councillor John Bowden	For
Councillor Geoffrey Hill	For
Councillor David Hilton	For
Councillor Neil Knowles	For
Councillor Joshua Reynolds	For
Councillor Amy Tisi	For
Councillor Leo Walters	For
<b>Carried</b>	

**RESOLVED UNANIMOUSLY: that the application be Refused as per Officers recommendation.**

20/02976/FULL - THAMES HOSPICECARE - PINE LODGE - HATCH LANE – WINDSOR - SL4 3RW



A motion was put forward by Councillor Bowden to approve the application as per Officers recommendation. This was seconded by Councillor Hill. In addition to Officers recommendation to add the condition to remove PD rights on hardstanding for the houses that front Hatch Lane and an informative regarding good construction management.

A named vote was taken.

<b>20/02976/FULL - THAMES HOSPIECECARE - PINE LODGE - HATCH LANE - WINDSOR - SL4 3RW (Motion)</b>	
Councillor Phil Haseler	For
Councillor David Cannon	For
Councillor John Bowden	For
Councillor Geoffrey Hill	For
Councillor David Hilton	For
Councillor Neil Knowles	For
Councillor Joshua Reynolds	For
Councillor Amy Tisi	For
Councillor Leo Walters	For
<b>Carried</b>	

**RESOLVED UNANIMOUSLY:** that the application be Approved as per Officers recommendation with the condition to remove PD rights on hardstanding for the houses that front Hatch Lane and an informative regarding good construction management.

PLANNING APPEALS RECEIVED AND APPEAL DECISION REPORT

The Panel noted the reports.

The meeting, which began at 6.15 pm, finished at 8.40 pm

CHAIRMAN.....

DATE.....

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19 May 2021

Item: 1

<b>Application No.:</b>	20/02462/FULL
<b>Location:</b>	Bellman Hanger Shurlock Row Reading RG10 0PL
<b>Proposal:</b>	Erection of 14 dwellings with associated parking and landscaping and the retention of the existing access road following the demolition of the existing buildings, warehouse, external storage areas and hardstanding.
<b>Applicant:</b>	Shanly Homes Limited
<b>Agent:</b>	Mr Kevin Scott
<b>Parish/Ward:</b>	Waltham St Lawrence Parish/Hurley And Walthams
<b>If you have a question about this report, please contact:</b> Susan Sharman on 01628 685320 or at <a href="mailto:susan.sharman@rbwm.gov.uk">susan.sharman@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 The proposal would have a greater impact on the openness of the Green Belt than the existing development. Accordingly, it is inappropriate development in the Green Belt. The applicant has not submitted any information on any other considerations that may clearly outweigh the harm to the Green Belt by reason of inappropriateness or any other harm and therefore 'very special circumstances' do not exist to justify approving the application. In addition, by reason of its siting, layout, scale and design, the proposal represents overdevelopment of the site resulting in an urban appearance that is unsympathetic to, and would detract from, the open and rural character and appearance of the area
- 1.2 The proposed Coach House (Plot 4) has no private amenity space contrary to the adopted Borough Wide Design Guide.
- 1.3 No details in respect of mitigation for lighting, run off and noise pollution, associated with the development and following its construction, have been provided. In the absence of acceptable details, the proposal fails to demonstrate that it would not have a detrimental impact on protected and priority species, the adjacent Local Wildlife Site and Ancient Woodland,
- 1.4 The application site area is in excess of 0.5ha. No affordable housing is proposed and in the absence of a legal agreement to secure such housing, the proposal is contrary to Policy H3 of the Local Plan.

<b>It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 13 of this report):</b>	
<b>1.</b>	<b>The proposal would have a greater impact on the openness of the Green Belt, in which it would be located, than the existing development on site. The applicant has failed to demonstrate that any other considerations would clearly outweigh the harm to the Green Belt by reason of inappropriateness or any other harm, (as identified in the subsequent reasons), and therefore 'very special circumstances' do not exist to justify approving the application.</b>
<b>2.</b>	<b>The proposal, by reason of its siting, layout, scale and design, represents overdevelopment of the site resulting in an urban appearance that is unsympathetic to, and would detract from, the open and rural character and appearance of the area.</b>
<b>3.</b>	<b>The proposed Coach House (Plot 4) by reason of its poor design fails to provide a high standard of amenity for its future occupiers.</b>
<b>4.</b>	<b>In the absence of acceptable details in respect of mitigation for lighting, run off and noise pollution associated with the development, the proposal fails to demonstrate that it would not have a detrimental impact on protected and priority species and habitats.</b>

<b>5.</b>	<b>The application site area is in excess of 0.5 hectares. No affordable housing is proposed and in the absence of a legal agreement to secure such housing.</b>

## **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 Bellman Hanger is a 1940s, 2600sqm, metal clad warehouse originally used for storage in connection with the nearby airfield at White Waltham. It is now used as a permanent storage facility. The hanger is centrally positioned within the 0.72 hectare site and measures 39m wide by 54m long, with a height ranging from 6.1m at its lowest point to 8.1m at its peak. There are a number of other small buildings and structures as well as outside storage to the sides, front and rear of the building. The site is bounded by mature trees to the north, east and south.
- 3.2 The application site is located on the east side of Shurlock Row. To the north, adjoining the site, is Crockford's Copse, a Local Wildlife Site and Ancient Woodland. To the east and south of the site are the land and buildings associated with the neighbouring farm, and to the west, on the opposite side of Shurlock Row, are open fields. The wider area around the site is predominantly open countryside with sporadic residential development.
- 3.3 The site is in the Green Belt and is in Flood Zone 1.

## **4. KEY CONSTRAINTS**

- 4.1 The main planning constraints are associated with the site's rural location. Being in the Green Belt, the proposal will need to demonstrate that it would not have a greater impact on the openness of the Green Belt than the existing development on site. The application is also required to demonstrate that it would not harm any protected species or their habitats.
- 4.2 On previous applications the site has been considered to be in Flood Zone 3, where there is a high probability of flooding. However, following re-modelling of potential flooding in the area, (undertaken by the applicant in liaison with the Environment Agency (EA)), the site is now confirmed (by the EA) as being in Flood Zone 1, (defined as having a low probability of flooding).

## **5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

- 5.1 The application proposes the erection of 14 dwellings with associated parking and landscaping and the retention of the existing access road, following demolition of the existing warehouse and other outbuildings/structures, removal of hardstanding and external storage areas.
- 5.2 The density of the proposed development is 19 dwellings per hectare.
- 5.3 A mix of dwellings is proposed comprising:
- 1 x 2 bedroom Coach House (Plot 4 - flat over garages)
  - 4 x 3 bedroom houses (Plots 2, 3, 5, 6)
  - 5 x 3 bedroom houses (with study space at first floor - Plots 7, 8, 10, 13 & 14)
  - 4 x 4 bedroom houses (Plots 1, 9, 11, 12)
- 5.4 With the exception of Plot 4, each dwelling would have an eaves height of approximately 5.2m and a ridge height ranging from approximately 7.9m to 9.5m.
- 5.5 The development would utilise the existing access off Shurlock Row and includes 41 on-site parking spaces (including 6 visitor spaces).
- 5.6 Planning History

Ref.	Description	Decision and Date
18/00724/CONDIT	Details required by condition 16 (contamination) of 14/03036.	Approved 15.06.2018.
17/03903/OUT	Outline application (access & layout) for construction of 18 dwellings with associated access, parking and turning.	Withdrawn 25.06.2020
17/03734/CONDIT	Details required for conditions 2, 3, 4, 11, 13 and 15 of 14/03036.	Approved 21.01.2018.
16/02861/OUT	Outline application, with the consideration of access and layout matters only, for 20 dwellings.	Withdrawn 25.05.2017
14/03036/FULL	Erection of 3 dwellings with associated access and landscaping following demolition of the existing buildings and hardstanding.	Approved 16.03.2015
14/00350/FULL	Erection of 4 dwellings with associated access and landscaping following demolition of the existing buildings and hardstanding.	Refused 09.05.2014
12/01734/CLU	Certificate of Lawfulness to determine whether an existing external storage area is lawful	Approved 20.08.2012
12/00418/CLU	Certificate of Lawfulness to determine whether an existing external storage area is lawful.	Refused 11.04.2012
99/34780/VAR	Variation of Condition No. 1 of 429330 to allow permanent use of premises for storage purposes.	Approved 31.05.2000
98/33395/FULL	Demolition of existing warehouse and replacement with three detached houses and associated garages.	Withdrawn 16.06.1999
95/01606/TEMP	Storage use (renewal of permission 423475)	Approved 03.11.1995
95/01605/FULL	Demolition of existing warehouse and erection of 4 x five bedroom houses and associated parking.	Refused 22.08.1997
95/01604/FULL	Demolition of existing warehouse building and yard and construction of three detached houses and detached double garages and access road.	Refused 20.03.1995
94/01499/FULL	Demolition of existing warehouse building and yard and construction of three detached houses and triple garages and access road.	Refused 30.08.1994
92/01315/OUT	Replacement of storage/ warehouse building with 5 detached houses	Refused 22.02.1993
92/01314/OUT	Erect five detached houses and double garages. Demolition of existing building.	Withdrawn 08.04.1992
92/01312/FULL	Permanent consent to utilise B8 building for storage purposes.	Refused 29.07.1992

- 5.7 The submitted design and access statement states that application 14/03036 has commenced and is therefore extant. The applicant sought clarification from the Council that investigatory works associated with the contaminated land condition would not amount to commencement of the development, which was confirmed. However, there are no records to verify that the development approved by the application (for 3 dwellings) has commenced and remains extant.
- 5.8 It is also noted that the application submission relies on the panel report for application 17/03903/OUT, however this was for a materially different proposal and the application was withdrawn before a formal determination by the Panel was made.

## 6. DEVELOPMENT PLAN

### RBWM Local Plan, Adopted July 1999 (with Alterations adopted 2003)

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

Issue	Adopted Local Plan Policy
Green Belt	GB1, GB2(A), GB3
Design in keeping with character and appearance of area	DG1, H10
Highways	P4,T5
Trees	N6
Housing	H3, H11

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### Adopted Hurley and the Waltham's Neighbourhood Plan, 2015-2030. Adopted December 2017.

Issue	Neighbourhood Plan Policy
Sustainable development	Env 1
Climate change, flood and water management	Env 2
Quality design	Gen 2
Accessibility and highway safety	T1

## 7. Material Planning Policy Considerations

### 7.1 National Planning Policy Framework Sections (NPPF) (2019)

Section 2 – Achieving sustainable development

Section 4- Decision-making

Section 5 – Delivering a sufficient supply of homes

Section 11 – Making effective use of land

Section 12- Achieving well-designed places

Section 13- Protecting Green Belt land

Section 14- Meeting the challenge of climate change, flooding and coastal change

Section 15 - Conserving and enhancing the natural environment

### 7.2 Borough Local Plan: Submission Version (2017) and Proposed Changes (2019)

Issue	Local Plan Policy Submission version	Local Plan Policy Proposed changes
Sustainability and placemaking	SP2	QP1
Character and design of new development	SP3	QP3
Development in the Green Belt	SP5	QP5
Housing mix and types	HO2	HO2
Affordable housing	HO3	HO3
Housing density	HO5	Deleted
Managing flood risk and waterways	NR1	NR1
Trees, woodlands and hedgerows	NR2	NR3
Nature conservation	NR3	NR2

7.3 Paragraph 48 of the NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to:

*“a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*

*b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and  
c) 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).”*

7.4 The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. The plan and its supporting documents, including all representations received, was submitted to the Secretary of State for independent examination in January 2018. In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV. Public consultation ran from 1 November to 15 December 2019. All representations received were reviewed by the Council before the Proposed Changes were submitted to the Inspector. The Examination was resumed in late 2020 and the Inspector’s post hearings advice letter was received in March 2021. The next stage will be for main modifications to be carried out and consulted upon.

7.5 The BLPSV together with the Proposed Changes are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. This assessment is set out in detail, where relevant, in Section 9 of this report.

These documents can be found at:

<https://www.rbwm.gov.uk/home/planning/planning-policy/emerging-plans-and-policies>

## 7.6 Supplementary Planning Documents

- RBWM Interpretation of Policy F1
- RBWM Borough Wide Design Guide

### Other Local Strategies or Publications

7.7 Other Strategies or publications material to the proposal are:

- RBWM Parking Strategy
- Affordable Housing Planning Guidance

More information on these documents can be found at:

<https://www.rbwm.gov.uk/home/planning/planning-policy/planning-guidance>

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

28 occupiers were notified directly of the application.

The application was advertised in the Local Press on 8<sup>th</sup> October 2020

1 letter was received supporting the application, summarised as:

Comment	Where in the report this is considered
1. This area is in dire need of affordable housing.	9.39
2. Bellman Hanger is a blight on this village. New homes are a clear progression in the village.	Noted.
3. Will create jobs and lead to more residents using local facilities such as pubs.	Noted.

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

Comment	Where in the report this is considered
1. There is nothing in this application that benefits the village. No affordable housing. What about young people born and bred in the village. Hanger should be replaced with flats and make some affordable.	9.39
2. Proposed houses are too close to the neighbouring farm and will result in complaints of smells/odours, noise and flies particularly in the Summer. Public nuisance. Such complaints could affect the farmer's livelihood.	9.13-9.14
3. 14 new homes will lead to extra noise and disturbance in the area.	9.8-9.10, 9.40
4. The road carries a lot of fast moving traffic. Additional traffic on an already busy and dangerous road will affect highway safety. There are no pavements – dangerous for pedestrians. Local roads cannot sustain additional traffic. Dangerous to cyclists Bellman Hanger was used as a storage facility with strict daily limits on movements. The proposed homes will amount to high impact movement. The road outside is too narrow, fast and dangerous. The traffic report is incorrect and disputed.	9.15 – 9.21
5. The site is totally unsuitable for this large-scale development. Cramped and remote location. This is overdevelopment in a rural area. The scale of the development is out of character with its immediate surroundings. Too many houses.	9.8 – 9.10
6. Waltham St. Lawrence has limited local facilities – no jobs, no shops, no station, not enough school places. Poor bus service. Car use by the occupants of the development will be essential.	9.41
7. The houses bordering the tree-lined southern boundary could have restricted sunlight.	9.12
Half of the buildings are outside the footprint of the hanger, conflicting with openness and confirming overdevelopment.	9.2 – 9.7
8. Approval has already been given for 3 houses and this is correct. An additional 14 houses would result in a dramatic change to the local environment.	9.8 – 9.10
9. Inadequate sightlines from the access on a very fast stretch of road.	9.16 – 9.18
10. The site is outside the recognised settlement areas.	9.2 – 9.7
11. Inadequate recreational open space.	9.11 – 9.12
12. The clearance of the site will disrupt existing flora and fauna and wildlife.	9.22 – 9.35
13. The development will put additional pressure on an already overloaded sewerage disposal system.	9.42
14. The site is next to an Ancient Woodland.	9.23-9.27
15. Previous application 14/03036 for 4 dwellings concluded that this was excessive and was refused. This sets a precedent.	Each application is treated on its own merits.
16. Conflicts with Policy GB2 as it will have a greater impact on the openness of the Green Belt by reason of the scale of the development and lead to a material increase in the level of activity. There are no 'very special circumstances'.	9.2 – 9.7
17. Application 426529 for 3 houses was refused on the grounds of cramped and intrusive form of development, with urban appearance, harmful to the open and rural character of the area. This still applies and will conflict with policy SP3.	Noted. 9.2 – 9.7



18.	<p>Adverse impact on neighbouring farm – additional noise, dogs barking, light pollution, traffic movements will harm the wellbeing of cattle and the viability of the farm.</p> <p>Long Meadow Farm has been home to a Sarabande Hereford pedigree herd for many years. The cattle are susceptible to noise and light changes which could disrupt breeding patterns.</p> <p>There is a planning stipulation that a farm cannot build within 200m of a residential building line – how does this not apply the other way round?</p> <p>No buffer has been incorporated between the development and the farm. The farm and livestock have been ignored.</p> <p>The development will 'light-up' the area and disrupt livestock.</p>	9.14
19.	Increase light pollution – will change the nature of the village.	9.8 – 9.10
20.	Loss of historical significance of the hanger for its use during World War 2.	The hanger is not listed/protected.
21.	Loss of trees. The applicant has already removed a number of trees from the site and more will be lost as the development is too close.	9.36
22.	The road is subject to flooding due to insufficient mains drainage.	9.37, 9.42
23.	Foul and surface water drainage is a major problem in this part of Shurlock Row. It is not fit for purpose, never mind adding 14 houses.	9.42
24.	The registered land owner of Long meadow, adjacent to Bellman hanger, advises that they own the land at the front that runs up to and includes the bank and wooded hedge, adjacent to the roadside ditch. The proposed visibility splays would cross their land. Permission will not be given to the applicant to use or clear any of their land.	9.16 – 9.18
25.	Concerns regarding fire risks due to the proximity of the development to a gas pipeline.	Matter for gas supplier (Cadent Gas)
26.	The drainage strategy is not based on the latest modelling from the Environment Agency.	9.37 – 9.38
27.	Both Waltham St. Lawrence and Shurlock Row villages and surroundings areas have no street lighting at all, and the existing Bellman lighting consists of one working security light that rarely activates, meaning the site is fully dark 100% of the time. Excessive and tall lights are not in any way in keeping with the area.	9.8 – 9.10
28.	The proposed 5m high lighting has the potential to disturb bats and wildlife as well as livestock in the neighbouring working farm.	9.28 – 9.29

29.	<p>Waltham St. Lawrence Preservation Society: Our Parish has limited local facilities, no work, no shops, no station, not enough school places and no pavements or speed limits, only a commuter rat-run with inadequate sightlines. Car use is essential. Houses bordering the tree-lined southern boundary could have restricted sunlight, with likely farm odour and noise disturbance.</p> <p>This is an unsuitable location both cramped and remote outside recognised settlements for a large housing estate. Half of the buildings are outside the footprint of the hanger conflicting with openness and confirming over-development. The proposed buildings clearly extend beyond the hanger building. Hardstanding should not be construed as buildings. Very special circumstances are relevant in this case. The previous application for 3 houses was allowed but restricted to within the curtilage of the hanger.</p> <p>Vehicle movements are restricted (99/34780/VAR) and HGVs are not allowed to enter the site. This is important as it protects the Green belt and is relevant today. The number of vehicle movements would see a significant increase in traffic entering and leaving the site. The submitted traffic survey is unsubstantiated. The Highway's view is not acceptable with visibility splays measured under half the recommended values.</p> <p>The visibility splays and speeds are relevant because of the curvature of the road because of a blind bend to the south side. The applicant cleared the highway and vegetation to the north without authorisation and prior to any planning decision. This has now been replaced by the Parish Council with prior permission. It is questionable whether the Highways department has visited the site and measured visibility splays.</p> <p>Ecology report raises concerns that the survey for Great Crested Newts located ditch 2 in the wrong position and is closer to the development than stated. Further bat surveys are also justified. The proposed lighting scheme is unacceptable in such a rural area where there is no street lighting in this Parish. This would cause widespread light pollution and adversely affect wildlife and ancient woodland, and pedigree cattle. Would affect character and local area and is more appropriate for an urban environment.</p> <p>The suggested fencing which allows a gap for wildlife will result in pets passing through into the Ancient Woodland</p>	9.2 – 9.42
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In addition to the letters of objection, a petition has been submitted which states, "Stop Inappropriate development of Bellman Hanger. The application is excessive and inappropriate. It will have a greater impact on the openness of the Green Belt due to the scale of development and material increase in level of activity. This application should NOT be approved." There are 273 signatures on the petition.

**Consultee responses**  
Summary of comments

Consultee	Comment	Where in the report this is considered
RBWM Ecologist	Consultation response on requested additional information awaited. Details to be provided in the Panel update report.	9.22 – 9.35
Highway Authority	No consultation response received to date. Details to be provided in the Panel update report.	9.15 – 9.21

Environment Agency	Objects and recommends refusal on basis that site is within Flood Zone 3 and lack of a Flood Risk Assessment	9.37
Lead Local Flood Authority	No objection subject to surface water drainage strategy condition.	9.38
RBWM Trees	No consultation response received to date. Details to be provided in the Panel update report.	9.36
Environmental Protection	No objection subject to contaminated land condition.	9.40
Thames Water	No objection. Advises that with regard to waste water network and sewerage treatment works infrastructure capacity, it would not have any objection to the planning application, based on the information provided.	9.42

### Other Groups

Group	Comment	Where in the report this is considered
Parish Council	<p>Objects.</p> <p>It is hard to find a site less suitable for such a concentrated residential development in the Parish.</p> <p>Building redevelopment should be restricted to replacing the footprint of the existing site buildings (not hardstanding or moveable storage). See reasons for refusal on application 14/00350.</p> <p>More housing along the southern boundary with nuisance impact on occupants and cattle rearing farm.</p> <p>Increased lighting will impact rural green belt. Will have an urbanising effect on rural character.</p> <p>Potential harm to nearby cattle from dogs and increased noise.</p> <p>Site is located on an apex of a bend in the road. The concealed access leading to an unrestricted commuter route with bends, no pavements and inadequate sightlines is a hazard to pedestrians and cyclists.</p> <p>The site is outside the recognised settlements with limited local facilities. Will require extensive car use by occupants.</p> <p>Sewerage disposal is a real concern.</p> <p>Deterioration of the nearby Ancient Woodland.</p> <p>The latest application amounts to over-development and would be out of character with its immediate surroundings.</p>	9.2 – 9.42

## 9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i The principle of development – whether the proposal is appropriate development in the Green Belt;

- ii Impact on the character and appearance of the area;
- iii Impact on the amenities of future occupiers of the development and neighbours;
- iv Highway safety and parking provision;
- v Ecology;
- vi Trees;
- vii Flood risk;
- viii Affordable housing;
- ix Other considerations; and
- x Conclusion.

**The principle of development – whether the proposal is appropriate development in the Green Belt**

- 9.2 The application site is located within the Green Belt and the NPPF (2019) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (paragraph 143). Paragraph 144 further states that “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”
- 9.3 Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, with some exceptions. These include point g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 9.4 In this case, no affordable housing is proposed, however the site, being occupied by a warehouse and other smaller buildings/structures together with external storage areas, does comprise previously development land.
- 9.5 The submitted Design and Access Statement explains that the layout has been carefully considered with regard to the location of the site within the Green Belt and the need for the development to respect openness. Supporting information shows that the proposed development would lead to an increase in green space across the site, while also reducing the amount of hardstanding and built footprint. In reference to Figure 9 of the submitted Planning Statement, the applicant contends that this demonstrates a substantial reduction in the overall built form of the site and demonstrates that the proposed scheme will not have a greater impact on the openness of the Green Belt.
- 9.6 In Green Belt policy terms ‘openness’ is essentially the absence of built development with an assessment of openness based on its spatial impact and/or visual impact. Although referred to by the applicant as built form, the existing areas of hardstanding and built footprint at the site are ground level measurements which have little or no impact on the openness of the Green Belt. In this case, the proposal involves 7 of the 14 dwellings being positioned outside the footprint of the existing warehouse on existing open areas of the site, resulting in both a spatial and visual impact on openness. As a result, the proposal would have a greater impact on the openness of the Green Belt than the existing development.

- 9.7 Accordingly, the proposal is inappropriate development in the Green Belt. The applicant has not submitted any information on any other considerations that may clearly outweigh the harm to the Green Belt by reason of inappropriateness or any other harm, (as referred to further in this report), and therefore 'very special circumstances' do not exist to justify approving the application. For this reason, the proposal is contrary to national and local development plan policies.

#### **Impact on the character and appearance of the area**

- 9.8 The area surrounding the site is distinctly rural in character and appearance. Open fields lie on both sides of Shurlock Row behind established hedgerows and mature trees. The road has no street lighting or pavements and is only sporadically interspersed by medium to large residential properties set back from the highway within substantial plots.
- 9.9 The proposal involves the siting of houses across the majority of the width and length of the site. The development would be sited closer to the highway than the existing warehouse and the dwellings would be positioned in close proximity to each other on relatively small plots compared to the prevailing character. Taken together with the 9no. x 5m high lighting columns proposed, the development would have a noticeably urban appearance.
- 9.10 Accordingly, by reason of its siting, layout, scale and design, the proposal represents overdevelopment of the site resulting in an urban appearance that is unsympathetic to, and would detract from, the open and rural character and appearance of the area. For this reason, the proposal is contrary to national and local development plan policies.

#### **Impact on the amenities of future occupiers of the development and neighbours**

- 9.11 The separation distances between the proposed dwellings complies with the minimum requirements set out in the Borough Wide Design Guide such that, with appropriate planning conditions, none of the future occupiers would be adversely affected by loss of privacy. Likewise, due to sufficient separation distances, none of the proposed dwellings would have an overbearing impact when viewed from occupiers living within the development.
- 9.12 The houses sited towards the southern boundary may have restricted levels of sunlight, particularly during the winter months, due to mature trees along this boundary. However all of the houses across the site have adequate rear garden depths and areas, compliant with the Borough Wide Design Guide, which will ensure the houses are served with adequate levels of daylight, as well as sufficient private amenity space. The exception to this is the Coach House (Plot 4) which, although would have sufficient daylight, has no private amenity space contrary to the Borough Wide Design Guide.
- 9.13 Due to the separation distances involved and mature boundary trees, none of the neighbour's amenities will be harmed in terms of loss of privacy, loss of daylight or sunlight or from the proposed development appearing overbearing.
- 9.14 A number of representations received have expressed concerns about the potential adverse impact of the development on the neighbouring farm to the south from additional noise, dogs barking, light pollution and traffic movements, and the potential harm this could cause to the wellbeing of livestock and ultimately the viability of the farm. However, in the absence of evidence that demonstrates the development would likely lead to actual harm to animals and/or affect the farm's viability it would be difficult for the Council's to justify and defend such an objection. With regard to potential complaints from occupiers of the development in relation to noise and odours coming from the farm, these would have to be substantiated with evidence that the levels and frequency of noise and/or odours amount to being a public nuisance offence requiring legal remedy, a situation which in this case is considered highly unlikely to occur. In addition, the applicant has submitted an 'Odour Assessment Report', which concludes that overall odour effects at the site are not considered significant such that they would represent a constraint to the development. Environmental Protection has not raised any objections to the proposal in terms of potential noise impact either from or to the development.

#### **Highway safety and parking provision**

- 9.15 Shurlock Row connects the B3024 Broadmoor Road to the B3018 The Straight Mile. Within the vicinity of the application site Shurlock Row is subject to the national speed limit (60mph), however approximately 70m north of the site access the road has a 40mph speed limit.
- 9.16 The site is located to the east of Shurlock Row and is served by an existing vehicular access that offers visibility splays of 2.4m by 100m to the right (north), by 75m to the left. The Borough's Highway Design Guide sets a visibility splay of 2.4m by 215m in both directions, (based on advice given in the Design Manual for Roads and Bridges (DMRB) and applicable to truck roads). The restricted visibility splays are primarily due to the horizontal alignment of the highway and the position of the site on the 'inside' of the bend.
- 9.17 The development would be served by the existing access and could achieve (according to the submitted Transport Statement), with the trimming or removal of boundary hedging or trees on the public highway, visibility splays of 2.4m x 107m to the right (north), by 91m to the left. These visibility splays have been accepted by the Highway Authority (under the previously withdrawn application 17/03903/OUT) on the basis that Shurlock Row is not a trunk road and therefore the DMRB is not relevant. The Highway Authority advised that advice contained in Manual for Streets (MfS) 2, published in 2010, is the most applicable to the access considerations for the site. Third party representations made under application 17/03903, (including A Transport and Highway Review plus Technical Note on behalf of Waltham St Lawrence Parish Council), submitted that the guidelines in MfS were not appropriate, however the Highway Authority maintained its advice in this respect.
- 9.18 The Highway Authority made clear that the accepted visibility splays (suggested by the applicant as 2.4m by 107m to the right and by 91m to the left), could only be achieved by the trimming back and/or removal of the boundary vegetation and trees on the public highway, and the applicant has submitted a plan (drawing number 14-T031\_11 Rev G) to demonstrate this, which would need to be conditioned to ensure implementation. It is noted that the adjoining land owner has advised that the proposed visibility splay to the south would cross land in their ownership. However an assessment of this using the relevant Highway Authority's adopted highway map appears to show that the required visibility splay to the south could be achieved over public highway land. Any dispute over the ownership of the land in question would be a separate matter between the relevant parties, rather than a planning matter, but ultimately if the required visibility splays cannot be achieved with the relevant land owner's permission any planning permission granted could not be implemented.
- 9.19 The submitted Transport Assessment reports that the development has the potential to generate 7 two-way trips in the AM peak, 6 two-way trips in the PM peak and 67 daily two-way trips. Based on a previous condition (imposed on application 99/34780), the development would lead to an increase in vehicular activity from the premises. However, it should be stressed that the condition referred to restricting traffic movements at the site was imposed to protect the character of the Green Belt. Given that redevelopment proposals on previously developed land are acceptable in principle, as set out in the NPPF and provided they do not have a greater impact on the openness of the Green Belt than the existing development, such a condition would not now be appropriate. The relevant issue for consideration is the impact traffic generated by the proposal would have on the local highway network.
- 9.20 Paragraph 109 of the NPPF states, "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." Based on the submitted estimated trips to and from the site, the proposal would not lead to a severe impact on the road network.
- 9.21 With regard to other highway related matters, the proposal provides 41 on-site parking spaces which complies with the Council's adopted parking standards, and the applicant has sufficiently demonstrated (with swept path analysis drawings contained in Appendix 8 of the Transport Statement) that a refuse lorry could enter, turn and exit the site in a forward gear. Subject to planning conditions to ensure the development would be implemented in accordance with the submitted drawings, the proposal raises no highway safety issues.

## Ecology

- 9.22 The application site comprises a storage hanger and warehouses where it is proposed to demolish the buildings and construct 14 dwellings with associated parking and landscaping. The site contains hard standing, trees, a ditch and a pond, and is surrounded by habitat of high suitability for use by protected wildlife. It is neighboured by an area of Ancient Woodland and Crockford's Copse Local Wildlife Site (LWS) to the north, grassland fields to the east and west, farm and residential buildings to the south and Twyford Brook 120m northeast. The Council's ecologist's comments below are in response to updated ecological information provided by the applicants ecologist during the course of the application and following previous advice relating to ecology.

### Ancient Woodland, Local Wildlife Sites and Priority Habitat

- 9.23 The site is adjacent to an area of Ancient Woodland and Crockford's Copse Local Wildlife Site (LWS) to the north. Ancient Woodland is an irreplaceable habitat of significant wildlife value. The woodland is also likely to fit the description of "Lowland Mixed Deciduous Woodland" which is listed as a habitat of principal importance under Section 41 of the NERC Act 2006, i.e. it is a "Priority Habitat" as per the NPPF.
- 9.24 The Council's ecologist made comments during a previous planning application (17/03903) regarding the direct and indirect affect that the proposed new development could have on the ancient woodland/ LWS to the north. Natural England have subsequently reviewed the Ancient Woodland status of this area and have concluded that the part of the woodland closest to the proposed development does not qualify as Ancient. Therefore the minimum buffer of 15m (in line with Natural England's guidelines) will now be able to be provided between the development and ancient woodland and the applicant has stated that this will comprise of semi natural habitat, of native species which will be inaccessible to the public.
- 9.25 However, the development is still immediately adjacent to the LWS and priority woodland habitat. Development should not adversely affect LWSs – which can be defined as sites of local importance – as per emerging Policy NR3 below:

*"Either individually or in combination with other developments, which are likely to have a detrimental impact on sites of local importance, or compromise the implementation of the national, regional, county and local biodiversity actions plans, will not be permitted unless it can be demonstrated that the benefits clearly outweigh the need to safeguard the nature conservation value of the site"*

In addition, emerging policy NR3 states:

*"Development proposals [...] Will avoid impacts on habitats and species of principal importance, such as those listed under Section 41 of the NERC Act 2006"*

- 9.26 Although the applicant's ecologist has stated that "a double hoarding fence will be installed between the development and woodland to mitigate for increased lighting, runoff and recreational pressure, external lighting will be turned off at night during construction and no construction materials will be stored within the buffer area", it seems the only mitigation for lighting, run off, noise pollution following development is the hoarding and no further information has been provided as previously requested.
- 9.27 Further comments from the applicant's ecologist have been provided as part of this application with regards to the LWS and priority habitat. They have stated "The requirements for further details in relation to ground and surface water run off is accepted, but it would be expected that this would be provided as part of a Construction Environmental Management Plan (CEMP), which would be standard practice to form part of a planning condition". However, given the adjacent site qualifies as a LWS, priority habitat and the majority is ancient woodland, and that there are a series of ditches running adjacent and within the woodland, it is recommended that this information is provided prior to the determination of the application in order for the LPA to ensure the protection of the woodland (which is a LWS and priority habitat) during and following construction. The pollutants could have a detrimental impact on the woodland flora and fauna and ways in which this will be mitigated will be required (as requested in previous consultations).

## Bats

- 9.28 The boundary features and the woodland containing the substation provide habitat to support commuting and foraging bats. In addition, the new buffer area will likely contain suitable habitat for bats and other wildlife. There is likely to be increased external lighting at the site given the proposals for residential dwellings. There are no details of how light pollution will be minimised on site in order to reduce the impact of lighting on the ecologically sensitive habitats including the boundaries and woodland other than the hoarding fence.
- 9.29 The applicant's ecologist has provided further comment with regard to the issue of lighting and bats. The report states "*The development layout considers the proximity of the adjacent woodland, and has therefore provided a buffer between any built development and the woodland. The proposed access road in the north of the site will be unadopted, thus avoiding the need for column lighting. Therefore, it is considered that the requirement for a lighting design strategy for bats can be secured by condition, and is not necessary prior to determination*". However, specific details of the lighting have not been provided and therefore the LPA cannot ensure that external lighting will not affect the woodland without these details. It is acknowledged that there will be a buffer between the development and woodland, however, as details of lighting have not been provided, it is not clear as to the light spillage, not only on the woodland, but the new buffer area, which will likely be used by bats as well as other nocturnal wildlife. Therefore, as stated previously, details of the lighting should include specifications of external lights, a contour map showing the site and surrounding habitat and the light spillage across these areas and ways in which light spillage will be reduced during and following development. This should be provided prior to the determination of this application in order for the local planning authority to ensure that internal and external lighting will not affect bats (and other protected and priority species), which are a material consideration in the planning process.

## Great crested newts

- 9.30 During consultation for the previous planning application, the Council's ecologist requested further survey and information with regards to great crested newts (GCN) as there were ponds within 500m of the proposed development that could support GCN and the only pond which was surveyed was the on-site pond. The applicant's ecologist has mapped a number of ponds and ditches within 500m of the site. The ecology report states that the majority of these are separated from the site by significant barriers such as roads and therefore no further survey was been undertaken. One pond was recorded within 100m of the site but access was denied for the survey and therefore no further work has been undertaken. There were several ditches and a pond within the woodland to the north of the site which were recorded as having the potential to support GCN and therefore a further survey was undertaken.
- 9.31 Environmental DNA (eDNA) surveys of the ditches and pond within the woodland were undertaken and one ditch was recorded as being positive for GCN DNA, indicating GCN are present within ditch 2. The applicant's ecologist stated that as the ditch was 125m away from the proposed development and having undertaken Natural England's Rapid Risk Assessment for GCN, that an offense was highly unlikely (Ethos, September 2020). However, the landowner of the woodland commissioned a second ecology survey (John Wenman, 2020), which stated that the ditch with positive GCN DNA was only 60m from the development site and would provide an amber offence with regards to GCN and would therefore require further survey and mitigation as part of this application. Given the discrepancy, the Council's ecologist undertook a site visit to measure the distance from the positive GCN DNA sample within ditch 2 and the development site (November 2020). The measurement was approximate given the density of the woodland; however, the distance from ditch 2 to the edge of the ditch adjacent to the development was measured to be 70m. As the development extends past the ditch, the distance from the edge of the development is likely to be between 80 to 90m away from the positive DNA record. The Council's ecologist undertook Natural England's Rapid Risk Assessment based on this measurement and a development of this size, concluding a loss of potential GCN terrestrial habitat (0.27ha, according to the applicant's ecologist) would be caused, resulting in an amber offence under the Rapid Risk Assessment. However, the applicant's ecologist contacted the agency who undertook the eDNA survey of the ditches (ADAS) and they have provided additional information regarding the GCN



results. Given the result, they have concluded that there is likely to be a very small population of GCN within the woodland and that, because the ditches from the positive result and the proposed development site were dry at the time of sampling, it is unlikely that there is a breeding population within the adjacent woodland. Given that the proposed application does not contain optimal habitat for GCN and that the applicants ecologist has provided a GCN method statement within their updated survey report in 2020, it is unlikely that the favourable conservation status of GCN will be affected by the proposed development as long as the recommended mitigation provided within the ecology reports are conditioned as part of this application.

### Reptiles

- 9.32 The site was recorded as offering moderate value habitat for reptiles (the scrub and grassland areas). All species of common reptile are protected from killing and injury under the Wildlife and Countryside Act, 1981 (as amended). The applicant's ecologist have now undertaken reptile surveys. Although the surveys have not followed Natural England's best practice guidelines with regards to timings (they were undertaken in October), the environmental conditions were appropriate for the survey and therefore it is unlikely to have had a significant limitation to the survey. No reptiles were recorded during the surveys and the ecologists have concluded that reptiles are likely absent from the site. The ecology report provides a working method statement that provides details of precautionary methods of clearance of the site and includes a pre commencement survey, removal of potential refuges by hand, and cutting of vegetation to ensure it is kept short and not suitable for reptiles. It is recommended that this method statement is secured by a suitable planning condition.

### Riparian mammals

- 9.33 Surveys for otter and water vole were undertaken within all the ponds and ditches within the woodland and site. No evidence of either species was recorded and therefore the applicant's ecologist has concluded that neither otter or water vole are using the site or woodland and that the development proposals will not have a significant adverse impact on riparian mammals.

### Biodiversity enhancements

- 9.34 Paragraph 175 of the NPPF states that "opportunities to incorporate biodiversity improvements in and around developments should be encouraged". The applicant's ecologist has provided a Biodiversity Net Gain (BNG) report and states that the site will provide a 37% net gain following development. The enhancements should include but not be limited to, the provision of a replacement pond, appropriate management of the ecological buffer along the woodland edge to allow the growth of tussocky/longer grass and scrub habitats (woodland edge habitats are often the most important for wildlife), native hedge and tree planting, installation of bird and bat boxes and construction of hibernacula. Details of such enhancements, including the locations, specifications and management prescriptions, should be included within a Landscape and Ecological Management Plan (LEMP), which can be secured via a planning condition once the above issues have been resolved.
- 9.35 Following receipt of the Council's ecologist's comments (as outlined above), the applicant has submitted additional information which is the subject of another consultation. The Council's ecologist's advice in respect of the additional information will be provided in the Panel update report.

### **Trees**

- 9.36 At the time of writing, the tree officer's consultation response has not been received. Any comments received prior to the Panel meeting will be provided in an update report for the application. Notwithstanding this, the tree officer's consultation response on the previous application (17/03903), related specifically to the impact of the proposed development on the neighbouring Ancient Woodland and the need for a 15m buffer between the two. As set out in 9.23 above, Natural England has reviewed the Ancient Woodland status of this area since the previous application and determined that the part of the woodland closest to the proposed development

does not qualify as ancient. Accordingly, the minimum buffer of 15m (in line with Natural England's guidelines) can now be achieved between the development and Ancient Woodland.

### **Flood risk**

- 9.37 It is noted that the Environment Agency (EA) has objected to the current proposal on the grounds that the application site is within Flood Zone 3, (defined as having a high probability of flooding), and that a Flood Risk Assessment has not been submitted with the application. This is contrary to its advice, dated 2<sup>nd</sup> November 2018, provided for application 17/03903, that confirms that the site is classified as Flood Zone 1 (defined as having a low probability of flooding) for planning purposes and that it has no objections to the proposed development, (in that case 18 dwellings). In its current consultation response, the EA refers to the flood risk modelling undertaken by the applicant in relation to the previous application stating that it is considered satisfactory and fit for purpose, and acknowledges that its own flood risk maps for planning have not been updated to reflect this. In light of this, it would be unreasonable to refuse the current application on the grounds of risk from fluvial flooding.
- 9.38 With regard to potential risk from surface water flooding, the Lead Local Flood Authority has raised no objections to the scheme, subject to a pre-commencement condition being imposed with any permission granted, that requires full details of the proposed surface water drainage scheme to be submitted and approved by the Local Planning Authority.

### **Affordable housing**

- 9.39 Policy H3 of the Local Plan states that the Council will seek to achieve that a proportion of the total capacity of suitable residential schemes be developed in the form of affordable housing, and that suitable sites will include sites of 0.5 hectares or over or schemes proposing 15 or more net additional dwellings. Although the current proposal is for less than 15 dwellings, the application site is 0.72 hectares and therefore a proportion of the scheme should be affordable housing. No affordable housing is proposed by the application and in the absence of a legal agreement to secure such housing, the proposal is contrary to Policy H3 of the Local Plan.

### **Other considerations**

- 9.40 Given the current and previous use of the site, Environmental Protection has recommended that any permission granted should include a condition in respect of potential contaminated land. This would be a standard condition that requires an initial investigation and risk assessment of the site, and submission and approval of remediation measures if necessary. The condition is reasonable and necessary to ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised.
- 9.41 A number of representations received have referred to the site being unsustainable given the lack of pavement outside the site along the highway to facilitate safe walking, together with the lack of services and facilities within the local village. Although the NPPF promotes sustainable development which includes encouraging modes of transport other than the car, it also promotes the effective re-use/redevelopment of previously developed land, such as the application site. The point raised by objectors is recognised but given the principle of the proposal is acceptable, (subject to there being no greater impact on the openness of the Green Belt than the existing development), it would be difficult to substantiate an objection on these grounds.
- 9.42 A number of representations have referred to existing problems in the area with sewerage disposal and that the additional dwellings would make this situation worse. However, this matter is not a planning issue but the responsibility of Thames Water, (see Section 8 Consultee responses).

### **Housing Land Supply**

- 9.43 Paragraphs 10 and 11 of the NPPF 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.*

9.44 Footnote 7 of the NPPF (2019) clarifies that:

*'out-of-date policies 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..).'*

9.45 The BLPSV is not yet adopted planning policy and the Council's adopted Local Plan is more than five years old. Therefore, for the purposes of decision making, currently the starting point for calculating the 5 year housing land supply (5hyr hls) is the 'standard method' as set out in the NPPF (2019). At the time of writing, the Council is unable to demonstrate 5 years of housing land supply (with the appropriate buffer).

9.46 However footnote 6 of the NPPF (2019) clarifies that section d(i) of paragraph 11 of the NPPF (2019) is not applied where '*policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed*'. This includes: habitats sites and/or land designated as Green Belt. For the reasons set out in paragraphs 9.2 to 9.7 the proposed development is considered to constitute 'inappropriate development in the Green Belt' and furthermore potentially harm protected species and habitats. Where there are such restrictive policies in play, and their requirements are not satisfied by the development proposal, it is clear that the "tilted balance" does not apply, and the planning assessment is to be carried out in the usual way, having regard to the statutory test in section 38(6) of the 2004 Act.

## **10. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

10.1 The development is CIL liable and would be charged at a current rate of £295.20 per square metre.

## **11. Conclusion**

11.1 The proposal would have a greater impact on the openness of the Green Belt than the existing development. Accordingly, it is inappropriate development in the Green Belt. The applicant has not submitted any information on any other considerations that may clearly outweigh the harm to the Green Belt by reason of inappropriateness or any other harm and therefore 'very special circumstances' do not exist to justify approving the application. In addition, by reason of its siting, layout, scale and design, the proposal represents overdevelopment of the site resulting in an urban appearance that is unsympathetic to, and would detract from, the open and rural character and appearance of the area

11.2 The proposed Coach House (Plot 4) has no private amenity space contrary to the adopted Borough Wide Design Guide.

11.3 No details in respect of mitigation for lighting, run off and noise pollution, associated with the development and following its construction, have been provided. In the absence of acceptable details, the proposal fails to demonstrate that it would not have a detrimental impact on protected and priority species, the adjacent Local Wildlife Site and Ancient Woodland.

11.4 The application site area is in excess of 0.5ha. No affordable housing is proposed and in the absence of a legal agreement to secure such housing, the proposal is contrary to Policy H3 of the Local Plan.

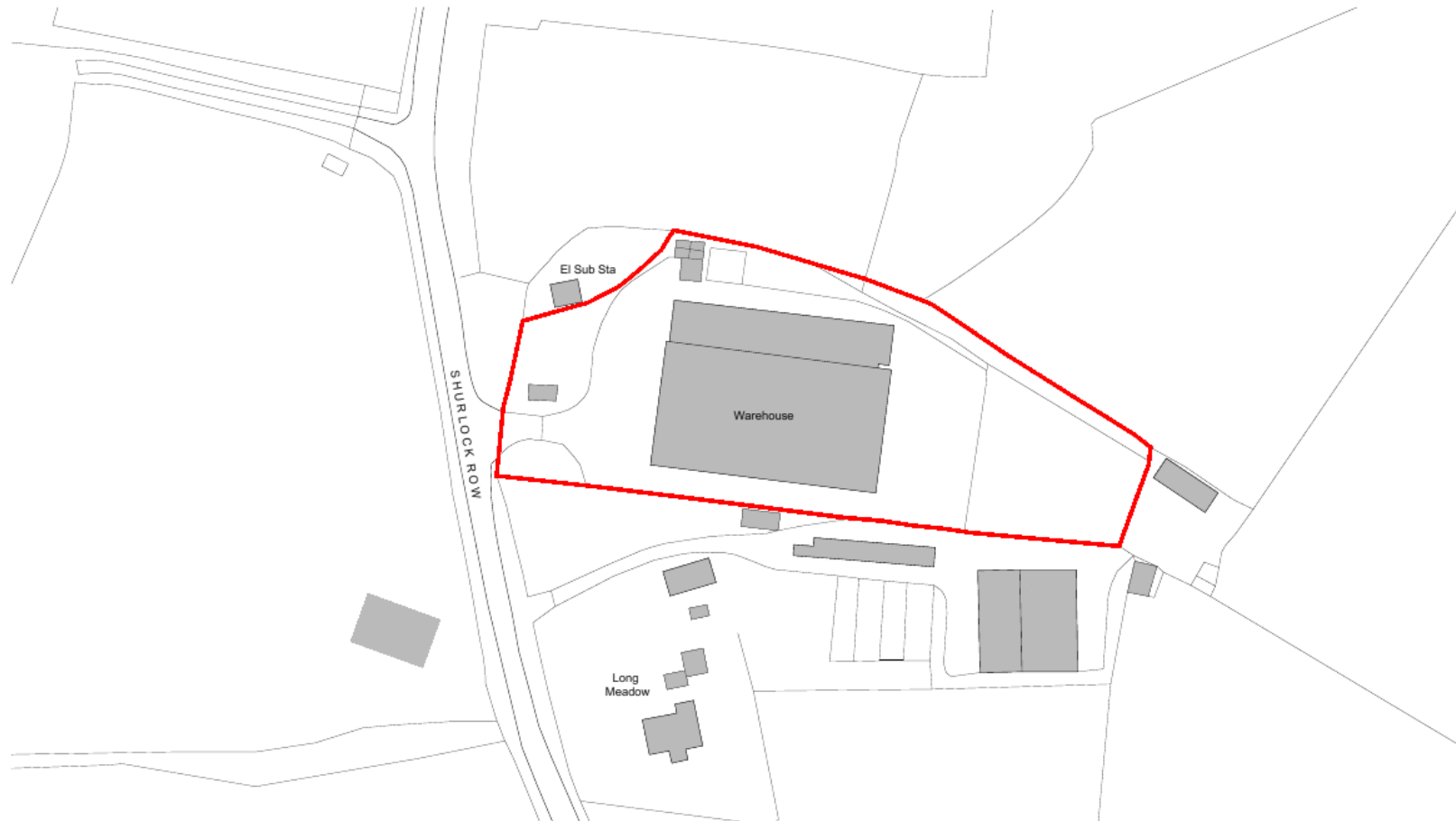
## **12. APPENDICES TO THIS REPORT**

- Appendix A - Site location plan
- Appendix B – Proposed site layout
- Appendix C – Proposed street scenes

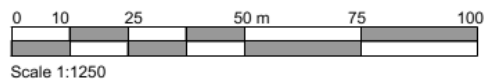
13.

### **REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED**

- 1 The proposal would have a greater impact on the openness of the Green Belt, in which it would be located, than the existing development on site. Accordingly, it is inappropriate development in the Green Belt. The National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The applicant has failed to demonstrate that any other considerations would clearly outweigh the harm to the Green Belt by reason of inappropriateness or any other harm, (as identified in the subsequent reasons), and therefore 'very special circumstances' do not exist to justify approving the application. For this reason, the proposal is contrary to adopted policies GB1, GB2(A) and GB3 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating Adopted Alterations 2003), emerging policy QP5 of the Borough Local Plan Submission Version with Proposed Changes (2019) and paragraphs 144 and 145 of the NPPF 2019.
- 2 The proposal, by reason of its siting, layout, scale and design, represents overdevelopment of the site resulting in an urban appearance that is unsympathetic to, and would detract from, the open and rural character and appearance of the area. Accordingly, the proposal is contrary to adopted policies DG1 and H10 of the Local Plan, policies Env1 and Gen2 of the adopted Hurley and The Walthams Neighbourhood Plan 2017, the adopted Borough Wide Design Guide 2020, emerging policies QP1 and QP3 of the BLPSV with Proposed Changes, and paragraphs 127 and 130 of the NPPF.
- 3 The proposed Coach House (Plot 4) by reason of its poor design fails to provide a high standard of amenity for its future occupiers, contrary to paragraph 127 f) of the NPPF and adopted Borough Wide Design Guide.
- 4 In the absence of acceptable details in respect of mitigation for lighting, run off and noise pollution associated with the development, the proposal fails to demonstrate that it would not have a detrimental impact on protected and priority species and habitats, contrary to paragraph 175 of the NPPF.
- 5 The application site area is in excess of 0.5 hectares. No affordable housing is proposed and in the absence of a legal agreement to secure such housing, the proposal is contrary to Policy H3 of the Local Plan.



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**ASCOT DESIGN**  
Timeless architecture

Ascot Design Ltd,  
Barkhale House,  
39-51 High Street,  
Ascot,  
Berkshire,  
SL5 7YF  
Tel: 01344 299330  
Fax: 01344 299331  
Email: info@ascotdesign.com  
www.ascotdesign.com

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Issue	PLANNING ISSUE		
Rev	A	Date	23/09/20
Client	SHANLY HOMES		
Project Title	BELLMAN HANGER, SHURLOCK ROW, MAIDENHEAD, RG10 0PL		
Scale	1:1250 @ A4	Date	SEPT '20
Drawn No.	20 - J3366 - LP	Sheet	A
OS	OS Copyright Disclaimer added		
Drawn	LOCATION PLAN		



KEY

- PLOT BOUNDARY
- BUILDING FOOTPRINT
- PARKING SPACE
- TREE
- HEDGE
- PATH
- BOUNDARY LINE
- SUB STATION



PLANNING ISSUE	
 <b>ASCOT DESIGN</b> Timeless architecture	
SHANLY HOMES	
BELLMAN HANGER, SHERLOCK ROW, MAIDENHEAD, RG10 0PL	
PROPOSED SITE LAYOUT	
1:200 @ A3	DATE: 01/11/20
20 - J3266 - 01	CS



PROPOSED STREET SCENE A-A - (1:200)



PROPOSED STREET SCENE B-B - (1:200)

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## DEVELOPMENT CONTROL PANEL

19 May 2021

Item: 2

<b>Application No.:</b>	20/03418/FULL
<b>Location:</b>	Land Adjacent To The Drawery Windsor Great Park Windsor
<b>Proposal:</b>	Change of use of land for construction of film set and use of associated land for parking and storage purposes for a 5 year period
<b>Applicant:</b>	Mr Hood
<b>Agent:</b>	Mrs J Long
<b>Parish/Ward:</b>	Sunninghill And Ascot Parish/Ascot & Sunninghill

**If you have a question about this report, please contact:** Susan Sharman on 01628 685320 or at [susan.sharman@rbwm.gov.uk](mailto:susan.sharman@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 The proposal is inappropriate development in the Green Belt and would result in loss of openness in the Green Belt and lead to encroachment of development in the countryside. This harm to the Green Belt is given substantial weight. In addition, the proposed development, on an existing open field, would be an incongruous feature harmful to the rural character and appearance of the area and detrimental to the recreational value of the adjacent public footpath. Accordingly, significant weight is given to this harm.
- 1.2 Due to insufficient information, it has not been demonstrated that the proposal would not adversely affect protected species or their habitats within the vicinity of the site. Accordingly, significant weight is given to this potential harm.
- 1.3 Although Permitted Development Rights exist that would enable the change of use of the land for filming purposes, together with the siting of structures required in association with filming, this relates to a significantly smaller area (1.5 hectares) compared to the application site. It does not therefore, represent a realistic fall-back position and can only be given limited weight. Likewise, due to insufficient information, only limited weight is given to the lack of alternative sites available for filming and the potential social and environmental benefits resulting from revenue received as a result of the development. There would, however, be economic benefits resulting from the proposed development, which national planning policy states should be given significant weight.
- 1.4 In general, the harm caused by the proposal would be limited to 5 years. Similarly, any benefits would also generally be limited to the same temporary period.
- 1.5 The National Planning Policy Frameworks makes clear that inappropriate development should not be approved except in very special circumstances and that “Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”. In this case, the “other considerations” do not clearly outweigh the harm to the Green Belt and the other harm specified and, therefore ‘very special circumstances’ do not exist.

**It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 13 of this report):**

1.	The proposal is inappropriate development in the Green Belt and would result in loss of openness to the Green Belt and lead to encroachment of development in the countryside. 'Very special circumstances' do not exist in this case to justify granting planning permission and the proposal is contrary to policies GB1 and GB2 (A) of the Local Plan and paragraph 143 of the NPPF.
2.	The proposal would detract from the rural character and appearance of the area and be detrimental to the recreational value of the public footpath. Insufficient information has been submitted to demonstrate that protected species and/or their habitats would not be adversely affected by the proposal. The proposal is therefore contrary to Local Plan policies N6 and DG1, adopted policies NP/EN4 and NP/EN5 of the Ascot, Sunninghill & Sunningdale Neighbourhood Plan (ASSNP) and paragraphs 170 and 175 of the NPPF.

## 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 site is located in a central position within Sunninghill Park, Windsor Great Park and covers approximately 6.8 hectares. It is predominantly an open, arable field bordered by a concrete track to the east, with woodland and lake (Great Pond) beyond, paddocks to the south, woodland to the west and a continuation of arable fields to the north.
- 3.2 The site can be accessed by way of three established private estate tracks: i) from Watersplash Lane from the south east; ii) from the access track through the Royal Ascot golf club from the west; and iii) from the north east from Sunninghill Road (B383).
- 3.3 The site lies adjacent to the border with Bracknell Forest Borough Council.

## 4. KEY CONSTRAINTS

- 4.1 The main planning constraint relates to the site's location within the Green Belt and its proximity to Ancient Woodlands.

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

- 5.1 The proposal involves the creation of a film set to allow for the filming of a television series (Bridgerton) for Netflix (a US Production company). Given the nature of the TV series, the set is required for 5 years, to allow for filming to take place on an annual basis for each series. It is unlikely that filming will occur for more than 8 weeks in any one calendar year and is more likely to only take place for six weeks. In the intervening periods the set pieces would remain in place but unused.
- 5.2 In addition to the construction of the film set, adjacent areas will be used for the creation of a unit base and for parking (for up to 150 cars) on film weeks. This area will lie to the immediate east of the set build nearest the track and project west towards the set build if required.
- 5.3 The proposal involves a set build that recreates a London Square (Regency). The set covers an area of 120m x 120m and does not involve actual buildings but scaffolding with frontages to have the appearance of buildings around a square. A timber fascia

is applied to the scaffold frame and painted/dressed to have the appearance of a stone building. The maximum height of the set structures is 12.8m. None of the 'buildings' will be enclosed or have roofs.

- 5.4 The scaffolding frame is weighted with the benefit of water containers to give stability, rather than digging foundations. This allows the works to be reversible at the end of the period of use so that the land will be reinstated to grassland.
- 5.5 The set will be constructed to have the appearance of buildings around a square, in the centre of which will lie an 'arcade'. This is formed of two parallel rows of 'buildings/shops', with a covered canopy roof, which will be enclosed and watertight. This area will provide weather cover in bad weather and allow outside filming to continue.
- 5.6 In addition, the associated activities will include a unit base for a portacabin site office, independent power and water supply, tech area and storage containers, a marquee for costumes and dining and construction and general waste skips. The majority of these facilities will only be brought onto site during filming week.
- 5.7 If permission is granted works on site would start immediately. Filming would take place each year (probably during the summer months)
- 5.8 A previous application 20/02574 for the same proposal was withdrawn in December 2020. No other planning history is relevant to the consideration of the application.

## 6. DEVELOPMENT PLAN

### Adopted Royal Borough Local Plan (2003)

- 6.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Green Belt	GB1, GB2(A)
Highways	P4 AND T5
Trees	N6

These policies can be found at <https://www.rbwm.gov.uk/home/planning/planning-policy/adopted-local-plan>

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

Issue	Neighbourhood Plan Policy
Environmental policies: trees, biodiversity, wildlife corridors.	EN2, EN4, EN5

These policies can be found at <https://www.rbwm.gov.uk/home/planning/planning-policy>

## 7. MATERIAL PLANNING CONSIDERATIONS

### National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making

Section 6 – Building a strong and competitive economy

Section 13- Protecting Green Belt land

Section 16- Conserving and enhancing the historic environment

### **Borough Local Plan: Submission Version**

Issue	Local Plan Policy
Rural Development	SP5
Nature Conservation & Biodiversity	NR3
Trees	NR2

### **Borough Local Plan: Submission Version Proposed Changes (2019)**

Issue	Local Plan Policy
Rural Development	QP5
Nature Conservation & Biodiversity	NR2
Trees	NR3

- 7.1 Paragraph 48 of the NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to:

*“a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*

*b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*

*c) 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).”*

- 7.2 The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. The plan and its supporting documents, including all representations received, was submitted to the Secretary of State for independent examination in January 2018. In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV. Public consultation ran from 1 November to 15 December 2019. All representations received were reviewed by the Council before the Proposed Changes were submitted to the Inspector. The Examination was resumed in late 2020 and the Inspector’s post hearings advice letter was received in March 2021. The next stage will be for main modifications to be carried out and consulted upon.
- 7.3 The BLPSV together with the Proposed Changes are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. This assessment is set out in detail, where relevant, in Section 9 of this report.

These documents can be found at:

<https://www.rbwm.gov.uk/home/planning/planning-policy/emerging-plans-and-policies>

## Other Local Strategies or Publications

- 7.4 Other Strategies or publications material to the proposal are:
- RBWM Landscape Assessment

More information on these documents can be found at:

<https://www.rbwm.gov.uk/home/planning/planning-policy/planning-guidance>

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

37 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 13<sup>th</sup> January 2021 and the application was advertised in the Local Press on 24<sup>th</sup> December 2020.

35 letters were received supporting the application, summarised as:

Comment	Where in the report this is considered
<p>1. <u>British Film Commission (BFC)</u> The BFC is the UK Government's national organisation responsible for supporting inward investment for film and TV production in the UK, funded by the Department for Digital, Culture, Media and Sport (DCMS) and the Department for International Trade, with corporate sponsorship from key films and TV clients.</p>	All comments from the BFC are noted and considered in paragraphs 9.64 – 9.68 below.
<p>The BFC works closely with the US content streaming platform, Netflix to support their many UK-based productions. Netflix has become one of the UK's most valuable investment clients, financing billions of pounds of production in the UK and creating thousands of UK jobs. Netflix has doubled its UK production budget recently to \$1 billion, following the global success of UK-based shows including <i>The Crown</i> and <i>Sex Education</i>.</p>	-
<p>Despite the impact of the COVID-19 pandemic, Netflix is producing more than 50 shows in the UK. The BFC is currently working with Netflix to facilitate the production of a major multi-season project in the UK. In order to accommodate the series, in addition to their studio space, they need an exterior space for an exterior base and set-builds. A suitable site, Sunninghill Park, has been identified as an ideal location due to its proximity to their main filming base and to the largest crew, talent and film and TV infrastructure hub in Europe, which is located in the Western Home Counties. The Crown Estate, who own the land, is supportive of Netflix's plans. As such, the BFC is writing to support Netflix's planning application.</p>	-

	<p>Film, TV and wider Creative Industries are the fastest growing sector, growing at five times the rate of the UK economy as a whole. Due to growing demand for filmed content, the film and TV Industry has become increasingly valuable in terms of employment and investment.</p> <p>Film production spend in the UK has increased by 24% in the last five years, with high-end TV (HETV) spend increasing by a remarkable 93%. In an unprecedented year, feature film and HETV spend in Financial Year 2019/20 was £3.6 billion, £200 million higher than the previous 12 month period and the highest since records began.</p>	-
	<p>The UK Government recognises that the film and TV Industry is a unique economic and cultural proposition, highlighting “the impact that creative anchor institutes can have on pride and economic performance in an area”, and how creative businesses and local investment increase employment and share spill-over benefits across the area and the supply chain.</p>	-
	<p>The TV and film industry is also central to the UK’s COVID-19 recovery efforts. Following the release of the Government endorsed ‘Working safely During COVID-19 in Film and High-end TV Drama Production guidance’ by the BFC on 1<sup>st</sup> June, we have seen an immediate uptick in new film and TV enquiries, with the restart of the majority of major feature films and HETV projects in the UK. The Government’s announcement of a new £500 million scheme, that will allow film and TV productions struggling to secure insurance for Covid-related costs to get back up and running in the UK, has further boosted this sector. This support, despite ongoing challenges presented globally by the Covid-19 pandemic, has positioned the UK perfectly to accommodate a wealth of current and future film and TV productions.</p>	-
	<p>The BFC is fully supportive of Netflix in this planning application.</p>	Noted.
2.	<p><u>Household Pictures Ltd (on behalf of the Netflix/Shondaland Production of ‘Bridgerton’)</u></p> <p>The Covid-19 pandemic has brought a number of business sectors to a standstill with national lockdowns. In March 2020 the film industry closed productions and the vast majority of self-employed crew were without income and ability to access the furlough scheme. Netflix, as with many of the streaming services, has provided solace over this period to their 13 million subscribers in lockdown. This is, in the main, due to the considerable content which Netflix has commissioned in the UK. Shows like Witcher, Sex Education, The Crown and Bridgerton (to which this planning application specifically relates) have become very popular and all were made in the UK.</p>	All comments from this representation are noted and considered in paragraphs 9.64 – 9.71.

<p>During the pandemic, Netflix has also worked to support out-of-work film crew with over \$150 million in donations to financial support projects across the globe and is now investing heavily in training schemes to assist people to get back to work. Netflix continues to support the UK Film Industry and the UK is its No.1 base outside the USA.</p>	-
<p>The application site will be used as a build space for filming locations for the Bridgerton Series that cannot be sourced elsewhere. The site is close to the main Studio and Production base in Uxbridge and provides good access to the amazing locations of Great Windsor Park which were used in Series One.</p>	-
<p>The Bridgerton Series has been No.1 on the series listings for Netflix across the world with some 53 million households having watched the show. The series is based on the 8 books written by Julia Quinn which have now for the first time featured in the NY Times and Sunday Times best seller lists. It has also become very popular across social media and drawing critical plaudits from across the world. Bridgerton has quickly become a stand-out production for the UK Film Industry, in the same vein as Downton Abbey and The Crown, and is expected to continue with multiple series.</p>	-
<p>The application site will be used across a number of series to create different sets and exterior locations that are impossible to replicate in the public domain and will require a considerable amount of support during the construction, filming and maintenance periods. As Creative England's letter of support points out the flow of spend into the local community is estimated to be between £22-42,000 per day.</p>	-
<p>The Bridgerton production would rest in the higher spend bracket mentioned above and in an effort to reduce our carbon footprint , we will try to resource products, materials and services locally where possible – ranging from local hotels and accommodation, building supplies, local transportation, specialist contractors (plumbers, electricians etc and local food produce to feed the cast and crew. Local employment opportunities will also be created to assist with film crew work, supporting actor roles and security. In addition to direct production spend the crew would contribute to local shops and services during their time at the production base.</p>	-
<p>Over the period of 5 years a considerable amount of cast and crew will be needed to create, maintain and film at the location. Local businesses will see the benefits throughout the life cycle of this project, and it is hoped that the use of the site for this production will provide many local businesses, which have suffered during the pandemic, with a well-deserved boost.</p>	-

3.	<p>From Creative England: Creative England is the national agency that provides support to the creative industries in England, outside London. Funded by Central Government via the British Film Institute, Creative England supports international and domestic film and TV production to shoot in England and works to improve the environment for filming in England. We are in close collaboration with the British Film Commission, working to attract inward investment from film and TV production.</p> <p>Creative England would like to extend their full support to the temporary planning application to Royal Borough of Windsor and Maidenhead by Windsor Great Park for filming purposes, associated storage and parking for a five-year period.</p>	All comments from Creative England are noted and considered in paragraphs 9.64 – 9.71 below.
	<p>The film and TV industry in the UK generates significant value for the UK economy. In 2019 film production in the UK generated a total spend of £1.95 billion, a 17% increase on the previous year's £1.84 billion and the second highest figure since statistics were first recorded. 2019 also saw the second highest level of spend by international filmmakers ever recorded, reaching £1.77 billion. This highlights the confidence international filmmakers have in the UK's creativity, the expertise of our crews, and world-class production facilities combined with the generous UK film tax relief. On a more local level, Creative England estimate the average amount a production spends when filming on location per day is in excess of £42,000 on a major feature film and in the region of £22,000 for a high-end television drama. The impact to both the national and local economy is clear to see.</p>	-
	<p>Against the backdrop of the COVID-19 pandemic, the UK Government has made sector specific interventions including a £500 million Film and TV Production Restart Scheme to help domestic film and TV productions which are struggling to get coronavirus related insurance which they need to get back up and running. Over 85% of high-end UK productions are safely starting up again, creating the outstanding content in demand by audiences globally, and generating much-needed expenditure and supporting more than 180,000 jobs to drive the UK's economic and social recovery.</p>	-
	<p>Despite the UK's success in attracting international productions in film and high-end TV, the supply of studio and alternative build space is not fully in-step with demand. This temporary planning application directly responds to the shortage of studio and alternative build space in the UK that Creative England have seen over the last number of years. Temporary planning permission would also ensure that the UK remains internationally competitive by ensuring sufficient infrastructure to support inward investment.</p>	-



	<p>Windsor Great Park's proximity to the M25, Central London and the largest Studios in the UK in addition to the site's unique attributes such as its 4,800 acres of varied scenic locations and film friendly approach, it is unsurprising that it has been home to some of biggest productions to shoot in the UK over the recent years such as Walt Disney's <i>Cinderella</i> and <i>Into the Woods</i>, Warner Bros.' <i>King Arthur: Legend of the Sword</i> and <i>Harry Potter and the Deathly Hallows – Part One and Two</i>, Universal Pictures' <i>Snow White and The Huntsman</i> and <i>The Huntsman: Winter's War</i>. This validates Windsor Great Park's importance as a filming facility in the UK.</p>	-
4.	<p><u>On behalf of The Crown Estate (landowner)</u></p> <p>Before the application was submitted, The Crown Estate spent a great deal of time discussing and assessing the requirements that the production company have.</p>	All comments from The Crown Estate are noted and are considered in paragraphs 9.72 – 9.74 below.
	<p>As with any filming request received by the Windsor Estate, careful consideration is given to the impact of the activity on the landscape, the continued operation of the Estate and on our neighbours and the local community.</p>	-
	<p>We were pleased to consider the request favourably and support the application for the following reasons:</p>	-
	<ul style="list-style-type: none"> <li>- The site selected was chosen after other sites were discounted as not being suitable. The site is agricultural land and not subject to any statutory designations. The land in question is a private part of the Estate. The only public access close to the chosen location is the designated footpath access being through our permitted gate key access scheme, which has been in operation for over 40 years. There is minimal passing footfall and no immediate neighbouring buildings. There are no veteran trees within close proximity to the site selected, and there are three separate vehicular access points to allow traffic flow to be rotated. Neighbouring tenants or sub-tenants of The Crown Estate have all been contacted and consulted.</li> </ul>	-
	<ul style="list-style-type: none"> <li>- The public footpath which runs to the side of the site will of course remain open at all times, and The Crown Estate will ensure that the film company will maintain safe public access along this footpath using a combination of signage and marshals. It should be noted that the footpath runs along an operational Estate road, along which both Farm and Estate traffic already passes.</li> </ul>	-

<ul style="list-style-type: none"> <li>- Filming is one of a number of business streams employed by The Crown Estate at Windsor to generate income which is used to offset the cost of maintaining, protecting and preserving Windsor Great Park and the wider Windsor Estate. Over five million visitors a year, a great many of them local, enjoy permissive access to this managed private land. The Crown Estate is also a significant local employer, and the spin-off for the local economy through the recreational visitor business is significant.</li> </ul>	-
<ul style="list-style-type: none"> <li>- The Crown Estate, unlike many other businesses, does not pay a dividend to stakeholders. We are tasked with returning 100% of our net revenue profit to the Treasury for the benefit of the nation's finances and have generated £2.9 billion over the last 10 years. Along with other businesses, the current Covid pandemic has impacted significantly on the income received by the Windsor Estate. The licence fee paid by the production company will be beneficial in helping us maintain the quality and quantity of management and maintenance of the Estate, safeguarding its position as a premier rural destination.</li> </ul>	-
<ul style="list-style-type: none"> <li>- The Crown Estate is also aware of the responsibility it has to be a good neighbour to both local businesses and local households. We would not have permitted the application to be made if there had been any concern over a negative impact of the filming activity on local businesses or communities. However, the application is made on private agricultural land with very limited public access as previously mentioned.</li> </ul>	-
<ul style="list-style-type: none"> <li>- We know that the presence of a film crew on site produces significant benefits for local business, be they accommodation, hospitality or retail. There will also be opportunities for flexible and long-term employment through the temporary presence of this film crew.</li> </ul>	-
<ul style="list-style-type: none"> <li>- As always, in any decision made about a business activity on the Windsor Estate, the long-term wellbeing of the landscape, flora and fauna of the Estate remains our priority. Over many years' experience of working with film crews, both large and small, the Estate has developed a knowledge and experience of working with this industry to safeguard the natural asset that is the Windsor Estate. We have an excellent relationship with Natural England's regional team and our in-house team of experts ensure that there is no ecological risk permitted to the Estate.</li> </ul>	-
<ul style="list-style-type: none"> <li>- The long-term nature of the film project does not mean that it will be treated in any way differently to a shorter-term project. The wellbeing of the Windsor Estate is more important than short-term</li> </ul>	-

	<p>financial gain. It is with a great degree of confidence that I can assure you that The Crown Estate, should planning be granted, will work continuously with the production company to ensure that both the land at Sunninghill Park, the neighbouring communities, and the people who use the public access, will be respected and protected.</p>	
	<ul style="list-style-type: none"> <li>- When the occupation period is complete, The Crown Estate will ensure, through a contractual commitment with the production company that the field is returned to its original agricultural condition.</li> </ul>	-
	<ul style="list-style-type: none"> <li>- We have carefully considered all of the alternative locations on the Windsor Estate but these were not suitable due to their statutory designations.</li> </ul>	-
5.	This part of the estate has deteriorated and now the Crown Estate is investing in this part of their holding. This application will assist the long-term regeneration of a section of the Park that needs investment in order to flourish and benefit the local community.	9.72 – 9.74
6.	The positive effects will be beneficial to our own and other local businesses.	9.64 – 9.68
7.	The interests from Netflix to film in the local area over a significant time period is a welcome one and will undoubtedly help out business and other local businesses recover through the post-vaccine recovery stage after an extremely damaging 2020. It will also improve employment prospects within those businesses. From a business and societal aspect we welcome these proposals to help accelerate the Royal Borough's recovery and give us all a brighter future.	9.64 – 9.68
8.	As an entomologist and ecologist, I can see nothing injurious to flora and fauna of the area. I am of the belief that the biodiversity at the end of the project may even be increased through regrowth of boundary hedges and field margins. The measures that will be taken to reduce any possible impact to the local environment seem to be exemplary.	9.19-9.31

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

Comment		Where in the report this is considered
1.	<u>Green Belt &amp; Character and Appearance of the area</u>	
	Wholly inappropriate for a Green Site. The large structure will affect the openness of the Green Belt.	9.2 – 9.6

	Described as temporary but is for 5 years. Will be a persistent visual intrusion.	Noted.
	The enormous size and scale of the proposal is underplayed in the documents submitted. The London Square area is 4500sqm larger than Leicester Square. The buildings at 12.8m high are twice the height of residential buildings in the local area. Large car park area.	9.7. 9.56 – 9.63
	This is not some modest construction in the rural landscape, this is industrialised sized building built of cladding hung on scaffolding. Monstrous constructions completely alien to the quiet rural setting. No screening can be made to reduce this. The screening provided by existing trees will have little effect.	9.7
	Would scar the beautiful countryside purely for commercial reasons. It will be an eyesore completely out of character with the area.	9.7
	The application submission significantly under-estimates the harm the development will do to the Green Belt.	9.2 – 9.6
2.	<u>Highway &amp; PROW Issues:</u>	
	The proposal will lead to a significant increase in traffic on local roads, which have serious safety implications.	9.8 – 9.13
	The public footpaths serving the field are not suitable for the volume of traffic this project will generate. The existing paths are narrow, have a lack of passing places and are in a poor state.	9.14 – 9.18
	The danger to walkers, runners, cyclists and horses is not justified.	9.8 – 9.13 & 9.14 – 9.18
	The entrance to Sunninghill Park is shared with a public footpath and there is a blind corner that shields oncoming traffic from foot traffic. An increase in traffic movements using this access will increase the risk to users of the public footpath. There is a history of accidents at this entrance.	9.8 – 9.13
	The significant negative impact of the associated traffic both during construction and filming on the local community has not been taken into due consideration.	9.8 – 9.13
	Keypad entry will lead to traffic queuing on the road causing a potential hazard. The gate cannot be permanently open as this would compromise security.	Noted.

	There is no justification to allow a large amount of HGV traffic coming into Ascot for at least 5 years. This is in addition to the two hundred or so light commercial vehicles and cars that will be travelling to the site each day during construction and filming.	9.8 – 9.13
	One of the routes to the site is Watersplash Lane that frequently experiences parking along its length on a typical weekend. The additional traffic from the proposal will make the existing problem of congestion in the area much worse.	9.8 – 9.13
	The proposed access for over 150 vehicles is totally unacceptable.	9.8 – 9.13
	The planned route for construction vehicles through Ascot Football Club is through an already congested bottleneck between Winkfield and the football ground.	9.8 – 9.13
3.	<u>Ecology &amp; Biodiversity</u>	
	Most of the generators for electricity will use diesel. There are no assurances that if there are any leaks this will not pollute the ground water or enter The Great Pond.	9.48 – 9.55 9.19- 9.31 9.32 – 9.45
	Detrimental to the many different types of natural wildlife that live or transit the proposed site. Harmful to protected species.	-
	The construction base and unit base will need to altered to hardstanding or concrete base, destroying natural flora. This will be extremely difficult to reinstate.	-
	Local wildlife disturbed by noise and light from generator power used for night time operations.	-
	This is an important wildlife corridor and the development and traffic would decimate local wildlife.	-
	There is no ecological survey. Species impact assessments should have been included.	-
	The land is a rare bird habitat. Supports endangered Lapwings and Swifts.	-
	The lake is a breeding ground for frogs and hundreds cross the footpath in Spring and will not survive due to the heavy flow of traffic. The Great Pond is home to a number of bird species.	-

	The site is in an area of Ancient Woodland and watercourses, which comprise an important and irreplaceable environment for biodiversity. The proposal will inevitably cause disruption to these.	-
	Lack of adequate ecological evaluation.	-
	Traffic will lead to an increase in Co2 air pollution.	-
	If Covid has taught the masses one precious thing, it is the value of nature, an extremely precious commodity.	-
	We need to respect our environment and destroy the habitat of animals to pursue our own frivolous pleasures.	-
4.	<u>Trees</u>  The development is surrounded by and encroaches onto ancient woodland – an irreplaceable habitat supported a wide range of protected species.  Lack of adequate tree surveys so impact difficult to assess.	9.32 – 9.45
5.	<u>Amenities</u>	
	Extra traffic will lead to an increase in noise and disturbance to occupiers at the 'Gate House', from door slamming, engines revving and requests for out-of-hours access.	9.74
	Increase in noise and air pollution from traffic and generators in an otherwise peaceful location. Pollution from lighting.	9.19 – 9.31
	Noise from construction activities as well as during filming including from flying of drones.	Noted
	This area has been vital to the mental health of the community during Covid-19. The huge increase in traffic will be detrimental to our recreation, health and quality of life.	9.72 – 9.73
	The exterior view of the film set will look awful with scaffolding and clutter.	9.7
6.	<u>No very special circumstances</u>	Considered in paragraphs 9.75 – 9.82.
	Ascot is the wrong location and doesn't share any of the other qualities of the alternative sites, such as better access to the motorway network	-
	The benefits proposed do not outweigh the detrimental aspects and the application should be refused.	-

	Benefits to the local economy have not be proved in any way. Any increase to local employment will be temporary and low paid. Netflix will bring their own staff and equipment with them and staff will be working and not spending money locally. Over-estimates the economic benefits.	-
	The film set does not require surroundings to be woodland – it is a London square. There must be more suitable brownfield sites which are currently derelict and less wealthy areas that could benefit from this proposal.	-
	The attempt to justify this application by citing economic improvement for local restaurants and taxi firms is not an exceptional reason to allow development in the Green Belt.	-
	Exceptional circumstances imply something like a local emergency.	-
	It is not within permitted development rights set out in the Town and Country Planning Order 2015	-
	Disturbing this area of local and natural importance for 5 years cannot be acceptable. The wildlife will be displaced and local community disrupted, probably on a permanent basis.	-
	There must be more suitable sites for a London square rather than a Green Belt site.	-
	Lincolns Inn could be used for filming as the streets are not open to the public. There must be lots of alternative locations available throughout the country that are more suitable than building on open green belt land.	-
	Very special circumstances have not been demonstrated in this case.	-
7.	Massive influx of unknown people into the area will mean the freedom of many children allowed to play unsupervised in the woods will be curtailed.	Comment noted.
8.	Once built it will establish a precedent for other such development to be allowed in the future.	9.75 – 9.82
9.	The land is prone to flooding. The significant areas of hardstanding will speed up surface water run-off into the ditch adjacent to the footpath, possibly contaminating it and increase flood risk to the north of the site.	See EA consultee response section 8.
10.	Helicopters and airplanes frequently fly over the site so it will be disrupted by aircraft noise.	Noted.
11.	The wellbeing of horses in the adjoining fields will suffer. Up to 20 horses are walked in hand twice daily to their grazing fields along this road. The risk to horses and their handlers from the levels of traffic associated with the use will be tremendous.	Noted.
12.	There are other film studios in the area – in Longcross, Reading and Shepperton, and another facility is not needed.	9.69 – 9.71

13.	If the proposal does not fall within Permitted Development Rights it cannot be a material consideration.	9.56 – 9.63
14.	The application fails to address fire risk management.	Not a matter for consideration under this application.
15.	Misleading information on application form.	Noted.
16.	Local businesses will not benefit as the applicant will have their own on-site catering facilities and suppliers.	Comment noted.

**Consultee responses, summarised as:**

Consultee	Comment	Where in the report this is considered
Tree Officer	<p>Recommends refusal. The impact on trees cannot be ascertained as the tree information provided is not BS5837 compliant. A tree survey, tree constraints plan and updated tree protection plan is required.</p> <p>The construction base and unit base is within the minimum 15m buffer zone to the ancient woodland, The Dawrey. This, and part of the set are also within the root protection areas of trees along the southern boundary. This will cause harm and potential loss and is unacceptable.</p> <p>The proposal does not comply with the NPPF or policies N6 and DG1 of the Local Plan.</p>	9.32 – 9.45
Ecology	<p>Objects.</p> <p>1<sup>st</sup> consultation response, dated 29<sup>th</sup> January 2021. Potential adverse impact on ancient woodland and local wildlife site. Potential harm to bats and Great Crested Newts. Insufficient information submitted.</p> <p>2<sup>nd</sup> consultation response, dated 29<sup>th</sup> March 2021: Very little of the further information I requested has been provided since my last response (the new ecology letter addresses the potential for GCN, and explains the reason for the 60 meter buffer for 1 woodland, but no buffer for the other (though it is still not clear if the development would be a minimum of 15 metres from the second woodland), but does not address any other point, request for further info, or question raised in my response), and I would still require this information prior to the application being determined.</p>	9.19 – 9.31
Natural England	<p>Not assessed the application for impacts on protected species. However it has published standing advice which should be used to assess the impacts on protected species or consult your own ecology service.</p> <p>The proposals as presented have the potential to adversely affect woodland classified in the Ancient Woodland Inventory.</p>	9.19 – 9.31



	<p>The application should be assessed against their standing advice on ancient woodland.</p> <p>The consultations documents indicate this development includes an area of priority habitat.</p> <p>The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment.</p>	
Woodland Trust	<p>Objects. Concerned about the proximity of the proposed development to areas of ancient woodland surrounding the site.</p> <p>It is not clear what distance is maintained from the development to Birch Copse and Paddock Wood, however The Dawrey is directly adjacent.</p> <p>With the potential for indirect impacts and in line with Natural England's standing advice, there should be a buffer zone of at least 15 metres between the development and ancient woodland boundary.</p>	9.19 – 9.45
Berkshire Gardens Trust	<p>The application site does not sit within a Registered Park &amp; Garden, nor on any locally listed parks. It is located within Sunninghill Park, which is Crown Estate.</p> <p>There should be an evaluation of former uses of the area and with particular reference to the ancient woodland and Great Pond, so the impacts of the proposal can be fully assessed. In the absence of this information we are likely to object. Also concerned about sufficient tree protection and pressure to fell trees close to the track.</p>	9.19 – 9.45
Highway Authority	<p>No comments received under current application, but consultation response provided for previous identical application 20/02574 (as below).</p> <p>The Highway Authority offers no objections to the proposal subject to complying with conditions in relation to a construction management plan, parking and turning – layout to be submitted and no on-site works and/or filming to take place during Royal Ascot week.</p>	9.8 – 9.13
Public Rights of Way Officer	<p>No comments received under current application, but consultation response provided for previous identical application 20/02574 (as below).</p>	9.14 – 9.18

	Recommended refusal as the proposal would have a significant adverse impact on the recreational value of Public Footpath 4, both in terms of visual intrusiveness when viewed from the footpath, and noise impact on the tranquillity of the setting of the footpath. Contrary to Policy R4 of the Local Plan.	
Environment Agency	No objection. The site lies within Flood Zones 2 and 3. The LPA must be satisfied that a satisfactory route of safe access and egress is achievable	Noted
Lead Local Flood Authority	Recommends refusal in the absence of information referred to in full consultation response.	9.48 – 9.55
Historic England	No comments.	Noted.
Conservation	No objections. The proposal is not considered to overly affect the setting of designated or non-designated heritage assets.	Noted.
Berkshire Archaeology	The application site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance from the proposed development. It is therefore recommended that a condition be imposed, requiring the submission and approval of a Written Scheme of Investigation, in order to mitigate the impacts of development.	9.46 – 9.47

**Other Group responses, summarised as:**

Consultee	Comment	Where in the report this is considered
Parish Council	Strongly objects to the proposed development.	
	The applicant has significantly underestimated the harm the development and its accesses will do to the Green Belt, biodiversity and users of the popular footpaths affected by the proposals. Contrary to NP/EN4.2.	9.2 – 9.6
	Over-estimated the economic benefit of the facility which will only be used between 12-15% of the 5 years it will be in place.	9.64 – 9.68
	It is inappropriate development in high quality green belt.	9.2 – 9.6
	It doesn't respect the character of the surrounding area	9.7
	It will have a significant and unacceptable impact on: <ul style="list-style-type: none"> <li>- The openness of the Green Belt</li> <li>- The health of the prime agricultural land</li> </ul>	9.2 – 9.82

	<ul style="list-style-type: none"> <li>- The biodiversity of the Great Pond and ancient woodland and on two wildlife corridors that cross the site</li> <li>- The tranquillity, enjoyment and safety of the families, dog walkers and cyclists who heavily use the public footpaths</li> <li>- The tranquillity of those residents that live alongside the access roads, which are narrow and not fit for the high level of OGVs and HGVs that will be using them</li> <li>- The viability of the riding stables who walk their horses between the stables and paddocks</li> <li>- The significant areas of hardstanding might speed up surface water run-off into the ditch by FP4 and may contaminate it. May increase flood risk of the land to the north.</li> </ul>	
	If permission is granted it will be used as a filming facility for many years thereafter. This has happened on Bovingdon Airfield (see alternative sites review)	9.75-9.82
	The lack of information provided makes it difficult to make a full assessment of the application and should be provided before the application is determined.	Noted.
	The case for VSC is very weak. The impacts of the proposal are severe.	9.75 – 9.82
SPAЕ	Society for the Protection of Ascot and Environs:  Objects and urges refusal of the planning application.	
	Although the set will be used for filming for between 6 and 8 weeks, the set build would remain in situ for the whole 5-year period. It would therefore have a high degree of permanence, physically changing the character of the site. It will also be visually intrusive and represent encroachment into the countryside.	9.7
	It is unclear how the set and unit base will be protected and secured throughout the year. If a continuous unbroken arrangement (such as fencing) around the site's periphery be necessary, this would substantially reduce the openness of the land.	9.7, 9.56 – 9.61
	In spatial and visual terms, the proposal would cause substantial harm to the openness of the Green Belt, particularly as the site is an open field and is relatively flat	9.2 – 9.6

	pastureland. It would amount to inappropriate development in the Green Belt.	
	The case for very special circumstances heavily emphasises the economic benefits that may be derived. However, there would be little employment gain in the one-off set-up and take-down for five years for the set build. It is also doubtful that acting talent would be drawn from the local community. As such the proposal is highly unlikely to outweigh the detrimental harm that would result from the development in the Green Belt.	9.75 – 9.82
	The site is abutted by Footpath 4, enjoyed by walkers, runners and horse riders, and so would be visually intrusive when viewed from this public footpath. This conflicts with policy R14 of the Local Plan.	9.14 – 9.18
	The proposal is in an area of high biodiversity value and so is likely to have a direct adverse impact on local biodiversity and on the habitat or wildlife of a Local Wildlife Site. The proposal must include an independent survey report which is supported by the Council's ecological adviser. Needs to comply with policy NP/EN4. The proposal should provide net gains for biodiversity.	9.19 – 9.31
	The site is situated in the vicinity of two Green Corridors through Green Belt with water courses flowing from Brewer's Pond and Great Pond to Virginia Water. The proposal must clearly demonstrate how it incorporates appropriate measures to secure the connectivity of the corridors and the freedom of movement for species on or through the site for compliance with policy NP/EN5.	9.19 – 9.31

## 9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i The principle of development – Green Belt issues;
- ii The impact on the character and appearance of the area;
- iii Highway implications;
- iv The impact on the Public Rights of Way
- v The impact on local ecology and biodiversity;
- vi The impact on trees

- vii Archaeological impacts;
- viii Surface water drainage;
- ix Other material considerations; and
- x The Planning Balance.

**The principle of development – Green Belt issues**

- 9.2 National Planning Policy, (set out in the NPPF 2019), states “The Government attaches great importance to Green Belts” and that “the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”
- 9.3 The NPPF states that “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances “ (paragraph 143). It goes on to state, in paragraph 144, “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”
- 9.4 Paragraph 145 states that “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt”, with the exception of the certain types of buildings listed. Paragraph 146 states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, and these include material changes in the use of land.
- 9.5 In this case, the proposed change of use of the land for the construction of a film set and use of the land for parking and storage purposes, for a 5 year period involves a set build that covers an area of approximately 14,400sqm, rising to a maximum height of 12.8m. In addition, the proposed construction and unit base, covering an area of approximately 10,680sqm, would accommodate up to 150 cars, a portacabin site office, structures to house independent power and water supplies, a tech area, storage containers (numbers unspecified), a marquee for costumes and dining, and construction and general waste skips. Also, although unspecified, it is also assumed the entire site would be enclosed for security and safety reasons. Given the application site is currently completely undeveloped, the proposal would cause substantial harm to the openness of the Green Belt and would conflict with one of the purposes of Green Belts, specifically to assist in safeguarding the countryside from encroachment.
- 9.6 Accordingly, the proposal is inappropriate development in the Green Belt and the principle of development is unacceptable. However, the applicant has submitted details of ‘other considerations’ which they consider clearly outweighs the harm to the Green Belt, and any other harm, such that ‘very special circumstances’ exist to justify granting planning permission. These are considered towards the end of this report within the ‘Planning Balance’ section.

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

- 9.7 The application site is an open field, bounded to the east by a public footpath and surrounded on all other sides by open countryside. The siting, scale and design of the

proposed development would therefore be incongruous and harmful to the rural character and appearance of the area. The weight attributed to this harm is set out in the Planning Balance section of this report.

### **Highway implications**

- 9.8 At the time of writing the Highway Authority has not provided a consultation response on the current application. However, it did provide comments under the previous, identical application (20/02574) and, as there has been no material change in circumstances since the last application, these (as set out in 9.9 to 9.13 below) are considered to remain valid to the current proposal.
- 9.9 The application site lies in a central position within Sunninghill Park which is private. The site can be accessed via established private estate tracks. Access to the site will be via 3 routes: i) from Watersplash Lane from the south east; ii) from the access track through the Royal Ascot gold club from the west; and iii) from the north east from Sunninghill Road (B383).
- 9.10 The submitted Design and Access Statement 6.3 states: “During the construction phase heavier vehicles, including trucks (between 7.5T and 18T) will access the site off the A330 from the west, and arrive via the existing road which leads past the football ground and serves the golf club maintenance depot. Car movements will be taken from Watersplash Lane from the south east and from Sunninghill Road to the north.” In the interest of highway safety, the Highway Authority requests that temporary measures, such as suitable barriers and signs, are provided along the public right of way from the B383 to Watersplash Lane, to ensure that vehicles and pedestrians are segregated on filming days.
- 9.11 A 5-year planning permission is sought for the site, however the details submitted indicate that construction will only take 4 months and filming will only take place for between 6 and 8 weeks each year. The details indicate the size of the site will offer ample parking and turning to accommodate the proposed 150 cars. A site plan showing access, parking and turning should be provided.
- 9.12 The Highway Authority would request that any works on the site and filming do not take place during Royal Ascot week. This is to ensure there is no further additional impact on the local highway network, (all routes are used during Royal Ascot week).
- 9.13 The Highway Authority offers no objections to the proposal subject to complying with conditions in relation to a construction management plan, parking and turning – layout to be submitted and no on-site works and/or filming to take place during Royal Ascot week. If the application were recommended for approval, such conditions would be proposed to ensure that the proposal had an acceptable impact on the surrounding highway network.

### **The impact on the Public Rights of Way**

- 9.14 At the time of writing the Public Rights of Way (PRoW) officer has not provided a consultation response on the current application. However, comments were provided under the previous, identical application (20/02574) and, as there has been no material change in circumstances since the last application, these (as set out in 9.15 to 9.17 below) are considered to remain valid to the current proposal.
- 9.15 The application site is adjacent to a public footpath (Public Footpath 4 Sunninghill) and one of the access routes to the site is shared with parts of this public footpath and

Public Footpath 3 Sunninghill. Footpaths 3 and 4 Sunninghill are very well used public footpaths, forming links in several circular walks in the area.

- 9.16 The proposed film set and associated infrastructure, including fencing, would have a significant adverse impact on the recreational value of Public Footpath 4, both in terms of visual intrusiveness when viewed from the public footpath, and noise impact on the tranquillity of the setting of the footpath.
- 9.17 Furthermore, vehicles accessing the site would have a significant adverse impact on both Footpath 4 and Footpath 3, in terms of both noise disturbance and visual impact. Notwithstanding that the use would be for a limited period, it is considered that the proposal would be contrary to Policy R14 of the Local Plan.
- 9.18 The weight attributed to the harm to the PRow is set out in the Planning Balance section of this report.

### **The impact on local ecology and biodiversity**

- 9.19 The Council's ecologist provided the following initial advice (dated 29<sup>th</sup> January 2021) in respect of the proposal:
- 9.20 This application is for the temporary (5 years) erection of a film set (and concomitant filming) with associated access routes. The site proposed for the main film set comprises agricultural land (it is unclear whether this is laid to arable crop, as per the ecology report, or a grassland pasture, as per the Design and Access Statement), which in itself is of low ecological value. The field is bordered by grass and ruderal vegetation margins, with a ditch running around the south, east and north. A concrete track runs down the eastern edge. It is bound to the north and south by tree lines/mature outgrown disjunct hedgerow, beyond which to the south lies Ascot Golf Course. Adjoining the site to the west is Birch Copse which is an Ancient Woodland, and a priority habitat (as per the NPPF). Adjoining the site to the east is the Dawrey; another Ancient Woodland and priority habitat, and part of the Platts Firs, Penslade Bottom, Fireball Hill Local Wildlife Site (LWS). The proposed main access to the site is an existing track which originates from the main road to the north east of Great Pond, crosses Great Pond to the south, and continues through the ancient woodland to the film set site. The majority of this access road passes through the Platts Firs, Penslade Bottom, Fireball Hill LWS.
- 9.21 The ecology report (AA Environmental Ltd, December 2020) details the results of a Preliminary Ecological Appraisal (PEA) of the main film set site, though it does not appear to give consideration to the impacts of the access routes. The report concludes that protected species are unlikely to be affected by the proposals, and that, provided a 60 metre buffer is retained between the film set and Birch Copse (advice which has been incorporated into the site plan), there should be no adverse ecological impacts.
- 9.22 However, it is unclear from the report why 60 metres has been advised as a buffer from Birch Copse, but no buffer is recommended between the site and the Dawrey woodland to the east. Natural England's standing advice recommends that a minimum of 15 metres buffer is left between a development and Ancient Woodland (which is a highly important and irreplaceable habitat); a larger buffer could be needed if the projected potential impacts of the development on the ancient woodland warrant it. As the temporary film set would contain concrete paving stones, hardstanding, etc., it is likely that there could be increased runoff into the woodlands, and subsequent changes to the hydrology of the site (and therefore surrounding habitats). As such, we would

expect **at least** a 15 metre buffer between the film set and **all** adjacent ancient woodland. It should also be clarified why the ecology report recommends a buffer for Birch Copse, but not the Dawrey (as not much information has been provided about each of these adjacent woodlands). Furthermore, section 3.4 of the Design and Access Statement states that:

*“In addition to the construction of the film set, which will remain in situ for the whole 5 year period, adjacent areas will be used for the creation of a unit base, and for parking on film weeks. The position of this area is shown on the submitted plans, and will lie to the immediate east hardstanding on east of set build, nearest to track, and overflow west of the set build area, if required.”*

And section 3.13 says:

*“The annotated map below shows the set build area, unit service base and the location of the car parking areas.”*

- 9.23 The annotated map showing car parking does not appear to have been provided, however, section 3.4 appears to suggest that the wildlife buffer zone to the west of the film set would be used as an overflow car park. It therefore needs to be clarified (and the annotated map provided) whether this is the case and, if so, how many vehicles, and how often, are anticipated to be parked in this area.
- 9.24 Moreover, it is not yet clear from the information provided what volume of traffic is expected, both during construction and filming, along the access tracks over the pond and through the woodland (and how this compares to the current use of these tracks) and therefore what risk there is of creating unacceptable levels of pollution in the sensitive ancient woodland and pond priority habitats. The applicant has stated that they are happy to implement a traffic control system during filming and more information on what this would entail (and controls during construction, as well as filming) would need to be provided prior to the application being determined. Moreover, details would need to be provided on whether and how volume of traffic overall would be mitigated as far as possible through the woodland during filming days (e.g. vehicle sharing, shuttle bus, etc) to minimize both pollution to habitats and disturbance to wildlife inhabiting the LWS.
- 9.25 Additionally, more information would be required regarding the access tracks, particularly during construction. Photos of the track to the east of the film set site show the existing track to be relatively narrow. The applicant should confirm whether tracks would need to be modified, widened, or reinforced anywhere, and whether the existing track is adequate to allow large construction vehicles to pass through (and pass each other) without leaving or straddling the track and potentially impacting on the surrounding ancient woodland flora.
- 9.26 Furthermore, the site lies approximately 270 metres from Brewer’s Pond which is known to host a population of great crested newts (GCN), the size and status of which is, to my understanding, currently unknown, but is likely a breeding population (a juvenile was observed on the golf course – see unrelated planning application 20/02720/FULL). The ecology report states that there are no ponds or habitats suitable for use by GCN on the site, so GCN have not been considered further. However, the grassland and ditches around the field margins and the surrounding hedgerows and woodland could be used by GCN, particularly if individuals were traversing the site between ponds. A full OS map assessment of ponds within 500 metres of the site,



and HSI assessments/further surveys where deemed appropriate, should therefore be undertaken to assess the likelihood of there being a GCN metapopulation in the area and, as such, the likelihood of GCN using the terrestrial habitat on the site.

- 9.27 In addition, the site and access routes are surrounded by woodland and the Great Pond which provides optimal habitat for use by bats, including rarer and more light-sensitive species. It appears that actual filming on the set would not occur past 6pm, so presumably lighting associated with filming is unlikely to be an issue. However, information should be provided on proposed lighting of the car parking area/dressing areas, security cabin etc., and the access routes (during both construction and filming) prior to this application being determined. This information should include the expected hours of operation of lighting, a layout plan with beam orientation, a schedule of equipment, measures to avoid glare, an isolux contour map showing light spillage to 1 lux both vertically and horizontally, and areas identified as being of importance for commuting and foraging bats. Once in receipt of this information, advice can be provided on whether bat transect surveys would need to be undertaken prior to the application being determined.
- 9.28 The applicant's ecologist provided a response (dated 12<sup>th</sup> February 2021) to the Council's ecologist's initial consultation which, in summary, advised that it was not considered that there are any overriding ecological constraints to the proposals. The suggested buffer with Dawrey woodland located to the east was not considered necessary as the existing concrete road/track with a wire mesh fence provides a suitable barrier. The risk of encountering great crested newts on the site is considered minimal given the distance of Brewers Pond from the site (approximately 270m). However, the applicant's ecologist has recommended that site clearance works are carried out adopting Reasonable Avoidance Measures.
- 9.29 In response to this information, the Council's ecologist has advised that the suggested Reasonable Avoidance Measures proposed would sufficiently address concerns in respect of Great Crested Newts, and that clarification with regard to the 60m buffer between the site and Birch Copse to the west is sufficient. However, a number of queries raised by the Council's ecologist remain unaddressed.
- 9.30 Specifically, notwithstanding the applicant's ecologist stating that a buffer between the site and The Dawrey is not required, (due to the existing track that runs alongside the site and a wire mesh fence separating the track from the woodland providing a suitable barrier), together with information from the Crown Estates Head Forester stating The Dawrey is plantation woodland within an ancient woodland and is not therefore rich in ancient woodland flora and fauna, The Dawrey is/remains a designated Ancient Woodland. As the film set would contain areas of hardstanding, (to facilitate the unit service base and car parking), it is likely that there could be increased runoff into the woodlands, with subsequent changes to hydrology, and therefore surrounding habitats. A minimum buffer of 15m is therefore required. In addition, as traffic associated with the development would utilise existing narrow tracks within ancient woodland and adjacent to pond priority habitat (Great Pond), the Council's ecologist's initial consultation response requested further details on the volume of traffic anticipated during construction and filming, details of the traffic control system (as suggested by the applicant), details of how traffic would be mitigated through the woodland to minimise pollution to habitats and disturbance to wildlife, and details regarding whether the existing narrow access tracks will need to be modified, widened or reinforced to facilitate the type and volume of traffic. No information addressing these queries has been provided by the applicant. The Council's ecologist has also advised that as the surrounding area is optimal for bats (particularly rare ones), details of lighting are required prior to determining the application.

- 9.31 The further information required and detailed above would need to be provided prior to the application being determined, or the application would need to be refused on the grounds that currently there is insufficient information to assess the potential impacts of the proposals on priority habitats, Ancient Woodland, the LWS, or protected species contrary to paragraphs 170 and 175 of the NPPF and adopted policies NP/EN4 and NP/EN5 of the Ascot, Sunninghill & Sunningdale Neighbourhood Plan (ASSNP).

### **Trees**

- 9.32 The Council's Tree Officer has advised the following: The site is bounded to the west by Birch Copse and to the east by The Dawrey, both are ancient woodland. Paddock Wood to the north east of the site is also ancient woodland. There is also a linear woodland strip to the west of The Dawrey, immediately to the west side of the track, south of the site. This has been recognised as ancient woodland in a review undertaken by Thames Valley Environmental Records Centre, the results of which have been submitted to Natural England for review and inclusion in the national inventory.
- 9.33 There are several trees along the northern and southern boundary of the site along with other natural vegetation. These trees may form part of a remnant hedgerow.
- 9.34 A British Standards 5837 tree survey, constraint plan and tree protection plan is required, to assess the impact on trees and to demonstrate how trees/woodland will be adequately protected. In the absence of this my comments are generalised.
- 9.35 The NPPF, section 175 states: When determining planning applications, local planning authorities should apply the following principles:  
(c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
- 9.36 Ancient woodland takes hundreds of years to establish and is defined as an irreplaceable habitat. It is important for its wildlife (which include rare and threatened species), soils, recreational value, cultural, historical and landscape value.
- 9.37 Direct impacts of development on ancient woodland or ancient and veteran trees may include:
- damaging or destroying all or part of them (including their soils, ground flora or fungi);
  - damaging roots and understorey (all the vegetation under the taller trees);
  - damaging or compacting soil around the tree roots;
  - polluting the ground around them;
  - changing the water table or drainage of woodland or individual trees;
  - damaging archaeological features or heritage assets.
- 9.38 Nearby development can also have an indirect impact on ancient woodland or ancient and veteran trees and the species they support. These can include:
- breaking up or destroying connections between woodlands and ancient or veteran trees;
  - reducing the amount of semi-natural habitats next to ancient woodland;
  - increasing the amount of pollution, including dust;

- increasing disturbance to wildlife from additional traffic and visitors;
  - increasing light or air pollution;
  - changing the landscape character of the area.
- 9.39 For ancient woodlands, a minimum buffer zone of at least 15 metres is required in order to avoid root damage. Where assessment shows other impacts are likely to extend beyond this distance, a larger buffer zone will be required. For example, the effect of air pollution from development that results in a significant increase in traffic.
- 9.40 The construction base and unit base is within the minimum 15m buffer zone to the ancient woodland, The Dawrey. This and part of the set are also within the root protection areas of trees along the southern boundary. This will cause harm to and potential loss of and is unacceptable.
- 9.41 It is noted the existing access track will be used for vehicles to access the site. However, the track may not be able to easily accommodate the increased traffic movements without the introduction of passing places. This potentially could have a further impact on trees and ancient woodland. The point at which vehicles are driven from the track onto the parking area has not been shown.
- 9.42 It is noted applicants are willing to agree to a traffic management programme for main filming days when the highest number of traffic movements can be expected. However, this should also be extended to the build and dismantling phases which potentially have high level of traffic movements.
- 9.43 The red line boundary comes up to the edge of Birch Copse, which is within the minimum 15m buffer of this ancient woodland. It is unclear whether the land to the west of the set, up to Birch Copse, will also be used in connection with filming and what its exact purpose might be, this needs to be clarified.
- 9.44 The applicant will need to provide further information as outlined above and revise the extent of the useable area of the site. Currently, the proposal does not comply with the NPPF or policies N6 and DG1 of the Local Plan and policy NP/EN2 of the ASSNP.
- 9.45 A response to the Tree Officer's comments in support of the proposal and in respect of the potential impact on trees has been provided by the Crown Estate Chief Forester. In summary, it advises that there will be no impact on the areas designated as Ancient Woodland (as these have been maintained / cut as 'plantation'), nor will there be any impact on the trees on the south side of the site as these are poor quality / overgrown hedge trees.

### **Archaeological impacts**

- 9.46 There are potential archaeological implications associated with this proposed scheme. The site of the proposal area is wholly a known heritage asset in the form of a royal demesne, embarked in the late 14<sup>th</sup> century with a lodge, and later a mansion (Sunning House). Within the park area, and less than 800m from the proposed site, there has been no less than 14 individual find spots for archaeological material, with many of these spots turning up more than one item. Many of these have been registered with the portable antiquities scheme.
- 9.47 Therefore the application site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development. It is therefore recommended that a condition, requiring the submission and approval of a Written Scheme of Investigation, be imposed, should permission be

granted, to mitigate the impacts of the development. This is in accordance with paragraph 199 of the NPPF.

### **Surface water drainage**

- 9.48 The flood risk assessment and drainage strategy proposes two surface water drainage options. The first involves infiltration through permeable paving and a soakaway. The second, intended to be used if infiltration is not practical, utilises attenuation crates which discharge to a drainage ditch on the eastern edge of the site. In line with the national Planning Practice Guidance, the drainage hierarchy should be followed, and the infiltration strategy should be implemented unless the applicant demonstrates this is inappropriate or not reasonably practicable.
- 9.49 The drainage design for both options is high level and no ground investigation or infiltration tests have been conducted. RBWM planning constraints indicate the site, or at least parts of it, is designated as contaminated land and there is a concern that this could impact on the viability of an infiltration strategy. The applicant would need to demonstrate that potential risks of mobilising existing contaminants have been considered as part of the drainage strategy and will be appropriately mitigated.
- 9.50 The Lead Local Flood Authority (LLFA) would normally expect infiltration rates to be based upon on-site testing conducted in accordance with BRE Digest 365. However, given the site location, the nature of development and the short development lifetime, with reinstatement of the site to grassland at the end of a 5-year period, the LLFA would be prepared to accept an indicative infiltration rate in this case, should infiltration be appropriate. However, the applicant would need to clarify how the estimated infiltration rate used in the submitted calculations was derived at.
- 9.51 No information on site or drainage systems levels have been provided and, therefore in the case of the fall-back, non-infiltration option, the attenuation crate depth, (including possible cover depth as a trafficked area), may be higher than the ditch invert level where the outfall is proposed. As a result it is not clear that either option presents a viable drainage system at present. The applicant needs to provide a more detailed drainage strategy demonstrating that there will be a viable method of disposing of surface water.
- 9.52 In both drainage strategy options, the parking build and base area may increase the rate at which contaminants (e.g. hydrocarbons) enter the ground and/or nearby watercourses. The applicant needs to demonstrate that the proposal would not result in unacceptable water quality risk to the receiving waterbody. This is normally demonstrated through the risk screening, and where appropriate, the Simple Mitigation Index approach.
- 9.53 The applicant also needs to clarify who would be responsible for the maintenance of the system through the 5-year implementation period and provide maintenance details.
- 9.54 Unless the information referred to above is provided, the LLFA recommends the application be refused, contrary to paragraph 165 of the NPPF.
- 9.55 In response to the LLFA's advice, the applicant has confirmed that an above-ground attenuation based system, that incorporates a petrol and hydrocarbon interceptor, can be employed in this case, and that details of this and information in respect of the other queries raised can be provided as part of an appropriately worded planning condition.

### **Other material considerations**

## Permitted Development Rights

- 9.56 Schedule 2 Part 4 Class E of the Town and Country Planning (General Permitted Development) Order 2015 specifies that the temporary use of any land or buildings for a period not exceeding 9 months in any 27 month period for the purpose of commercial film-making; and the provision on such land during the filming period of any temporary structures, works, plant or machinery required in connection with that use is permitted development, i.e. does not require planning permission.
- 9.57 However, part E.1 sets out that development is not permitted by Class E if:
- The land in question is more than 1.5 hectares
  - The use of the land is for overnight accommodation
  - The height of any temporary structure exceeds 15m, or 5m where any part of the structure is within 10m of the curtilage of the land
  - The land is on article 2(3) land
  - The land forms part of a site of special scientific interest, a safety hazard area or a military explosives storage area
  - The land contains a scheduled monument or
  - The land is within the curtilage of a listed building
- 9.58 Part E.2. states that Class E development is permitted subject to the condition that (a) any structures, works, plant or machinery provided under the permission must, as soon as practicable after the end of each filming period, be removed from the land; and (b) the land on which any development permitted by Class E has been carried out must, as soon as reasonably practicable after the end of the filming period, be reinstated to its condition before the development was carried out.
- 9.59 Part E.2 (2) states development is permitted subject to the condition that before the start of each new filming period the developer must apply to the local planning authority for a determination as to whether prior approval of the authority will be required as to:
- The schedule of dates that make up the filming period in question and the hours of operation;
  - Transport and highway impacts of the development;
  - Noise impacts of the development
  - Light impacts of the development, in particular the effect on any occupier of neighbouring land of any artificial lighting to be used, and
  - Flooding risks of the site
- 9.60 Accordingly and theoretically, the applicant could erect the film set (set build only) as proposed by the current planning application and which is approximately 1.4 hectares, (so less than 1.5 hectares), on the land the subject of this application, and film for no more than 9 months over a 27 month period or, for example, film for 4.5 months each year and then after a break of 3 months start again. Due to the size of the site being restricted to 1.5 hectares a base unit of a comparable size to that proposed under the current application could not be provided under permitted development. The set would also have to be removed from the land after each filming period and the land reinstated to its original condition
- 9.61 If the applicant chose to take the permitted development route they would need to apply to the Council for prior approval.

- 9.62 It is important to note that the relevant permitted development rights criteria do not require any consideration to be given to the impact of the proposal on the Green Belt, character of the area in which the site is located, local ecology or biodiversity, trees, surface water drainage or archaeology.
- 9.63 The Permitted Development Rights available to the applicant are a material consideration in the assessment of this planning application and the weight given to this is set out in the Planning Balance below.

#### Economic benefits

- 9.64 Paragraph 80 of the NPPF states that planning decisions “should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”
- 9.65 The applicant has submitted a ‘Statement of Very Special Circumstances’, which sets out the economic benefits of the proposal. These benefits are evidenced in the supporting letters received in connection with the application from The British Film Commission (BFC) and Creative England, (see supporting letters in Section 8 of this report). The BFC confirms that the applicant (Netflix) has become one of the UK’s most valuable investment clients, financing billions of pounds of production in the UK and creating thousands of jobs. It further advises that the film, TV and creative industries are the fastest growing sector, growing at five times the rate of the UK economy as a whole and, due to growing demand, the Industry has become increasingly valuable in terms of employment and investment.
- 9.66 At a local level and in its supporting letter, Creative England confirms that it is estimated that the average amount a production spends when filming on location per day is in excess of £42,000 on a major feature film and in the region of £22,000 for a high-end television drama.
- 9.67 The application site is required for filming locations for the ‘Bridgerton’ series which, since its release in the UK on Christmas Day last year, has topped the series listings for Netflix across the world with some 53 million households having watched the show. In a short space of time, it has become a stand-out production for the UK Film Industry, in the same vein as Downton Abbey and The Crown. Netflix has announced a second series and multiple series are expected to follow.
- 9.68 The economic benefits of the proposal that are direct and indirect, local and wider are material considerations relevant to the assessment of the proposal and the weight to this is set out in the Planning Balance section below.

#### Lack of suitable and available alternative sites

- 9.69 The application is supported by a list of alternative sites that were considered during the site selection process but were discounted in favour of the application site. 5 alternative sites were investigated and discounted for various reasons ranging from the site being too small/insufficient space, highway constraints, potential noise issues, trees and safety issues.

- 9.70 In its supporting letter, Creative England states that “despite the UK’s success in attracting international productions in film and high-end TV, the supply of studio and alternative build space is not fully in-step with demand.” It adds that “temporary planning permission for the proposal would ensure that the UK remains internationally competitive by ensuring sufficient infrastructure to support inward investment.”
- 9.71 The BFC, in its supporting letter, confirms that the application site is the “ideal location due to its proximity to their (*the applicants*) main filming base and to the largest crew, talent and film and TV infrastructure hub in Europe, which is located in the Western Home Counties.” Creative England states that Windsor Great Park, with its unique attributes such as its 4800 acres of varied scenic locations and film friendly approach, make it an important filming facility in the UK.

#### Social and environmental benefits

- 9.72 The Crown Estate, (application site landowner), sets out in its letter of support (see section 8 above) that unlike many other businesses, it does not pay a dividend to stakeholders, but is instead tasked with returning 100% of its net revenue profit to the Treasury for the benefit of the nation’s finances, and has generated £2.9 billion over the last 10 years. Along with other businesses, the current Covid pandemic has impacted significantly on the income received by the Windsor Estate. The licence fee paid by the production company will be beneficial in helping The Crown Estate maintain the quality and quantity of management and maintenance of the Estate, safeguarding its position as a premier rural destination.
- 9.73 As many of the local residents have confirmed in their letters of representation, Windsor Great Park is highly valued as an attractive and safe environment that is important to their well-being. Accordingly, there are social and environmental benefits arising for the proposal which, if approved, would provide a source of income to the Crown Estate helping it to “maintain the quality and quantity of management and maintenance of the Estate.”

#### Impact on residential amenities

- 9.74 The application site is in a relatively isolated position with no residential properties close by. The nearest dwelling to the site is over 500m away. Accordingly, the proposal would not harm the living conditions of any residents in terms of loss of privacy, loss of light or from the structure appearing overbearing when viewed from their properties.

#### **The Planning Balance**

- 9.75 As set out in paragraph 9.3 above, inappropriate development in the Green Belt should not be approved except in very special circumstances. Local planning authorities are required to give substantial weight to any harm to the Green Belt and ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 9.76 In assessing the weight to be given to each factor in favour of or against the proposal, it is important to have regard to the temporary 5-year nature of the application, (notwithstanding precedent arguments which are not relevant in the consideration as each application is determined on its own merits). The application is not for a permanent development and therefore any harm caused by it will not necessarily be permanent. Likewise, any benefits from the proposal may also not be permanent.

- 9.77 In addition, while the NPPF specifies the amount of weight to be given to certain issues, for example, any harm to the Green Belt is given substantial weight, there are other material considerations where the weight given is a matter for the decision-taker, having regard to the information before them. Accordingly, the 'weighing-up' exercise outlined below is an officer recommendation and the weight, for issues in favour or against, could be varied according to the Panel's (as the decision-taker) judgement of the proposal.
- 9.78 In this case, the proposal is inappropriate development in the Green Belt, would lead to loss of openness in the Green Belt and would lead to encroachment of development in the countryside. This harm to the Green Belt is given substantial weight, albeit limited to 5 years. Given the open, undeveloped and rural nature of the land, harm to the character and appearance of the area would also be caused and this is given significant weight. The Council has a statutory duty in regard to protected species and their habitats and, as the potential harm to these are unknown due to lack of information, this is also given significant weight.
- 9.79 The surface water drainage issue is considered to be a matter that could be satisfactorily resolved. There are no objections from the Highway Authority nor from Berkshire Archaeology, subject to planning conditions. In addition, the proposal would not harm the living conditions of any residents living within the vicinity of the application site. These matters have a 'neutral' impact and therefore no weight is given to them.
- 9.80 In favour of the proposal, the site benefits from Permitted Development Rights (PDR) which allows the temporary use of any land or buildings for a period not exceeding 9 months in any 27 month period for the purpose of commercial film-making; and the provision on such land during the filming period of any temporary structures, works, plant or machinery required in connection with that use. However the application site area and the development proposed far exceeds the amount that could be provided under permitted development and would be permanently in place for 5 years, as opposed to being removed from the site after each filming period as required by the PDR. Accordingly, this consideration is given limited weight. Based on the information submitted, only limited weight is given to the lack of alternatives to the application site and limited weight is given to the social and environmental benefits.
- 9.81 Having regard to the supporting information provided, significant weight is given to the economic benefits arising from the proposal, (as required by paragraph 80 of the NPPF), which may be limited due to the temporary nature of the proposal, but may not if, for example, it assists in securing further investment into the UK's Film and TV Industry.
- 9.82 Given the weighting attributed to the other considerations set out above and, as the test requires that harm to the Green Belt and any other harm must be clearly outweighed by other considerations, it is not considered that 'very special circumstances' exist in this case.

## **10. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 10.1 The development is not CIL liable.

## **11. CONCLUSION**

- 11.1 The proposal is inappropriate development in the Green Belt and would result in loss of openness to the Green Belt and lead to encroachment of development in the



countryside. It has not been demonstrated that the 'other considerations' in support of the proposal would clearly outweigh the harm to the Green Belt and other potential harm. As such, 'very special circumstances' do not exist in this case and the proposal is contrary to policies GB1 and GB2 (A) of the Local Plan and paragraph 143 of the NPPF.

- 11.2 In addition, the proposal would detract from the rural character and appearance of the area and be detrimental to the recreational value of the public footpath, contrary to Local Plan policies DG1 and R1, and paragraphs 98 and 127 of the NPPF. Due to insufficient information it has not been demonstrated that protected species and/or their habitats and ancient woodland would not be adversely affected by the proposal, contrary to Local Plan policies N6 and DG1, adopted policies NP/EN4 and NP/EN5 of the Ascot, Sunninghill & Sunningdale Neighbourhood Plan (ASSNP) and paragraphs 170 and 175 of the NPPF.

## **12. APPENDICES TO THIS REPORT**

- Appendix A - Site location plan
- Appendix B – Proposed site layout plan
- Appendix C – Proposed layout of film set
- Appendix D – Site sections
- Appendix E – Site sections

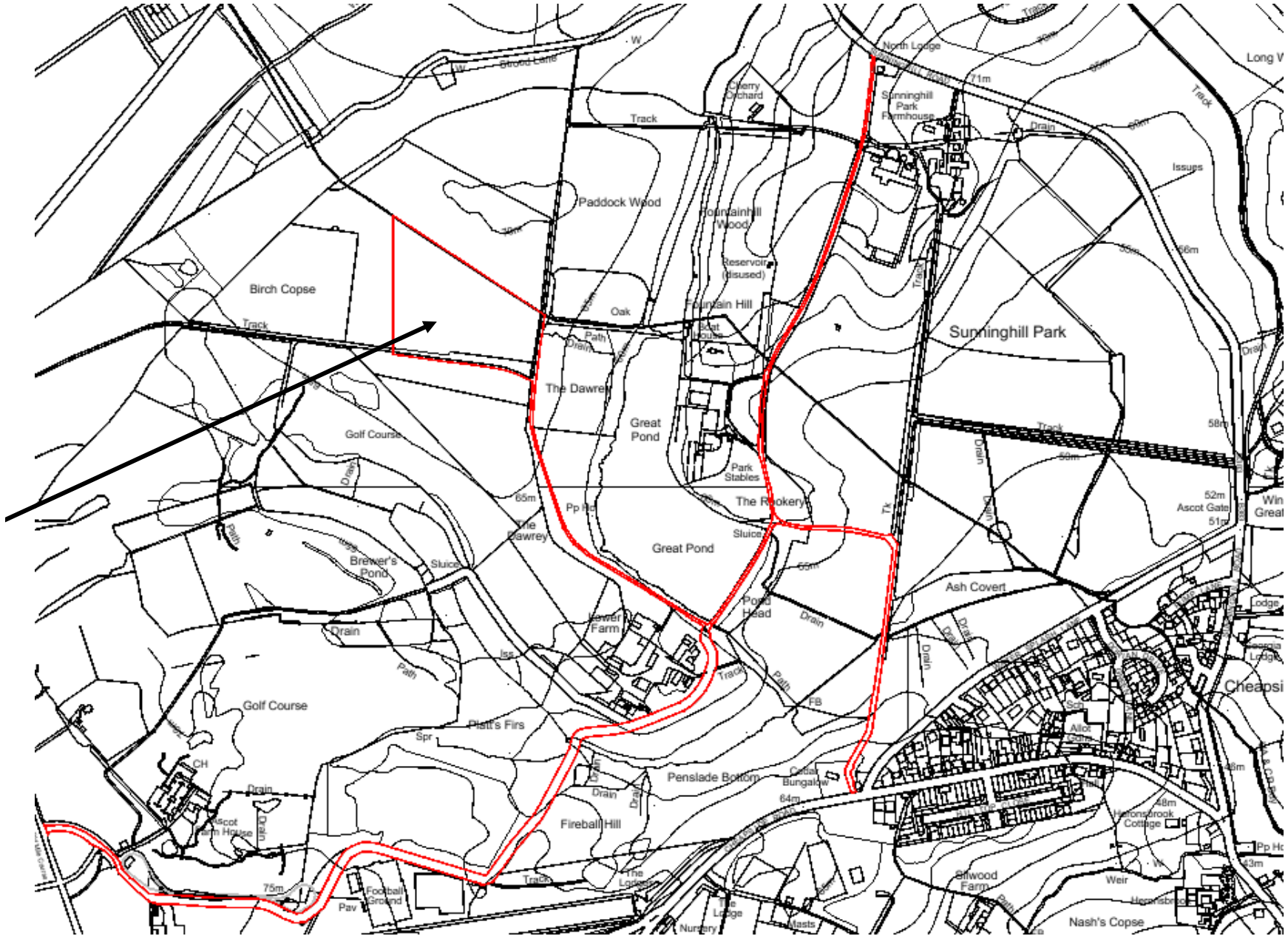
## **13. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED**

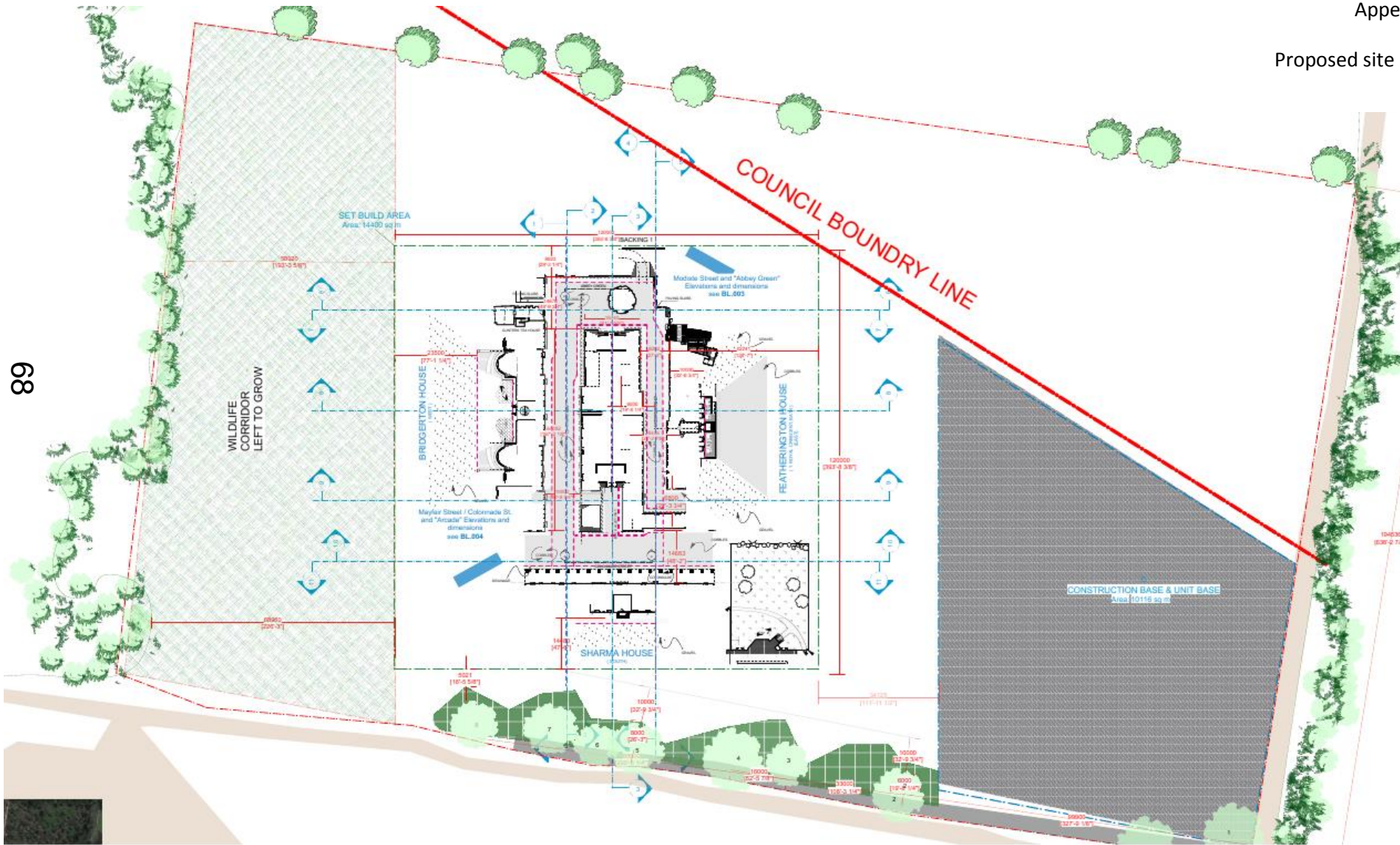
- 1 The proposal, by reason of its size and siting, is inappropriate development in the Green Belt and would result in loss of openness to the Green Belt and lead to encroachment of development in the countryside. It has not been demonstrated that the 'other considerations' in support of the proposal would clearly outweigh the harm to the Green Belt and other potential harm. As such, 'very special circumstances' do not exist in this case and the proposal is contrary to policies GB1 and GB2(A) of the Royal Borough of Windsor and Maidenhead Local Plan, adopted 2003, and paragraph 143 of the National Planning Policy Framework, 2019.
- 2 The proposal, by reason of its siting, design and scale, would detract from the rural character and appearance of the area and be detrimental to the recreational value of the public footpath (Footpath 4) that runs adjacent to the site. This is contrary to adopted Local Plan policies DG1 and R1 and paragraphs 98 and 127 of the NPPF.
- 3 Due to insufficient information it has not been demonstrated that protected species and/or their habitats and Ancient Woodland would not be adversely affected by the proposal, contrary to Local Plan policies N6 and DG1, adopted policies NP/EN4 and NP/EN5 of the Ascot, Sunninghill & Sunningdale Neighbourhood Plan (ASSNP), 2014 and paragraphs 170 and 175 of the NPPF.

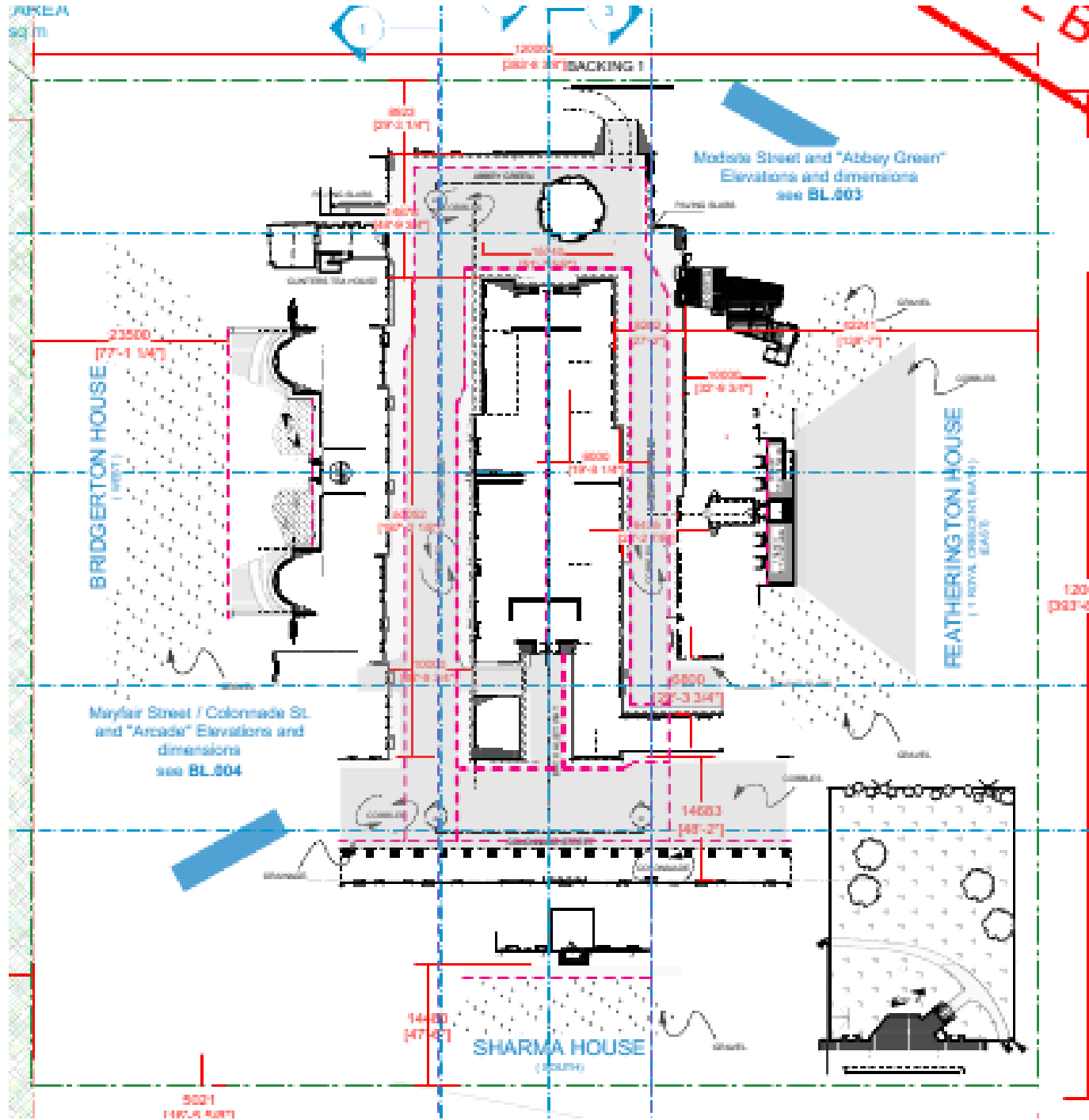
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Application site

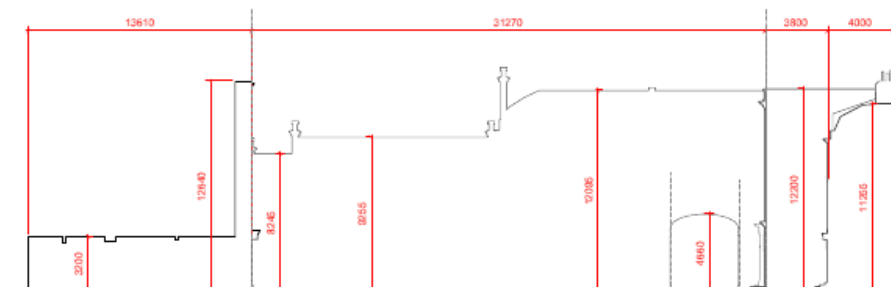
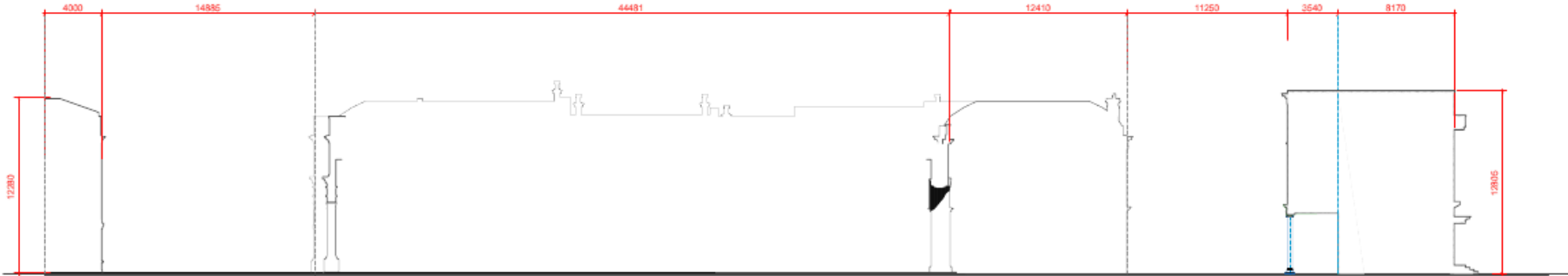
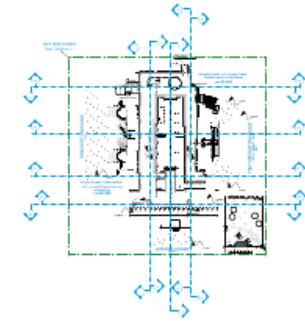
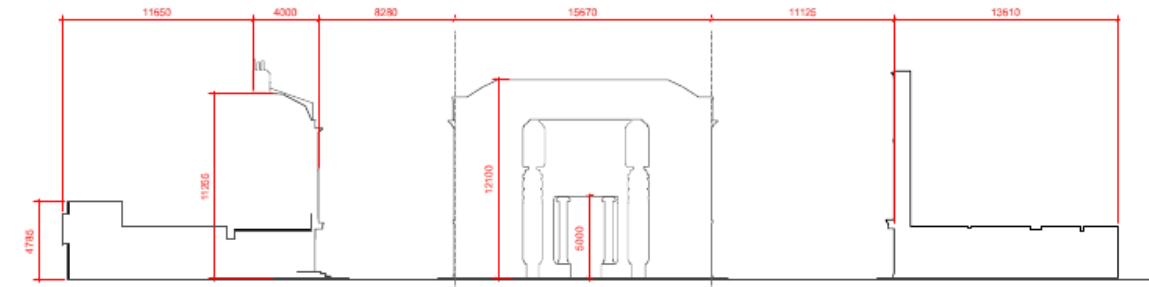






Appendix C

Proposed layout of film set



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Appendix D

Proposed film set sections

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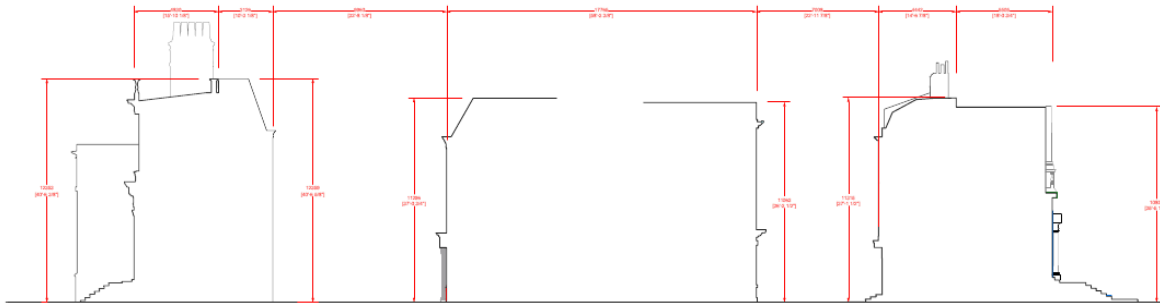
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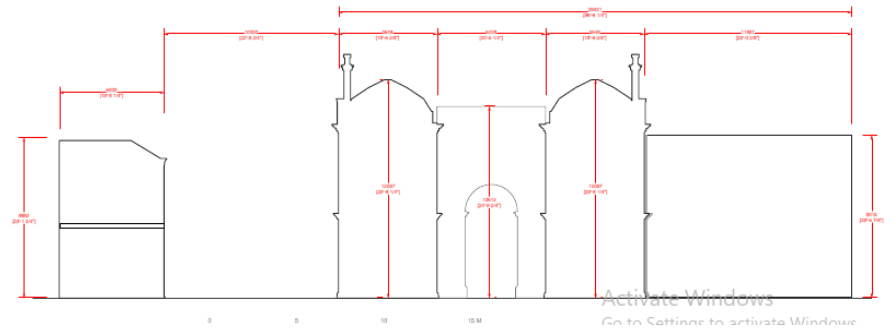
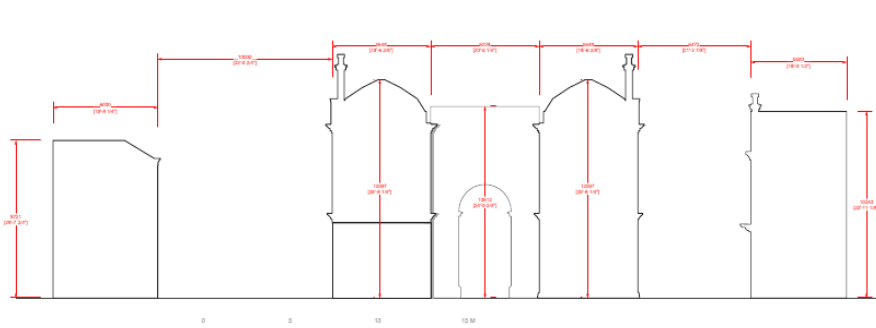
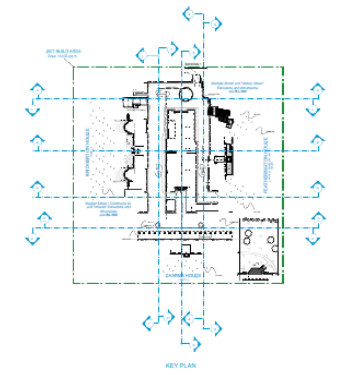
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## DEVELOPMENT CONTROL PANEL

19 May 2021

Item: 3

<b>Application No.:</b>	20/03478/FULL
<b>Location:</b>	Kings Copse House St Leonards Hill Windsor SL4 4AL
<b>Proposal:</b>	Part single part two storey rear extension with x2 rear balconies, x1 external staircase, raising of the eaves and ridge with x1 front dormer, x1 side rooflight, x3 side rooflights and alterations to fenestration.
<b>Applicant:</b>	Mrs Joseph
<b>Agent:</b>	Mr. J Singh
<b>Parish/Ward:</b>	Windsor Unparished/Clewer And Dedworth East
<b>If you have a question about this report, please contact:</b> Zishan Pervez on 01628 682977 or at zishan.pervez@rbwm.gov.uk	

### 1. SUMMARY

- 1.1 The application seeks planning permission for a part single, part two storey rear extension with x2 balconies and an external staircase, raising of the ridge to provide additional habitable space above the existing garage and alterations to fenestration including a new first floor side facing window replacing existing dormer. Following the original scheme, revised drawings were submitted deleting the previously proposed front dormer and x5 rooflights, the part single part two storey extension is now set in by 2.5m and reduction of ridge height to address design concerns and tree constraints. The application is determined on the basis of the revised scheme.
- 1.2 The proposed development would harmonise with the appearance of the host dwelling and the character of the area would not be harmed nor would the proposed works cause harm to the neighbouring amenity. The Arboricultural supporting information has demonstrated necessary precautions have been imposed to ensure the health and wellbeing of the trees on/off site. The resultant dwelling will provide sufficient parking spaces to accommodate the site's needs.
- 1.3 For the reasons mentioned above the proposal is considered to be in compliance with Local Plan Policies DG1, H14, N6, P4, the Borough Wide Design Guide, DES.01 of the Windsor Neighbourhood Plan as well as all relevant planning guidance contained within the NPPF (2019).

**It is recommended the Panel GRANTS planning permission with the conditions listed in Section 9 of this report.**

### 2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Price due to concerns regarding overdevelopment and the impact on biodiversity

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located on the north east side of St Leonards Hill, adjacent to Hollytree House and Clearview, within the residential area of Windsor. The site is subject to an Area Tree Preservation Order. The property, according to the Council's Townscape Assessment, is classified as 'Leafy Residential Suburbs' and as such, trees are a key feature of the character. The street scene of St Leonards Hill is

characterised by detached dwellings on large spacious plots and whilst many are set back from the boundary, there is no established building line. The street scene is characterised by a variety of different styles; however, red brick and white/cream render appear to be prominent materials.

- 3.2 The application site comprises of a detached yellow brick dwelling with an attached garage. The dwelling itself is on steep land which slopes downwards considerably. The building comprises of a lower ground floor, upper ground floor (provides entrance to the property) and a first floor.

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

- 4.1 The application seeks planning permission for a part single, part two storey rear extension with x2 balconies and an external staircase, raising of the ridge to provide additional habitable space above the existing garage and alterations to fenestration including a new first floor side facing window replacing existing dormer. Following the original scheme, revised drawings were submitted deleting the previously proposed front dormer and x5 rooflights, the part single part two storey extension is now set in by 2.5m and reduction of ridge height to accord alleviate design concerns and tree constraints. The application is determined on the basis of the revised scheme.

- 4.2 No relevant Planning history.

**5. DEVELOPMENT PLAN**

**Adopted Royal Borough Local Plan (2003)**

- 5.1 The main Development Plan policies applying to the site are:

Issue	Local Plan Policy
Design in keeping with character of area	DG1
Acceptable impact on appearance of area	H14
Acceptable impact when viewed from nearby occupiers	H14
Maintains acceptable level of privacy for nearby residents	H14
Maintains acceptable level of daylight and sunlight for nearby occupiers	H14
No harm to protected trees	N6
Sufficient parking spaces available	P4

These policies can be found at <https://www.rbwm.gov.uk/home/planning/planning-policy/adopted-local-plan>

**6. MATERIAL PLANNING CONSIDERATIONS**

**National Planning Policy Framework Sections (NPPF) (2019)**

Section 2. Achieving sustainable development

Section 3. Plan-making  
 Section 4. Decision-making  
 Section 12. Achieving Well-designed Places  
 Section 15. Conserving and Enhancing the Natural Environment

**Borough Local Plan: Submission Version**

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3

**Borough Local Plan: Submission Version Proposed Changes (2019)**

Issue	Local Plan Policy
Design in keeping with character and appearance of area	QP1, QP3

6.1 Paragraph 48 of the NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to:

- “a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c) 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).”*

6.2 The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. The plan and its supporting documents, including all representations received, was submitted to the Secretary of State for independent examination in January 2018. In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV. Public consultation ran from 1 November to 15 December 2019. All representations received were reviewed by the Council before the Proposed Changes were submitted to the Inspector. The Examination was resumed in late 2020 and the Inspector’s post hearings advice letter was received in March 2021. The next stage will be for main modifications to be carried out and consulted upon.

6.3 The BLPSV together with the Proposed Changes are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. This assessment is set out in detail, where relevant, in Section 8 of this report.

These documents can be found at:

<http://www.rbwm.gov.uk/home/planning/planning-policy/emerging-plans-and-policies>

**6.4 The Windsor Neighbourhood Plan – significant weight**

The Borough Council's Cabinet considered the recommendations at its meeting on the 17 December 2020 and voted unanimously to accept the examiners proposed modifications and approve the Windsor Neighbourhood Plan to proceed to referendum.

## 6.5 **Borough Wide Design Guide 2020**

The Design Guide supports Local Plan policies by setting out in detail what the Council considers to be design excellence in the Royal Borough.

These documents can be found at:

<http://www.rbwm.gov.uk/home/planning/planning-policy/emerging-plans-and-policies>

### **Other Local Strategies or Publications**

6.6 Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:

<http://www.rbwm.gov.uk/home/plannig/planning-policy/planning-guidance>

## 7. **CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

Eleven occupiers of properties in the vicinity of the site were notified directly of the application.

At the time of writing, 2 letters had been received supporting the application, summarised as:

Comment	Where in the report this is considered
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1.	<p><b><u>Impact on Character</u></b></p> <p>Considering the grandiose nature of some of the neighbouring builds and previously allowed extensions/renovations the submitted plans are comparatively tempered. You will note the planning allowance would permit both the rear and side to be extended much further than that has been requested.</p> <p>Whilst many references have been made to overdevelopment of the site which is currently small and outdated and requires extensive refurbishment, this statement has not been backed up. The works would be an improvement to the property.</p> <p>The design features on properties along St Leonards Hill vary with no consistency. There is no proposed development beyond the principle elevation and the plot is deceptively deep and the final ridge of the proposed roof would be within that of all the adjacent properties.</p>	Please see paragraphs 8.2 – 8.7
2.	<p><b><u>Neighbouring Amenity</u></b></p> <p>The proposed development will not exacerbate the existing levels of overlooking towards the neighbouring properties.</p> <p>Upon completion of works there will be increased privacy for all neighbouring properties.</p>	Please see paragraphs 8.8 – 8.10
3.	<p><b><u>Trees</u></b></p> <p>The current building is not listed nor has any other particular constraints other than the tree TPO's which have been fully considered. The plans have been amended to comply with the latest guidance on tree protection.</p>	Please see paragraphs 8.11 – 8.13

At the time of writing, 26 letters had been received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	<b><u>Impact on Character</u></b> Proposal amounts to overdevelopment and is not in keeping with the character of the area and will harm the street scene	Please see paragraphs 8.2 – 8.7
2.	<b><u>Neighbouring Amenity</u></b> Noise disturbance  Overlooking, overshadowing, loss of light and privacy to neighbouring properties	Please see paragraphs 8.8 – 8.10
3.	<b><u>Trees</u></b> Concerns raised regarding the potential damage caused to the trees on and off site, detrimental to the health and longevity of these trees  The positioning and classification of trees have been depicted incorrectly with contradictory details outlined in the Arboricultural supporting information.	Please see paragraphs 8.11 – 8.13
4	<b><u>Ecology</u></b> Harm to bats on the site	Please see paragraphs 8.14 – 8.15
5	<b><u>Highways/Parking</u></b> Inadequate parking spaces and a hazard to highway safety	Please see paragraph 8.16
6	<b><u>Other</u></b> No site notice displayed  It will set a precedent for other proposals	There is no statutory requirement for a site notice to be posted for this application. Neighbouring properties have been notified by post which meets the statutory requirements for this application.  Each application is determined on its own merits

### Consultees

Consultee	Comment	Where in the report this is considered
RBWM Arboricultural Officer	Objection. The trees on and off-site are covered by a Designated Tree Preservation Order 2 of 1960. A tree survey has been submitted. However, the crown of T6, the 'A' category off-site Oak to the west, has not been drawn out to	Please see paragraphs 8.11 – 8.13

	<p>quite the correct distances on the tree protection plan. The upper crown extends up to 0.5m over the existing building line and would extend over the proposed extension by up to 1m. The applicant's arboriculturist has stated the crown of the tree is to be cut back to improve clearances. This demonstrates a poor relationship between the Oak tree and the proposed development.</p> <p>Owners/occupiers will want to live in harmony with their surroundings. However, where trees cause excessive shading or are over-dominant, this is likely to give rise to pressure for detrimental pruning work. Where debris fall from a tree lands on hard surfacing, such as balconies, this may be a cause of inconvenience and again pressure to prune back further is likely to occur. Where trees are of moderate to high quality, the design should take into account the relationship of the built form to trees to ensure, as far as is reasonable, that conflict does not occur. Therefore, in respect of the proposals, the extension will need to be reduced back from the western boundary by at least 2.5m. This would also ensure that the root protection area of the Oak is not infringed by the external staircase.</p> <p>There will be a direct loss of a low category multi-stemmed Cherry. This tree is comparatively small and is not visible from a public place, so its loss is not objected to. If the above amendment to the proposal can be achieved, I would have no objections to the proposal subject to conditions. However, in its current form, it does not comply with policy N6 and DG1 of the Local Plan, nor NR2 of the Borough Local Plan (nearing adoption) and as such refusal is recommended.</p> <p><b>Comments on first revision;</b> Amended plans have been submitted which show the rear extension has been moved 2.5m further away from the off-site Oak tree. The juxtaposition is satisfactory. The applicant will need to submit a revised tree protection plan and method statement. Compliance with these can then be conditioned.</p> <p><b>Comments on second revision;</b> The details are generally satisfactory. In the method statement it would have been better for the word 'Must' to be replaced with 'shall' or 'will' as the wording would weaken the ability to enforce.</p>	<p>The proposal has been altered to accommodate the required adjustments/measures as advised by the Arboricultural Officer who is satisfied the concerns raised have been alleviated.</p>
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**Others**

Consultee	Comment	Where in the report this is considered
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Windsor Neighbourhood Plan Forum	<p>Objection. We suggest that the bulk and scale of this proposal fails to meet the relevant policies.</p> <p>The existing Kings Copse House is on a small plot, relatively closer to the road than its neighbours. This development with 3 storeys to the front and 4 storeys to the rear would dominate the area and damage the character.</p> <p>Sight lines from the windows and balcony of this development would surely invade the privacy of the neighbouring St Leonards Hill properties and possibly of Hemwood Road properties to the North.</p> <p>The current Google Earth image of the site, probably taken during the summer months, shows a full tree canopy on all four sides, but particularly to the West and South. Therefore we do have a concern that trees might be compromised. St Leonards Hill is the subject of blanket Tree Preservation Order.</p> <p><b>Comment on amended plans;</b> We note that the new application does take account of the off-site oak tree and that the Tree Officer has stated this to be satisfactory. Nevertheless, the bulk and scale of this proposal has not been reduced at all.</p>	Please see paragraphs 8.2 – 8.10
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## 8. EXPLANATION OF RECOMMENDATION

8.1 The assessment of the application is set out in the following way:

- Impact on the character of the area and street scene;
- Impact on neighbouring amenities;
- Impact on trees
- Impact on Bats
- Impact on parking provision and highway safety.

### Impact on Character

8.2 Kings Copse House is a detached dwelling located in the residential area of Windsor. National Planning Policy Framework Section 12 (Achieving well-designed places) and Local Plan Policy DG1, advises that all development should seek to achieve a high quality of design that improves the character and quality of an area. Principle 10.1 of the Borough Wide Design Guide states that extensions will be expected to be subordinate and respond positively to the form, scale and architectural style and materials of the original building. Developments that are over-dominant or out of keeping will be resisted.

8.3 The proposed part single part two storey rear extension will accommodate a lounge, dining/kitchen and an entertainment room following internal re-arrangement. The extension will be 4m deep at the furthest, flush against right-hand flank wall and will be set in by 2.5m from the left-hand flank wall. The extension will be proportionate and will form a subordinate addition which is set in from both side boundaries and will retain its spaciousness, leaving behind ample amenity space. The contemporary design together with materials proposed to match the existing building would respect the appearance of the host dwelling.



- 8.4 The scheme includes replacement of windows and doors including a new first floor side facing window replacing the existing dormer. The fenestration alterations will appear in keeping with the existing setting as it shall comprise of UPVC material, matching the existing fenestration. The x2 new staircases which would serve a balcony and upper floor utility area also appear satisfactory. Moreover, the design and scale of the balconies will appear to respect the appearance of the host dwelling.
- 8.5 In addition to the above, the proposal also seeks to raise the height of ridge of the main roof to provide additional habitable space above the garage. The existing ridge measures circa 5.75m high from the front elevation and 8.24m from the rear. The proposed new ridge height will be 7.5m tall from the front and 9.89m from the rear. This equates to an increase in ridge height circa 1.75m at the front and 1.65m towards the rear. Though this is a substantial change, the existing closest adjacent property Clearview currently projects taller and for this reason it is considered the resultant dwelling will not be visually incongruous. Equally important, the roof-design of the existing gable end roof will be retained and owing to the uneven ground though the property is visible as a three storey building from the rear elevation, the view from the street scene varies, appearing as a two storey building with a similar ridge line to the aforementioned adjacent dwelling. This being the case, the design, scale and bulk of the resultant roof is considered to have to an acceptable impact on the host dwelling and will not result in any undue harm towards the character of the street scene.
- 8.6 While the hipped roof form above the first-floor extension is different in design to the main roof, it shall nonetheless appear sympathetic. The new ridge height to this part of the dwelling will be below the main ridge with symmetrical eaves, which would result in the addition appearing cohesive.
- 8.7 Overall, the design, scale and positioning of the proposed scheme would be subservient to the appearance of the host dwelling, without altering the front building line and the character of the street scene will not be harmed as it consists of a range of dwellings varying in design, scale, form with no consistency in front building lines.

### **Impact on Neighbours**

- 8.8 Appendix 12 of the Local Plan offers guidance on 'House Extensions' and details that two storey extensions should not breach a line drawn at 45 degrees from the centre of the nearest neighbouring window of the adjoining property. The proposal does not breach this line with the neighbouring properties at Clearview House and Hollytree House. It is considered that the extension would not have a significantly adverse impact on the light which the neighbouring properties currently receive.
- 8.9 Due to the nature of the large plots and the juxtaposition of the extension with the neighbouring properties as well as the side boundaries being screened with tall trees and vegetation; it is considered sufficient distance will be maintained between the development and both the adjacent dwellings (Clearview and Hollytree House) would not be affected by any significant loss of privacy, overshadowing, outlook or otherwise. The extension maintains a distance of c.18m with Hollytree House. The new first floor side facing window replaces the existing dormer and the balconies will be installed with opaque glass (taller on the sides) hence privacy would not be materially impacted by the proposal.
- 8.10 The application site backs onto properties at Hemwood Road. Given the spaciousness of plots, with the site benefitting from a c.20m rear garden surrounded by tall trees, it

is considered sufficient distance is maintained between these properties to avoid significant loss of overlooking and privacy.

### **Impact on Trees**

- 8.11 Local Plan Policy N6 suggests that new developments should protect and conserve trees important to the amenity of the area; ample space should also be provided for the future growth of these trees. Any loss or harm to such trees can in some circumstances be mitigated by replanting but should be always justified by the applicant. The policy also states that where the contribution of the trees to local amenity outweighs the justification for development, planning permission maybe refused.
- 8.12 The application site falls under an Area Tree Protection Order as controlled by no2 of 1960 covering all species of trees at the site. The site benefits from several healthy mature trees which hold significant value towards the character of the area and hold great amenity value, which is defined in the Townscape Assessment to be part of the 'Leafy Residential Suburbs'. The Arboricultural Officer noted discrepancy on the positioning of an Oak tree (T6) in relation to the proposed development and also highlighted the upper crown would extend up to 0.5 over the building line and extend over the extension by up to 1m. It was recommended the extension be reduced in depth by 2.5m to avoid any conflict with the tree and to ensure the RPA of the tree is not infringed by the external staircase. The Arboriculture Officer also identified the loss of a Cherry which due to its relatively small scale and not being visible from the public realm was deemed acceptable.
- 8.13 In line with the above comments, the extension has been reduced by 2.5m in depth to alleviate the concerns raised and ensure the health and wellbeing of the tree is not affected. The amended scheme along with the protective measures outlined in the Arboricultural Planning Integral Report and Tree Protection Plan including but not limited to protective fencing and temporary ground protection would ensure adequate measures are in place to protect the trees. On this basis, the proposal is considered to have an acceptable level of impact on the trees and will not harm the 'Leafy Residential Suburb'.

### **Ecology**

- 8.14 Paragraph 170 of the NPPF (2019) states that planning decisions should contribute to and enhance the natural and local environment and minimise impacts on biodiversity. Paragraph 175 of the NPPF (2019) states that:

*When determining planning applications, local planning authorities should apply the following principles:*

- 1 if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused...*

- 8.15 The applicant has provided photographic evidence of the roof space to illustrate the sound condition of roof timbers and felt which is weather tight with no separations, avoiding bats from roosting or the possibility of such. In addition to the above, the

applicant appointed a chartered building surveyor whom on two occasions had carried out a full building survey and has confirmed observations of no bats within the building.

### **Highways/Parking**

- 8.16 The proposed development would not lead to the loss of any of the parking spaces nor will it increase the number of bedrooms at the development site. As such, sufficient space would remain on the site to accommodate the car parking for the resulting dwelling in compliance with the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004.

### **Conclusion**

- 8.17 As set out in the above paragraphs, the proposal is considered to comply with the relevant planning policies and guidance. The application is recommended for approval subject to the conditions listed below.

## **9. APPENDICES TO THIS REPORT**

- i. Appendix A – Site location plan
- ii. Appendix B - Proposed block plan
- iii. Appendix C – Proposed upper and ground floor plan
- iv. Appendix D- Proposed first floor plan and side elevation
- v. Appendix E – Proposed elevations
- vi. Appendix F – Proposed sections

Documents associated with the application can be viewed at <https://www.rbwm.gov.uk/home/planning/find-planning-application> by entering the application number shown at the top of this report without the suffix letters.

This recommendation is made following careful consideration of all the issues raised through the application. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPPF. In this case the issues have been successfully/unsuccessfully resolved.

## **10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwelling house. The development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1
- 3 The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the details set out in "Arboricultural and Planning Integration Report:Kings Copse, St Leonard's Hill, Windsor, SL4 4AL 7th April 2021 Ref: GHA/DS/199560:21" before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all

construction work and all equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the Local Planning Authority.

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

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

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



SITE LOCATION PLAN  
AREA 2 HA

SCALE: 1:1250 on A4

CENTRE COORDINATES: 493868 , 175531



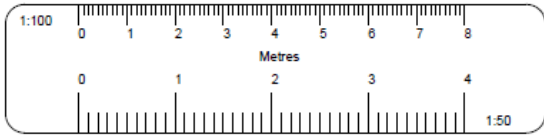
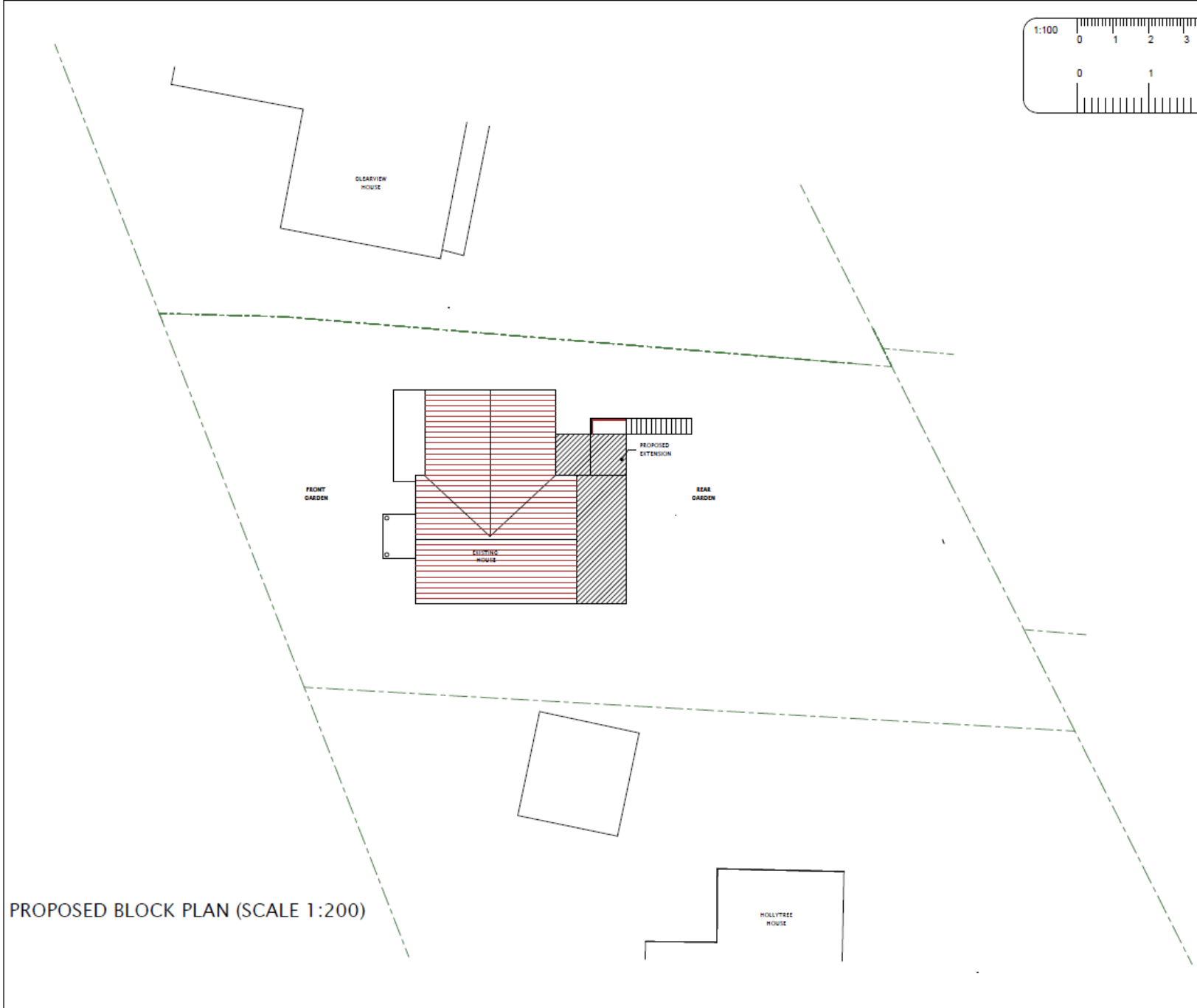
Supplied by Streetwise Maps Ltd

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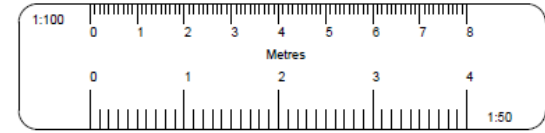
All dimensions verified on site.  
 All work to comply with British Standards, Code of practice.  
 All internal works to be in accordance with client instructions.  
 All external surfaces to match existing.  
 All work to be to the satisfaction of the local authority-building surveyor.  
 Builder to serve building notice and comply fully in all respects.  
 Owner responsible for compliance with 1.Party Wall etc Act 1996. 2. Thames water Build Over Agreement.  
 Builder to ensure all work in compliance with Build Over agreement as approved by Thames Water.  
 All proprietary materials to manufacturers recommendations  
 Works to boiler/Gas to be carried out by Gas Safe registered installer and to Gas Safe recommendations  
 All wiring and electrical work will be designed, installed, inspected and tested in accordance with the requirements of BS 7671:2001 (2004), the 17th edition Wiring Guidance and Building Regulation Part P (Electrical Safety) by a competent person registered with an electrical self-certification scheme, (BRE, BS), ELECSA, NAPIT, or NICEIC), authorized by the Secretary of State.  
 The competent person is to send a self-certification certificate to the Local Authority Building Control Department within 30 days of completion of the electrical works. The client must receive both a copy of the self-certification certificate and a BS 7671:2001 (2004) Electrical Installation Test Certificate and forward copies to the Local Authority Building Control Dept.

DATE	REVISION
COPYRIGHT:	
JOB TITLE: KINGS COPSE HOUSE ST. LEONARDS HILL WINDSOR	
DRAWING TITLE: PROPOSED BLOCK PLAN	
SCALE: 1:200	
DATE: 12032021	DRAWN BY:
DRG. NO. 21/KCSLHW/108/B	REV.

PROPOSED BLOCK PLAN (SCALE 1:200)







All dimensions verified on site.  
 All work to comply with British Standards, Code of practice.  
 All internal works to be in accordance with client instructions.  
 All external surfaces to match existing.  
 All work to be to the satisfaction of the local authority-building surveyor.  
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DATE	REVISION

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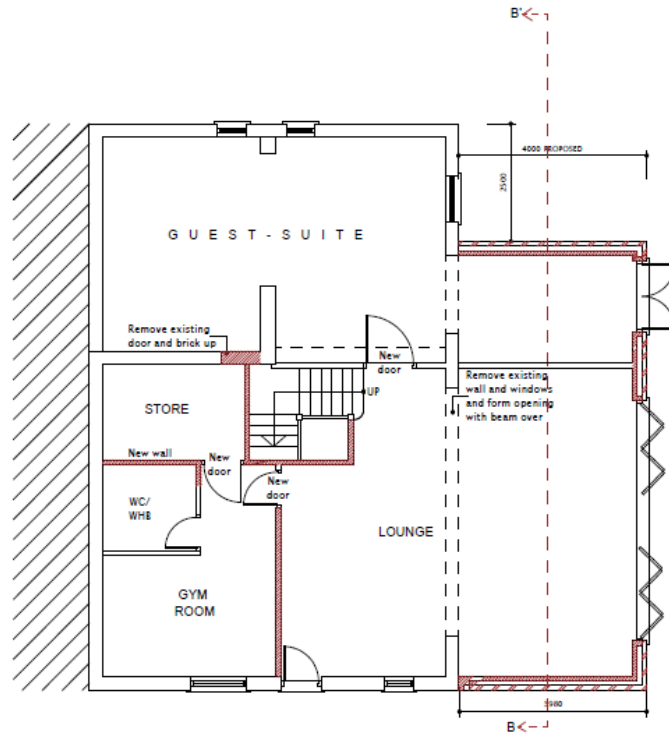
JOB TITLE:  
 KINGS COPSE HOUSE ST. LEONARDS HILL WINDSOR

DRAWING TITLE:  
 PROPOSED LOWER GROUND FLOOR PLAN AND GROUND FLOOR PLAN

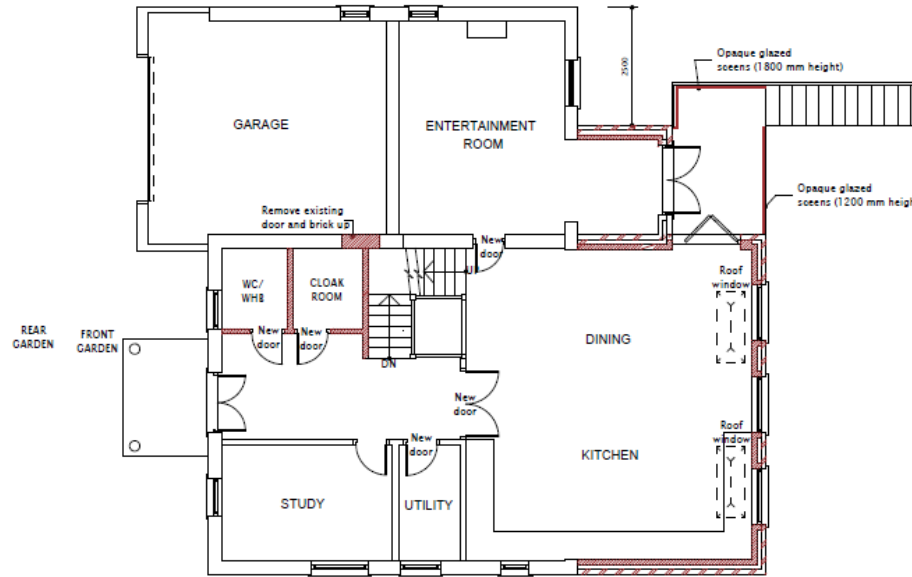
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DATE: 11/03/2021 DRAWN BY:

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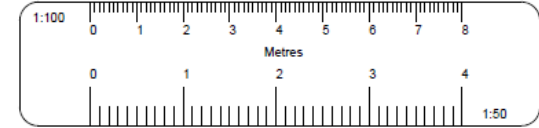


PROPOSED LOWER GROUND FLOOR PLAN



PROPOSED GROUND FLOOR PLAN





All dimensions verified on site.  
 All work to comply with British Standards, Code of practice.  
 All internal works to be in accordance with client instructions.  
 All external surfaces to match existing.  
 All work to be to the satisfaction of the local authority-building surveyor.  
 Builder to serve building notice and comply fully in all respects.  
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DATE	REVISION

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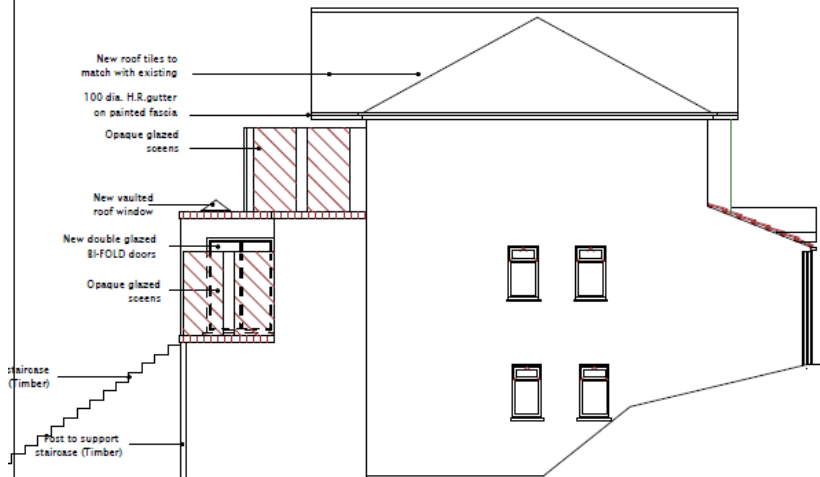
JOB TITLE:  
 KINGS CORSE HOUSE ST. LEONARDS HILL WINDSOR

DRAWING TITLE:  
 PROPOSED FIRST FLOOR PLAN,  
 BLOCK PLAN AND LEFT SIDE ELEVATION

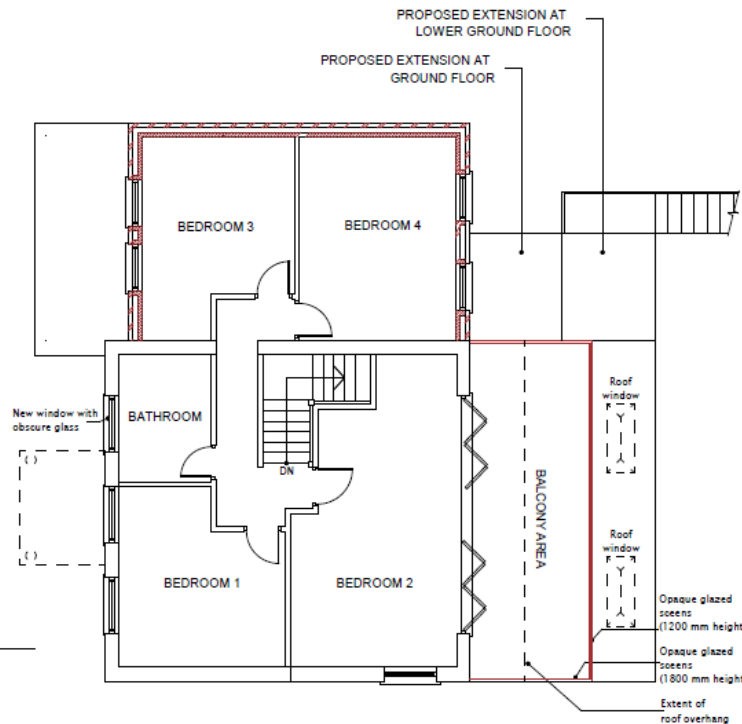
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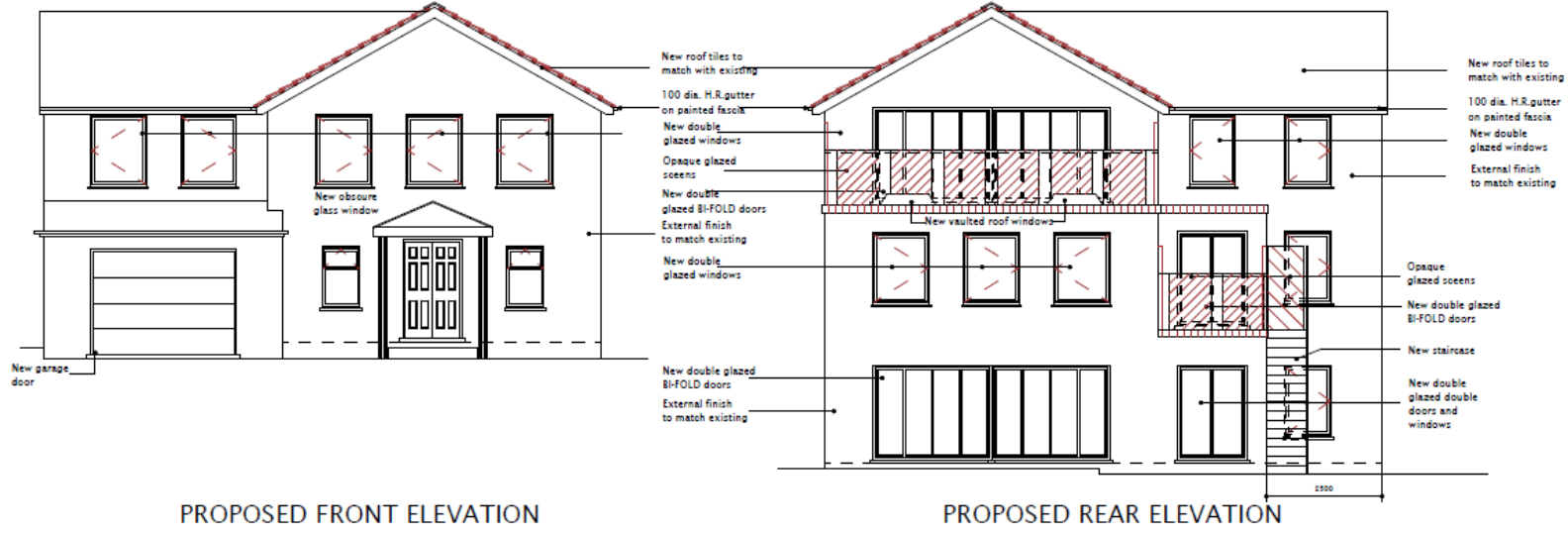
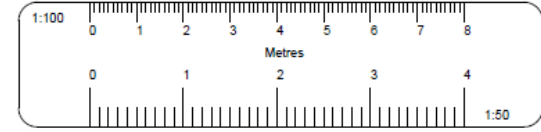


PROPOSED LEFT SIDE ELEVATION



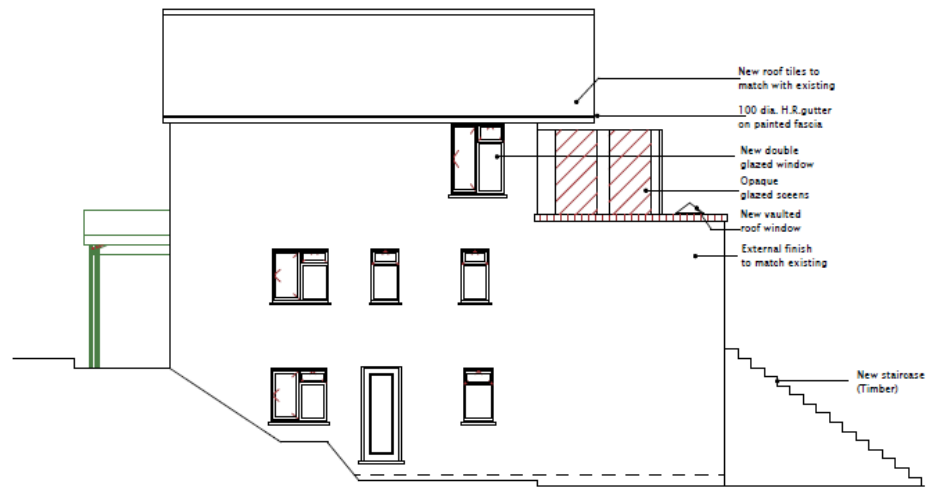
PROPOSED FIRST FLOOR PLAN





PROPOSED FRONT ELEVATION

PROPOSED REAR ELEVATION

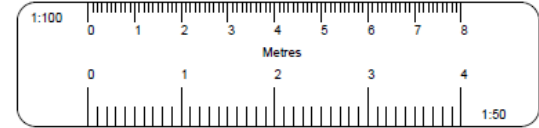


PROPOSED RIGHT SIDE ELEVATION

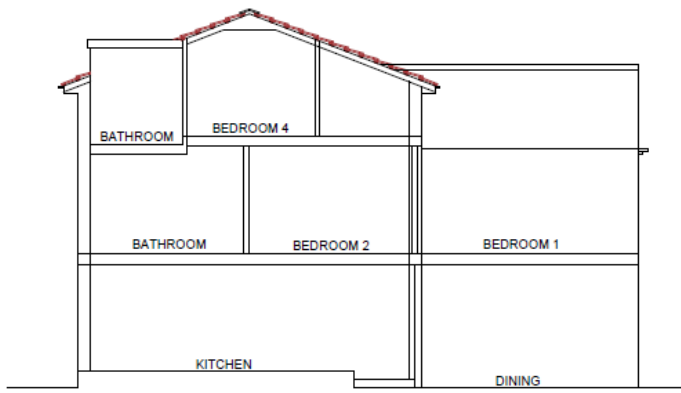
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 All proprietary materials to manufacturers recommendations.  
 Works to boiler/Gas to be carried out by Gas Safe registered installer and to Gas Safe recommendations.  
 All wiring and electrical work will be designed, installed, inspected and tested in accordance with the requirements of BS 7671:2001 (2004), the 17th edition Wiring Guidance and Building Regulation Part P (Electrical Safety) by a competent person registered with an electrical self-certification scheme, (BRE, BSI, ELECSA, NAPIT, or NICEIC), authorised by the Secretary of State.  
 The competent person is to send a self-certification certificate to the Local Authority Building Control Department within 30 days of completion of the electrical works. The client must receive both a copy of the self-certification certificate and a BS 7671:2001 (2004) Electrical Installation Test Certificate and forward copies to the Local Authority Building Control Dept.

DATE	REVISION
COPYRIGHT:	
JOB TITLE: KINGS COPSE HOUSE ST. LEONARDS HILL WINDSOR	
DRAWING TITLE: PROPOSED ELEVATIONS	
SCALE: 1:100	
DATE: 11/03/2021	DRAWN BY:
DRG. NO. 21/KCSLHW/105/C	REV.

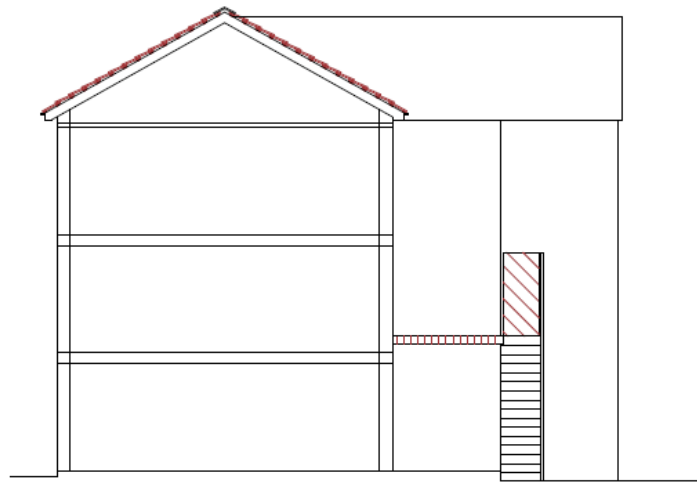




All dimensions verified on site.  
 All work to comply with British Standards, Code of practice.  
 All internal works to be in accordance with client instructions.  
 All external surfaces to match existing.  
 All work to be to the satisfaction of the local authority-building surveyor.  
 Builder to serve building notice and comply fully in all respects.  
 Owner responsible for compliance with 1 Party Wall etc Act 1996. 2. Thames water Build Over Agreement.  
 Builder to ensure all work in compliance with Build Over agreement as approved by Thames Water  
 All proprietary materials to manufacturers recommendations  
 Works to boiler/Gas to be carried out by Gas Safe registered installer and to Gas Safe recommendations  
 All wiring and electrical work will be designed, installed, inspected and tested in accordance with the requirements of BS 7671:2001 (2004), the 17th edition Wiring Guidance and Building Regulation Part P (Electrical Safety) by a competent person registered with an electrical self-certification scheme, (BRE, BSL, ELECSA, NAPIT, or NICEIC), authorised by the Secretary of State  
 The competent person is to send a self-certification certificate to the Local Authority Building Control Department within 30 days of completion of the electrical works. The client must receive both a copy of the self-certification certificate and a BS 7671:2001 (2004) Electrical Installation Test Certificate and forward copies to the Local Authority Building Control Dept.



EXISTING SECTIONAL ELEVATION AA'



PROPOSED SECTIONAL ELEVATION BB'

DATE		REVISION	
COPYRIGHT:			
JOB TITLE: KINGS CORSE HOUSE ST. LEONARDS HILL WINDSOR			
DRAWING TITLE: EXISTING AND PROPOSED SECTIONAL ELEVATIONS			
SCALE : 1:100			
DATE: 10/03/2021		DRAWN BY:	
DRG. NO.	REV.		
21/KCSLHW/106/B			



## Planning Appeals Received

**9 April 2021 - 7 May 2021**

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Should you wish to make additional/new comments in connection with an appeal you can do so on the Planning Inspectorate website at <https://acp.planninginspectorate.gov.uk/> please use the PIns reference number. If you do not have access to the Internet please write to the relevant address, shown below.

**Enforcement appeals:** The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

**Other appeals:** The Planning Inspectorate Temple Quay House, 2 The Square Bristol BS1 6PN

**Ward:**  
**Parish:** Sunningdale Parish  
**Appeal Ref.:** 21/60028/REF      **Planning Ref.:** 20/02434/FULL      **PIns Ref.:** APP/T0355/W/20/3265991  
**Date Received:** 13 April 2021      **Comments Due:** 18 May 2021  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Construction of a two storey building with accommodation in the roof to provide x7 apartments and bin and bicycle storage with altered access, parking and landscaping, following demolition of the existing dwellinghouse.  
**Location:** **Wilbury Cottage Beech Hill Road Ascot SL5 0BN**  
**Appellant:** Mr S Sahota **c/o Agent:** Mr Paul Dickinson Paul Dickinson And Associates Highway House Lower Froyle Hants GU34 4NB

**Ward:**  
**Parish:** Sunningdale Parish  
**Appeal Ref.:** 21/60029/REF      **Planning Ref.:** 20/00780/FULL      **PIns Ref.:** APP/T0355/W/20/3265865  
**Date Received:** 13 April 2021      **Comments Due:** 18 May 2021  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Erection of 10 no. apartments with basement parking following demolition of existing building  
**Location:** **Hill House Cross Road Sunningdale Ascot SL5 9RX**  
**Appellant:** Mr Dudley Mills **c/o Agent:** Mr Paul Dickinson Paul Dickinson And Associates Highway House Lower Froyle Hants GU34 4NB

**Ward:**  
**Parish:** Windsor Unparished  
**Appeal Ref.:** 21/60030/NONDET      **Planning Ref.:** 20/03107/CLU      **PIns Ref.:** APP/T0355/X/21/3269997  
**Date Received:** 13 April 2021      **Comments Due:** 25 May 2021  
**Type:** Non-determination      **Appeal Type:** Written Representation  
**Description:** Certificate of lawfulness to determine whether the use of the existing two storey side extension as a residential dwelling with private garden and parking is lawful.  
**Location:** **56 Pierson Road Windsor SL4 5RF**  
**Appellant:** Mr T Sloan **c/o Agent:** Other ET Planning Office ET Planning 200 Dukes Ride Crowthorne RG45 6DS

**Ward:**  
**Parish:** Horton Parish  
**Appeal Ref.:** 21/60031/REF      **Planning Ref.:** 20/03319/CLU      **PIns Ref.:** APP/T0355/X/21/3271220  
**Date Received:** 13 April 2021      **Comments Due:** 25 May 2021  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Certificate of lawfulness to determine whether the existing use of the two annexes as two separate dwellings is lawful.  
**Location:** **58 Coppermill Road Wraysbury Staines TW19 5NS**  
**Appellant:** Mrs Siddhu **c/o Agent:** Mr Steve Miller Planning Direct The Furnace The Maltings Princes Street Ipswich Suffolk IP1 1SB

**Ward:**  
**Parish:** Windsor Unparished

**Appeal Ref.:** 21/60032/ENF      **Enforcement Ref.:** 16/50363/ENF      **Plns Ref.:** APP/T0355/C/21/3268946  
**Date Received:** 21 April 2021      **Comments Due:** 2 June 2021  
**Type:** Enforcement Appeal      **Appeal Type:** Written Representation  
**Description:** Appeal against the Enforcement Notice: Change of use from a single dwellinghouse into 4 'studio' flats and 2 en-suite bedrooms with a shared kitchen on the ground floor without planning permission.  
**Location:** **17 Rydings Windsor SL4 4HF**  
**Appellant:** Mrs Kamaljeet Kaur Sall **c/o Agent:** Mr Paul Butt Paul Butt Planning Ltd 8 Hyde Copse Marcham Abingdon Oxfordshire OX13 6PT  
  
**Ward:**  
**Parish:** Horton Parish  
**Appeal Ref.:** 21/60033/REF      **Planning Ref.:** 20/02754/FULL      **Plns Ref.:** APP/T0355/D/21/3269928  
**Date Received:** 22 April 2021      **Comments Due:** Not applicable  
**Type:** Refusal      **Appeal Type:** Householder Appeal  
**Description:** Erection of a first floor with new dormer windows, new front door canopy and alteration to fenestration  
**Location:** **6 Horton Gardens Datchet Road Horton Slough SL3 9PX**  
**Appellant:** Sherandra Seetharamdoo **c/o Agent:** Mr Richard Simpson RJS Planning 132 Brunswick Road London W5 1AW  
  
**Ward:**  
**Parish:** Windsor Unparished  
**Appeal Ref.:** 21/60034/REF      **Planning Ref.:** 20/03095/FULL      **Plns Ref.:** APP/T0355/D/21/3269987  
**Date Received:** 22 April 2021      **Comments Due:** Not applicable  
**Type:** Refusal      **Appeal Type:** Householder Appeal  
**Description:** Two single storey side extensions, garage conversion to habitable accommodation, x4 new roof lanterns, alterations to roof to accommodate new partial first floor and alteration to fenestration.  
**Location:** **202 Clewer Hill Road Windsor SL4 4DQ**  
**Appellant:** Keith And Tas Jacobs **c/o Agent:** Mr Martin Gaine Just Planning Suite 45 4 Spring Bridge Road London W5 2AA  
  
**Ward:**  
**Parish:** Maidenhead Unparished  
**Appeal Ref.:** 21/60035/REF      **Planning Ref.:** 20/01735/TPO      **Plns Ref.:** APP/TPO/T0355/8101  
**Date Received:** 27 April 2021      **Comments Due:** Not applicable  
**Type:** Refusal      **Appeal Type:** Fast Track Appeal  
**Description:** (T1) - 2x Oak - Crown reduction to a height of 12m and a crown spread of 10m. TPO 57 of 1998  
**Location:** **6 Foxborough Court Maidenhead SL6 2PX**  
**Appellant:** Mr Ajay Khindria 6 Foxborough Court Maidenhead SL6 2PX  
  
**Ward:**  
**Parish:** Waltham St Lawrence Parish  
**Appeal Ref.:** 21/60036/REF      **Planning Ref.:** 20/01053/FULL      **Plns Ref.:** APP/T0355/W/21/3266551  
**Date Received:** 30 April 2021      **Comments Due:** 4 June 2021  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Construction of x1 dwelling with driveway and parking, following demolition of existing equestrian buildings.  
**Location:** **Land At Hope House Binfield Road Shurlock Row Reading**  
**Appellant:** Mr Kier De'Ath **c/o Agent:** Other ET Planning Office E T Planning 200 Dukes Ride Crowthorne RG45 6DS  
  
**Ward:**  
**Parish:** Bray Parish  
**Appeal Ref.:** 21/60037/REF      **Planning Ref.:** 20/02528/FULL      **Plns Ref.:** APP/T0355/W/21/3270926  
**Date Received:** 30 April 2021      **Comments Due:** 4 June 2021  
**Type:** Refusal      **Appeal Type:** Written Representation

**Description:** Construction of x4 dwellings with associated access, parking and amenity space.  
**Location:** **Land Between 156 And 158 And The Rear of 156 To 158 Windsor Road Maidenhead**  
**Appellant:** Mr Taylor **c/o Agent:** Mr Matt Taylor Churchgate Premier Homes ID Maidenhead Vanwall Business Park, Vanwall Road Maidenhead SL6 4UB

**Ward:**  
**Parish:** Hurley Parish  
**Appeal Ref.:** 21/60038/COND      **Planning Ref.:** 21/00068/FULL      **Plns Ref.:** APP/T0355/W/21/  
3271320

**Date Received:** 30 April 2021      **Comments Due:** 4 June 2021  
**Type:** Appeal against conditions imposed      **Appeal Type:** Written Representation  
**Description:** New entrance canopy, single storey side/rear extension and alterations to fenestration.  
**Location:** **1 Meadow View Honey Lane Hurley Maidenhead SL6 6RG**  
**Appellant:** Mrs Chantelle Strang **c/o Agent:** Miss Eva Gascoigne Pike Smith And Kemp Rural Hyde Farm Marlow Road Maidenhead SL6 6PQ

**Ward:**  
**Parish:** Sunningdale Parish  
**Appeal Ref.:** 21/60039/REF      **Planning Ref.:** 20/02944/FULL      **Plns Ref.:** APP/T0355/D/21/  
3270394

**Date Received:** 6 May 2021      **Comments Due:** Not applicable  
**Type:** Refusal      **Appeal Type:** Householder Appeal  
**Description:** Two storey side and single storey rear extension, relocation of front door, alteration to fenestration, side path to be refinished in gravel and pavers following demolition of existing elements.

**Location:** **57 Halfpenny Lane Sunningdale Ascot SL5 0EG**  
**Appellant:** Ms Andromahe Michael **c/o Agent:** Ms Julie Greer GreerPritchard 32 Gilkes Crescent Dulwich London SE21 9BG

# Appeal Decision Report

9 April 2021 - 7 May 2021

**Appeal Ref.:** 20/60067/REF      **Planning Ref.:** 20/00574/FULL      **Plns Ref.:** APP/T0355/D/20/3255620

**Appellant:** Mr Fred Doka Doka House Formerly Milford Sound High Street Bray Maidenhead SL6 2AA

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

**Description:** Replacement of the existing white timber windows with white UPVC windows and white timber cladding with artificial light grey cladding (wood grain effect), new black fascia, removal of the existing chimney and changes to fenestration, following demolition of the conservatory and bay window - (retrospective).

**Location:** **Milford Sound High Street Bray Maidenhead SL6 2AA**

**Appeal Decision:** Dismissed      **Decision Date:** 12 April 2021

**Main Issue:** The development has significantly eroded the distinctive style and form of the appeal dwelling. It is in a prominent position on the approach to the village core of the CA, and stands out incongruously in views including from Bray Road and across Bray Green. As a consequence, there is harm to the character and the appearance of the CA and thus its significance.

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**Appeal Ref.:** 20/60075/REF      **Planning Ref.:** 20/00837/FULL      **Plns Ref.:** APP/T0355/W/20/3257603

**Appellant:** Alchemistico Ltd **c/o Agent:** Mrs Jane Carter Carter Planning Ltd 85 Alma Road Windsor SL4 3EX

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

**Description:** Construction of a detached dwelling with integral garage following demolition of the existing outbuilding.

**Location:** **Land At The Garden Lodge Bagshot Road Ascot**

**Appeal Decision:** Dismissed      **Decision Date:** 13 April 2021

**Main Issue:** The Inspector considers that the proposed design is uncharacteristic of surrounding dwellings. The two narrow front gables give vertical emphasis and would be a prominent feature. The canopy does not sit well and appears an awkward addition, and the first floor addition over the garage provides increased mass. The various disparate elements appear contrived and do not give the appearance of an integrated high-quality design response to the site given its prominent location. The design appears odd and is symptomatic of the constrained nature of the plot; it would not integrate well with the horizontal emphasis of surrounding larger dwellings. The development would be dominant and intrusive in the street scene along Bagshot Road and limited screening would highlight this and the constrained nature of the plot. The proposed landscaping would not effectively mitigate the impact of the dwelling in the street scene. The development would be harmful to the character and appearance of the area.

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**Appeal Ref.:** 20/60089/REF      **Planning Ref.:** 19/00063/FULL      **Plns Ref.:** APP/T0355/W/20/3256185

**Appellant:** Mr P Stevens - PWS Rides Ltd **c/o Agent:** Mr Joe Cunnane Cunnane Town Planning LLP PO Box 305 Manchester M21 3BQ

**Decision Type:** Committee      **Officer Recommendation:** Application Permitted

**Description:** Extension to existing maintenance building and showman's store

**Location:** **Stevens Yard Kimbers Lane Farm Oakley Green Road Oakley Green Windsor SL4 4QF**

**Appeal Decision:** Dismissed      **Decision Date:** 9 April 2021

**Main Issue:** The Inspector concluded that the development would be inappropriate development within the Green Belt, and that it would have a significant impact upon the openness of the Green Belt. The Inspector also considered that it would have some limited encroachment into the countryside. The Inspector did not consider that there were Very Special Circumstances that would outweigh the harm to the Green Belt.

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**Appeal Ref.:** 21/60002/REF      **Planning Ref.:** 20/01480/FULL      **Plns Ref.:** APP/T0355/W/20/3263425

**Appellant:** Mr Amit Mukar **c/o Agent:** Mr Asim Hussain 15 Alleyn Park SOUTHALL Middlesex UB2 5QT

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

**Description:** Replacement dwelling and new boundary treatment following demolition of existing bungalow and garage.

**Location:** **16 Ouseley Road Wraysbury Staines TW19 5JA**

**Appeal Decision:** Dismissed      **Decision Date:** 9 March 2021

**Main Issue:** The Inspector considers that the development would fail to integrate successfully with the host environment and would be unduly harmful to the character and appearance of the area. The combined height, depth, consistent two storey eaves height and substantial roofscape with large crown roof would be out of character and unacceptably dominant in its surroundings. The drawings do not show underfloor voids or steps that would be needed to reach the front door, if internal finished floor levels are to be set at 18.48 m AOD. These features would significantly further increase the height and bulk of the building.

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**Appeal Ref.:** 21/60006/REF      **Planning Ref.:** 20/02169/FULL      **Plns Ref.:** APP/T0355/D/20/3263911

**Appellant:** Mr Rahman **c/o Agent:** Mr Darragh Mc Adam 4D Planning 86 - 90 Paul Street 3rd Floor London EC2A 4NE

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

**Description:** Single storey side/rear extension.

**Location:** **86 Badger Close Maidenhead SL6 2TE**

**Appeal Decision:** Dismissed      **Decision Date:** 15 April 2021

**Main Issue:** The Inspector found that the extension would dominate the host property and would be of a discordant appearance. It would have a harmful effect on the character and appearance of the host property and of the surrounding area.

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**Appeal Ref.:** 21/60023/REF      **Planning Ref.:** 20/02068/FULL      **Plns Ref.:** APP/T0355/W/20/  
3265135

**Appellant:** Mrs Lisa Bolt **c/o Agent:** Miss Eva Gascoigne Pike Smith And Kemp Rural The Old Dairy  
Hyde Farm Marlow Road Maidenhead SL6 6PQ

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

**Description:** Construction of an all weather surface manege.

**Location:** **Patterdale Farm Blackbird Lane Maidenhead SL6 3SX**

**Appeal Decision:** Withdrawn      **Decision Date:** 13 April 2021

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