

NOTICE  
OF  
MEETING

**WINDSOR AND ASCOT DEVELOPMENT  
MANAGEMENT COMMITTEE**

will meet on

**WEDNESDAY, 6TH OCTOBER, 2021**

**At 7.00 pm**

by

**GREY ROOM - YORK HOUSE, ON [RBWM YOUTUBE](#)**

TO: MEMBERS OF THE WINDSOR AND ASCOT DEVELOPMENT MANAGEMENT COMMITTEE

COUNCILLORS DAVID CANNON (CHAIRMAN), JOHN BOWDEN (VICE-CHAIRMAN), CHRISTINE BATESON, JULIAN SHARPE, SHAMSUL SHELIM, AMY TISI, NEIL KNOWLES, WISDOM DA COSTA AND JON DAVEY

SUBSTITUTE MEMBERS

COUNCILLORS KAREN DAVIES, LYNNE JONES, HELEN PRICE, CAROLE DA COSTA, DAVID HILTON, SAYONARA LUXTON, JOHN STORY, GARY MUIR AND SAMANTHA RAYNER

Karen Shepherd – Head of Governance - Issued: 28<sup>th</sup> September 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 **Oran Norris-Browne** Oran.Norris-Browne@RBWM.gov.uk

**Recording of Meetings** – In line with the council's commitment to transparency the Part I (public) section of the virtual meeting will be streamed live and recorded via Zoom. By participating in the meeting by audio and/or video, you are giving consent to being recorded and acknowledge that the recording will be in the public domain. If you have any questions regarding the council's policy, please speak to Democratic Services or Legal representative at the meeting.

## AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u>  To receive any apologies for absence.	-
2.	<u>DECLARATIONS OF INTEREST</u>  To receive any declarations of interest.	5 - 6
3.	<u>MINUTES OF PREVIOUS MEETING</u>  To approve the minutes of the meeting held on the 1 <sup>st</sup> September 2021 as a true and accurate record.	7 - 8
4.	<u>20/02166/FULL - LAND AND LAKES EAST OF RAILWAY AND WEST AND NORTH OF DATCHET PUMPING STATION - HORTON ROAD - DATCHET - SLOUGH</u>  <i>PROPOSAL: Construction of a detached two storey building to support the proposed use of land (and lakes) for sport and recreational purposes, new e-bike circuit and associated parking and landscaping following the demolition of existing structures.</i>  <b>RECOMMENDATION:</b> PERMIT  <i>APPLICANT: Step Property Ltd</i>  <b>MEMBER CALL-IN:</b> Not applicable  <b>EXPIRY DATE:</b> 11 <sup>th</sup> October 2021	9 - 40
5.	<u>21/00621/FULL - STONE COURT AND STONE COURT COTTAGE - LONDON ROAD - SUNNINGDALE - ASCOT</u>  <i>PROPOSAL: Redevelopment to provide 40 No. Retirement Living apartments with associated communal facilities, parking, landscaping, and pedestrian access.</i>  <b>RECOMMENDATION: DEFER &amp; DELEGATE</b>  <i>APPLICATION: McCarthy and Stone</i>  <b>MEMBER CALL-IN: N/A</b>  <b>EXPIRY DATE: 2<sup>nd</sup> June 2021</b>	41 - 72
6.	<u>21/01543/OUT - OLD BOUNDARY HOUSE AND NEW BOUNDARY HOUSE - LONDON ROAD - SUNNINGDALE - ASCOT</u>  <i>PROPOSED: Outline application for access, layout and scale only to be</i>	73 - 108

*considered at this stage with all other matters to be reserved for the construction of 28 apartments following demolition of the existing buildings.*

**RECOMMENDATION:** REFUSE

**APPLICANT:** Mr Inchbald

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

**EXPIRY DATE:** 25<sup>th</sup> August 2021

7. PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT

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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

## WINDSOR AND ASCOT DEVELOPMENT MANAGEMENT COMMITTEE

WEDNESDAY, 1 SEPTEMBER 2021

PRESENT: Councillors Christine Bateson, John Bowden (Vice-Chairman), David Cannon (Chairman), Carole Da Costa, Jon Davey, Lynne Jones, Julian Sharpe, Shamsul Shelim and Amy Tisi

Also in attendance:

Officers: Andy Carswell, Jane Cryer and Jo Richards

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Knowles and Wisdom da Costa. Councillors Jones and Carole da Costa were attending as substitutes.

### DECLARATIONS OF INTEREST

Councillor da Costa declared an interest in item 4 as she had called in the application and spoken to one of the objectors and to the applicant, and provided both parties with impartial advice. She confirmed she was attending the meeting with an open mind.

### MINUTES OF PREVIOUS MEETING

**RESOLVED UNANIMOUSLY: That the minutes of the meeting held on August 4<sup>th</sup> 2021 be approved as an accurate record.**

### 21/01569/FULL - 211 MAIDENHEAD ROAD - WINDSOR - SL4 5HF

A motion was put forward by Councillor Bowden to approve the application, as per the officer recommendation, subject to the conditions listed in the main report and the additional conditions in the update report being met. The motion was seconded by Councillor Bateson.

A named vote was taken.

<b>21/01569/FULL – 211 Maidenhead Road – Windsor – SL4 5HF (Motion)</b>	
Councillor Christine Bateson	For
Councillor John Bowden	For
Councillor David Cannon	For
Councillor Carole da Costa	Abstained
Councillor Jon Davey	For
Councillor Lynne Jones	For
Councillor Julian Sharpe	For
Councillor Shamsul Shelim	For
Councillor Amy Tisi	For
<b>Carried</b>	

**RESOLVED: That the application be approved, as per the officer recommendation.**

### PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT

Members noted the contents of the report.

The meeting, which began at 7.00 pm, finished at 7.43 pm

CHAIRMAN.....

DATE.....



Agenda Item 4

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

**DEVELOPMENT CONTROL PANEL**

6 October 2021

Item: 1

<b>Application No.:</b>	20/02166/FULL
<b>Location:</b>	Land And Lakes East of Railway And West And North of Datchet Pumping Station Horton Road Datchet Slough
<b>Proposal:</b>	Construction of a detached two storey building to support the proposed use of land (and lakes) for sport and recreational purposes, new e-bike circuit and associated parking and landscaping following the demolition of existing structures.
<b>Applicant:</b>	Step Property Ltd
<b>Agent:</b>	Mr Thomas Rumble
<b>Parish/Ward:</b>	Datchet Parish/Datchet Horton And Wraysbury

**If you have a question about this report, please contact:** Vivienne McDowell on 01628 796578 or at [vivienne.mcdowell@rbwm.gov.uk](mailto:vivienne.mcdowell@rbwm.gov.uk)

**1. SUMMARY**

- 1.1 The new building is considered appropriate development in Green Belt as it is for the provision of facilities (in connection with the existing use of land or change of use) for outdoors sport. The building is not considered to be unnecessarily large for the proposed use. The building would be a floodable structure with voids in the sides. The Environment Agency has raised no objection in terms of the loss of flood storage capacity.
- 1.2 The proposed paddle boarding on the southern lake and the e-bike circuit with limited numbers attending at any one time, are considered to be acceptable. These new uses would be low-intensity uses which would not result in harm to the Green Belt, Trees, Ecology and nearby properties. There is no objection to the continuation of the northern lake for fishing purposes.
- 1.3 The proposed development would provide sufficient on-site parking facilities. The proposed landscape works are also considered to be acceptable.

**It is recommended the Panel grants planning permission with the conditions listed in Section 13 of this report.**

**2. REASON FOR PANEL DETERMINATION**

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

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

- 3.1 The application site lies to the west of Horton Road (B376) adjacent to the Thames Water Pumping Station. The site area comprises 11.35 hectares and includes two lakes and open grassland. The lakes are currently used by an angling club. To the south of the application site lies Liquid Leisure Waterpark. Residential properties lie to the north of the site and a caravan park lies to the west. The western boundary of the site adjoins a railway line. On the opposite side of the railway at the southern corner of the site, are houses in The Avenue, Wraysbury.
- 3.2 There is a public footpath which runs along the southern boundary of the site.

3.3 Since January 2018, a mobile home has been sited at the front of the site close to Horton Road. This is understood to be for security purposes. In addition a portable building has also been sited close to the northern boundary of the site and is being used for facilities in association with the anglers and includes a café and toilets.

#### 4. KEY CONSTRAINTS

4.1 The site is situated within the designated Green Belt and within the flood plain (zone 3b and 3a). The site also lies within Datchet Common and Gravel Pits Local Wildlife Site (LWS). The site has been identified for its ornithological interest and has many records of birds of conservation concern associated with it.

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

5.1 The proposal is for construction of a detached two storey building to support the proposed use of land (and lakes) for sport and recreational purposes, a new e bike circuit and associated parking and landscaping following the demolition of existing structures (mobile home, portacabin, container and shed). The southern lake is proposed to be used for paddle boarding, the e-bike circuit would be situated between the 2 lakes and the northern lake would continue to be used for fishing.

5.2 The proposal includes the erection of a 2- storey building with pitched roof. The proposed building would be 8 metres tall to the ridge, and 5.8 metres tall to the eaves. It would be approximately 15.6 metres in length and 9 metres width. There would be 2 no. external staircases – 1 no. located on each end of the building.

5.3 The proposal also includes on-site parking facilities and landscaping.

5.4 The planning history of the site is set out as follows:

17/03938/FULL	Erection of equipment and maintenance store, together with car parking associated with proposed sport and recreation facilities.	Refused on Green Belt grounds, Flood Risk, Biodiversity, impact on character of the area, insufficient information to assess impact on residential amenity
16/03292/FULL	Erection of building for storage, office, café, shower's and w.c's, provision of parking spaces, ten cable ski poles and construction of access drive.	Refused on Green Belt grounds, Flood Risk, Biodiversity, impact on character of the area, insufficient information to assess impact on residential amenity and trees.
07/02900/FULL	Change of use of land at rear of pumping station to car parking including new drive and entrance gates.	Permitted – condition 4 states that development permitted shall enure only for the benefit of intertype angling society for as long as intertype angling society shall occupy land and shall not enure for the benefit of land.
00/79403/FULL	Change of use of land at rear of pumping station to car park	Permitted – condition 3 states that

		development shall ensure only for the benefit of intertype angling society.
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## 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
Design in keeping with character and appearance of area	DG1
Green Belt	GB1, GB2
Highways	P4 and T5
Flood risk	F1
Nature conservation	N9
Amenity	NAP3
Trees	N6
Archaeology	ARCH 2

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

## 7. MATERIAL PLANNING CONSIDERATIONS

### National Planning Policy Framework Sections (NPPF) (2021)

Section 4- Decision-making

Section 9- Promoting Sustainable Transport

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

### Borough Local Plan: Main Modifications Version (July 2021)

Issue	Local Plan Policy
Design in keeping with character and appearance of area	QP1, QP3,
Rural development	QP5
Manages flood risk and waterways	NR1
Impact on Trees	NR3
Makes sustainable provision for infrastructure	IF2
Nature conservation	NR2
Pollution (Noise, Air and Light)	EP1, EP2, EP3, EP4

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 consultation on the main modifications has now closed.
- 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.

These documents can be found at:

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

### Supplementary Planning Documents

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

### Other Local Strategies or Publications

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

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

34 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 10<sup>th</sup> September 2020 and the application was advertised in the Maidenhead Adviser on 3<sup>rd</sup> September 2020.

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

Comment	Where in the report this is considered
1. The site has been designated as a Local Wildlife Site in order to preserve significant local wildlife. The noise of cars, people and the new bike circuit, as well as any water sports or activities, would have a detrimental effect on the wildlife population and disrupt nesting and feeding.	See paragraphs 9.65-9.80

2.	This land is a Local Wildlife Site in the green belt and flood plain and for those reasons it is believed that the proposed development is inappropriate in this area. Permitting this development would be incompatible with the Borough's policy and the new proposed Climate Change strategy to protect and enhance our natural environment and to ensure biodiversity net gain through the planning system.	See paragraphs 9.2-9.28
3.	This Local Wildlife Site is an important 'stepping stone' between the Thames and land at Southlea to the Local Wildlife Site at the Reservoir and Colne Valley Regional Park. We should be protecting our Local Wildlife Sites not developing them.	See paras 9.65-9.80
4.	The site is in the Green Belt. The presence of a two storey building would destroy the open character of the land, as would the presence of cars, vans, lorries and trailers which would come as a result of the new attractions.	See paragraphs 9.2- 9.28
5.	The site is in the flood plain and would create a loss of flood plain storage.	See paragraphs 9.29 -9.48
6.	Nearby the site is one of the 'largest water sport facilities in Europe'. Therefore the area is well served with this kind of recreation and the local population has no need of it.	Need is not considered to be a relevant consideration in this case..
7.	It will attract extra cars and Datchet already has congestion problems. Development will create considerable additional vehicle movements to and from the proposed car park on this site at the 40mph section of Horton Road. This road suffers alternately from speeding traffic and congestion depending on the time of day.	See paragraphs 9.49 -9.54

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	<p>No objections raised to the amended plans showing voids on all sides of the new building.</p> <p>The EA has advised about the application of the sequential test and safe/low hazard means of escape.</p> <p>Conditions suggested regarding provision of voids in the building and also a condition regarding submission of details relating to ecology</p>	<p>See paragraphs 9.29 -9.48 below.</p> <p>A condition regarding voids is to be included. See Condition 12 in Section 13.</p> <p>The Council's Ecologist's condition fully captures the EA requirements. See Condition 7 in Section 13.</p>

### Consultees and other groups

Consultee	Comment	Where in the report this is considered
Parish Council	<p><b><u>Datchet Parish Council:</u></b></p> <p><b><u>Objection</u></b></p> <p>The main concern is on flooding and the</p>	See paragraphs 9.2 – 9.80 below

	<p>impact of reduced natural drainage in Flood zone 2 &amp; 3. The amount of parking allocated would increase hard standing and reduce natural drainage in an area that is prone to annual flooding.</p> <p>Has any assessment done to support the number of proposed bays - cannot see any evidence for the need.</p> <p>This site sits on Green Belt land within the historic and picturesque village of Datchet. Due consideration should be made for the need to lose Green Belt for any purpose, but for a use without a need would be a local concern:</p> <p>This particular site is listed as a wildlife site and protection of the biodiversity of this site should be given more weight.</p> <p>Attention is drawn to point 1.2 of the Highways comments where it states: "The proposal locates in Datchet, at approximately 1.5 km from the closest train station. Therefore, the development is considered to be in a poor accessibility location."</p> <p>There is no evidence on the benefits to the local community or outside visitors attending by any public transport links. Therefore, the need for this proposed use without public transport links is questioned.</p> <p>If planning was granted, we would like to request that conditions should be added to protect local residents and restrict or control the following:</p> <ol style="list-style-type: none"> <li>1. Controlled movements to and off the site to support residents living close by.</li> <li>2. Re. Noise concerns - restrictions and limits set to supply protection to local residents</li> <li>3. Strong controls imposed to maintain the development to the agreed plans approved and any changes should be referred back to the Parish Council for local input. Or overseen by the local authority to maintain the development within the application.</li> <li>4. This area sits directly on one of the main access routes into the</li> </ol>	<p>See conditions in Section 13.</p>
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	historic village of Datchet and views should be protected.	
Environmental Protection	<p>No objections.  Conditions have been recommended by EP regarding:</p> <ul style="list-style-type: none"> <li>- the control of industrial and commercial noise,</li> <li>-prohibiting the use of tannoys and other noisy activity.</li> <li>-submission of a scheme for the minimisation of the effects of artificial light on nearby properties.</li> <li>-construction site working hours.</li> </ul> <p>Collections during construction and demolition.</p> <p>Informatives have been recommended regarding;</p> <ul style="list-style-type: none"> <li>-Smoke control</li> <li>-Dust control</li> </ul>	<p>Conditions will be imposed as suggested, regarding noise controls, use of tannoys and submission of a lighting scheme.</p> <p>See Conditions 5, 14,17</p> <p>As disturbance and noise caused by working hours and collection times can investigated and be controlled by separate Environmental Protection Legislation (under Statutory Nuisance), these can be dealt with via an Informative rather than planning condition.</p> <p>Informatives advising about smoke and dust control will also be included – see Section 13..</p>
Tree Officer	<p>No objections raised. Conditions recommended regarding:</p> <ul style="list-style-type: none"> <li>-Tree Retention/Replacement.</li> <li>-Tree Protection – Details to be submitted.</li> <li>-Landscaping Scheme – Implemented as approved.</li> </ul>	See paragraphs 9.55 -9.59 below.
Council's Ecologist	Recommends a number of conditions.	See paragraphs 9.65 -9.80 below and conditions 5,6,7,8 in Section 13 below.
Berkshire Archaeology	<p>The site is within an area where there are potential archaeological implications associated with this proposed scheme.</p> <p>A condition has been recommended to secure a programme if archaeological work and written scheme of Investigation</p>	<p>See paragraphs 9.62- 9.64 below.</p> <p>See Condition 3 in Section 13.</p>

## 9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Green Belt
- ii Flooding
- iii Highways and parking
- iv Trees
- v Impact on neighbours

vi Archaeology

vii Ecology

i. **Green Belt**

- 9.2 There is an existing mobile home, container, shed and portacabin which are all shown for removal from the site. These structures have a total floorspace of approximately 97 sq metres.
- 9.3 The proposal includes the erection of a two storey building (and removal of the above-mentioned buildings). The proposed building would be 8 metres tall to the ridge, and 5.8 metres tall to the eaves. It would be approximately 15.6 metres in length and 9 metres width. There would be 2 no. external staircases – 1 no. located on each end of the building. The proposed building would be finished in stained timber, with a zinc standing seam roof. There would be one door in the first floor elevation facing Horton Road, a large first floor window in the elevation facing into the site, but no windows in the side elevations of the building. Small roof lights are proposed in the side elevations. The new building would be sited on an area of existing grass.
- 9.4 The ground floor would be used for storage of equipment. Items to be stored include: E-bikes, paddle boards, wetsuits, helmets, life jackets, buoyancy aids, fishing equipment. There would also be charging areas for E-bikes provided on the ground floor. The building would provide secure storage for a minimum of 15 e-bikes and 12 paddle boards. These items to be stored, in particular the e-bikes and paddle boards are high value and need a secure storage area.
- 9.5 On the first floor there would be a clubhouse (52 sq metres), small kitchen (7 sq m) changing rooms and toilets (2 each for male and female) and a disabled changing and toilet. There would be a lift within the building. The new building and new car parking areas would be sited on an existing grassed area.
- 9.6 The proposed building would be set back from the boundary with Horton Road by some 28 metres. Landscaping is proposed along the Horton Road frontage and there is an existing hedgerow along the boundary. The building would be separated from the rear elevation of the nearest house (at 1 Mill Place), by a gap of approximately 43 metres.
- 9.7 The site is currently used as an angling club and within the site there are 2 no. lakes and area of grassland between. The site thus has an existing recreational use. The opening hours are for the fishing lakes are currently 6.30am until 8pm (Mon – Fri) and 7am until 8pm on Sunday.
- 9.8 With this current proposal, the northern lake would continue be used for angling and fishing purposes, whilst the southern lake would become used for paddle boarding purposes. A proposed E-bike circuit would be located in between the lakes. This would be grassed, with hay bales, ropes and posts and plastic cone used to mark the circuit layout.
- 9.9 The Planning Statement advises that at present approx.. 180 anglers visit the site per week in high season. It is understood that there is no permanent location for welfare purposes or storage facilities on the site for angling equipment.
- 9.10 Regarding the proposed paddle boarding, 40 people are anticipated to visit the site on a daily basis during peak times. The ecology management document advises that there would be a maximum of 12 paddle boards allowed on the lake at any one time and paddle boarders would be required to enter and leave the lake at designated signposted points. The paddle boarding will take place between 10am until dusk. There would be a minimum of 12 boards kept at the site (within the new building).
- 9.11 The proposed E-bike circuit would not include any jumps or excavation work. Hay bales, safety cones, ropes and posts would define the layout of the circuit. For health and safety reasons no more than 4 bikes would be allowed on the circuit at any one time. There would need to be marshals at the side of the circuit when in use. It is anticipated that at peak times there would be 8 bikers at the site an hour. The e-biking would take place between the hours of 10am until dusk.



- 9.12 The proposal involves new areas of hard surfacing for parking spaces adjacent to the new building and new sections of driveway. Landscaping including tree, shrub and aquatic planting is proposed as well as biodiversity enhancements. In terms of the economy, the proposed development would provide 17 full time jobs.
- 9.13 The site lies within the Green Belt and the NPPF confirms that the essential characteristics of Green Belts are their openness and permanence. Paragraph 149 of the NPPF (2021) states that the construction of new buildings is inappropriate development in Green Belt with exceptions. One of these exceptions includes: 'the provision of appropriate facilities (in connection with the existing use of land or change of use) for outdoors sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'. Local Plan policy GB1 and GB2(a) is broadly in line with the NPPF, but as the NPPF post-dates the Local Plan the NPPF is more up-to-date and given greater weight.
- 9.14 The main test is whether the new building would constitute appropriate facilities for outdoor sport and recreation. To meet this test the facilities should reasonably relate to the main outdoor sports recreation use in terms of function and scale. There has to be a clear link between the proposed facilities and the proposed outdoor sport/recreation use; furthermore, the scale and function of the proposed facilities is also an important determining factor as to whether the proposal is appropriate in the Green Belt.
- 9.15 In terms of 'actual' openness, the judgement of *Europa Oil & Gas Ltd v Secretary of State for Communities and Local Government (2014)* confirms that the mere presence of development where there is currently no development should not be taken as a breach of the proviso of preserving openness. A broader interpretation of the preservation of openness should therefore be applied.
- 9.16 In this case, given the set back of the proposed building from Horton Road, its design and finishing materials, and the domestic proportions of the building, it is considered that the actual harm to the openness of the Green Belt is very minimal and openness would be preserved.
- 9.17 The LPA therefore considers that the currently proposed building is appropriate in the Green Belt. The LPA is also satisfied that there would not be any superfluous floorspace which does not reasonably relate to the proposed outdoor sports/recreation use (angling, paddle boarding and e-biking), in terms of function and scale. Moreover, it is considered acceptable in terms of the impact the building would have on the character and appearance of this rural location.
- 9.18 It is noted that on the previous application there was concern about the size of the proposed building; and part of the reason for refusal on the previous application 17 was: that '*The proposed building, by virtue of its size, siting and design would appear unduly prominent and obtrusive when viewed from the road and would detract from the character and appearance of the site itself and the locality in general.*'
- 9.19 It is noted that the previously proposed building (although single storey) occupied a much larger footprint of 400 sq metres, compared with the currently proposed building with a footprint of 139.5 sq metres. Therefore, the currently proposed building is a third of the size of the footprint of the previously proposed building. It is also noted that existing structures (containers, mobile home and shed) are to be removed have a total floor area of approximately 97 sq metres. It is noted that these may not be authorised, but they currently have an impact on the openness of the Green Belt.
- 9.20 In terms of height comparison, the previously proposed building was 5.5 metres in height to the ridge and 3.7m to the eaves. It is acknowledged that the currently proposed building would be taller with a height of 8 metres to the ridge, and 5.8 metres tall to the eaves; however it would be set further away from the front boundary than the previously proposed building and together with the much reduced footprint and consolidated form it is considered that the proposed building is acceptable (both in terms of openness of the Green Belt and impact on the character of the rural area).

- 9.21 In summary, and as mentioned above, the LPA is satisfied that the proposed building is appropriate in the Green Belt and acceptable in this rural locality. Additionally, its scale and function relate satisfactorily to the proposed outdoor recreational uses on the site, namely of angling, paddle boarding and e-biking.
- 9.22 With the previous application 17/03938 (refused permission) there was concern that the proposal could result in a material intensification in the level of activity which would result in a material change in the use of the site and would be inappropriate in the Green Belt - contrary to policies GB1 and GB2 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and guidance contained in the National Planning Policy Framework. It is noted that the previous application proposed an aqua park, football pitches and the use of the site for triathlon training and events – far more intensive and extensive uses than the current proposals (of angling, paddle-boarding and e-biking). There was also concern about the level of activity which could also result in overflow car parking both on and off the site which would also be detrimental to the character and visual amenity of the site itself and locality in general.
- 9.23 Paragraph 150 of the NPPF (2021) states: 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. These include are:
- b) engineering operations;
  - e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- 9.24 As this current application proposes the continuation of angling at the site and the introduction of fairly low key paddle boarding and e-biking activities, it is considered that it would be difficult to argue that there would be such an increased level of intensification of activity to warrant refusal on Green Belt grounds. The e-bikes are not considered to be noisy vehicles and the paddle boards (which have no motors) generate no noise in themselves. Additionally, there would also be limits on the number of paddle-boarders using the lake at any one time (for ecology reasons) and limits on the number of e-bikers on the circuit at any one time (for health and safety reasons).
- 9.25 The application site is adjacent to Liquid Leisure and it is noted that there is a current enforcement appeal on the adjacent site at Liquid Leisure (Ref. 16/50301/ENF). The notice was served in Dec 2020 for the following reason:
- 'Without planning permission the material change of the use of the land from a water-skiing and windsurfing use, to a mixed use that comprises an aqua theme park (including water skiing), caravan and camping site, party venue and a child's play centre; with associated operational development comprising extension to existing buildings, new buildings, kiosks and other structures that are integral to the mixed use.'*
- 9.26 The applicant's agent has advised that it is not proposed that the proposed building would be used in connection with the adjacent site at Liquid Leisure. The applicant's agent has confirmed that the applicant has no intention of forming a link between this application site and the adjacent Liquid Leisure site.
- 9.27 The agent advises that the two sites are completely independent of the other. The agent advises that the site at Sunnymeads Lakes is owned by Horton Leisure and leased to Liquid Leisure. The application site (20/02166/FULL) is owned by Step Property. The agent also advises that there are no financial links between the two companies, although it is understood there are some common directors.
- 9.28 From the planning officer's site visit, it was noted that there are 2 sets of (padlocked) double gates directly opposite each other on either side of the public foot path. There is also what appears to be a tunnel (with limited headroom) under the footpath – these could potentially provide a direct physical link between the sites. The applicant has however advised that the gates are kept locked at all times and the 'tunnel' is a 20ft container buried in the ground which also has locking doors on one side. The applicant advises that these doors are kept locked at all

times and the reason why it is there is for cutting grass maintenance purposes. The applicant adds that there is no public access through either of these points and there is no intention for an interrelationship of any form between the two sites; but a condition to prevent direct access for members of the public between the two sites would be agreeable to the applicant. Therefore, in order to prevent any unacceptable intensification of use on the application site (20/02166/FULL) It is considered prudent to impose a condition to ensure that there is no direct link for members of the public, between the 2 adjacent sites. See Condition 20 in Section 13.

ii. **Flooding**

9.29 The site lies within Flood Zone 3a (1:100 year probability – High Risk) and 3b (Functional Flood Plain) The new building would be sited on a part of the site which lies within Flood Zone 3a (High Risk – 1:100 year probability of flooding) and not functional flood plain (3b). The Environment Agency has confirmed this.

9.30 Policy F1 of the adopted Local Plan states that within the area liable to flood, development will not be permitted for new residential development or non-residential extensions in excess of 30 sq metres, unless it can be demonstrated that the proposal would not of itself, or cumulatively in conjunction with other development:

- 1) Impede the flow of water; or
- 2) Reduce the capacity of the flood plain to store flood water; or
- 3) Increase the number of people or properties at risk from flooding.

9.31 Policy NR1 of the emerging Borough Local Plan advises: 'Within designated flood zones development proposals will only be supported where an appropriate flood risk assessment has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms.'

9.32 Policy NR1 5) advises that in all cases, development should not in itself, of cumulatively with other development, materially:

- a. impede the flow of flood water
- b. reduce the capacity of the floodplain to store water
- c. increase the number of people, property or infrastructure at risk of flooding
- d. cause new or exacerbate existing flooding problems, either on the proposal site or elsewhere
- e. reduce the waterway's viability as an ecological network or habitat for notable species of flora or fauna

9.33 NR1 6) (as worded in the Schedule of Main Modifications published in July 2021) states: Development proposals should:

- a) increase the storage capacity of the floodplain where possible
- b) incorporate Sustainable Drainage Systems in order to reduce surface water run-off.
- c) reduce flood risk both within and beyond the sites wherever practical
- d) be constructed with adequate flood resilience and resistance measures suitable for the lifetime for the development
- e) where appropriate, demonstrate safe access and egress in accordance with the Exception Test and incorporate flood evacuation plans where appropriate.

At this time this emerging policy only carries limited weight given the level of objections that have been raised.

- 9.34 Paragraph 167 of the National Planning Policy Framework (NPPF) (July 2021) states: ‘  
...Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:  
a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;  
b) the development is appropriately flood resistant and resilient such that , in the event of a flood, it could be quickly be brought back into use without significant refurbishment;  
c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;  
d) any residual risk can be safely managed; and  
e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan’
- 9.35 In response to the original comments provided by the EA which raised concerns about loss of storage capacity, the applicants have submitted amended plans showing voids on all sides of the building, which would make it a ‘floodable’ building. The Environment Agency raised no objection to the amended proposal in terms of loss of storage capacity and has recommended a couple of conditions. The first of which is to secure the provision of voids and openings in accordance with the drawings 2607-PL105 and 2607-PL106, to ensure that the opening are no lower than 18.31 metres AOD and to ensure that there is no raising of existing levels on the site. The second condition is to secure a landscape and ecological management plan. See Conditions 12 and 7 in Section 13, below.
- 9.36 The proposed development is classed as ‘Water Compatible’ development. Such development is appropriate in this flood zone. Additionally, there is no requirement for the Exception Test to be passed in respect water compatible development in Flood Zone 3a.
- 9.37 In terms of applying the Sequential Test, as the new building is required in conjunction with the use of the lakes and land it is not considered that the building could reasonably be located on another site, remote from the land and lakes. However, a ‘Sequential Approach’ should be followed when planning new development, such as buildings.
- 9.38 The applicant’s agent has advised that under this approach, buildings should be directed to the parts of the Site that are at the lowest risk of flooding. Reference to the Environment Agency’s flood zone map shows that these are on the western margin of the Site. However, this lies in a “Protection Zone” designated by Thames Water in relation to the inlet/outlet tunnels. The applicant concludes and the LPA accepts, that the only available location for the building is thus adjacent to Horton Road near the entrance to the site.
- 9.39 The EA has advised that in accordance with paragraph 167 of the National Planning Policy Framework 2021 (NPPF), the LPA must ensure that the residual flood risk is safely managed and that safe access and escape routes are included. They add that within the application documents the applicant should clearly demonstrate to the LPA that a satisfactory route of safe access and egress is achievable. It is for the LPA to assess and determine if this is acceptable.
- 9.40 In terms of the need for a safe access and egress, this is not considered necessary for this kind of development given that the site would not be used in periods of flooding. It is also important to bear in mind that unlike a residential use, no one would have a requirement to be on the site or reside on the site on a night time basis, during a time of flood.
- 9.41 In addition to condition regarding the provision of voids in the building the EA has suggested another condition regarding securing a landscape and ecological plan. The Council’s Ecologist has commented on the additional documents and information submitted recently by the applicant relating to Ecology matters. It is considered that the Council’s Ecologist’s recommended conditions fully capture all the requirements of the originally suggested EA condition. See paragraphs 9.76- 9.78 in the Ecology section below, and conditions numbered 5,6,7,8 in Section 13.

- 9.42 It is noted that part of one of the reasons for refusal on 17/03938 referred to the development being within the route of the proposed River Thames Scheme and the flood relief channel from Datchet to Wraysbury which is safeguarded in the emerging Borough Local under Policy NR1. It is noted that the Environment Agency has not raised this as an issue of concern.
- 9.43 Emerging BLP with proposed changes, policy NR1 10) (as worded in the Schedule of Main Modifications published in July 2021) states: 'Further development land associated with strategic flood relief measures will be safeguarded, including the proposed River Thames Scheme and the flood relief channel from Datchet to Wraysbury ...'

However, at this time this emerging policy only carries limited weight given the level of objections that have been raised to it.

- 9.44 Addressing this matter the applicants have commented that in relation to the flood alleviation scheme, this scheme is not subject to any formal consent at this stage and the applicant has advised that if the site were to be used, a commercial arrangement or compulsory purchase order would need to occur. However, the EA has been evolving the scheme for a long period of time. The applicants advise that in the event that the scheme went ahead the southern lake would continue to operate as existing but with a spillway linked to the lake further to the south (outside the site boundary). The southern lake on the application site would therefore still be available as a lake to be used for paddle boarding purposes with the exception of when an abnormal flood event occurs (when it would be used for additional storage purposes). The applicant comments that it is hard to predict exactly how regularly this would happen but it would be infrequent possibly a few occasions every decade and covering a couple of weeks at a time. Such an event would also very likely occur in winter months. It follows that the level of disruption to the ongoing paddle boarding use would only occur on rare occasions and if it did it would very likely occur in a winter month when paddle boarding is not as popular as a recreation as in the spring, summer and autumn months. The applicant comments that for this reason, it is not anticipated that even if the alleviation scheme did go ahead it would have anything beyond a negligible impact upon the proposed paddle boarding use.

#### Sustainable Drainage

- 9.47 The LLFA has reviewed the documents submitted with this application, including the additional drainage details received in March 2021. The LLFA advises: The Micro drainage calculations provided now show that the required 40% allowance for climate change.
- 9.48 No details have been provided regarding how the proposed building surface water drainage will connect to the wider system. However, it is considered that this can be addressed at condition stage. No further details of the connection from the proposed ACO drain serving the car park area have been provided. The 150mm diameter pipe would seem undersized for the anticipated flows in a 1 in 100 year plus 40% climate change event. However, it is considered that this can be addressed at condition stage. A condition requiring further drainage details is to be imposed, as suggested by LLFA.- See condition 4 in Section 13.

#### iii. **Highways and parking**

- 9.49 The B376 Horton Road is a classified, numbered primary distributor road, subject to a 40-mph speed limit. As the application site is approximately 1.5 km from the closest train station, it is considered to be in a poor accessibility location. The surrounding area comprises mostly open green spaces and water reservoirs. The plot of land is located behind the Datchet pumping station and is in between Mill Place and the Liquid Leisure facility.
- 9.50 The site currently benefits from having a 6.0m wide vehicular access off Horton Road. Drawing no. 2607 - PL104 shows a new 6.0m wide internal road will be created which will lead up to the new building and parking area. A possible gate is proposed set back approximately 16m from Horton Road. With regards to visibility splays, Mill Place junction with Horton Road can achieve visibility splays of 2.4m x 59m to the left and right. This is deemed acceptable.

- 9.51 The development comprising 246 sqm of D2 use building within a poor accessibility area, requires 11 car parking spaces (1 space per 30 sqm). Drawing number 2607 - PL104 shows that the site will be able to accommodate 22 car parking spaces plus one disabled parking space. Overall layout and dimensions are compliant to minimum Highway requirements.
- 9.52 The existing site is currently used for private angling purposes (D2 use). The new building will support the proposed use of land (and lakes) for sport and recreational purposes including the provision of an e-bike circuit. The proposal will generate more vehicle movements per day than what is currently produced. However, these movements are likely to be outside the peak times and occur during evenings and weekends. Given the nature of the use (D2) and the number of parking spaces provided, it is concluded that the proposal is unlikely to adversely impact the safe and free flowing conditions on the local highway network.
- 9.53 12 secure cycle parking spaces will be provided within the site. Refuse provision has not been considered by the proposal. However, it is acknowledged the site benefits from sufficient space to accommodate refuse facilities.
- 9.54 Overall, the proposal is considered acceptable on Highways grounds. Conditions have been recommended to ensure parking and turning is provided in accordance with the drawings. Standard informatives have also been recommended – relating to damage to footways, verges and highways and storage of equipment on the public highway.

#### iv. **Trees**

- 9.55 The proposed new two story building and parking spaces are located close to several young trees planted on the edge of the site. If the trees are adequately protected they will provide some screening to the new development. No detailed tree protection information has been submitted with the application. A condition will therefore be imposed to secure tree protection details. See Condition 9 in Section 13.
- 9.56 New landscaping and planting is also proposed in order to provide additional screening and softening of the proposed development. Conditions will be imposed to ensure landscaping is carried out in accordance with the approved details and to ensure that all trees shown for retention, are retained. See conditions 9, 15 and 16 below.
- 9.57 The proposed (electric) bike circuit has been located in an area of open space away from the trees in between the two lakes. The construction and use of this circuit could be undertaken without causing a significant impact on these trees. It is suggested in the planning statement that the circuit will be laid out using cones and haybales and that evidence of the circuit would be very limited when not in use. This is not the case, as the regular use of motocross bikes will result in significant damage to vegetation, compaction and soil erosion. If the extent of circuit is not well defined and boarded this damage could expand over a larger area including the areas of proposed meadow planning. The use of motocross bikes on the wider site, outside the circuit area could result in significant damage being caused to trees and other vegetation.
- 9.58 It is recommended that the use of the e-bikes should be strictly limited to a defined track area and that the use of off road vehicles should be limited on the site, so as to restrict the construction of any additional trails or circuits.
- 9.59 A condition will be imposed to ensure that the e-bike circuit is restricted to the area shown on the approved plans. The applicants have advised that for health and safety reasons no more than 4 bike would be allowed on the circuit at any one time and the activity would need to be controlled by marshals at the side of the circuit when in use. See condition 19 in Section 13.

#### v. **Impact on Neighbouring Amenity**

- 9.60 It is considered that the proposed uses are such that they can operate without causing noise and disturbance to neighbouring properties. The e-bikes are quiet and the cycle circuit would be well away from residential properties in the centre of the site. The paddle boards are not motorised. Numbers using the e-bikes and paddle boards at any one time will be also be limited to 4 and 12

respectively. The LPA is also satisfied that the additional vehicle movements to and from the site would not give rise to such unacceptable levels of additional noise and disturbance to warrant refusal on those grounds. The operating hours would be from 10am until dusk.

- 9.61 The new building would not cause any loss of light, loss of outlook or loss of privacy to neighbouring properties. Conditions are recommended to control noise, prohibit the use of tannoy and noisy activities and well as requiring the submission of a lighting scheme (to minimise impact on neighbours). See Conditions 5, 13, 14, 17, 19, in Section 13, below.

vi. **Archaeology**

- 9.62 There are potential archaeological implications associated with this proposed scheme. The site lies within the Thames valley and therefore lies over the floodplain and gravel terraces which have been a focus of settlement, agriculture and burial from the earlier prehistoric period to the present day, as evidenced by data held on Berkshire Archaeology's Historic Environment Record.
- 9.63 Within 400m of the site lies Southlea farm, the site of an extensive prehistoric settlement and landscape. The proposed site lies within the same landscape and therefore there is potential for continued prehistoric activity in the immediate area. Therefore the application site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development.
- 9.64 It is recommended that a condition is applied (to secure a programme of archaeological work and written scheme of Investigation) should permission be granted in order to mitigate the impacts of development. This is in accordance with Paragraph 205 of the NPPF (2021) which states that local planning authorities should '*require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible*'. See Condition 3 in Section 13, below.

vii. **Ecology**

- 9.65 The application site comprises two lakes, currently used for angling, separated by an area of managed amenity grassland. Other habitats on the site comprise buildings, hardstanding, trees, scrub, plantation woodland, and hedgerows. The lakes form part of Datchet Common and Gravel Pits Local Wildlife Site (LWS), which is designated for its ornithological interest. There are two pockets of woodland (which are likely to be priority habitat) in the immediate surroundings.
- 9.67 An ecology survey report (AA Environmental Ltd, July 2020) has been undertaken to an appropriate standard and details the results of a preliminary ecological appraisal, winter bird surveys, and breeding bird surveys.
- 9.68 Section 3.28 of the report summarises the results of the wintering bird surveys as follows:

*"A total of 38 bird species were recorded on the site. Of these, Starling, Song Thrush, Herring Gull, Fieldfare, House Sparrow, Mistle Thrush and Redwing are listed as 'red list' birds (RSPB) and are all (with the exception of Fieldfare, Mistle Thrush and Redwing) Priority Species under Section 41 of the NERC Act (2006). There were three Schedule 1 species recorded: Red Kite, Redwing and Fieldfare. None of the 'red list' or Schedule 1 species are dependent on the lakes or terrestrial habitat recorded on the site."*

- 9.69 And the breeding bird survey results are summarised as follows:

*"Of the total 35 bird species recorded on the site, only four were confirmed as breeders, Coot, Moorhen, Little Grebe and Mallard, the latter of which is listed as an 'amber list' bird (RSPB). No Schedule 1 birds were recorded during the surveys, however the Grasshopper Warbler, Starling and Song Thrush, none of which were recorded breeding, are listed as 'red list' birds (RSPB) and are all Priority Species under Section 41 of the NERC Act (2006)."*

- 9.70 The results list also shows that there was potential (though unconfirmed) for several other breeding species being present including Goldfinch, Egyptian goose, Mute Swan, Cormorant, Chiffchaff, Magpie, Great Crested Grebe, Dunnock, Black Cap, and Blackbird.
- 9.71 The report concludes that the proposals would not adversely affect ecology and that a net gain for biodiversity would be delivered across the site as a result of the development. However, whilst ecological enhancements could be provided, as detailed in the report, the Council's Ecologist considered that this document did not sufficiently and clearly demonstrate that the wildlife which currently uses the site, in particular birds, would not be adversely affected by the proposals.
- 9.72 In response to the original Council's Ecology comments, the applicant submitted an ecology addendum. This document provides further information on some of the points raised earlier Ecology comments and has, as such, partially alleviated some of the original concerns about these proposals. The ecology document states that members/users of the site would be required to follow a strict code of conduct and activities on the site would be well regulated, controlled, and supervised. The document suggests that any further ecological concerns could be dealt with via a condition for an Ecological Management Plan (EMP).
- 9.73 However, in order to ensure that the proposals would not adversely affect the status of the Local Wildlife Site (LWS) (of which the site is a part), and that wildlife (in particular nesting birds) would not be disturbed by the proposed activities, it was requested that the applicant submits an Environmental Management Plan (EMP), *prior* to the application being determined.  
The EMP should include (but not limited to) details of how nesting rafts would be protected from paddle boarders, timings of activities, numbers of users at any one time, details of biodiversity enhancements clearly demonstrating that a net gain for biodiversity would be achieved on the site as a result of the proposals (as per the NPPF), details of where users would enter and leave the lake, and details of an annual monitoring scheme once the development is in operational phase)
- 9.74 Additionally, it was requested that the applicant submit copies of the Code of Conduct that would be in place, and the site management plan (with details of how daily activities would be regulated etc.) for the operational phase of the development *prior to the application being determined*. Without this information it was considered unclear whether the proposals would adversely affect the status of the LWS or the protected species therein (particularly nesting birds).
- 9.75 The applicant has submitted an Ecological Management Plan (EMP) (AA Environmental Ltd, July 2021) which includes details of a code of conduct for the site, and of ecological interpretation material which will be made available to users of the site on interpretation boards and leaflets. The EMP is largely descriptive rather than prescriptive at this stage, and lacks detail in places, but it is sufficient at this stage in the application process to demonstrate that measures could be put in place to protect existing wildlife and enhance the site for biodiversity. It is considered that such measures can be secured via a set of planning conditions.
- 9.76 In order to ensure wildlife, on and off-site habitats, and the Local Wildlife Site (LWS) are not adversely affected during construction works, including installation of biodiversity enhancements and landscaping, a condition will be set to ensure that all works follow an approved Construction Environmental Management Plan (CEMP) for biodiversity. See Condition 6 in Section 13, below.
- 9.77 Because the site is suitable for use by foraging and commuting bats, as well as a range of other wildlife, a condition is required to ensure that any external lighting to be installed would not adversely affect bats or other wildlife (as well as minimising any adverse impact on nearby residential properties). See Condition 5 in Section 13 below.
- 9.78 To ensure biodiversity remains protected on the site and is enhanced in the long-term, and the LWS status of the site is not adversely affected as a result of the development, all landscaping, planting, and biodiversity enhancement works (initial and ongoing), as well as the daily operations of the business on the site (including hours of operation of each activity), numbers of users of each element of the site at any one time (e.g. no more than 12 paddle boarders at any one time as per the submitted EMP), policy for providing the ecological interpretation materials to



site users, and adherence of site workers and users to the submitted code of conduct), should follow a detailed and approved Landscape Ecological Management Plan (LEMP). This should initially run for five years, to then be reviewed and renewed thereafter. This would need to be secured via planning conditions. See conditions 7 and 8 in Section 13, below.

- 9.79 The Environment Agency also recommended a condition to secure a landscape and ecological management plan to secure *details of:*
- *maintenance regimes;*
  - *details of any new habitat created on-site,*
  - *details of treatment of site boundaries and/or buffers around water bodies*
  - *details of management responsibilities.*
- 9.80 It is considered that the recommended conditions fully capture all the requirements of the EA's suggested condition.

## **10. Conclusion**

- 10.1 The new building is considered to be appropriate development in Green Belt as it is for the provision of facilities (in connection with the existing use of land or change of use) for outdoors sport. The design of the building is considered to be acceptable and not unnecessarily large for the intended use. The building would be a 'floodable' structure as it would have voids in each side of the building. The Environment Agency has raised no objection in terms of the loss of flood storage capacity.
- 10.2 The proposed paddle boarding activities on the southern lake and the e-bike circuit with limited numbers attending at any one time, are considered to be acceptable. These new uses are considered to be low-intensity uses which would not result in harm to the Green Belt, Trees, Ecology or nearby residential properties. Furthermore, there is no objection to the continuation of the use of the northern lake for fishing purposes.
- 10.3 The proposed development would provide sufficient on-site parking facilities and the proposed landscape works are also considered to be acceptable.
- 10.4 The proposal is therefore considered acceptable in accordance with the development plan and other material considerations and therefore should be determined accordingly in line with the NPPF and Section 38(6) of the Planning and Compulsory Act (2004).

## **11 COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 11.1 The development is not CIL liable.

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

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

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

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development above slab level shall take place until details of the materials to be used on the external surfaces of the development have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policy - Policies DG1 of adopted Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003 (adopted Local Plan) ; QP3 of the Borough Local Plan (2013-2033)

Submission Version Incorporating Proposed Changes, October 2019 (emerging BLP).

3 A) No development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) The Development shall take place in accordance with the Written Scheme of Investigation approved under part (A) of this condition. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under part (A) of this condition and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy. Whilst past gravel extraction for the formation of the lakes will have had some impact on the local potential for the survival of archaeological material, there is no evidence that the proposal area has been significantly impacted by this. Therefore in view of the nature and scale of the development and the low likelihood of the potential archaeology, should it exist, meriting preservation in situ, field evaluation through trial trenching would represent an appropriate initial phase of work in order to determine the archaeological potential and levels of previous truncation and the need for any further phases of work. Relevant Policies -Local Plan ARCH 2.

4 Prior to commencement (excluding demolition) a surface water drainage scheme for the development, based on the submitted Flood Risk Assessment, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details.
- Supporting calculations confirming compliance with the Non-statutory Technical Standards for Sustainable Drainage Systems, the agreed discharge rate as per the strategy and the attenuation volumes provided.
- Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented.
- The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.

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

5 No development shall commence until a report detailing the external lighting scheme, and how this will not adversely impact upon wildlife and neighbouring properties, has been submitted to and approved in writing by the LPA. The report (if external lighting is to be installed) shall include the following figures and appendices:

- 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, areas identified as being of importance for commuting and foraging bats, locations of bird and bat boxes and neighbouring properties .

The approved lighting plan shall thereafter be implemented as agreed.

Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with para 180 of the NPPF, and to protect nearby residential properties from light nuisance in accordance with the adopted Local Plan Policy NAP3.

6 No development shall take place (including ground works, vegetation clearance, and

landscaping) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing beforehand by the local planning authority.

Reason: To minimise impacts on biodiversity in accordance with Paragraphs 170 and 175 of the NPPF.

- 7 Prior to the initial occupation of the building, initial use of the lake for paddle boarding, and the initial use of the e-bike circuit, a landscape ecological management plan for "Land And Lakes East of Railway And West And North of Datchet Pumping Station" shall be submitted to and approved in writing by the council. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The landscape ecological management plan is to run for a period of five years and is to comprise, as a minimum, the following:

- Detailed description and maps of habitats on the site;
  - Description of current species populations;
  - Clear long and short term aims and objectives for the site, to include measures to protect and enhance existing species populations, pond, grassland, and hedgerow habitats, paying particular attention to those species and habitats identified as being of conservation concern at a national, regional or local level.
  - Prescriptions to achieve the aims and objectives of the plan to include details of: management responsibilities; who will be responsible for implementing the prescriptions; maintenance schedules for all landscaped areas; treatment of site boundaries and water-bodies; full details of, locations, and confirmation of installation (including photos) of all new habitat created on-site, including those detailed in the EMP and Landscaping reports, and integral bird and bat boxes on the new building; details of the daily operations of the business on the site (including hours of operation of each activity, numbers of users of each element of the site at any one time (e.g. no more than 12 paddle boarders at any one time as per the submitted EMP), policy for providing the ecological interpretation materials to site users, and conveyance of and adherence to the submitted code of conduct for all site workers and users),
- Details of how the aims, objectives and prescriptions will be monitored, and what processes will be put in place to ensure that the plan is iterative (ensuring its aims and objectives are met and that management is adjusted to ensure that this is the case).

Reason: To ensure that the development does not lead to deterioration in the ecological value of the LWS, that wildlife and habitats are protected, and that the development leads to an enhancement of the site's ecological value, in line with national planning policy and emerging policy NR2 of the Borough Local Plan 2013-2033.

- 8 For the first five years of the management plan, a report describing management to date, monitoring results, and any changes to the aims, objectives or prescriptions of the plan is to be submitted to and approved in writing by the council. At the end of the five year period an updated ecological management plan shall be submitted to and approved in writing by the Local Planning Authority. .

Reason: To ensure that the development does not lead to deterioration in the ecological value of the LWS, and that the development leads to an enhancement of the site's ecological value in both the short and the long term value in line with national planning policy and emerging policy NR2 of the Borough Local Plan 2013-2033.

- 9 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing and ground protection in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.  
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - adopted Local Plan DG1, N6.
- 10 The existing structures (i.e mobile home, shed, container and portacabin) shown for removal on the approved drawing 2607 -PL104 Rev F , shall be completely removed from the site, prior to the substantial completion of the building hereby approved.  
Reason: In the interests of the openness of the Green Belt and the storage capacity of the floodplain. Relevant policies - adopted Local Plan GB1, GB2, F1 , NPPF (2021) paragraphs 149, 150, 167 and QP5, NR1 of the emerging BLP .
- 11 Full details of the design, appearance and siting of any new entrance gates, and any new boundary fences, walls and gates shall be submitted to and approved by the Local Planning Authority prior to installation.  
Reason. In the interests of the visual amenity of the area and highway safety. Relevant policies - adopted Local Plan DG1, and T5.
- 12 The development shall be carried out in accordance with the submitted flood risk assessment (reference 117-Datchet Outdoor-FRA/v2, version 2i, dated August 2020 and prepared by Corylus Planning and Environmental Ltd), the letter titled Response to comments made by Environment Agency (from Corylus Planning and Environmental Ltd to Step Property Limited, dated 10 November 2020), drawing numbers 2607-PL106 (revision D, prepared by Garrett McKee Architects) and 2607-PL105 (revision E, prepared by Garrett McKee Architects), and the following mitigation measures they detail:  
A floodable void shall be implemented as outlined in Section 4.3.2 of the flood risk assessment and shown in drawing numbers 2607-PL105 and 2607 -PL106. The height of the voids spaces and openings will be no lower than 18.31 metres AOD.  
There shall be no raising of existing ground levels on the site.  
These mitigation measures shall be fully implemented prior to occupation. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.  
Reason: To prevent flooding elsewhere by ensuring that the flow of flood water is not impeded and the proposed development does not cause a loss of flood plain storage, in accordance with paragraph 167 of the NPPF (2021) , policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations, adopted June 2003) and emerging policy NR1 of the Borough Local Plan 2013-2033 (with proposed changes).
- 13 Paddle boarding shall only take place on the southern lake and no other sports or recreation activities shall take place on the southern lake. No more than 12 paddle boards shall use the lake at any one time.  
Reason In the interests of ecology and biodiversity. Relevant policies - paragraph 174 of the NPPF (2021) and policy NR2 of the emerging BLP (with proposed changes).
- 14 The use of tannoy, public address system or any other activity, which is audible at the boundary of the site, shall be prohibited.  
Reason: To protect the residential amenities of the area and to prevent noise nuisance according to the Local Plan Policy NAP3.
- 15 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the initial use of any part of the development, or in accordance with a programme agreed in writing beforehand by the Local Planning Authority, and retained thereafter in accordance with the approved details.  
Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. Relevant policy - adopted Local Plan D1, N6.
- 16 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any tree work be undertaken other than in accordance with the approved plans and particulars and without the written approval of the Local Planning Authority, until five

years from following the substantial completion of the development. Any tree work approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the size and species, and shall be planted at such time, as specified by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area. Relevant Policies - adopted Local Plan DG1, N6.

- 17 The rating level of the noise emitted from the site shall not exceed the existing background level (to be measured over the period of operation of the proposed development and over a minimum reference time interval of 1 hour in the daytime and 15 minutes at night). The noise levels shall be determined 1m from the nearest noise-sensitive premises. The measurement and assessment shall be made in accordance with BS 4142: 2014+A1:2019 (or an equivalent British Standard if revised or replaced).

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

- 18 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1

- 19 The E-bike circuit shall be confined strictly to the track as depicted on drawings 2601-P402 Rev E and 0419- L1, and the circuit shall be clearly marked out before use. No more than 4 E-bikes shall use the track at any one time and no additional circuits shall be created elsewhere on the application site.

Reason: To minimise the impact on ecology, biodiversity and tree root protection areas. Relevant policies - N6, NPPF (2021) paragraph 174. NR2, NR3 of the emerging Borough Local Plan (with proposed changes).

- 20 There shall be no direct means of access for members of the public to the application site from the adjacent site at Sunnymeads Lake (Liquid Leisure), across (or under) the public footpath which runs along the southern boundary of the site.

Reason: To ensure that there is no unacceptable intensification of the use of the site, in the interests of ecology and the quiet enjoyment of nearby residents. Relevant policies - adopted Local Plan DG1, NAP3, Emerging BLP policy NR2.

- 21 No development above slab level shall take place until full details of how the new building will be permanently maintained as a floodable building, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

Reason: To prevent flooding elsewhere by ensuring that the flow of flood water is not impeded and the proposed development does not cause a loss of flood plain storage, in accordance with paragraph 167 of the NPPF (2021), policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations, adopted June 2003) and emerging policy NR1 of the Borough Local Plan 2013-2033 (with proposed changes).

- 22 Angling shall only take place on the northern lake and no other sports or recreation activities shall take place on the northern lake.

Reason: In the interests of ecology and biodiversity. Relevant policies - paragraph 174 of the NPPF (2021) and policy NR2 of the emerging BLP (with proposed changes).

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

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

## **Informatives**

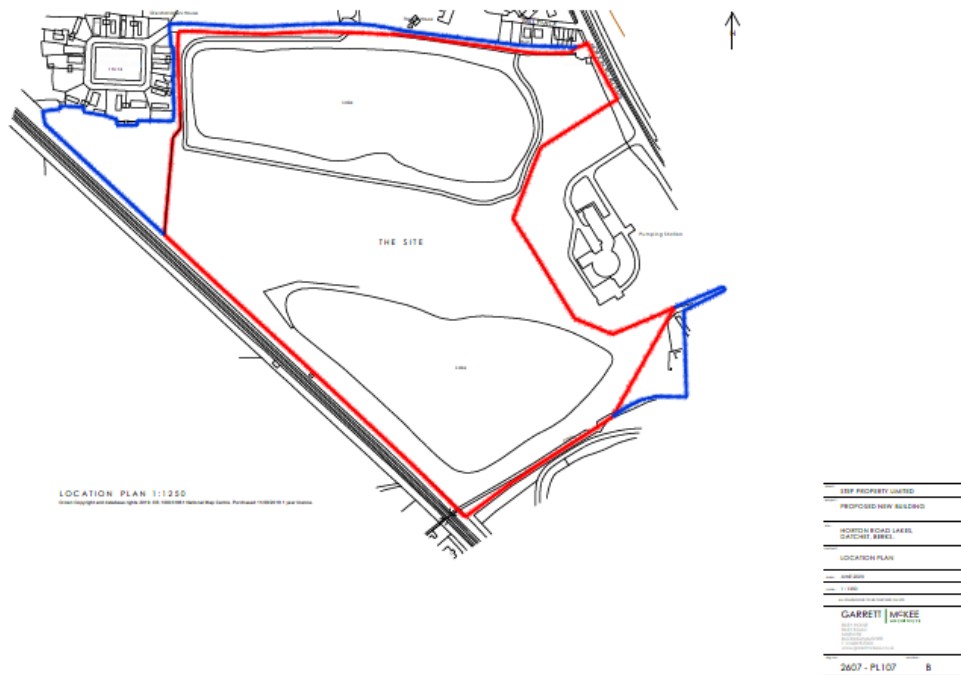
- 1 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, and Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
- 2 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.

- 3 No builder's materials, plant or vehicles related to the implementation of the development should be parked /stored on the public highway so as to cause an obstruction at any time.
- 4 No groundwork, demolition or construction work shall be carried out or plant operated other than between the following hours: Monday-Friday 08.00 until 18.00; Saturday 08.00 until 13.00. No working on Sundays or Bank Holidays.
- 5 There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.
- 6 The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning.
- 7 The applicant and their contractor should take all practicable steps to minimise dust deposition outside the site boundaries which is a major cause of nuisance to residents living near to construction and demolition sites. All loose materials should be covered up or damped down by a suitable water device, all cutting/breaking is appropriately damped down, the haul route is paved or tarmac before works commence and is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance: the London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities.

# APPENDIX A

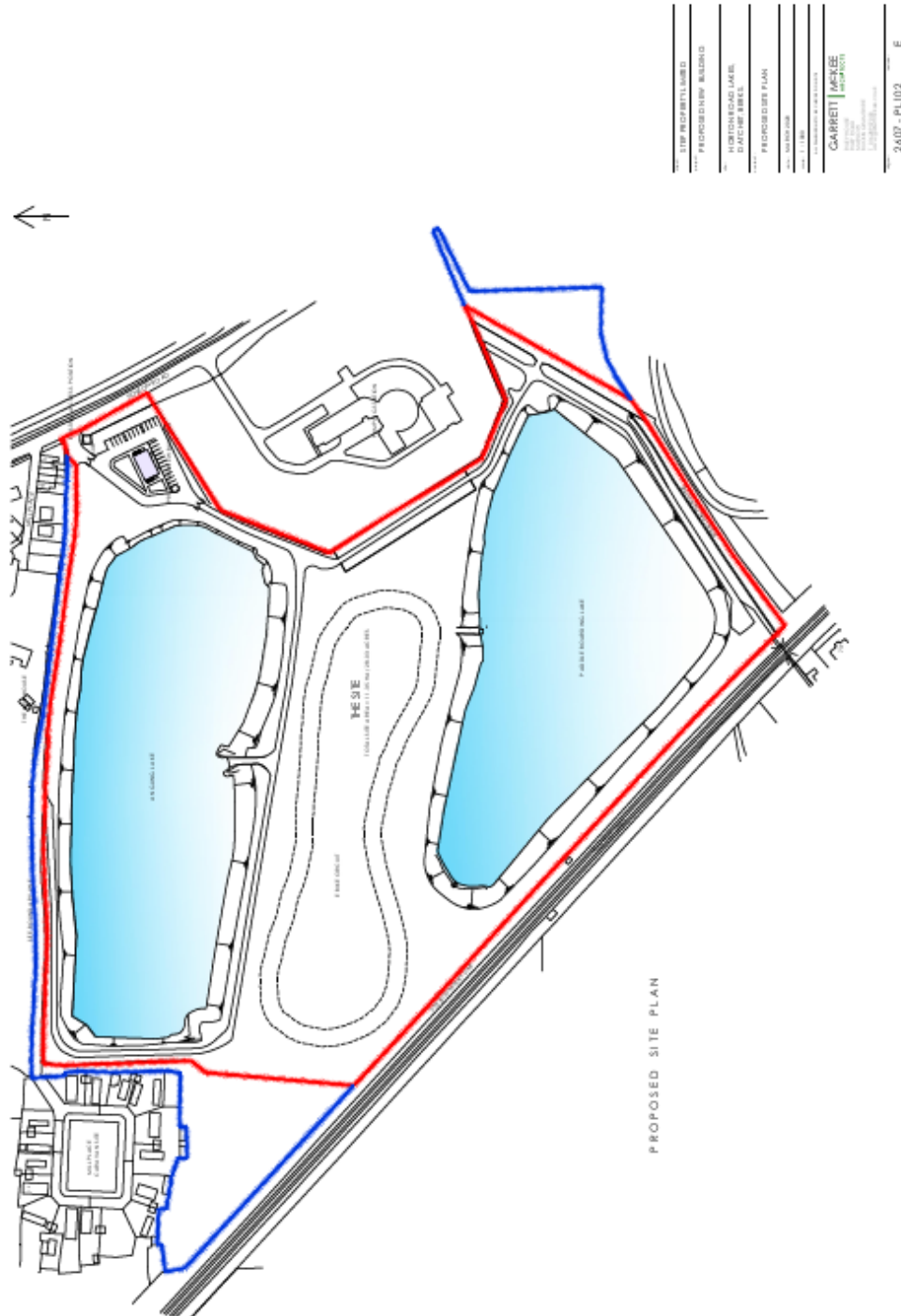
Application 20/02166/FULL

Land And Lakes East of Railway and West and North of Datchet Pumping Station, Horton Road, Datchet



# APPENDIX A

Application 20/02166/FULL



PROPOSED SITE PLAN

---	EXISTING BUILDINGS
---	PROPOSED NEW BUILDING
- - -	HORTICULTURAL PATHS
---	PROPOSED PATH
---	PROPOSED PLANT
---	PROPOSED FENCE
---	PROPOSED GATE
---	PROPOSED LIGHTING
---	PROPOSED SIGNAGE
---	PROPOSED SECURITY
---	PROPOSED FURNITURE
---	PROPOSED OTHER
---	PROPOSED UTILITIES
---	PROPOSED SERVICES
---	PROPOSED DRAINAGE
---	PROPOSED ROADS
---	PROPOSED PARKING
---	PROPOSED LANDSCAPING
---	PROPOSED FENCING
---	PROPOSED OTHER

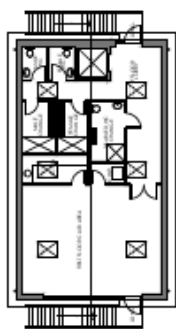






# APPENDIX B

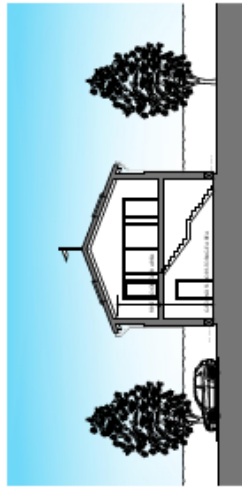
Application 20/02166/FULL



FIRST FLOOR PLAN



GROUND FLOOR PLAN



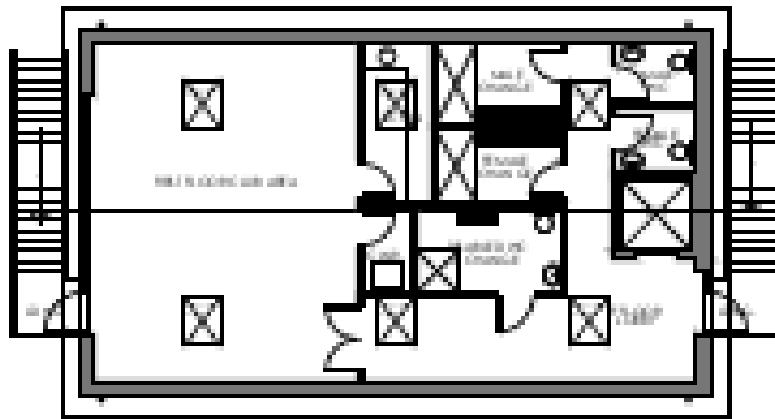
SECTION



STAFF REPORT LIMITED
PERFORMED AS OF 15/10/2020
NOVONIA MODULARS DAYSIDE APART
PERFORMED FLOOR PLAN & SECTION
DATE: 15/10/2020
SCALE: 1:100
PROJECT NO: 20/02166/FULL
<b>GARRETT MCKEE</b> ARCHITECTS
100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000
2407 - PL103 E

## APPENDIX B

Application 20/02166/FULL



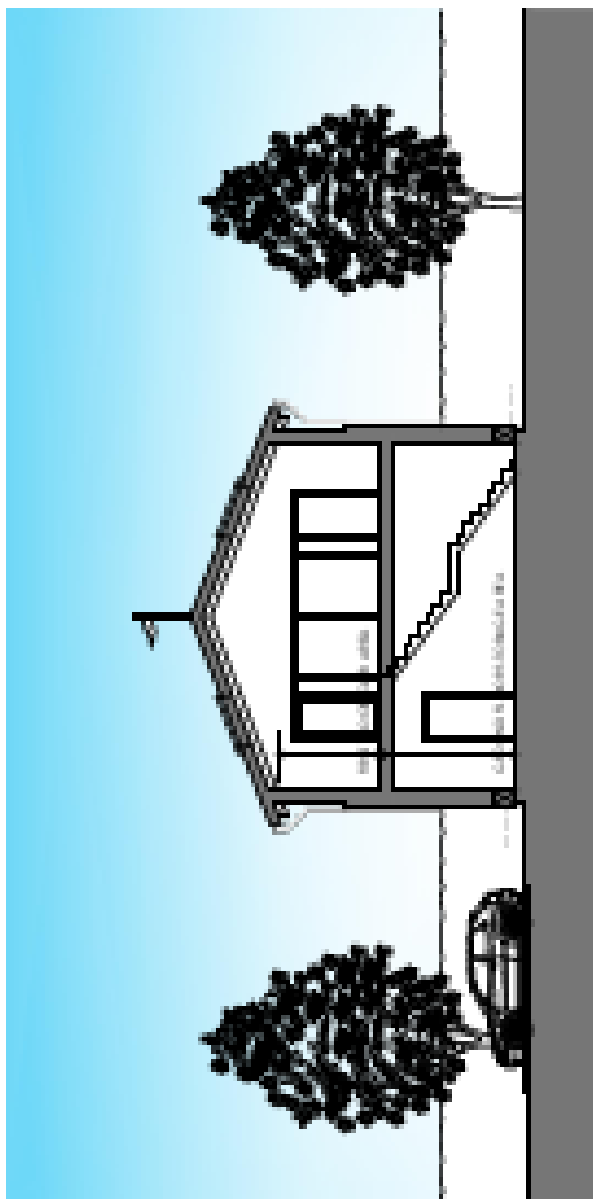
FIRST FLOOR PLAN



GROUND FLOOR PLAN

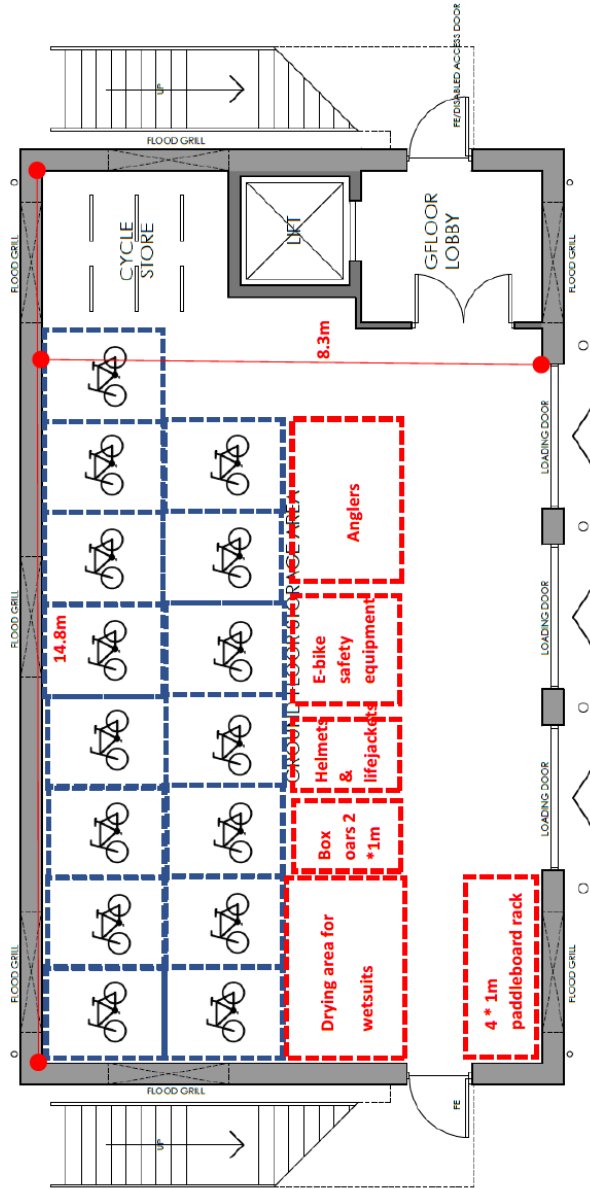
## APPENDIX B

Application 20/02166/FULL



# APPENDIX B

Application 20/02166/FULL









# Agenda Item 5

## DEVELOPMENT CONTROL PANEL

6 October 2021

Item: 2

<b>Application No.:</b>	21/00621/FULL
<b>Location:</b>	Stone Court And Stone Court Cottage London Road Sunningdale Ascot
<b>Proposal:</b>	Redevelopment to provide 40 No. Retirement Living apartments with associated communal facilities, parking, landscaping and pedestrian access
<b>Applicant:</b>	McCarthy And Stone
<b>Agent:</b>	Mr Ian Hann
<b>Parish/Ward:</b>	Sunningdale Parish/Sunningdale And Cheapside

**If you have a question about this report, please contact:** Harmeet Minhas on or at [harmmeet.minhas@rbwm.gov.uk](mailto:harmmeet.minhas@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 The application relates to a parcel of land located along the northern side of London Road, Sunningdale. The site is located within the residential area of Sunningdale and is not within or adjacent to the setting of a Heritage asset.
- 1.2 This is a full planning application for the erection of a building comprising 40 retirement living apartments with associated communal facilities, parking, landscaping and pedestrian access.
- 1.3 The report sets out the relevant Development Plan and other policy considerations. The report also sets out the main material planning considerations and assessment in relation to this planning application, which includes reference to supporting information and reports carried out by the applicant.
- 1.4 The proposed development looks to make use of previously developed land within an established residential setting. The proposal has sought to take its design derivative from the established character of the area, notably the row of sizable detached properties and plots within which it sits. This is reflected with its architectural styling, choice of materials and general scale and appearance.
- 1.5 The application follows a detailed pre-application submission in 2020. Prior to this in 2013 under application ref 13/01834/FULL permission was granted for a 61-bedroom care home. Subsequently, the buildings on site were demolished and the lawfulness of the commencement was established via a Lawful Development Certificate in 2019 (18/03242/CPD). The 2013 and 2019 applications form a material consideration in the assessment of this application, and are referenced during the course of the report below.
- 1.6 The proposed development is not considered to raise any issues in terms of highway capacity, SUDS nor raises any issues in terms of ecological or environmental matters.
- 1.7 On balance, it is considered that the benefits weigh in favour of this scheme and therefore the proposal is recommended for approval, subject to matters set out below.

<b>It is recommended the Panel authorises the Head of Planning:</b>	
1.	<b>To grant planning permission subject to the following:</b> <ul style="list-style-type: none"><li>- <b>The completion of a satisfactory legal agreement securing mitigation to the Thames Basin Heaths SPA</b></li><li>- <b>with the conditions listed in Section 13 of this report.</b></li></ul>
2.	<b>To refuse planning permission if:</b> <ul style="list-style-type: none"><li>- <b>A satisfactory legal agreement securing mitigation to the Thames Basin Heaths SPA is not secured.</b></li></ul>

## 2. REASON FOR PANEL DETERMINATION

- The application is a major application owing to the number of units being created and as such, falls to be considered before panel.

## 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site lies to the north side of London Road in Sunningdale. To the north eastern side of the site comprises a building which contains flats, known as Fairfield House. To the west of the site is a large detached dwelling whilst immediately opposite the site is another flatted development known as 'Villiers'.
- 3.2 The site is sloping, with the grassed area to the rear of the site falling in level. Trees along the front boundary (on and off-site) contribute to the character of the area along this part of London Road, although the site is not covered by a Tree Preservation Order (TPO). A number of off-site trees are covered by TPOs.
- 3.3 The site measures approx. 0.6 hectares and is largely bound by mature vegetation with a brick wall and railings binding the principal boundary of the site.
- 3.4 The flood maps held by the EA show around half of the rear part of the site (which would be free from development) is situated in flood zone 2 (medium risk flooding).
- 3.5 The site is within 5km of the Thames Basin Heaths Special Protection Area.

## 4. KEY CONSTRAINTS

- 4.1 The application site falls within the residential area of Sunningdale. The site is partly located within Flood Zone 2 and within 5km of the Thames Basin Heaths Special Protection Area.

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

- 5.1 The proposal seeks planning permission for the erection of a four-storey building incorporating 40 retirement living apartments.
- 5.2 The proposal offers 36 parking spaces including disabled parking spaces, as well as communal landscaped gardens for the use of residents.
- 5.3

Application Ref	Description of Works	Decision and Date
10/02850/FULL	Construction of a three-storey care home with basement and associated works, following demolition of existing.	Permitted – 7th March 2011
13/01834/FULL	Demolition and redevelopment of site for a care home (class C2) including ancillary infrastructure.	Permitted – 1st October 2013
14/00546/CONDIT	Details required by conditions 2 (materials), 4 (slab levels), 5 (BREEAM rating), 7 (sustainability measures), 9 (site waste management), 10 (demolition and construction management), 14 (tree protection), 15 (tree planting), 16 (non dig car parking), 18 (hard and soft landscaping), 20 (bin store) and 22 (drainage) of planning permission 13/01834 for Demolition and redevelopment of site for a care home (class C2) including ancillary infrastructure.	Approved – 17th April 2014
16/02052/FULL	Erection of assisted living development with	Withdrawn - 26.03.2018

	associated works	
18/03242/CPD	Certificate of lawfulness to determine whether the continuation of works approved under 13/01834/FULL to redevelop the site for a care home (class C2) including ancillary infrastructure is lawful.	Approved- 11 <sup>th</sup> January 2019

## 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
Character and Appearance	DG1, H10, H11
Market & Affordable Housing Provision	H3, H6, H8, H9
Residential Amenity	H11
Highways	P4, T5, T7
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	NP Policy
Respecting the Townscape	NP/DG1
Density, Footprint, Separation, Scale & Bulk	NP/DG2
Good Quality Design	NP/DG3
Trees	NP/EN2
Mix of Housing Types	NP/H2
Parking and Access	NP/T1
Biodiversity	NP/EN4

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

### Adopted South East Plan – Regional Spatial Strategy

Issue	Plan Policy
Thames Basin Heaths Special Protection Area	NRM6

## 7. MATERIAL PLANNING CONSIDERATIONS

### 7.1 National Planning Policy Framework Sections (NPPF) (2021)

Section 4- Decision-making

Section 9- Promoting Sustainable Transport

Section 12- Achieving well-designed places

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

### 7.2 National Design Guide

This document was published in October 2019 and seeks to illustrate how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the

Government’s collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

The National Design Guidance re-emphasis that creating high quality well designed buildings and places is fundamental to what planning and development process should achieve. The focus of the design guide is on layout, form, scale, appearance, landscape, materials and detailing. It further highlights ten characteristics which work together to create its physical character, these are context, identify, built forms, movement, nature, public spaces, uses, homes and buildings, resources and life span.

### 7.3 Borough Local Plan: Main Modifications Version (July 2021)

Issue	BLP MM Version Policy
Character and Design of New Development	QP3
Building Height and Tall Buildings	QP3(a)
Housing Mix and Type	HO2
Affordable Housing	HO3
Nature Conservation and Biodiversity	NR2
Trees, Woodland and Hedgerows	NR3
Thames Basin Heaths SPA	NR4

7.4 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).”*

7.5 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 consultation for the Main Modifications recently closed.

7.6 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.

7.7 These documents can be found at:

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

### 7.8 Supplementary Planning Documents

- RBWM Interpretation of Policy F1
- RBWM Thames Basin Health’s SPA
- Borough Wide Design Guide

### 7.9 Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Landscape Assessment
- RBWM Parking Strategy
- Affordable Housing Planning Guidance
- Interim Sustainability Position Statement

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

8.1 34 occupiers were notified directly of the application.

8.2 4 letters were received objecting to the application, summarised as:

Comment	Where in the report this is considered
1. 40 apartments would result in residents and service vehicles entering and exiting on a busy road. Traffic coming east from Bagshot towards Sunningdale will only have a late view of the exit and emerging vehicles.	Section iii
2. Dangerous stretch of road, when adding 36 spaces to the existing developments would be undesirable.	Section iii
3. Concern about the visual aspect of the front elevation with the building occupying the length of the site. The existing boundary fencing is insufficient for a development of this scale and use. A number of trees are established and request that the trees and wildlife are protected.	Section i
4. Development will significantly impact neighbours during the construction phase.	Section ii
5. 36 additional cars would increase the traffic onto the A30 and traffic calming measures should be introduced.	Section iii

### Statutory consultees

Natural England	We can confirm to you that as long the applicant is complying with the requirements of RBWM's Avoidance and Mitigation Strategy for the Thames Basin Heaths SPA (through a legal agreement securing contributions to Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM)), Natural England has no objection to this application. We are in agreement with the conclusions reached in the Appropriate Assessment	Section vi
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### Consultees

Consultee	Comment	Where in the report this is considered
Berkshire	The proposed works are unlikely to have an	Section vi

Archaeology	impact on archaeological assets of any significance. Archaeological mitigation is not necessary in this instance.	
Highways	It is noted in the latest submission that the gates are now set further away from the edge of the carriageway, which allows refuse and large service vehicles to be driven off the highway prior to opening the gates. This is welcomed by the Highway Authority.	Section iii
Environmental Protection	I refer to the above-mentioned planning application and would recommend that, should planning permission be granted, the following conditions and informative be attached to the consent notice.  Conditions proposed relate to noise levels/construction environmental management.	Noted
Bracknell Forest Council	The Royal Borough of Windsor and Maidenhead (RBWM) has confirmed that it does not have enough SANG capacity to support the development and has made a request to Bracknell Forest Council to provide SANG capacity for this development. The Council can provide SANG capacity for this development. A draft Appropriate Assessment has been carried out by RBWM following discussion with the Council, RBWM and the applicant for the application (their reference 21/00621/FULL) which concludes that a SANG solution can be secured via a s106 agreement.	Section vi
Lead Local Flood Authority	We recommend planning is granted subject to appropriate conditions	Noted
Ecology	The application site is within 2km of the Thames Basin Heaths Special Protection Area (SPA).. The site is also within 1.1km of Chobham Common Site of Special Scientific Interest (SSSI), and lies within Natural England's SSSI Impact Risk Zone.  A number of surveys have been undertaken at the site and the reports concluded that none of the habitats constitute priority habitats, there were no reptiles on site, all the trees either had low or negligible potential to support roosting bats and therefore no further surveys are required.  The site was found to have moderate suitability to support foraging and commuting bats given the good boundary habitats (trees, hedgerows and stream), and as there is no lighting at the site currently, a condition should be set to ensure that bats (and other wildlife) are not adversely affected by any external lighting installed, suggested wording is provided below.	Noted

	<p>There were several badger and fox hairs close to the entrance and therefore infrared camera trap surveys were subsequently undertaken over a three-week period, in order to establish the use of the hole. A condition should be set following these recommendations.</p>	
Parish Council	<p>This proposal represents extreme over development and urbanisation of the site. If successful, McCarthy &amp; Stone would be offering 40 flats for sale that occupy the entire site width and as much as feasibly possible of the site depth under the banner of a C3 classification. The onsite communal facility of just one lounge for 40 apartments appears a token gesture to 'C3 community living'. The proposal has no resemblance to 'Villas in a woodland setting', site access is a very real problem, car parking is poorly specified and there is no affordable onsite housing.</p> <p>The Parish Council request this application be refused.</p>	Section iii

#### Other Groups and Interested Parties

Consultee	Comment	Where in the report this is considered
SPAE	<p>The Society for the Protection of Ascot &amp; Environs wishes to register its objection to this application.</p> <p>A planning application (13/01834) was approved for the demolition and redevelopment of the site for a care home (class C2) including ancillary infrastructure. The scheme would have comprised a care home accommodating 61 bedrooms, with 22 parking spaces to be provided for the care home and the staff employed (36 FTE). The significant change with the new application for retirement living apartments (class C3) is that the number of units has been reduced to 40 (20 x 1-bed &amp; 20 x 2-bed) with each unit comprising a living area, kitchen, bedroom and bathroom. The total proposed parking would be 36 cars including 2 accessible spaces and 2 spaces for visitors.</p> <p>The transport statement submitted indicated that the site is situated 700m from Sunningdale Train Station (Table 1: Distance to Local from Amenities, p.5). We request that this is verified by the Highways officer, as the proposal is stating that the site has "good accessibility" for purposes of the Council Parking Strategy. We maintain that the 36 spaces being proposed (including 2 accessible and 2 visitors) is inadequate for those likely to take up</p>	Section iii

	<p>residence.</p> <p>In addition, we find it hard to understand how only 1 FTE would be required on site (Application, 18. Employment), when there would be communal facilities including club lounge, reception, office and mobility store to maintain, as well as general security. Additional staffing would require more parking capacity.</p> <p>By increasing the parking capacity from the approved scheme, this introduces new problems. First, the additional parking spaces would result in more hardstanding and this will inevitably place greater pressure on the RPAs for the retained trees on the site.</p> <p>In the consented scheme, it is noteworthy that the tree officer commented “that some of the proposed parking bays come into the root protection areas of trees to the front of the site” and raised concerns “over the shading of the western corner of the building by the offsite Oak, leading to pressure to prune back in the future”. The scale of parking proposed can only make matters worse and makes compliance with LP/N6 and NP/EN2 even more unlikely. Second, the site is situated in an area designated in the Townscape Assessment as “Villas in a Woodland Setting”, a characterisation which is semi-rural in nature. Locating 36 vehicles at the front of the development will introduce a cluttered and urbanising effect which will damage the character of the area and conflict with NP/DG1.</p> <p>It should be noted that the grant of permission for the extant planning application predates the Neighbourhood Plan adopted in 2014, and this application needs to be assessed against these more rigorous policies in the local development plan.</p>	
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## 9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Principle of Development
- ii Design considerations
- iii Highway Considerations and Parking Provision
- iv Impact on neighbouring amenity
- v Landscaping
- vi Ecology and Thames Basin Heaths Special Protection Area



- vii Viability
- viii Sustainability and Climate Change
- ix Archaeology
- x Other Material Considerations

### **Issue i- Principle of Development**

- 9.2 The application site is located within the residential area of London Road, Sunningdale. The immediate vicinity is characterised by a mix of single-family units and flatted developments of which examples have been set out in an earlier part of this report.
- 9.3 There are no policies or heritage designations on or adjacent the site which restrict the re-development of the site as has been formally established previously under application 13/01834/FULL which involved the re-development of the site to a care home.
- 9.4 On balance, having regard for previous decisions made under the same development plan and the extant permission as established under application 18/03242/CPD it is considered that the principle of re-development of the site is acceptable.

### **Issue ii- Design Considerations**

- 9.5 Principle 7.1 of the RBWM BWDG (2020) states that 'Housing development should be sustainable and seek to make effective use of land without compromising local character, the environment (including biodiversity) or the appearance of the area'.
- 9.6 Section 12, paragraph 130 of the NPPF (2021) advises that planning policies and decisions should ensure that developments:
  - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 9.7 Policy DG1 states that the Borough Council will have regard to the following guidelines, inter alia, when assessing new development proposals: 3) The design of new buildings should be compatible with the established street façade having regard to the scale, height and building lines of adjacent properties, special attention should be given to the 'roof-scape' of buildings, illustrations showing the relationship between new and old will be required at the application stage; 11) Harm should not be caused to the character of the surrounding area through

development which is cramped, or which results in the loss of important features which contribute to that character.

- 9.8 Policy H10 states that new residential development schemes will be required to display high standards of design and landscaping in order to create attractive, safe and diverse residential areas and, where possible, to enhance the existing environment.
- 9.9 Policy H11 states that in established residential areas, planning permission will not be granted for schemes which introduce a scale or density of new development which would be incompatible with or cause damage to the character and amenity of the area.
- 9.10 Policy N6 of the Local Plan seeks to protect trees which contribute to the character and appearance of the area.
- 9.11 The afore-mentioned Local Plan policies are considered to be consistent with the aims and objectives of the NPPF in supporting development which would sympathetically integrate into existing environments.
- 9.12 The application seeks planning permission for a 40-unit retirement living apartment building including landscaping, parking, refuse and associated communal facilities.
- 9.13 The area surrounding the site is residential. Dwellings are of varying sizes but set on good sized plots. It is noted that there are also established blocks of flats adjacent and adjoining the application site which have been designed to reflect the appearance of large, detached properties. An analysis of the site suggests that properties have heights varying from 8m to 16m. The majority of dwellings and recent developments have parking forward of the principle elevation of their respective buildings with mature trees and vegetation spread across sites, forming part of the established character.
- 9.14 The proposal comprises 40 retirement apartments located within one large building. The building would have a height of 15m when measured from the lowest part of the lower ground and is proposed to be finished in red multi stock brick with an off-white render. The building has been designed to reflect the appearance of other recent forms of development within the vicinity, appearing to take its design derivative from the adjacent block of flats, Fairfield House. When viewed in isolation within the street scene the proposed building would be in keeping within other forms of established development within the immediate setting. This must also be considered in hand with the buildings siting, set deeper into the plot and the degree of screening which would shield the building from the public realm similar to the aforementioned developments.
- 9.15 As part of the application process, the applicants have sought to demonstrate that the proposed building would be of a similar size, scale and design than that which was approved in 2013 for the re-development of the site to provide a care home. This is indicated on the supporting plans through the use of a red hatched line.
- 9.16 Officers are of the opinion that the bulk and mass would be maintained between the two designs, with the general appearance using gables largely being akin to one another with its vertical emphasis and crown roof. As such, and on balance, it is reasonable to compare the two designs to one another and given the previous scheme was rendered acceptable it would be difficult to justify a refusal on these grounds under the current proposal.

### **Issue iii- Highway Considerations and Parking Provision**

- 9.17 The proposal for 40 units is supported by 36 parking spaces which includes 3 disabled parking bays. Appendix 7 (parking standards) of the adopted local plan requires 0.75 parking spaces per unit for accommodation designed for and occupied by elderly persons. This would amount to a requirement for 30 spaces for the development. The 2004 parking standards stipulate 0.5 spaces

per unit (in sustainable locations) for older peoples housing (active elderly with warden control) amounting to a requirement of only 20 spaces for the development. Given the age restriction for the development is 55+ and the development is geared towards 'retirement living' rather than 'accommodation for the elderly', if the general C3 standards were to be relied upon (0.5 spaces per 1 bed unit and 1 space per 2 bed unit) there would be a requirement for 30 spaces. As such, whichever standards are applied, there is sufficient parking. Looking also at the Neighbourhood Plan requirements, policy NP/T1.1 states that proposals must make adequate provision for parking and access for deliveries, service vehicles, tradesmen working on-site and social visitors as well as for residents or workers. Given that 30 spaces are required to serve the development against the 2004 standards, a total of 6 spaces would remain for other visitors to the site. This is considered sufficient, particularly considering the sustainable location of the development and good access to shops, services and the train station, and the aims and objectives of the NPPF in seeking to reduce reliance on private transport.

- 9.18 As part of the initial comments provided by the highways department concern was raised over the siting of the proposed entrance gates, absence of cycle parking and safe pedestrian entrances to leave the site.
- 9.19 Amended plans were provided by the applicant which set back the gates from the highway to allow larger vehicles/refuse lorries to leave the highway and not obstruct other users, whilst the gates opened. Similarly, a more appropriate footpath for the use of pedestrians was provided within the site as part of the amended plans. The Council's highways team were satisfied by this and withdrew their initial concerns.
- 9.20 It is acknowledged that the proposed site plan does not include detailed information relating to the provision of bicycle stores. Highways have suggested this form part of an appropriately worded planning condition which requires this to be provided, prior to the occupation of the building. It is considered such a condition would pass the test of appropriateness as set out in the NPPF (2021).

#### **Issue iv- Impact on neighbouring amenity**

- 9.21 Paragraph 130 (f) of the NPPF (2020) states that development should seek to 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 9.22 Principle 7.1 of the recently adopted RBWM Borough Wide Design Guide (2020) states that 'Housing development should be sustainable and seek to make effective use of land without: Adversely impacting on the amenity of neighbours or creating unsatisfactory living conditions for future occupants of the new development'.
- 9.23 Principle 8.1 states 'Developments which provide a poor level of privacy for their occupants, or which have a significant adverse effect on the privacy of neighbouring properties will be resisted'.
- 9.24 Principle 8.3 states 'The occupants of new dwellings should be provided with good quality daylight and sun access levels to habitable internal rooms and external spaces and developments should not result in occupants of neighbouring dwellings or nearby public realm social spaces suffering from a material loss of daylight and sun access.
- 9.25 The proposed building would be located 11m from the flank wall of the flatted development to the east known as Fairfield House. It is considered that the separation distances between these buildings when considered in hand with their juxtapositions to one another would be unlikely to result in its appearance being overbearing or obtrusive.
- 9.26 The staggered element of the eastern most flank wall of the development proposes limited side facing windows and those that are proposed serve hallways and corridors at elevated positions. It would be reasonable to condition these windows to be obscurely glazed, to avoid any degree of direct overlooking towards the amenity space of the adjoining flats.

- 9.27 To the west of the site is a detached dwelling located approx. 20m from the flank wall of the proposed building. The separation distances are considered sufficient to not cause any form of overbearing or obtrusive impact from the building. It is noted that there are windows facing towards the rear garden of this property, from the western wing of the development. Having regard for the distances involved, the position of the habitable rooms within these flats as well as the vegetation proposed along that boundary, very limited views of the adjoining dwelling would be afforded to future occupants of these flats. Further to this, any views into the adjoining site would likely be directly onto the side wall of the neighbouring dwelling at lower levels and at higher floor levels further beyond the site, at roof level and above. Neither of the views would cause any degree of direct overlooking.
- 9.28 Having regard for the proposed design, its siting and relationship with adjoining properties no concerns are raised in this regard.

#### **Issue v- Trees and Landscaping**

- 9.29 The proposal would lead to the loss of a number of unprotected trees at the verge and within the site. At present the trees shown for removal are mature and offer some screening but do not contribute to the areas character, their loss is therefore not considered to be harmful to the areas appearance. Notwithstanding the above, replacement landscaping is proposed, and a condition is recommended requiring full landscaping details to ensure that the new landscaping is maximised on and within the site and appropriate greenery is added which contributes to the areas character and appearance.
- 9.30 Whilst it is noted that as part of the application submission the applicant has prepared a landscape design strategy and landscaping plan it is considered that this largely sets out the capacity of the site to home and introduce further green spaces as part of the development. It is not considered that the information is specific or robust enough to constitute a landscaping scheme which could form part of a planning condition should permission be forthcoming. Nonetheless, the plans do show that the proposed loss of mature trees could be off-set by introducing trees within the site area which in officers opinion is a significant benefit when compared to that which would be lost to accommodate the development.

#### **Issue vi- Ecology and Thames Basin Heaths Special Protection Area**

- 9.31 Owing to the site's location in close proximity to a SSSI, falling within a risk zone the applicant has provided a number of surveys which concluded none of the habitats were priority habitats. Notwithstanding this, the site was found to have low levels of badger and fox activity whilst the hedgerows and scrub offers potential to be used by birds. As such, appropriately worded conditions requiring further information to support the enhancement and protection of the site as an ecological hub have been proposed, and form part of the proposed conditions.
- 9.32 The application site is located within the Thames Basin Heaths Special Protection Area. The Thames Basin Heaths Special Protection Area (the SPA) was designated in 2005 to protect and manage the ecological structure and function of the area to sustain the nationally important breeding populations of three threatened bird species. The application site is located within five kilometres from the closest part of the Thames Basin Heaths Special Protection Area (SPA), which is protected by European and national legislation. This imposes requirements on the Local Planning Authority to protect this sensitive area of natural/semi-natural habitat. Residential development can negatively impact on the SPA due to increased visitors and other recreational pressures. The Council's Thames Basin Heaths SPD sets out the preferred approach to ensuring that new residential development provides adequate mitigation, which for residential developments of between one and 9 additional housing units on sites located over 400 metres and up to 5 kilometres from the SPA is normally based on a combination of Strategic Access Management and Monitoring (SAMM) and the provision of Suitable Alternative Natural Greenspace (SANG).
- 9.33 It has been recently assessed that Allen's Field has no further capacity to offset the provision of 40 units and the occupancy that would impact the SPA. As such, discussions were undertaken between the applicants and Bracknell Forest Council who have the capacity to consider SANG

for the development. As this would be secured by way of a S106 agreement, it is advised that if members are minded to support the application planning permission would only be issued following the s106 agreement being secured and agreed between the relevant parties. The section 106 is currently being negotiated between RBWM and the applicant.

### **Issue vii- Viability**

- 9.34 The Local Plan 1999 Policy H3 sets out the circumstances in which new affordable housing will be delivered through the planning system. The policy states that for sites over 0.5 hectares and where 15 units are being created (gross), the policy will come into effect and affordable housing options will be required.
- 9.35 In support of the application the applicants have prepared a viability appraisal which sets out their position that if affordable housing is sought, at the policy set level, the development would not be viable in accordance with RICS guidance.
- 9.36 As is their responsibility, the Local Authority have had an independent valuation carried out of the content of the report which concludes that the development based on the values of land, construction and sale would fall below the benchmark land value. As such, it would not be possible for the developer to provide affordable housing at the policy complaint level. As part of the legal agreement, it is proposed that a viability review mechanism forms part of the S106 to allow the LPA to compare the actual or updated build costs/sold prices against the assumptions made within the viability appraisal.
- 9.37 Further to this, the valuation consultants have assumed the SANG and SAAM contributions based on their own calculations which appear to be marginally higher than that which has been stated by Bracknell Forest. However, it is considered the amounts would be unlikely to alter the position set out above.

### **Issue viii- Climate Change and Sustainability**

- 9.38 The Climate Change Act 2008 (CCA2008) imposes a duty to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline. Paragraphs 148 and 150 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate by contributing to a radical reduction in greenhouse gas emissions, minimise vulnerability and improve resistance, and support renewable and low carbon energy and associated infrastructure. In June 2019 RBWM have declared an environment and climate emergency with aims to ensure the Borough will achieve net zero carbon emissions by 2050. In December 2020 the Council approved the Borough's Environment and Climate Strategy. These are material considerations in determining this application.
- 9.39 In December 2020 the Environment and Climate Strategy was adopted which sets out how the borough will address the climate emergency across four key themes (Circular Economy, Energy, Natural Environment and Transport). The strategy sets a trajectory which seeks to a 50% reduction in emissions by 2025.
- 9.40 A Sustainability Supplementary Planning Document will be produced in due course, however, the changes to national and local climate policy are material considerations which should be considered in the handling of planning applications and achievement of the trajectory in the Environment and Climate Strategy will require a swift response. It is therefore considered prudent and necessary to adopt an interim position statement which would clarify the Council's approach to these matters.
- 9.41 Section 1 of the guidance states that development should make the fullest contribution to minimising CO2 emissions with development of this type expected to achieve net-zero carbon emissions unless it can be demonstrated otherwise.
- 9.42 In support of the proposal the applicants have submitted an energy statement. The report sets out the manner in which the applicants will seek to achieve compliance with the RBWM position on SEED (2021). This includes meeting Building Regs Part L compliance, photovoltaics, electric car charging points whilst having regard for water consumption.

- 9.43 As a whole the development has the capacity to achieve a 22.96% reduction in CO2 emissions based on the information provided. This would exceed the criteria contained within policy requirement 1 of the RBWM SEED (2021) document.

### **Issue ix - Archaeology**

- 9.44 In support of the application an archaeological desk-based assessment was submitted. The report was reviewed by Berkshire Archaeological, and no objections or concerns were raised based on the content of the report. Similarly, no planning conditions were recommended.

### **Other Material Considerations**

#### Housing Land Supply

- 9.45 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.
- 9.46 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.*

- 9.47 Footnote 8 of the NPPF (2021) 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..).'*

- 9.48 At the time of writing, the Council cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer). Accordingly, the so-called 'tilted balance' is engaged. The assessment of this and the wider balancing exercise is set out below in the conclusion.

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

- 10.1 The development is CIL liable. The proposed floorspace of the 40 dwellings is 3487.65 sq.m

### **11. PLANNING BALANCE AND CONCLUSION**

- 11.1 The proposed development is consistent with the NPPF (2021) in so far as it would make efficient use of previously developed land in a highly sustainable location, achieving well-designed, quality housing. The proposed development would also contribute to the Council's five year housing land supply at a time when the Council cannot demonstrate a 5 year housing land supply. Further to this the NPPF (2021) places importance on the need for mixed housing to cater for the demand of different groups, of which older people are one identified group. The retirement housing that would be associated with the proposal must also be considered in hand with the absence of a 5 year housing land supply.

- 11.2 It is considered that this proposal would not raise any significant issues in terms of design, appearance, neighbouring amenity, drainage, highways or ecological matters.
- 11.3 It is considered that this proposed development is an improvement on the previous extant application on this site. The proposals make efficient use of the previously developed land, in a sustainable location and the additional information submitted during the course of the application are considered to weigh in favour of this scheme. For the reasons set out above, Officers are of the view that if this application is determined in accordance with the normal test under section 38(6) of the 2004 Act, the proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.
- 11.4 If members consider that any part of the proposal does not comply with the relevant planning policies, then consideration must be had to the terms of paragraph 11d of the NPPF. In this case, officers would advise that the limited impacts of granting planning permission for this development, if any, would be more than outweighed by the significant housing benefit and benefit to the economy arising from the proposal.

## 12. APPENDICES TO THIS REPORT

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

## 13. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development above slab level shall take place until details of the materials to be used on the external surfaces of the development have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policy
- 3 Prior to works taking place above ground level samples and/or a specification of all the finishing materials to be used in any hard surfacing on the application site shall have been submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 4 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 5 No development shall commence until details of all finished slab levels in relation to ground level (against OD Newlyn) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.  
Reason: In the interest of the visual amenities of the area and the setting of the Green Belt. Relevant Policy Local Plan DG1 and GB1.
- 6 Prior to the first occupation of the development a detailed landscaping scheme setting out the landscaping/planting features to be retained and proposed have been submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme. The landscaping scheme, as approved, shall be retained for a period of at least 5 years. Any removal or replacement of trees would require consent from the Local Planning Authority prior to carrying out any works.

- 7 Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.  
No further window(s) shall be inserted at first floor level or above in the eastern or south-western; elevation(s) of the building.
- 8 Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H11.  
No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall always thereafter be kept available for the parking of cycles in association with the development.
- 9 Reason: To ensure that the development is provided with adequate parking facilities to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1  
The flat roof areas of the building hereby approved shall not be used as a balcony, roof garden or similar amenity area.
- 10 Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H14.  
The tree protection fencing details shown on drawing 418-KC-XX-YTREE-TPP01RevA shall be erected prior to the commencement of works, and remain in place until the development has been substantially completed.
- 11 Reason: To protect existing landscaping features which are important features of the character of the site and wider setting. Relevant Policies - Local Plan DG1 and N6.  
The development hereby permitted shall be carried out in accordance with the approved plans listed below.
- 12 Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.  
Condition: No development hereby permitted, including any vegetation clearance shall commence until an updated badger sett survey of the development site has been undertaken. This survey shall be undertaken within 28 days of the start of works on site and a brief letter report detailing the results of the surveys is to be submitted to and approved in writing by the council. If surveys show that a licence to destroy or disturb a badger sett is required, a copy of the licence is to be submitted to the planning authority prior to the commencement of works.
- 13 Reason: Badgers frequent the area and there are records of badgers nearby. This condition will ensure that protected species are not adversely affected by the development.  
No development above slab level shall commence until a report detailing the external lighting scheme and how this will not adversely impact upon wildlife has been submitted to and approved in writing by the LPA. The report (if external lighting is proposed) shall include the following figures and appendices: o A layout plan with beam orientation o A schedule of equipment o Measures to avoid glare o An isolux contour map showing light spillage to 1 lux both vertically and horizontally, areas identified as being of importance for commuting and foraging bats, and positions of bird and bat boxes. The approved lighting plan shall thereafter be implemented as agreed.
- 14 Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with para 180 of the NPPF.  
Prior to the commencement of the development above slab level, details of biodiversity enhancements, to include integral bird and bat boxes, tiles or bricks on the new buildings, insect boxes and native and wildlife friendly landscaping (including pollen-rich and fruit-bearing planting and a wildflower corridor), shall be submitted to and approved in writing by the council. The biodiversity enhancements shall thereafter be installed as approved and a brief letter report confirming that the boxes, bricks or tiles have been installed, including a simple plan showing their location and photographs of the boxes, bricks or tiles in situ, is to be submitted to and approved in writing by the Council.
- 15 Reason: To incorporate biodiversity in and around developments in accordance with paragraph 175 of the NPPF.  
Prior to commencement (excluding demolition) a surface water drainage scheme for the development, based on the submitted sustainable drainage strategy, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include: - Calculations to include development runoff rates limited to greenfield equivalents for the 1 in 30 and 1 in 100 year plus climate change events, volumes (attenuation and long-term storage) and topographic details, and any consents required from Thames Water. Royal Borough of Windsor & Maidenhead: Delivering Highways & Transport in partnership with:- Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels long



sections and cross section and relevant construction details of all individual components. - Water quality discharged from the site should be of sufficient water quality. The applicant is to provide evidence that discharge from the site would be of sufficient water quality that it would not result in detriment to any receiving water course. - Details of the proposed maintenance arrangements relating to the surface water drainage system should also be provided, confirming the part that will be responsible. The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter. Reason: To ensure compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere

### **Informatives**

- 1 All birds, their nests and eggs, are protected by law. It is a criminal offence (with certain exemptions) to deliberately or recklessly take, damage or destroy the nest of any wild bird whilst it is in use or being built. The vegetation on the site are likely to be used by nesting birds and any vegetation clearance should take place outside the bird nesting season (March - August inclusive). If this is not practicable areas to be cleared should first be checked for bird nests by an appropriately qualified person. If bird nests are found works that could disturb it must stop until any young have fledged the nest.

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Revisions		Author	Date
1	Issue for comment	AS	15/04/2021
2	Issue for comment	AS	15/04/2021

**ON**  
**ARCH**  
**ITECT**  
**URE**

Company Details  
London Office  
100 Broad Street, London, EC2  
020 7463 9999  
info@onarchitecture.com  
www.onarchitecture.com

London Office  
100 Broad Street, London, EC2  
020 7463 9999  
info@onarchitecture.com  
www.onarchitecture.com

Project Name  
**PROPOSED RETIREMENT LIVING, STONE COURT, LONDON RD, SUNNINGDALE**  
MCCARTHY & STONE

Project Type  
**SITE PLAN**

Reference  
**SE-2696-03-AC-001**

Issue  
**1:000 @ A1**    Date  
**APRIL 2021**    Drawn  
**GM**    Check  
**BP**

Project Status  
**PRELIMINARY**

Project No  
**2696**    Drawing No  
**001**    Scale  
**--**    Sheet No  
**P2**

Site Layout Plan  
Scale 1:200 @ A1



Site Location Plan  
Scale 1:1250 @ A1

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**ON ARCHITECTURE**

Continuity Studio  
London Road, Stone Court, Sunningdale  
Chertsey, Surrey, Middlesex  
GU8 7JH  
Tel: 01889 441111  
www.onarchitecture.com

Project Title  
Proposed Retirement Living  
Stone Court, London Rd, Sunningdale  
Chertsey, Surrey  
McCarthy & Stone

Drawing Title  
Site Location Plan

Rev	Number	Date	Drawn	Checked
1	N/A	14/03/21	DK	EDF

Discipline  
Planning

Project No. Drawing No. Status Revision  
SE-2696-03-AC-99





Front Elevation



Rear Elevation

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Scale: 1:100

--- Red dashed line indicates the outline of an existing appearance of the building.

Revision No.	Date	Description	By	Checked
01	2020-12-01	Initial Design	DK	RT
02	2020-12-01	Revised Design	DK	RT
03	2020-12-01	Final Design	DK	RT

**ON ARCHITECTURE**

ON ARCHITECTURE LTD.  
 100 Old Kent Road, London SE5 8RQ  
 Tel: 020 7463 1234  
 Email: info@onarchitect.co.uk  
 www.onarchitect.co.uk

London Studio  
 25 Old Kent Road, London SE5 8RQ  
 Tel: 020 7463 1234  
 Email: london@onarchitect.co.uk  
 www.onarchitect.co.uk

Proposed Retirement Living  
 Stone Court, London Rd, Sunningdale  
 McCarthy & Stone

Proposed Front & Rear Elevations

Rev.	Date	By	Checked	Issue
N/A				
1	2020-12-01	DK	RT	Final

Planning Issue

Project No.	Drawing No.	Issue	Revision
SE-2696-03-AC-105			P3





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Side Elevation



--- Height of existing planning approval scheme or report building

Revision & Date	By	Check	Approved / Checked
01	08/08/2023	08/08/2023	08/08/2023

**ON ARCHITECTURE**  
 Dublin City Office  
 14 Rooms, 25-27, Upper Mount Charles Road  
 Clontarf, Dublin 9  
 T: +353 1 852 2200  
 F: +353 1 852 2201  
 E: info@onarchitecture.co.uk  
 www.onarchitecture.co.uk

Project No: **Proposed Retirement Living Stone Court, London Rd, Sunningdale**  
 McCarthy & Stone

Drawing No: **Proposed Side Elevations**

Scale	Date	Issue	Revised
N/A	08/08/2023	01	001

Drawing Title: **Planning Issue**

Project No	Sheet No
SE-2696-03-AC-106	P2

Side Elevation



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----- Red dashed line indicates outline of existing planning approved scheme shown during



View from London Road

Number and Date  
 No. 1000  
 Date 10/01/2021

**ON**  
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ON ARCHITECTURE UK  
 1000 W. A1  
 Woking, Surrey GU24 0NF  
 Tel: 01483 810000  
 Email: info@onarchitecture.co.uk

Proposed Retirement Living  
 Stone Court, London Rd, Sunningdale  
 McCarthy & Stone

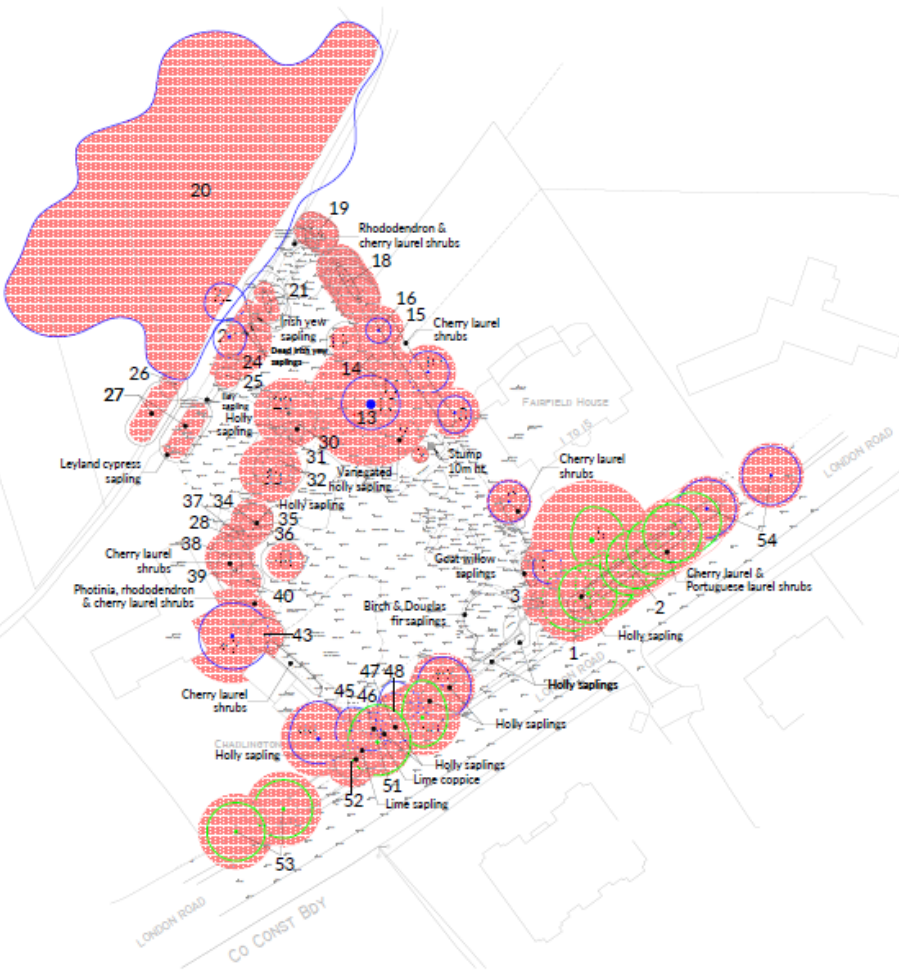
Proposed Street Scene

Scale  
 N/A  
 Date 10/01/2021  
 Drawing No. 1000 W. A1  
 Drawing Date 10/01/2021

Planning Issue

Project No. SE-2696-03-AC-107  
 Drawing No. 1000 W. A1  
 Date 10/01/2021  
 Drawing Date 10/01/2021

99



NORTH

0 5m 10m 20m 30m

**NOTES**

- The output of this survey was produced in situ - a measurement may be taken on the spot.
- Check for existing constraints.
- 2D dimensions are shown in red.
- The copyright of this document remains with Stone Constraints unless assigned in writing to the company.
- Details shown on this drawing are derived from information as at 05/01/2020. It may be subject to change without notice.
- Check if Tree Preservation Order or Conservation Area protection applies to trees before undertaking any works.
- Topographical levels based on TMD 100 (AD) datum number 702500 (near Church House).
- The numbers 1, 6, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 are reserved for use.

**KEY**

- Tree to be retained for retention:
  - Tree Category A, L2 or 3: Tree of high quality
  - Tree Category B, L2 or 3: Tree of moderate quality
  - Tree Category C, L2 or 3: Tree of low quality
- Tree unsuitable for retention:
  - Tree Category D: Tree that cannot realistically be retained due to their condition
- Reserved Area:
  - Tree Preservation Area (TPO)
- Tree tags numbering:
  - Tree number: refer to schedule for information

**KEY TO TREE SCHEDULE**

Category	Description
Tree 1	Site number corresponding with location on site
Tree 2	Height of tree
Tree 3	Height to crown
Tree 4	Height to canopy
Tree 5	Height to lowest branch
Tree 6	Distance from tree to boundary
Tree 7	Distance from tree to building
Tree 8	Distance from tree to road
Tree 9	Distance from tree to boundary (if different to 6)
Tree 10	Distance from tree to building (if different to 7)
Tree 11	Distance from tree to road (if different to 8)
Tree 12	Distance from tree to boundary (if different to 6)
Tree 13	Distance from tree to building (if different to 7)
Tree 14	Distance from tree to road (if different to 8)

**A** Updated with current location of tree 12 15.02.20  
**B** Preliminary issue 27.02.20

Rev	Description	Date
1	The Health, Tinklers Gavin Tinkler, Chard, Cranborne Plum, Dorset	15.02.20
2	110 B, Church House 110 B, Church House	27.02.20

**COMPANIES**

Client:  
**MCCARTHY & STONE RETIREMENT LIFESTYLES LTD**

Project:  
**STONE COURT, LONDON ROAD, SUNNINGDALE**

Title:  
**TREE CONSTRAINTS PLAN**

Date:	Scale:
15.02.20	1:1000 @ A1
Drawn by:	Checked by:
ML	JTK

Drawing number:  
**1418-KC-XX-YTREE-TCPO1RevA**















6 October 2021

**Item: 3**

<b>Application No.:</b>	21/01543/OUT
<b>Location:</b>	Old Boundary House And New Boundary House London Road Sunningdale Ascot
<b>Proposal:</b>	Outline application for access, layout and scale only to be considered at this stage with all other matters to be reserved for the construction of 28 apartments following demolition of the existing buildings.
<b>Applicant:</b>	Mr Inchbald
<b>Agent:</b>	Helen Lowe
<b>Parish/Ward:</b>	Sunningdale Parish/Sunningdale And Cheapside
<b>If you have a question about this report, please contact:</b> Michael Lee on or at michael.lee@rbwm.gov.uk	

**1. SUMMARY**

The application is for outline consent for the demolition of the two existing office buildings and for the erection of 28 apartments with associated access and parking. Matters to be considered are access, layout and scale. Appearance and landscaping would be considered at the Reserved Matters stage.

- 1.1 The proposal is considered to be unacceptable for a number of reasons including the principle of losing the existing office space without any marketing, a development that would be of a cramped appearance with all the built form pushed to the edges of the site with negligible space available for landscaping; due to the cramped form of development there would be minimal outdoor communal outdoor space for future occupants and minimal space for additional soft landscaping.
- 1.2 In addition to the above, the proposal fails to provide a policy compliant affordable housing tenure and as such the weight to be afforded to such housing is therefore to be tempered nor has the applicant provided any meaningful evidence that there is the likelihood of the necessary SANG Provision being secured with Bracknell Forest Borough Council to mitigate the harm arising to the Thames Basin Heaths SPA.
- 1.3 The proposal is considered to have an acceptable impact on neighbouring amenity in terms of loss of light, visual intrusion and overlooking. Furthermore, the proposal would not result in harm to air quality during the construction or operational phase.
- 1.4 To the rear of the proposed building the on-site car and cycle parking would be provided. The development would retain the existing vehicular access that is located off a shared access for the car park to the south west of the site. The Highways Authority, whilst not raising any material concerns over highways safety have nevertheless raised a number of queries regarding the need for a footpath to the existing A30 footpath, visibility splays, access arrangements for emergency, refuse and the height of the entrance arch.
- 1.5 Whilst numerous technical matters could be secured by way of appropriate conditions and there is weight to be given to the provision of both market and affordable houses, the loss of the existing office space would be contrary to the Government’s holistic objectives for sustainable development and the extent and siting of the built form would result in a poorly designed and cramped for of development. It is therefore recommended that planning permission be refused for the reasons set out below.

**It is recommended that Committee REFUSES planning permission for the reasons listed below and in Section 13 of this report.**

2.0 The application involves the loss of two office buildings that are currently used by local businesses. The buildings are evidently attractive to local businesses and their loss, without any marketing information or any other justification is unacceptable and would have a significant adverse impact on the local, and potentially wider economy. The proposal is therefore contrary to the objectives of Policy E6 of the Local Plan, Policies

<p>NP/E1 and NP/E2 of the Ascot, Sunninghill &amp; Sunningdale Neighbourhood Plan, paragraph 81 of the NPPF and Policy ED3 of the emerging Borough Local Plan.</p>
<p>3.0 The proposed development, by virtue of its U-shaped layout that results in the built form being sited extremely close to or largely on the boundaries of the site, coupled with the loss of mature boundary trees and limited space to implement a meaningful replacement landscaping scheme, would result in a poorly designed and cramped form of development that would have an adverse impact on the character and appearance of the site and surrounding area. The proposed scheme is therefore contrary to Policies H10, H11, DG1 and N6 of the Local Plan, Policies NP/DG2, NP/DG3 and NP/EN2 of the Ascot, Sunninghill &amp; Sunningdale Neighbourhood Plan, paragraphs 126, 130 and 132 of the NPPF, Policy QP3 and NR3 of the emerging Borough Local Plan and the Borough Wide Design Guide.</p>
<p>4.0 The development, by virtue of the number of windows and balconies and their height from the side boundary of Plot 1 of permission 15/01752/FULL, would result in an adverse loss of privacy to the occupants of the property. The development is therefore contrary to paragraph 130(f) of the NPPF, Policy QP3 of the emerging Borough Local Plan and Principal 8.1 of the Borough Wide Design Guide.</p>
<p>5.0 The proposed development, by virtue of its cramped poorly designed layout would fail to provide sufficient private and communal outdoor amenity space that would impact upon the amenities of future occupants contrary to the objectives of Policy NP/DG3 of the Ascot, Sunninghill &amp; Sunningdale Neighbourhood Plan, paragraph 130(f) of the NPPF and Principals 8.5 and 8.6 of the Borough Wide Design Guide.</p>
<p>6.0 In the absence of sufficient information regarding highway safety and visibility, the ability of emergency and refuse vehicle to service the proposed development through the proposed archway, pedestrian connectivity, the ability of delivery vehicles to access and park and the cycle parking provision and access the scheme has the potential to impact upon highways safety and convenience. The proposal is therefore contrary to Policy T5 of the Local Plan, Policies NP/T1 and NP/T2 of the Ascot, Sunninghill &amp; Sunningdale Neighbourhood Plan, paragraph 111 of the NPPF and Policy IF3 of the emerging Borough Local Plan.</p>
<p>7.0 In the absence of sufficient information regarding surface water drainage and associated exceedance flows the proposal is contrary to the objectives of Policy F1 of the Local Plan and paragraph 169 of the NPPF 2021.</p>
<p>8.0 In the absence of sufficient information relating to additional bat surveys, biodiversity net gain, wildlife lighting and invasive species eradication the Local Planning Authority are unable to assess the potential impacts on biodiversity and protected species. The proposal is therefore contrary to the objectives of Policy N9 of the Local Plan, paragraph 180 of the NPPF and Policy NR2 of the Emerging Borough Local Plan Main Modifications</p>
<p>9.0 In the absence of any details regarding the tenure of the proposed Affordable Housing or Section 106 Legal Agreement to secure the provision of the same, the proposal is contrary to the objectives of Policy H3 of the Local Plan, paragraph 62 of the NPPF, Policy HO3 of the emerging Borough Local Plan and the Planning Obligations and Development Contributions SPD.</p>
<p>10.0 The proposal is likely to have a significant effect in combination with other plans and projects in the locality on the Thames Basin Heaths Special Protection Area [SPA] as designated under The Conservation (Natural Habitats, etc) Regulations, and which is also designated as a Site of Special Scientific Interest [SSSI]. This would arise through increased visitor and recreational pressure on Chobham Common, as a constituent part of the SPA, causing disturbance to three species of protected, ground-nesting birds that are present at the site. In the absence of an assessment to show no likely significant effect, including sufficient mitigation measures to overcome any such impact on the SPA, and in the absence of financial provision towards the Strategic Access Management and Monitoring (SAMM) project and the provision of Suitable Alternative Natural Greenspace (SANG) noted in the Council's Thames Basin Heaths Special Protection Area SPD or satisfactory alternative provision, the likely adverse impact on the integrity of this European nature conservation site has not been overcome. The proposal is thus in conflict with the guidance and advice in the National Planning Policy</p>

## **2. REASON FOR PANEL DETERMINATION**

- 2.1 The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended as it is for major development; such decisions can only be made by the Committee.
- 2.2 Notwithstanding the above, Councillor C. Bateson had requested that the application be heard by Committee for the following reason(s):
- a. Policy H11 states that permission will not be granted for schemes which introduce a scale or density of development which would be incompatible or cause damage to the character and amenity of the local area.
  - b. Policy DG1 makes clear that development which is cramped or results in the loss of important features which contribute to character will be resisted.
  - c. Policy H10 states that new residential development schemes are required to display high standards of design and landscaping in order to create attractive, safe, and diverse residential areas that enhance the existing environment.

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

- 3.1 The site measures approximately 0.31ha and is located with the settlement of Sunningdale and within the designated Small Settlement Commercial Area.
- 3.2 The site comprises 2 two storey red brick detached buildings known as Old and New Boundary House. The frontage building known as New Boundary House is an attractive red brick building with a dual aspect frontage with pitched roof and gable features with timber detailing and pebble dash. The building is set back off the London Road frontage with a range of trees and landscaping to the front.
- 3.3 The building to the rear is known as Old Boundary House which, contrary to the name, is the more recent building and is a two storey building with the rear elevation comprising a 1.5 storey design with lower eaves.
- 3.4 The two buildings are set back from the site boundaries with the associated car parking to the north, east and south with an area of open space to the south.
- 3.5 The site's surrounding context comprises both residential and commercial development with a public car park to the west. The London Road car park lies to the west with the associated car park access wrapping round the site to the north and east and adjoining the A30 London Road that shares the access off London Road. Beyond to the north lies open agricultural land associated with Broomhall Farm.
- 3.6 Beyond to the east lies a mix of residential development that fronts London Road and comprises generally large detached dwellings and apartments blocks set well back from London Road itself thereby providing for a landscaped frontage that, in part, contributes to the established character of the area.
- 3.7 To the south and south west across from the site lies The Ambassador care home that comprises a three storey red brick and render building designed to reflect several of the surrounding buildings that are of an 'arts and craft' design. Commercial development beyond includes an estate agents and furniture shop which are within attractive buildings. Beyond lies the London Road/Chobham Road junction around which are located a range of everyday shops and services including restaurants, fast food establishments, home DIY shop and clothes shops. Beyond to the south west approximately 500 metres to the south west lies Sunningdale train station and additional shops and other services.

#### 4. KEY CONSTRAINTS

- 4.1 The site lies within the built-up settlement of Sunningdale within the Small Settlement Commercial Area.
- 4.2 The site is located within Flood Zone 1 and an area at low risk of surface water flooding. The site is not subject to any TPO's nor are there any designated or non-designated listed buildings or any other heritage asset in the surrounding area.

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

- 5.1 The proposal is for erection of 28 residential units following the demolition of both Old and New Boundary House. The application is made in Outline form with the principle, means of access, layout and scale to be considered. Appearance and landscaping are to be reserved.
- 5.2 The scheme proposes a roughly U shaped building that will comprise 2, 2.5 and 3 storey elements together with single storey bicycle and refuse store elements with ridge heights varying between 8 and 10.5 metres in height.
- 5.3 The apartment building will be sited close-up to the London Road boundary to the south, as well as the east and west boundaries of the site, common to the access road to the car park. The car and bicycle parking sited behind the buildings, within a central location within the site. The parking area will provide a total of 34 parking spaces and will be accessed off London Road and will re-use the existing shared access with the public car park.
- 5.4 Whilst the proposal would be one building, it has been designed with a small single storey element to give the appearance of two blocks referred to as Block A and Block B. The scheme will deliver the following mix of units:

1 Bedroom	11 Units
2 Bedroom	5 units
3 Bedroom	12 Units

- 5.5 Of the 28 units proposed, the applicant states in their Planning Statement that "A proportion of the dwellings will be affordable homes. The affordable housing may be provided on site, or alternatively, a financial contribution will be offered to provide off-site affordable housing secured through a Section 106 Leal Agreement in due course." Furthermore, the applicant claims they are in the process of arranging the necessary SANG provision with Bracknell Forest Borough Council at their Englemere Pond SANG. To date no additional information has been provided about the likelihood of such SANG provision being secured. Additional reference is made to affordable housing and SANG below

#### 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
Loss of existing employment (office) use	E1, E2
Character and Appearance	DG1, H10, H11
Market & Affordable Housing Provision	H3, H6, H8, H9
Residential Amenity	H11
Highways	P4, T5, T7
Trees	N6

- 6.2 **Adopted Ascot, Sunninghill & Sunningdale Neighbourhood Plan (2011 – 2026)**

Issue	NP Policy
Retention of Employment Floorspace	NP/E1
Encouraging Micro and Small Business	NP/E2
Respecting the Townscape	NP/DG1
Density, Footprint, Separation, Scale & Bulk	NP/DG2
Good Quality Design	NP/DG3
Trees	NP/EN2
Mix of Housing Types	NP/H2
Parking and Access	NP/T1
Biodiversity	NP/EN4

## 7. MATERIAL PLANNING CONSIDERATIONS

### 7.1 National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving Sustainable Development

Section 4 – Decision-Making

Section 5 – Delivering a Sufficient Supply of Homes

Section 6 – Building a strong, competitive economy

Section 11 – Making Effective Use of Land

Section 12 – Achieving Well-Designed Places

Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change

Section 15 – Conserving and Enhancing the Natural Environment

### 7.2 National Design Guide

This document was published in October 2019 and seeks to illustrate how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government’s collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

The National Design Guidance re-emphasises that creating high quality well designed buildings and places is fundamental to what planning and development process should achieve. The focus of the design guide is on layout, form, scale, appearance, landscape, materials and detailing. It further highlights ten characteristics which work together to create its physical character, these are context, identity, built forms, movement, nature, public spaces, uses, homes and buildings, resources and life span.

### 7.3 Borough Local Plan: Main Modifications Version (July 2021)

Issue	BLP MM Version Policy
Character and Design of New Development	QP3
Building Height and Tall Buildings	QP3(a)
Housing Mix and Type	HO2
Affordable Housing	HO3
Loss of Employment Floorspace	ED3
Nature Conservation and Biodiversity	NR2
Trees, Woodland and Hedgerows	NR3
Thames Basin Heaths SPA	NR4

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).*

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 consultation on the Main Modifications has recently closed.

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.

#### 7.4 Supplementary Planning Documents

- Planning Obligations and Development Contributions
- Borough Wide Design Guide
- Thames Basin Heaths SPA SPD

#### 7.5 Other Local Strategies, Publications & Guidance

- RBWM Townscape Assessment
- RBWM Parking Strategy
- Interim Sustainability Position Statement
- National Design Guide

### 8. CONSULTATIONS CARRIED OUT

#### Comments from interested parties

37 occupiers were notified directly of the application, a site notice was displayed and the application was advertised in the Local Press.

1 letter has been received objecting to the development.

Comment	Where in the report this is considered
The neighbour has no in principle objection to the scheme. However, concern is raised over the design owing to the scale and importance of good design. Concerns relate to the building being so close to the boundaries with no room for adequate landscaping. The resident also raises concern at the lack of prior public engagement with the Parish and local residents prior to the application being submitted	Section 9(iii)

#### Consultees

Consultee	Comment	Where in the report this is considered
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Arboriculture Officer	<p>Arboricultural comments summarised as follows:</p> <ol style="list-style-type: none"> <li>1 The majority of the trees on site have been miscategorised within the applicant's arboricultural reports. The applicant's arboricultural reports downplay the category and the remaining lifespan of the trees on site</li> <li>2 The plans submitted show all of the boundary tree planting and vegetation will be removed resulting in a significant impact on the character and appearance of the area. Furthermore, whilst no details have been provided on replacement species these would survive into the long term due to their proximity to the flank walls of the proposal.</li> <li>3 The Arboriculture Officer concludes by stating that the proposal would harm the character of the area contrary to Local Plan Policy N6, DG1 and H11 and Neighbourhood Plan Policies NP/DG1, NP/DG2 and NP/DG3 Borough Local Plan Submission Version Policies NR2 (NR3) and SP3 (QP3).</li> </ol>	<p>Sections 9 (iii) &amp; (iv)</p> <p>Underlined Policies are those from the Main Modifications Version.</p>
Housing	<p>Housing Enabling Officer comments summarised as follows:</p> <p>13 of the units shown in Block A would be affordable representing 46% of the 28 proposed in total. Each would exceed the relevant nationally prescribed Space Standard while the mix proposed would provide for smaller accommodation for single households, couples and small families.</p> <p>A market unit is proposed on the second floor. This is questionable approach in a block largely entirely allocated for affordable housing. The whole block should be affordable.</p> <p>The tenure of the 13 flats proposed should 80% social/affordable rent and 20% shared ownership.</p>	Section 9 (vi)
Highways Officer	<p><i>Access Arrangement</i></p> <p>Existing access arrangements will appear to not be affected by the proposal. The applicant will need to confirm the access width to allow two-way flow at site entrance.</p>	Section 9 (vii)

A footway to the A30 footpath will also be required.

*Parking Provision/requirement*

The site is in an accessible location within 800m of Sunningdale train station.

When assessed against the Parking Strategy (2004) the scheme generates a demand for 28 spaces. 34 are provided and as such the Highways Authority raise no objection.

Clarification is required however for the entrance height to facilitate access by emergency and refuse vehicles and internet/delivery vans. Scheme also needs to demonstrate that there is space for such delivery vehicles.

The development will generate deliveries from food supermarkets and internet purchases. To ensure the development complies with policies NP/T1 / NP/T1.1 & NP/T1.2 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan the applicant should demonstrate that the site will accommodate access and parking for these delivery vehicles.

*Vehicle Movements*

The Highway Authority do not consider the re-development will have a severe effect on the A30 London Road with regard to vehicular movements.

*Cycle Provision*

28 cycle spaces within a secure and covered store should be provided with sufficient access. Highways confirm the current storage proposals are poorly laid out/sited and cannot be accepted.

*Refuse Provision*

As noted above, confirmation a refuse vehicle can serve the site is required with collection from the front which is acceptable.

A swept path analysis plan is required that demonstrates the manoeuvrability of the refuse vehicle would be required prior to determination.

*Additional Highway Comments*

A Construction Management Plan could be secured by way of an appropriate condition.

*Summary*



	<p>The Highway require the following information be provided prior to the determination of the application:</p> <ul style="list-style-type: none"> <li>• Footpath to link site entrance to A30 adopted footpath.</li> <li>• Confirm access width – Should provide two-way flow.</li> <li>• Vehicle visibility splays at the sites entrance.</li> <li>• Confirm height of entrance archway.</li> <li>• Parking and access for delivery vehicles.</li> <li>• Cycle provision and access.</li> <li>• Refuse provision with swept path analysis plan.</li> </ul>	
Lead Local Flood Authority	<p>Summary of LLFA comments:</p> <ol style="list-style-type: none"> <li>1. The LLFA require confirmation that there is an existing Thames Water foul network connection. Without this there is a risk that there is offsite discharge that could increase the risk of flooding offsite which is unacceptable.</li> <li>2. If this connection is present the LLFA would broadly approve in principle subject of 2l/s.</li> <li>3. Confirmation of exceedance surface water flow routes are required.</li> </ol> <p>Such matters are required prior to determination of the application.</p>	Section 9 (viii)
Sunningdale Parish Council	<p>Objection – The Parish Council comments are set out below in full.</p>	<p>Officers, in recommending refusal of the application have not sought to respond directly to the Parish Council comments as many of the concerns are shared between the Local Planning Authority and the Parish Council.</p>
Sunninghill & Ascot Parish Council	<p>Sunninghill &amp; Ascot Parish Council object, issues summarised as follows:</p> <p>Disagree with the applicant's assertion that the Neighbourhood Plan is 'out of date' as the emerging Borough Local Plan is not yet adopted</p> <p>The government provisions for Neighbourhood Plans state that a Neighbourhood Plan doesn't become obsolete until the end of its plan period unless an updated Development Plan makes it so. As such they say the Neighbourhood Plan is not obsolete.</p> <p>Reference is made to paragraph 12 of the NPPF that clearly states where there is conflict with, inter alia, a neighbourhood plan then permissions should be refused.</p> <p>Annex 1, paragraph 213 (<u>Now paragraph 219 of the 2021 NPPF</u>) that a plan is not out of date simply because it precedes the NPPF. The</p>	<p>The Planning Balance &amp; Conclusions Section assesses both the Development Plan and additional reference is made to the weight to be afforded certain policies where relevant.</p>

	<p>degree of consistency with the NPPF determines the weight to be afforded to such policies.</p> <p><u>(Officers consider the Neighbourhood Plan to be fully consistent with the objectives of the NPPF and thus can be afforded full weight in the determination of this application.)</u></p> <p>The Parish conclude by stating that they consider full weight should be given to the Neighbourhood Plan irrespective of paragraph 14 of the NPPF.</p> <p><u>The relevance of paragraph 14 o the NPPF is set out below in more detail.</u></p>	
<p>SPAE</p>	<p>SPAE object to the application. The reasons for doing so are summarised below:</p> <p>SPAE reject the applicant conclusion that the Neighbourhood Plan is out of date.</p> <p>They say full weight can and should be given to the Policies within the Neighbourhood Plan.</p> <p>SPAE consider the scheme to be cramped and contrived “to squeeze so many units into such a small site.” They consider this would give sustained pressure on the trees.</p> <p>They disagree with the DAS and the comments relating to Broomhall. More consideration should be given to the Townscape Assessment.</p> <p>The scale of the development, 90dph would be out of keeping of the character of the centre of Sunningdale nor would it be similar to the family homes to the north of the site.</p> <p>The loss of the employment/office use without any marketing and as such they say the scheme is contrary to Policy NP/E1.</p> <p>Further concern is raised regarding the impact on the mixed use allocation in the Neighbourhood Plan (NP/SS5.4).</p> <p>SPAE would raise concerns of the discrepancies in the Planning Statement regarding the provision of affordable housing that they say should be provided on site.</p> <p>They conclude as follows:</p> <p>The adverse impacts of this application would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies taken as a whole. Consequently, this application for planning permission should be <b>refused</b>.</p>	<p>Reference is made to the issues raised including design and character throughout this report.</p>

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## 9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Loss of Employment Floorspace
- iii. Impact on Character and Appearance
- iv. Trees
- v. Residential Amenity
- vi. Provision of Market & Affordable Housing
- vii. Highway Safety and Parking
- viii. Sustainable Drainage
- ix. Sustainability
- x. Housing Land Supply

### i Principle of Development

9.2 The application site is located outside of the Green Belt within the built-up settlement area of Sunningdale where Policy H6 of the Local Plan states that the Borough Council will grant permission for the provision of additional residential accommodation within town and other settlement centres outside of the Green Belt.

9.3 In this context, there is in principle support for the provision of housing on the site subject to compliance with other relevant development plan policies, including the loss of employment floorspace, and other material considerations.

### ii Loss of Employment Floorspace

9.4 The application site currently comprises two detached buildings that are both currently in use as offices. The two buildings provide for approximately 716 sq.m of office space which is currently being used by a range of businesses including IT companies, insurance brokers, a solicitors practice and accountants.

9.5 In such cases a range of local development plan policies seek to protect the Borough's economy. Policy E6 of the Local Plan states that the development and redevelopment for business, industrial or warehousing uses outside of the Green Belt will be acceptable on sites already in such uses subject to normal development control criteria.

9.6 Furthermore, Policy NP/E1 of the Ascot, Sunninghill & Sunningdale Neighbourhood Plan states as follows:

**Proposals for the redevelopment or change of use of an existing site where the current use provides jobs to a use where jobs will not be provided will only be permitted if the applicant demonstrates that all possible appropriate alternative job providing options have been considered and actively marketed on a realistic basis for a period of at least 12 months without any economically viable options resulting.**

**For the avoidance of doubt, the applicant shall be required to demonstrate that conversion for occupation by micro or small businesses is not an economically viable option.**

- 9.7 In addition to both Policies referred to above, Policy ED3(3) of the Borough Local Plan Main Modifications Version requires that where a change of use from an economic use to another use is proposed, development proposals must provide credible and robust evidence of an appropriate period of marketing for economic use and that proposals would not cause unacceptable harm to the local economy.
- 9.8 Moreover, paragraph 8 of the NPPF states, inter alia, that in seeking to achieve sustainable development the planning system has three roles, the first of which is an economic role which aims to help build a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right place and at the right time to support growth, innovation and improved productivity.
- 9.9 Paragraph 81 within Section 6 of the NPPF commands that 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. While not specifically referring to the loss of such employment and business development it is nevertheless reasonable to conclude that significant weight must be given to the loss of such floorspace, particularly that which is currently in use and providing office space for a range of local businesses.
- 9.10 The application site is, as confirmed by the applicant, currently in use as an office and as such it is evident that the buildings are currently suitable for such a use where the above extant and emerging development seek to protect such uses unless there is sufficient evidence to demonstrate that the current employment use is no longer viable. Such evidence comprises marketing information for at least 12 months and provided that such marketing has been undertaken at reasonable market rates.
- 9.11 The applicant has failed to provide any marketing information at all to demonstrate that the current use is no longer viable. The potential impact of the loss of this existing office space is further exacerbated by the Eastern Berkshire FEMA Economic Development Needs Assessment (2016) (2016 EDNA).
- 9.12 The 2016 EDNA refers to the Homes and Communities Agency Employment Density Guide that states every 12.5 sq.m of office space will support 1 full time job. On this basis the 716 sq.m of office space that would be lost would have the potential to support approximately 52 full time jobs.
- 9.13 Furthermore, the two office buildings are currently in use by at least five separate commercial businesses. The on-going use demonstrates that the two buildings are indeed suitable for and attractive to local businesses further highlighting the importance in seeking to retain such space to contribute towards the Borough's overall economy.
- 9.14 The 2016 EDNA conforms that the Brough has a requirement for approximately 50,500 sq.m of additional office space. Such a need, in conjunction with the fact that several local businesses are indeed operating from the site further highlights the importance of such space to the local economy and the need to retain such space.
- 9.15 The loss of active office space without any marketing or other such information at all is wholly unacceptable and would have a detrimental impact on the local and wider economy and as such is contrary to Local Plan Policies E1 and E2, Neighbourhood Plan Policy NP/E1, Section 6 of the NPPF and Policy ED3 of the emerging Borough Local Plan.

**iii Impacts on Character and Appearance**

- 9.16 Section 12 of the NPPF clearly states that the creation of high quality, beautiful and sustainable buildings is *fundamental* to what the planning and development process should achieve. Local Plan Policy DG1 is consistent with these overarching objectives of Section 12 of the NPPF and requires new development to be of a high quality design and have regard to a range of design based criteria.

- 9.17 Policy DG1(3) ensures development is compatible with the established street façade having regard to scale, building lines and the roofscape of a building. Policy DG1(6) ensures development includes landscaping schemes that should utilise existing landscaping whilst DG1(11) states that harm should not be caused to the character of the surrounding area through development which is cramped or which results in the loss of important features that contribute to the character of an area.
- 9.18 Neighbourhood Plan Policies NP/DG1 and sub-Policy NP/DG1.4 ensure new development responds positively to the local townscape. The RBWM Townscape Assessment Report should be used as a base to inform development proposals with 1.4 stating “Development proposals in Townscape Assessment zones Victorian Villages must respect the form and character of the street and of the surrounding area.”
- 9.19 The site is located within an area classed as Victorian Villages with the Townscape Assessment listing the Key Characteristics, inter alia, as rows of terraces and semi-detached properties that are typically 2 and 2.5 stories in height, a unit brought about by a consistent materials pallet, detailed building frontages, variation in rooflines that creates a stimulating streetscape.
- 9.20 Moreover, Policy NP/DG2 ensures new development is similar in density, footprint, separation, scale and bulk to neighbouring properties with NP.DG2.2 stating that development must respect building lines, front gardens, walls, railing and hedges.
- 9.21 Furthermore, Policy NP/DG3.1 requires all new development to demonstrate good quality design with regard to the use of green hedging and/or trees in keeping with the existing streetscape.
- 9.22 The application site comprises two detached buildings with a low brick wall and railings that defines the main London Road frontage together with well-established mature landscaping with the closest building, known as New Boundary House, being set back from London Road by approximately 12 metres. Such a set back has allowed the hedgerow, trees and other landscaping to flourish which dominates the site frontage that contributes to the overall character of London Road that, save for the more central areas that surrounds the London Road/Chobham Road junction, is made up of well established mature trees and other landscaping with buildings being set well back from London Road.
- 9.23 While submitted in outline form with appearance being reserved the application has sought permission for layout and scale and as such there are numerous urban design aspects that can be considered at this stage.
- 9.24 The scheme would comprise a roughly U shaped building that would comprise 2, 2.5 and 3 storey elements with single storey elements. The London Road frontage would entail a 2.5 storey buildings with a 3 storey ‘turret’ located to the north east corner of the site. The London Road frontage would be sited close up to the road frontage with a minimal set back of between approximately 2 metres and would also entail the removal of all the front boundary landscaping. This frontage section of the building has been referred to as Block A with the remainder referred to as Block B. The Site Plan (Drawing No. 21-01-A-100-P3) however demonstrates that there will be one building with what would appear to be a small single storey element located adjacent to the entrance archway. Appearance however is to be considered at the Reserved matters stage.
- 9.25 In addition to the London Road frontage the remaining sections of the building are also sited close up to the boundaries of the site with, at some points no set back from the site boundaries, to a minimal set back of only 2-3m.
- 9.26 The U Shaped design of the building with the frontages being set so close to the site boundaries will result in the built form dominating the site frontages with negligible space left to implement a landscaping strategy to off-set the complete removal of the existing landscaping that forms an integral part of the sites character.
- 9.27 Opposite the site is the Ambassador House care home that comprises a three storey building and as such there is no objection to the principle of such a 2.5/3 storey building at the application site.

However, the proposal would result in a building with all of the built form located very close to the site boundaries without any room to implement a sufficient landscaping to replace the existing trees and hedgerow that would be removed.

- 9.28 The applicant has referred to the Ambassador House development where they claim the built form covers 43.1% of the site compared to 38.5% of that proposed. Ambassador House however is sited in a more central part of the site that has allowed a landscaping scheme to be implemented that now forms an integral part of that sites character that respects the wider character of London Road.
- 9.29 Whilst this may be the case, good design is much more than a mathematical assessment and requires an assessment against urban design considerations such as the presence of landscaping, building lines, building heights and the overall scale and appearance of a building.
- 9.30 The existing buildings are set back from the site boundaries and have more of a relationship with the residential properties north east. To the south west are several commercial buildings that are sited directly onto the public realm and are characteristic of more town centre locations which are 2 storey in scale thereby representing considerably less bulk that that proposed. The application site therefore represents a transition from the centre of Sunningdale to the lower density residential development along London Road.
- 9.31 It is this transitional nature of the application site that would allow for some reduction in the set back of any new buildings. However, as required by Policies DG1 and N6 of the Local Plan and Neighbourhood Plan Policy NP/DG3 any new development needs to retain and incorporate the existing trees and landscaping. The inability of the scheme to retain any soft landscaping or implement a sufficient landscaping scheme serves to demonstrate that the scheme represents a cramped and contrived form of development and as such represents a poor quality form of development.
- 9.32 As outlined above the scheme proposes a 2.5 storey building along the London Road frontage with a 3 storey 'turret' similar to Ambassador House. There is no objection to a building of this scale. However, the complete removal of the existing trees and landscaping and the siting of the built form so close to the site boundaries would result in a very cramped appearance that would be harmful to the character and appearance of the area.
- 9.33 Sunningdale Parish Council have raised concern over the allocated site off the London Road car park. The application site would, save for the access, have no impact on the deliverability of the allocated site for its intended mixed use.

#### **iv Trees and Landscaping**

- 9.34 The Character and Appearance section above has referred to the contribution the existing trees and hedgerow make to the character and context of the surrounding area.
- 9.35 The Council's Arboricultural Officer comments, whilst summarised above are further summarised below owing to the importance that the trees and landscaping make to the site and surrounds. The issues they raise including the mis-categorisation of the existing trees. The Officer clearly states that the majority of the trees should be designated as a higher category with a considerably greater life expectancy. The limited room for landscaping and planting would ensure trees would be in close proximity to flank walls and as such would not survive on site in the long term. Such issues they say would result in a significant impact on the character and appearance of the site and surrounds contrary to Policies N6, DG1 and H11 of the Local Plan and Policies NP/DG1, NP/DG2 and NP/DG3 of the neighbourhood Plan and Policies NR2 and SP3 (now QP3 in the Main Modification Version) of the Borough local Plan.
- 9.36 The Borough Townscape Assessment highlights the importance of and desire to conserve distinctive trees and hedgerows. Such aims echo the objectives of Policies DG1 and N6 of the Local Plan, Neighbourhood Plan Policies NP/DG1, NP/DG2 and NP/DG3 and Policies QP3 and NR3 of the emerging Borough Local Plan.

- 9.37 In addition to the policies referred to above the importance of trees is further highlighted by paragraph 131 of the NPPF which states “**Trees make an important contribution to the character and quality of urban environments and that opportunities are taken to incorporate trees into developments.** The importance of trees to the built environment is from both a character aspect as well as an ecological aspect. Moreover, paragraphs 131 and 132 highlight the importance of early discussions between applicants and officers, particular highway and trees officers. The applicant has failed to enter into any early pre-application discussions as encouraged by Section 4 of the NPPF.
- 9.38 Without any justification as to why such mature trees cannot be successful retained and without the ability to implement a landscaping scheme to off set such wholesale removal of existing trees the scheme is, in arboriculture terms, unacceptable. The scheme is therefore contrary to Policies DG1 and N6 of the Local Plan, Neighbourhood Plan Policies NP/DG1, NP/DG2 and NP/DG3 and Policies QP3 and NR3 of the emerging Borough Local Plan.

#### **v Residential Amenity**

- 9.39 Paragraph 130(f) of the NPPF ensures planning creates places that are safe, inclusive and accessible which promote health and well-being with a *high standard of amenity for existing and future residents*. The need to ensure a high standard of amenity for both existing and future residents is set out in the Borough Wide Design Guide.
- 9.40 Paragraph 8.1 of the Borough Wide Design Guide SPD states that residential amenity in the form of light, privacy, outlook and provision of outdoor amenity space is a detailed but important design matter that has a very strong influence on the quality of people’s living environments. Paragraph 8.2 states that new developments should provide future occupiers with high quality amenities and not undermine the amenities of occupiers of neighbouring properties, especially where these are residential properties.
- 9.41 Table 8.1 of the Borough Wide Design Guide SPD sets out the minimum separation distances for, inter alia, front to front, rear to rear and front/back to flank relationships for both 2 storey and above. Table 8.1 and the separation distances are referred to below where necessary.

#### Existing Residents

- 9.42 To the west of the application site is the London Road public car park with commercial development including an estate agents to the south west and south of the site around the London Road/Chobham Road junction. Such commercial uses would not be impacted upon by the proposed development in terms of daylight and sunlight, overlooking or other amenity impacts including noise and disturbance.
- 9.43 To the south east of the site opposite the site is the Ambassador House care home that would have a front to front relationship with the northern part of the proposed development. Both the application scheme and Ambassador House is over two stories in height. In such cases Table 8.1 of the the Borough Wide Design Guide SPD states such separation distance should be a minimum of 15 metres.
- 9.44 Notwithstanding the oblique angle of view between Ambassador House and the flats proposed the separation distance between the two sets of units fronting London Road would be in excess of 20 metres. As such there would be no material impact on the occupants of Ambassador House as a result of the proposed development.
- 9.45 To the north east of the site are new residential properties on the former Lime Tree Villa site. The north east elevation of the application scheme would have a front to flank relationship with the former Lime Tree Villa houses. The submitted Storey Heights Plan confirms that this section of the development would be 3 stories in height and as such Table 8.1 would require a minimum separation distance of 15 metres.
- 9.46 The proposed north east elevation would be between approximately 9 and 12.5 metres from the side of the back garden of the Plot 1 of the former Lime Tree Villa dwelling. Furthermore, the north

east elevation of the application proposal would result in some 8 habitable room windows that would face the back garden area at both first and second floor level. Such an increase in the number and height of windows together with balconies and the complete removal of the boundary trees has the potential to result in an adverse loss of privacy to the occupants of this dwelling. On the basis of the foregoing the scheme is contrary to the objectives of Policy NP/DG2 of the Neighbourhood Plan paragraph 130 of the NPPF and Policy QP3 of the emerging Borough Local Plan

- 9.47 In terms of access to daylight and sunlight, the separation distance of at least 9 metres from the dwelling would ensure there are no further amenity impacts on these occupants whilst to the north of the site lies open field associated with Broomhall Farm and as such there would be no amenity impacts to adjoining land owners to the north.

#### Future Occupants

- 9.48 In addition to the above it is important to ensure new developments would provide future occupants with a high standards of amenity, both internally and externally.
- 9.49 Before considering the outdoor space proposed it is necessary to consider whether the proposed flats would meet the Nationally Described Space Standards. Officers can confirm that each of the residential units proposed will meet or exceed the space standards set by MHCLG. On this basis future residents would have a good quality amenity with regard to internal space.
- 9.50 In addition to internal space the Borough Wide Design Guide sets a requirement for flatted developments to have both private and communal space.
- 9.51 With regard to the need for ground floor flats to have a private terrace, these should be, in terms of size, at least 3 metres in depth and as wide as the unit they serve. Not all the ground floor units would have private terraces, only those in Block B would and none of those terraces would be at least 3 metres in depth and as wide as the dwelling they would serve whilst two of the would directly abut parking spaces further limiting the overall quality and usability of such spaces. None of the ground floor units on Block A would have a private terrace space.
- 9.52 With regard to the first floor units, Units 6 – 9 of Block B and Units 7 – 12 of Block B would have access to a small balcony whilst only Units 13 and 14 on the second floor would have a small balcony. Units 12 to 14 on the second floor of Block A would not have any communal space. The Borough Wide Design Guide is clear that all flats should have some private space and as such the scheme fails to accord with paragraph 130(f) of the NPPF and Policy QP3 of the emerging Borough Local Plan.
- 9.53 In addition to each flat being required to have private outdoor space Principal 8.6 of the Borough Wide Design Guide states that a minimum of 10 sq.m of communal outdoor space per flat must be provided.
- 9.54 In addition to the need for such a space, Principal 8.6 sets out that amenity space should be connected to the building, screened from public view, free of vehicles, actively overlooked and dominated by planting and allows for sustainable tree planting.
- 9.55 The scheme proposes 28 residential flats and as such there should be a minimum of 280 sq.m of outdoor communal space. The application proposes the U-shaped building with car parking to the rear within a courtyard area. The only green space comprises negligible areas located between the outside edges of the buildings. Despite raising such concerns with the applicant no meaningful answer was received regarding this point. The applicant provided an image to highlight the extent of green space.
- 9.56 It is evident from the image that the scheme would fail to provide any meaningful outdoor communal space and that the green space provided would be dominated by the London Road, London Road car park access and not screened from public view and irregularly shaped. As such the scheme is contrary to the aims of paragraph 130 of the NPPF and Principal's 8.5 and 8.6 of the Borough Wide Design Guide.



## vi Provision of Market and Affordable Housing

- 9.57 The application site is located within the built up settlement area of Sunningdale and would provide a total of 28 market and affordable flats on a brownfield site. As set out above in Section 9(i) of this report the principle of such a proposal, in terms of housing provision, is entirely acceptable. Additional reference is made to the Borough's Housing Land Supply below.
- 9.58 Local Plan Policy H8, Neighbourhood Plan Policy NP/H2 and Policy HO2 of the emerging Borough Local Plan seek to ensure that development provides for a mix of dwelling types. The application proposal would provide for the following mix of houses:

House Size	No. of Units
1 Bedroom	11
2 Bedroom	5
3 Bedroom	12

- 9.59 The scheme would therefore provide for a mix of residential units that would provide suitable accommodation for both younger individuals and couples along with families and as such would accord with those relevant policies that seek to achieve a mix of residential units.
- 9.60 With regard to the provision of affordable housing, Policy H3 of the Local Plan ensures that all new residential development on sites of 0.5ha or more, or where a net increase of 15 or more dwellings is proposed there should be a provision of affordable housing and that such provision is made as part of the development itself.
- 9.61 Table 1 of the Revised Planning Obligations and Developer Contributions and Infrastructure and Amenity Requirements SPD states that the minimum provision sought is 30%. Of the 30% the tenure should comprise 80% social/affordable rent and 20% shared ownership.
- 9.62 Whilst the floor plans submitted with the application indicate that 13 of the units provided in Block A would be affordable the application makes no reference to affordable housing whilst the Planning Statement states **"A proportion of the dwellings will be affordable homes. The affordable housing may be provided on site or, alternatively, a financial contribution will be offered to provide off-site affordable housing secured through a Section 106 Legal Agreement in due course"**.
- 9.63 Despite seeking to clarify the applicant's proposed affordable housing tenure they have failed to provide clarification on this matter and as such the information submitted with the application is contradictory with regard to the level of and tenure of affordable housing to be provided. In the absence of such information the proposal is contrary to Policy H3 of the Local Plan, Policy HO2 of the Borough Local Plan Main Modifications Version and the Planning Obligations and Developer Contributions SPD.
- 9.64 Additional reference is made to the provision of market and affordable housing below within the Planning Balance and Conclusion section of this report.

## vii Highway Safety & Parking

- 9.65 The Highways Authority have reviewed the application and have made the following comments.

### Access Arrangements

- 9.66 The proposal seeks to re-use the existing access off London Road which comprises a simple priority junction with a partial ghost island effuse to assist with right turns into the site with the access into the application site being some 15 metres back off London Road. The Highways Authority has stated that confirmation on the access width to enable two-way flow at the sites entrance would be required and a demonstration of the visibility splay at the site.

- 9.67 The Highways Authority have however stated that a footpath will need to be provided to link the site's entrance to the A30 London Road. Such details could however be secured by way of an appropriate condition and/or S.278 Agreement.

#### Parking Provision

- 9.68 With regard to the site's sustainability, the Highways Authority consider the site to be a sustainable location within 800m of Sunningdale train station. The level of parking would exceed that required by the 2004 Borough Parking Standards (which requires 0.5 spaces per 1-bed unit and 1 space per 2 or 3 bed unit), totalling 23 spaces. The extent of parking proposed further highlights the cramped nature of the proposal with regard to excessive built form and hardstanding compared to the negligible areas proposed for soft landscaping.
- 9.69 With regard to Neighbourhood Plan Policy NP/T.1, while this does not set a specific level of parking through local standards it does however ensure there is sufficient parking for deliveries, service vehicles, tradesman working on site and visitors. The scheme proposes an extra 11 parking spaces over that required by the 2004 Borough Standards. The Highways Authority would require some of the parking, pursuant to Neighbourhood Plan Policies to be allocated for delivery and service vehicles. Accordingly, the Highways Authority require confirmation, prior to determination, that the archway to be provided is a sufficient height to allow access into the site by emergency vehicle and internet/food delivery vans can park and enter and leave the site in a forward gear.

#### Vehicular Movements

- 9.70 The Highway Authority have reviewed the submitted Transport Statement which refers to the national TRICS database and confirms that the proposal would generate between 6-12 additional movements in the morning and evening peak hours and as such they have confirmed that the proposed level of vehicular movements is acceptable and would not have a severe impact on the safe operation of the A30 London Road.

#### Cycle Provision

- 9.71 With regard to secure bicycle parking provision the submitted plans show sufficient room for, at most, approximately 20/22 bicycles. The Highways Authority have stated that 28 bicycle parking space would be required and that the current design is of a poor design and cannot be accepted.

#### Refuse Provision

- 9.72 The proposed refuse store to the front is, in principle acceptable to the Highways Authority. A swept path however demonstrating that the refuse vehicle can safely service the site is however required.

#### Summary/Additional Highway Comments

- 9.73 The Highways Authority have requested a detailed Construction Management Plan would be required. Such a Management Plan could be secured by way of an appropriate condition should planning permission be granted.
- 9.74 The points listed below are all still required to be addressed and in the absence of this information it cannot be concluded that the proposed access and layout for vehicles is acceptable:
- Footpath to link site entrance to A30 adopted footpath.
  - Confirm access width – Should provide two-way flow.
  - Vehicle visibility splays at the sites entrance.
  - Confirm height of entrance archway.
  - Parking and access for delivery vehicles.
  - Cycle provision and access.
  - Refuse provision with swept path analysis plan.

### **viii Flood Risk and Drainage**

- 9.75 The Lead local Flood Authority (LLFA) have reviewed the Flood Risk Assessment submitted with the application and the comments from Thames Water and have raised the following issues.

- 9.76 Clarification is sought on whether there is an existing connection that discharges surface water to Thames Water foul network. There is a risk that without such a connection the risk of surface water flooding may be increased as surface water may be discharge off site.
- 9.77 Should such a connection existing the LLFA would have no objection to this provided any discharge was at a rate of at least 2L/s.
- 9.78 The final issue raised relates to exceedance surface water flows. The LLFA have requested the applicant to indicate the route any exceedance surface water would follow in the event of a rainfall event in excess of the designed rainfall return period, or blockage/failure. In the absence of such information being sought the application is contrary to the objectives of Local Plan Policy F1 and the NPPF para 169.

#### **ix Biodiversity & Thames Basin Heaths SPA**

- 9.79 The Council's Ecologist has reviewed the submitted Preliminary Ecological Appraisal. The Ecology officer states that the submitted PEA confirms that some of the vegetation has the potential to support nesting birds.
- 9.80 Furthermore, the Ecology Officer refers to the findings that the two buildings themselves has the potential to support roosting bats. One tree had high potential to support roosting bats as well. As a result the PEA concludes that additional surveys would be required. As a competent Authority the Borough Council needs to be as certain as possible that such development would not harm any protected species. As such these additional surveys should be provided prior to the determination of the application.
- 9.81 The Ecology officer refers to paragraph 99 of the Government Circular 06/05 that makes it clear that such surveys should not be left to coverage under planning conditions except in exceptional circumstances. As no such exceptional circumstances have been set out the scheme is contrary to the overarching objectives of the local Plan and the NPPF.
- 9.82 Policy N9 of the Local Plan that ensures new development has particular regard to the need to protect natural features and the availability of mitigation measures to wildlife site and other wildlife heritage sites. In addition, paragraph 174(d) ensures planning decisions minimise impacts on and provide net-gains for biodiversity. Without these additional surveys the proposal is contrary to the objectives of Policy Np of the Local Plan
- 9.83 As noted above, the site falls within the 400m – 5km Zone of Influence of the Thames basin Heaths SPA. In such areas the Council's Thames Basin Heaths Special Protection Area SPD (Part 1) sets a two-fold approach to mitigating the potential impacts of development that, alone or in combination, could have a significant impact on the integrity of the SPA.
- 9.84 The two-fold approach comprises the provision of Suitable Natural Alternative Greenspace (SANG) and financial contributions towards strategic access management and monitoring (SAMM).
- 9.85 There is no capacity at the Allen's Field SANG, one of the Council's Strategic SNAG for a development of this size. The applicant was been advised to liaise with Bracknell Forest Council in order to secure the necessary SANG provision to mitigate against the potential impacts to the SPA. As the applicant failed to enter into pre-application discussions with the Council Officers were only able to advise them of this during the course of the application.
- 9.86 As no such SANG provision has been secured, and with the impacts associated with the proposal set out above, the proposal is contrary to the aims of Policy NRM6 of the South East Plan, Policy N9 of the Local Plan and Section 15 of the NPPF.

#### **x Sustainability**

- 9.87 Policy HO2 of the Main Modifications Borough Local Plan ensures developments of more than 20 dwellings 30% should be delivered in accordance with Building Regulations M4(2), 5% should meet wheelchair accessibility standards.

- 9.88 Furthermore, Policy QP3 ensures new developments are resilient to climate change and incorporate design and construction measures that minimise energy demand and water use, maximise energy efficiency and minimise waste.
- 9.89 While very limited information has been provided on such aspects of the scheme these could, should Officer's have considered the scheme largely acceptable in planning terms, have been agreed during the course of the application and secured by way of an appropriate condition(s).

## **xi Housing Land Supply**

- 9.90 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.*

- 9.91 Footnote 7 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).'

- 9.92 For the purpose of this planning application the LPA currently cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer). In cases where Local Planning Authorities cannot demonstrate an up-to-date housing land supply position the presumption in favour of sustainable development ('the tilted balance'), pursuant to paragraph 11(d), would be engaged.

- 9.93 However, footnote 7 of the NPPF lists a number of instances where the tilted balance would be dis-engaged. Of particular relevance to this application are designated habitats sites. The site lies within the 400m – 5km Zone of Influence of the Thames Basin Heaths SPA and as such an Appropriate Assessment and mitigation for the harm to the SPA through residential intensification would be required. The application has failed to address these matters and therefore the tilted balance would not be engaged. Additional reference is made to the housing land supply position below in the Planning Balance and Conclusions section below.

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

- 10.1 In accordance with the Council's adopted Community Infrastructure Levy (CIL) Charging Schedule, the development is CIL liable at a rate of £295.20.

- 10.2 The proposal has a net increase of 1,529.20 sq.m that would incur a CIL charge of £451,419.84. However, with the contradictory information regarding affordable housing, which would be exempt from CIL, the Local Planning Authority are unable to calculate the CIL charge that the proposed development would incur.

- 10.3 Due to the issues associated with the development that are set out above clarification on this issue has not been sought.

## **11. PLANNING BALANCE & CONCLUSION**

- 11.1 This application seeks outline permission for the erection of 28 residential units with the principle, means of access, layout and scale to be considered. Appearance and landscaping are to be considered at the reserved matters stage.

- 11.2 Section 38(6) of the Planning and Compulsory Act (2004) states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise” and as such the starting point for the determination of this application is The Royal Borough of Windsor and Maidenhead Local Plan (Saved Policies) (Incorporating Alterations adopted June 2003) and the Ascot, Sunninghill & Sunningdale Neighbourhood Plan 2011 – 2026 (Made February 2014).
- 11.3 Also of relevance is the emerging Borough Local Plan 2013 – 2033 (Submission Version incorporating Proposed Main Modifications) (July 2021). Paragraph 48 of the NPPF states that Local Planning Authorities 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)<sup>24</sup>.
- 11.4 Furthermore, the 2021 NPPF is a material consideration. As set out above in Section 9 (xi) of this report the Council cannot demonstrate a five year housing land supply and therefore, pursuant to paragraph 11(d) of the NPPF the presumption in favour of sustainable development would be engaged, referred to as the tilted balance. However, owing to footnote 7 and due to the location of the site within an area subject to Habitat Regulations, and considering the objections relating to drainage and ecology, the tilted balance would be dis-engaged. On the basis of the foregoing the application should therefore be assessed by way of an ordinary ‘un-tilted’ balancing exercise.

#### Loss of employment

- 11.5 The application proposes the demolition of the two buildings that are currently in use as offices by a number of local within the built up settlement of Sunningdale. As stated above, without any marketing information, or other such justification as to why the existing office space is no longer viable the scheme is contrary to the aims of Policy E6 of the Local Plan and Neighbourhood Plan Policies NP/E1 and NP/E2 and Draft Policy ED3 of the Borough Local Plan. Pursuant to paragraph 81 of the NPPF **significant weight** should be given to the loss of the employment use without any marketing or justification for such a loss.

#### Impact on character, including loss of trees

- 11.6 The scheme would entail the complete removal of all boundary trees and the erection of a 2, 2.5 and 3 storey U shaped building. While reference has been made to two blocks (Block A and Block B) that are divided by the access arch way the Site Plan appears to show that they would nevertheless be a single structure. The U shaped layout of the built form will be sited very close up to the site boundaries. The remaining, very limited space would need to be shared between landscaping and providing for private and communal space.
- 11.7 Such issues combine to demonstrate the scheme would represent a cramped and contrived design. Officers have however no objection to the principle of a 2.5 or 3 storey building however the siting of such a building so close to the boundaries would result in a cramped poorly designed form of development without any meaningful space to implement a landscaping scheme. The scheme is therefore contrary to Policies DG1 and H11 of the Local Plan and Policies NP/DG2, NP/DG3 and NP/EN2 of the Neighbourhood Plan. The importance of design is set out through the Local Plan, the Neighbourhood Plan, emerging Borough Local Plan and the NPPF and National Design Guide. As such, and pursuant to paragraph 126 of the NPPF, **significant** weight is given to the harm to the character of the area.

### Neighbour amenity

- 11.8 Policy H14 of the Local Plan ensures developments do not adversely impact the amenities of neighbouring properties with Principle 8.1 of the Design Guide SPD stating that developments which would have significant impact on the amenities of neighbouring properties will be resisted. The proposal would result in some 8 windows on the first and second floors, together with balconies which would be between 9 and 12 metres from the back garden of properties on the former Lime Tree Villa property having a substantial increase in the amount of overlooking and loss of privacy when in their back gardens. Such an impact attracts **moderate** weight in the overall balance.

### Amenity

- 11.9 Neighbourhood Plan Policy NP.DG3.2 ensures dwellings are provided with sufficient garden or amenity space with Principles 8.5 and 8.6 of the Borough Wide Design Guide SPD ensure all flatted developments have both private and communal outdoor amenity space. While the scheme would provide some of the units with a terrace or balcony these appear small compared to the Design Guide criteria. Moreover, no private communal space is provided. The applicant claims the outdoor green space is for such amenity space. However, this is extremely limited, poorly laid out and irregularly shaped and would be dominated by the car park and the London Road car park access nor would it be screened from public view. The proposal fails to accord with Policy DG3.2 and the Design Guide and paragraph 130(f) of the NPPF, as such, such an impact attracts **moderate** weight in the overall balancing exercise.

### Affordable Housing

- 11.10 Policy H3 of the Local Plan and the Planning Obligations and Developer Contributions SPD ensures that 30% of residential development on more than 0.5 ha or a net increase in 15 or more dwellings should be affordable. The 30% should comprise 80% affordable/social rent and 20% shared ownership. The applicant has given conflicting information regarding affordable housing with regard to overall provision and the tenure to be provided. Without clarification on what affordable housing is to be provided the scheme is contrary to Policy H3 of the Local Plan and the SPD.

### Ecology and Thames Basin Heaths SPA

- 11.11 Policy NRM6 of the South East Plan ensures harm is not caused to the Thames Basin Heath SPA through the provision of adequate measures which are set out in the Borough's Thames Basin Heaths SPA SPD. The applicant has confirmed they are in discussion with Bracknell Forest regarding securing the necessary SANG provision. However very little information has been provided. Without the necessary SANG provision in place the scheme is contrary to Policy NRM6 and the Thames Basin Heaths SPD. Furthermore, in the absence of relevant surveys, the proposals is unacceptable with regard to ecological impacts. The harm to Ecology and the Thames Basin Heaths SPA is afforded **significant/substantial** weight.

### Highways

- 11.12 The Highways Authority have requested additional information regarding the ability of emergency and refuse vehicles to access the application site. Without such clarification there is the potential that the development could impact upon the safety of the residents themselves or other users of the A30 London Road. The scheme is therefore contrary to Policy T5 of the Local Plan and paragraph 111 of the NPPF. Such highways impacts attract **limited** weight in the overall planning balance.

### Drainage

- 11.13 The LLFA have sought clarification on the existing surface water connection and exceedance surface water flows. Whilst not fatal to the scheme, and of limited weight, in themselves without confirmation the scheme is contrary to the aims of Policy F1 of the Local Plan and paragraph 169 Of the NPPF.

## Matters weighing in favour of Proposal and balance

11.14 The applicant contends that the weight to be afforded to the Neighbourhood Plan should be greatly reduced as paragraph 14 of the NPPF is engaged. Paragraph 14 states that where adverse impacts arise in allowing a development that conflicts with a Neighbourhood Plan this would significantly and demonstrably outweigh the benefits provided all the following criteria apply. The criteria are set out below:

- a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;**
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;**
- c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 74); and**
- d) the local planning authority's housing delivery was at least 45% of that required<sup>10</sup> over the previous three years.**

11.15 The Council's Land Supply Position, based on recent appeal decisions, is not less than 3 years and as such, on this basis alone paragraph can be disregarded and full weight attributed to the Neighbourhood Plan and the policies therein.

11.16 Paragraph 8 of the NPPF defines what sustainable development is by setting out the three roles of the planning system which are listed below:

**a) an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

**b) a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

**c) an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

11.17 These are interdependent and mutually supportive roles. In order to achieve sustainable development therefore there needs to be a contribution to each of these individual roles. Therefore, there needs to be an assessment of the benefits and impacts and the weight to be afforded to each.

11.18 Both the benefits and impacts and the weight to be afforded to each are listed in the table below:

<b>Issue</b>	<b>Benefit or Harm</b>	<b>Weight</b>
Provision of Housing	Benefit	Significant
Provision of Affordable Housing	Benefit	Limited (In this case)
Loss of Office/Employment Floorspace	Harm	Significant
Character and Appearance	Harm	Significant
Trees and Landscaping	Harm	Significant
Existing Resident's Amenity	Harm	Moderate
Future Resident's Amenity	Harm	Moderate
Ecology and Biodiversity	Harm	Significant
Highways and Parking	Harm	Moderate

Surface Water Drainage	Harm	Moderate
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- 11.19 Furthermore there would be some benefit to the local economy as a result of the development, both during the construction phase and long-term as a result of the provision of housing, however this is moderate at most and needs to be considered alongside the loss of employment generating floorspace that the proposal would bring.
- 11.20 To conclude the balancing exercise, while there are benefits associated with the proposal, these are relatively limited in both quantity and weight, and therefore would not outweigh the identified harms such that planning permission should be forthcoming for this proposal.
- 11.21 In the alternative, and in the event that the applicant secures the necessary SANG capacity with Bracknell Forest to mitigate against the impacts of the development on the SPA, and furthermore matters of drainage and ecology were addressed, the tilted balance would be re-engaged as the Council cannot demonstrate a five year housing land supply. The starting point is therefore that the Council should apply the presumption in favour of sustainable development and therefore approve the development unless the impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the requirements of the NPPF as a whole. However, even in the event that the tilted balance is re-engaged, the impacts arising from the proposal would significantly and demonstrably outweigh the limited benefits identified above. On the basis of the foregoing, the application should be refused for the reasons set out below in Section 13.

## 12. APPENDICES TO THIS REPORT

- Appendix A – Site Location Plan
- Appendix B – Proposed Site Plan, Storey Plan and Floor Plans

## 13. REASONS FOR REFUSAL:

- 1 The application involves the loss of two office buildings that are currently used by local businesses. The buildings are evidently attractive to local businesses and their loss, without any marketing information or any other justification is unacceptable and would have a significant adverse impact on the local, and potentially wider economy. The proposal is therefore contrary to the objectives of Policy E6 of the Local Plan, Policies NP/E1 and NP/E2 of the Ascot, Sunninghill & Sunningdale Neighbourhood Plan, paragraph 81 of the NPPF and Policy ED3 of the emerging Borough Local Plan.
- 2 The proposed development, by virtue of its U-shaped layout that results in the built form being sited extremely close to or largely on the boundaries of the site, coupled with the loss of mature boundary trees and limited space to implement a meaningful replacement landscaping scheme, would result in a poorly designed and cramped form of development that would have an adverse impact on the character and appearance of the site and surrounding area. The proposed scheme is therefore contrary to Policies H10, H11, DG1 and N6 of the Local Plan, Policies NP/DG2, NP/DG3 and NP/EN2 of the Ascot, Sunninghill & Sunningdale Neighbourhood Plan, paragraphs 126, 130 and 132 of the NPPF, Policy QP3 and NR3 of the emerging Borough Local Plan and the Borough Wide Design Guide.
- 3 The development, by virtue of the number of windows and balconies and their height from the side boundary of Plot 1 of permission 15/01752/FULL, would result in an adverse loss of privacy to the occupants of the property. The development is therefore contrary to paragraph 130(f) of the NPPF, Policy QP3 of the emerging Borough Local Plan and Principal 8.1 of the Borough Wide Design Guide.
- 4 The proposed development, by virtue of its cramped poorly designed layout would fail to provide sufficient private and communal outdoor amenity space that would impact upon the amenities of future occupants contrary to the objectives of Policy NP/DG3 of the Ascot, Sunninghill & Sunningdale Neighbourhood Plan, paragraph 130(f) of the NPPF and Principals 8.5 and 8.6 of the Borough Wide Design Guide.
- 5 In the absence of sufficient information regarding highway safety and visibility, the ability of emergency and refuse vehicle to service the proposed development through the proposed archway, pedestrian connectivity, the ability of delivery vehicles to access and park and the cycle parking provision and access the scheme has the potential to impact upon highways safety and convenience. The proposal is therefore contrary to Policy T5 of the Local Plan, Policies NP/T1 and



NP/T2 of the Ascot, Sunninghill & Sunningdale Neighbourhood Plan, paragraph 111 of the NPPF and Policy IF3 of the emerging Borough Local Plan.

6 In the absence of sufficient information regarding surface water drainage and associated exceedance flows the proposal is contrary to the objectives of Policy F1 of the Local Plan and paragraph 169 of the NPPF 2021.

7 In the absence of sufficient information relating to additional bat surveys, biodiversity net gain, wildlife lighting and invasive species eradication the Local Planning Authority are unable to assess the potential impacts on biodiversity and protected species. The proposal is therefore contrary to the objectives of Policy N9 of the Local Plan, paragraph 180 of the NPPF and Policy NR2 of the Emerging Borough Local Plan Main Modifications

8 In the absence of any details regarding the tenure of the proposed Affordable Housing or Section 106 Legal Agreement to secure the provision of the same, the proposal is contrary to the objectives of Policy H3 of the Local Plan, paragraph 62 of the NPPF, Policy HO3 of the emerging Borough Local Plan and the Planning Obligations and Development Contributions SPD.

9 The proposal is likely to have a significant effect in combination with other plans and projects in the locality on the Thames Basin Heaths Special Protection Area [SPA] as designated under The Conservation (Natural Habitats, etc) Regulations, and which is also designated as a Site of Special Scientific Interest [SSSI]. This would arise through increased visitor and recreational pressure on Chobham Common, as a constituent part of the SPA, causing disturbance to three species of protected, ground-nesting birds that are present at the site. In the absence of an assessment to show no likely significant effect, including sufficient mitigation measures to overcome any such impact on the SPA, and in the absence of financial provision towards the Strategic Access Management and Monitoring (SAMM) project and the provision of Suitable Alternative Natural Greenspace (SANG) noted in the Council's Thames Basin Heaths Special Protection Area SPD or satisfactory alternative provision, the likely adverse impact on the integrity of this European nature conservation site has not been overcome. The proposal is thus in conflict with the guidance and advice in the National Planning Policy Framework and the RBWM Thames Basin Heaths Special Protection Area SPD and fails to comply with policy NR4 of the Borough Local Plan Submission Version.

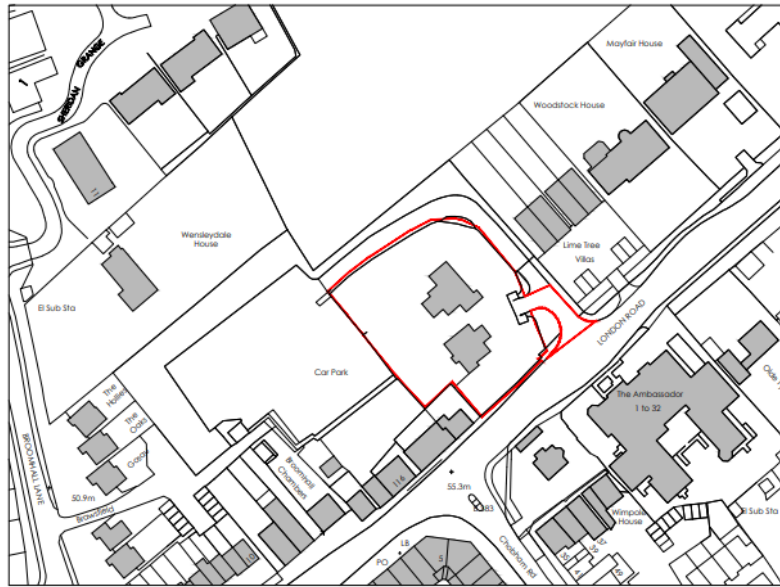
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# Application 21/01543/OUT – Old Boundary House and New Boundary House, London Road, Sunningdale, Ascot.

## Appendix A – Location Plan

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SITE LOCATION PLAN  
1:1250@A3



Revision	Date	Description	Author	Checker	Description	Project	Client

**PLANNING**

**ELLIOT CHARLES GROUP**

**NEW BOUNDARY HOUSE SITE - SUNNINGDALE**

**SITE LOCATION PLAN**

MAY 2021 1:300@A3 21-01-A-103-P2

**MINION COOK Architects**

© 2018, 2020  
 01753 34444  
 01753 34444  
 01753 34444

8 London Road  
 12018 Wood End  
 Midvale, Bristol  
 www.minioncook.co.uk

# Appendix B.1 – Site Location & Layout Plan

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SITE LAYOUT PLAN (PROPOSED)  
1:200 @ A1

Revision	Date	Description	Revision	Date	Description

NOTES:  
 1. All dimensions are in metres.  
 2. All dimensions are to the centre of the wall unless otherwise stated.  
 3. All dimensions are to the centre of the wall unless otherwise stated.  
 4. All dimensions are to the centre of the wall unless otherwise stated.  
 5. All dimensions are to the centre of the wall unless otherwise stated.

Scale: 1:200 @ A1

Scale 1:200 @ A1

Client: ELIOT CHARLES GROUP  
 Project: NEW BOUNDARY HOUSE SITE - SUNNINGDALE  
 Site: SITE LOCATION & LAYOUT  
 Date: APRIL 2021 1:200 @ A1  
 Drawing No: 21-01-A-100-P3

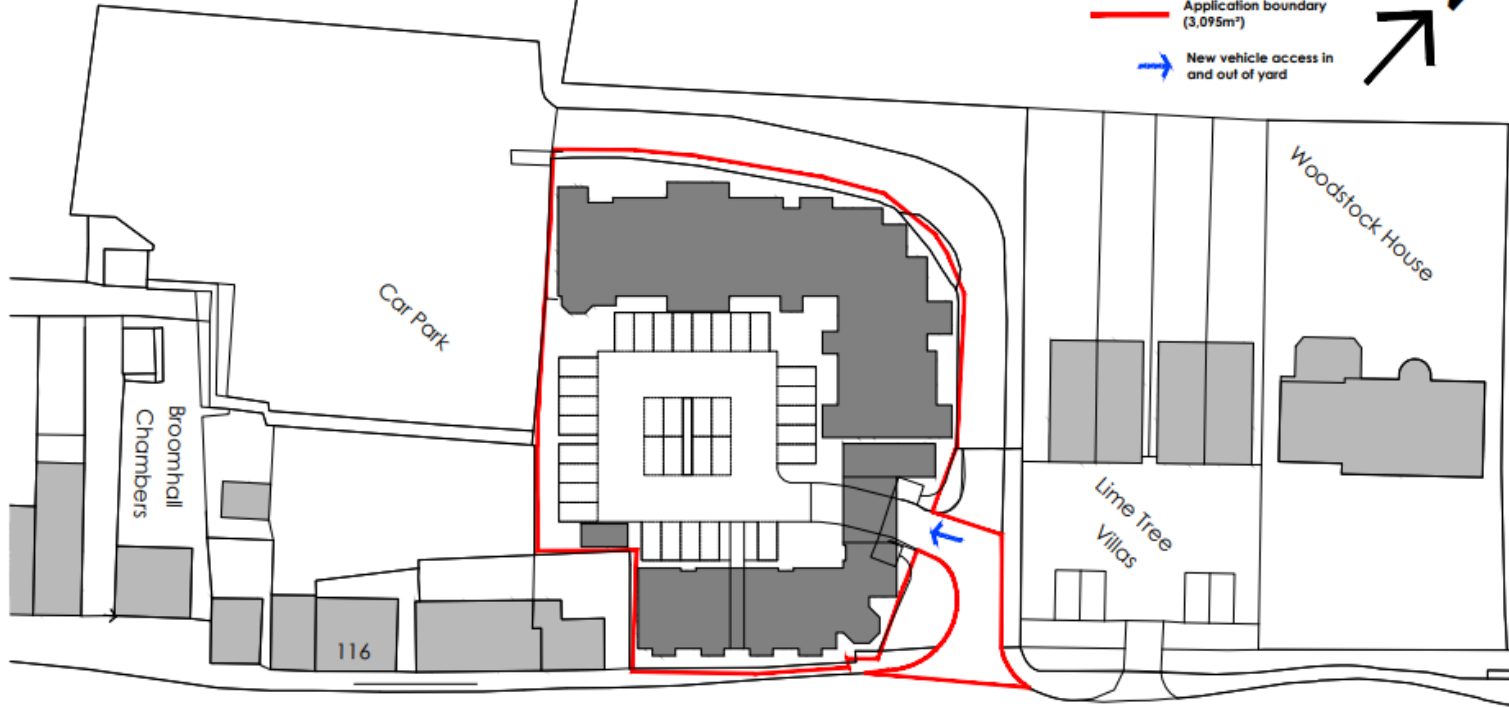
**HINTON COOK**  
 Architects  
 01753 23434  
 01753 20034  
 45 BRIDGE STREET, SUNNINGDALE, OXFORD, OX4 1JF  
 @ HintonCook Architects  
 London, Oxford, Bath  
 0800 51 51 51  
 www.hintoncook.co.uk

# Appendix B.2 – Site Block Plan

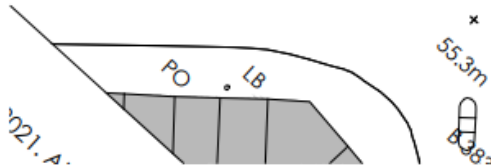
101

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- Other Ownership
- Application boundary (3,095m<sup>2</sup>)
- ➔ New vehicle access in and out of yard



LONDON ROAD



**21. A**  
SITE BLOCK PLAN (PROPOSED)  
1:500@A3

Scale 1:500 at A3

No.	Date	Description	No.	Date	Description
1	21-01-21	Site Block Plan (Proposed)	1	21-01-21	Site Block Plan (Proposed)
2	21-02-21	Revised Site Block Plan	2	21-02-21	Revised Site Block Plan
3	21-03-21	Revised Site Block Plan	3	21-03-21	Revised Site Block Plan
4	21-04-21	Revised Site Block Plan	4	21-04-21	Revised Site Block Plan
5	21-05-21	Revised Site Block Plan	5	21-05-21	Revised Site Block Plan

Rev.	Description	Date
01	Issue for Planning	21-01-21
02	Issue for Planning	21-02-21
03	Issue for Planning	21-03-21
04	Issue for Planning	21-04-21
05	Issue for Planning	21-05-21

Client	Project	
ELLIOT CHARLES GROUP	NEW BOUNDARY HOUSE SITE - SUNNINGDALE	
	SITE BLOCK PLAN	
DATE	SCALE	PROJECT NO.
APRIL 2021	1:500@A3	21-01-A-101-P3

**HINTON COOK Architects**

01494 24444  
01494 20044  
info@hintoncook.co.uk

02088 60000  
02088 60000  
info@hintoncook.co.uk

ELLIOT CHARLES GROUP

NEW BOUNDARY HOUSE SITE - SUNNINGDALE

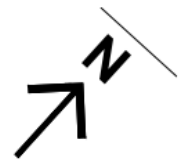
SITE BLOCK PLAN

DATE: APRIL 2021 SCALE: 1:500@A3 PROJECT NO.: 21-01-A-101-P3

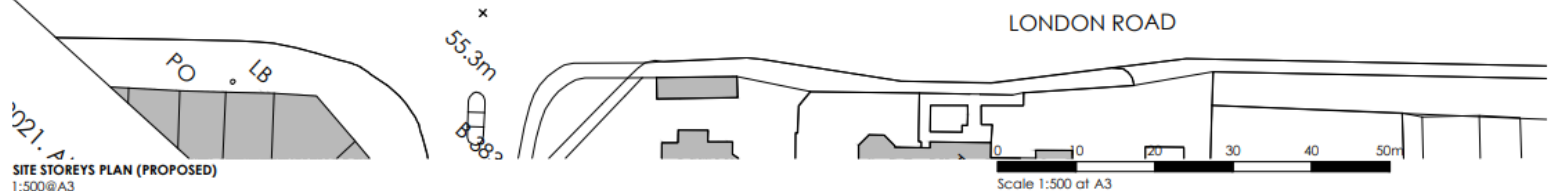
# Appendix B.3 – Site Stories Plan

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- Storey Heights & Ridge Parameters:**
- 1 storey - 4.2m (Max ridge height +/- 0.5m)
  - 2 storey - 8m (Max ridge height +/- 0.5m)
  - 2.5 storey (Max ridge height +/- 0.5m)
  - 3 storey - 10.5m (Max ridge height +/- 0.5m)



102



**SITE STOREYS PLAN (PROPOSED)**  
1:500@A3

Scale 1:500 at A3

Revision	Date	Description	Revision	Date	Description
01	21-01-2021	Issue for Planning			
02	21-01-2021	Issue for Planning			
03	21-01-2021	Issue for Planning			
04	21-01-2021	Issue for Planning			
05	21-01-2021	Issue for Planning			
06	21-01-2021	Issue for Planning			
07	21-01-2021	Issue for Planning			
08	21-01-2021	Issue for Planning			
09	21-01-2021	Issue for Planning			
10	21-01-2021	Issue for Planning			

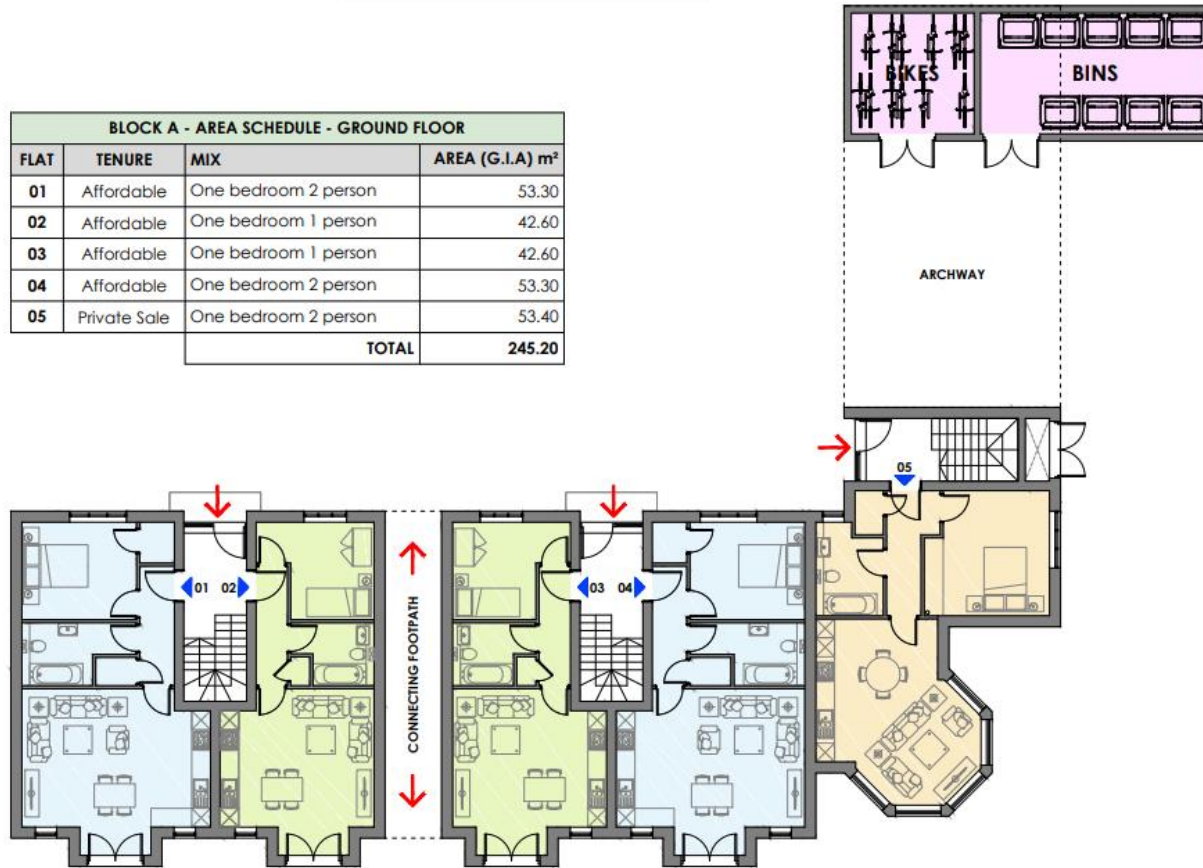
Project: **PLANNING**  
 Client: **ELLIOT CHARLES GROUP**  
 Site: **NEW BOUNDARY HOUSE SITE - SUNNINGDALE**  
 Title: **SITE STOREYS PLAN**  
 Date: **MAY 2021** | Scale: **1:500@A3** | Drawing: **21-01-A-102-P2**

**HINTONCOOK** Architects  
 01938 218344  
 01938 218344  
 info@hintoncook.co.uk  
 8 Ladbroke Grove  
 London W2 1NU  
 UK  
 www.hintoncook.co.uk

Appendix B.4 – Block A Ground Floor Plan

INDICATIVE ONLY

BLOCK A - AREA SCHEDULE - GROUND FLOOR			
FLAT	TENURE	MIX	AREA (G.I.A) m <sup>2</sup>
01	Affordable	One bedroom 2 person	53.30
02	Affordable	One bedroom 1 person	42.60
03	Affordable	One bedroom 1 person	42.60
04	Affordable	One bedroom 2 person	53.30
05	Private Sale	One bedroom 2 person	53.40
TOTAL			245.20



TYPICAL GROUND FLOOR PLAN (BLOCK A)

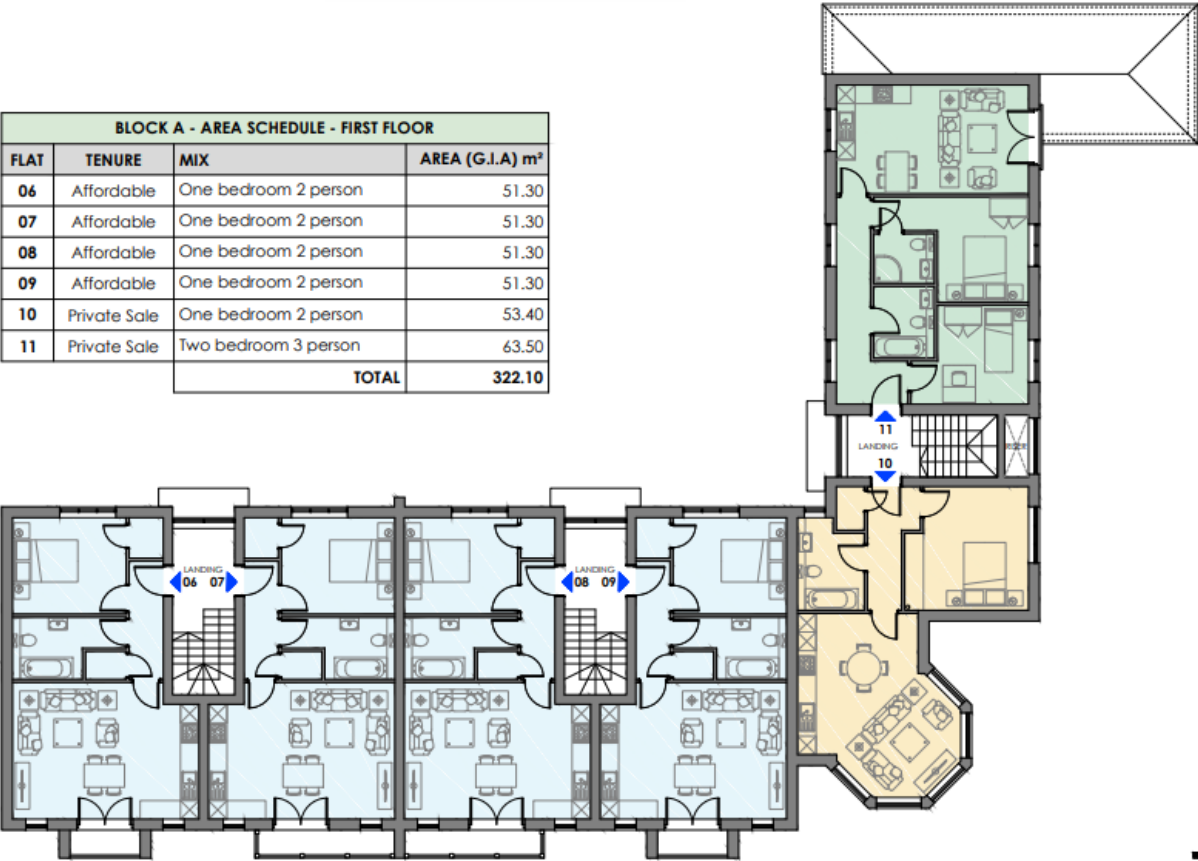
103

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Revision	Date	Description																																																																				
Revision	Date	Description																																																																				

Appendix B.5 – Block A First Floor Plan

INDICATIVE ONLY

BLOCK A - AREA SCHEDULE - FIRST FLOOR			
FLAT	TENURE	MIX	AREA (G.I.A) m²
06	Affordable	One bedroom 2 person	51.30
07	Affordable	One bedroom 2 person	51.30
08	Affordable	One bedroom 2 person	51.30
09	Affordable	One bedroom 2 person	51.30
10	Private Sale	One bedroom 2 person	53.40
11	Private Sale	Two bedroom 3 person	63.50
<b>TOTAL</b>			<b>322.10</b>



TYPICAL FIRST FLOOR PLAN (BLOCK A)

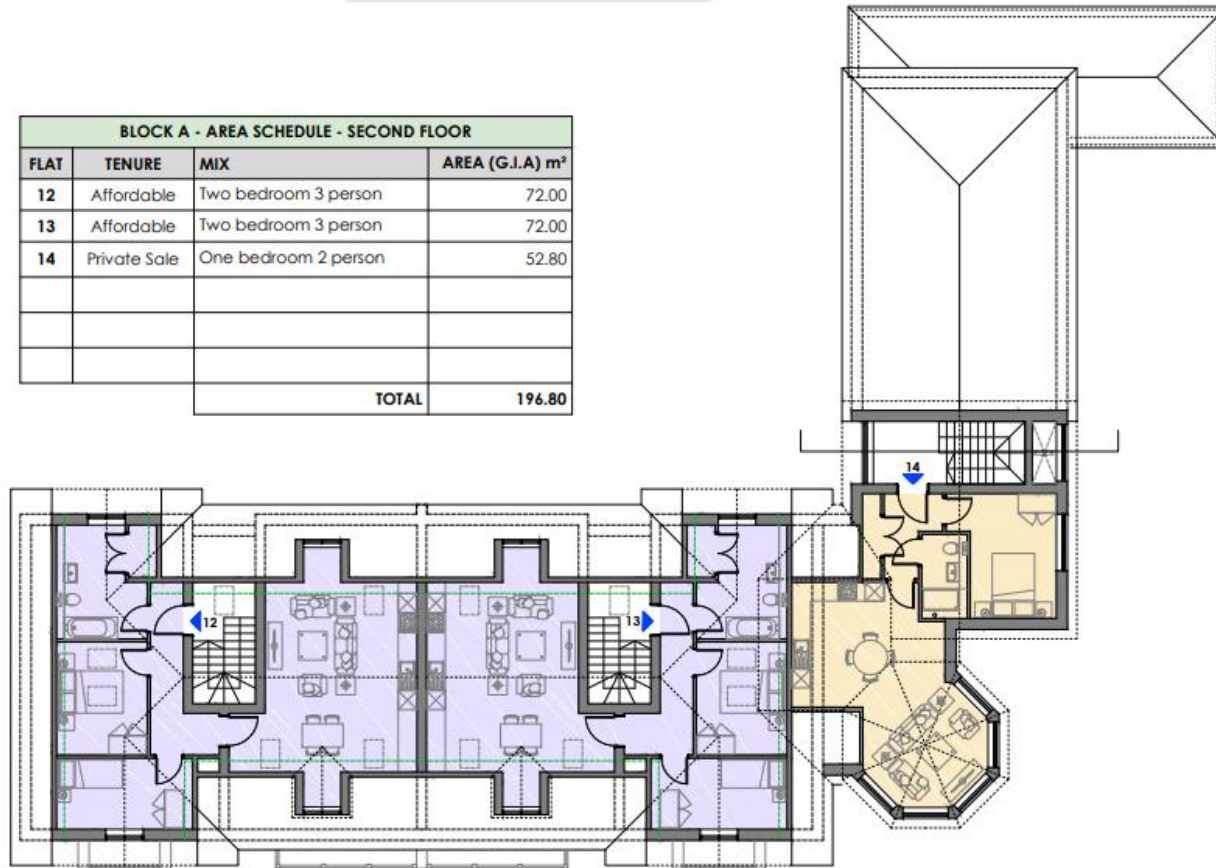
<table border="1"> <thead> <tr> <th>Revision</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>001</td> <td>2021-01-21</td> <td>Issue for planning</td> </tr> </tbody> </table>	Revision	Date	Description	001	2021-01-21	Issue for planning	<table border="1"> <thead> <tr> <th>Revision</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Revision	Date	Description				<p>Scale: 1:125 @ A3</p> <p>Project: NEW BOUNDARY HOUSE SITE - SUNNINGDALE</p> <p>Block: BLOCK A - PROPOSED FIRST FLOOR</p> <p>Client: ELLIOT CHARLES GROUP</p> <p>Drawn: [Name]</p> <p>Checked: [Name]</p> <p>Approved: [Name]</p> <p>Date: JAN 2021</p>	<p>Stage: PLANNING</p> <p>Project: NEW BOUNDARY HOUSE SITE - SUNNINGDALE</p> <p>Block: BLOCK A - PROPOSED FIRST FLOOR</p> <p>Date: JAN 2021</p> <p>Scale: 1:125 @ A3</p> <p>Project No: 21-01-A-201-P1</p>	<p>HINTON COOK Architects</p> <p>01 952 228044 01 952 228044 info@hintoncook.co.uk</p> <p>10 Landlord House 10 Landlord House East 10 Landlord House 10 Landlord House</p> <p>www.hintoncook.co.uk</p>
Revision	Date	Description														
001	2021-01-21	Issue for planning														
Revision	Date	Description														



Appendix B.6 – Block A Second Floor Plan

INDICATIVE ONLY

BLOCK A - AREA SCHEDULE - SECOND FLOOR			
FLAT	TENURE	MIX	AREA (G.I.A) m <sup>2</sup>
12	Affordable	Two bedroom 3 person	72.00
13	Affordable	Two bedroom 3 person	72.00
14	Private Sale	One bedroom 2 person	52.80
TOTAL			196.80



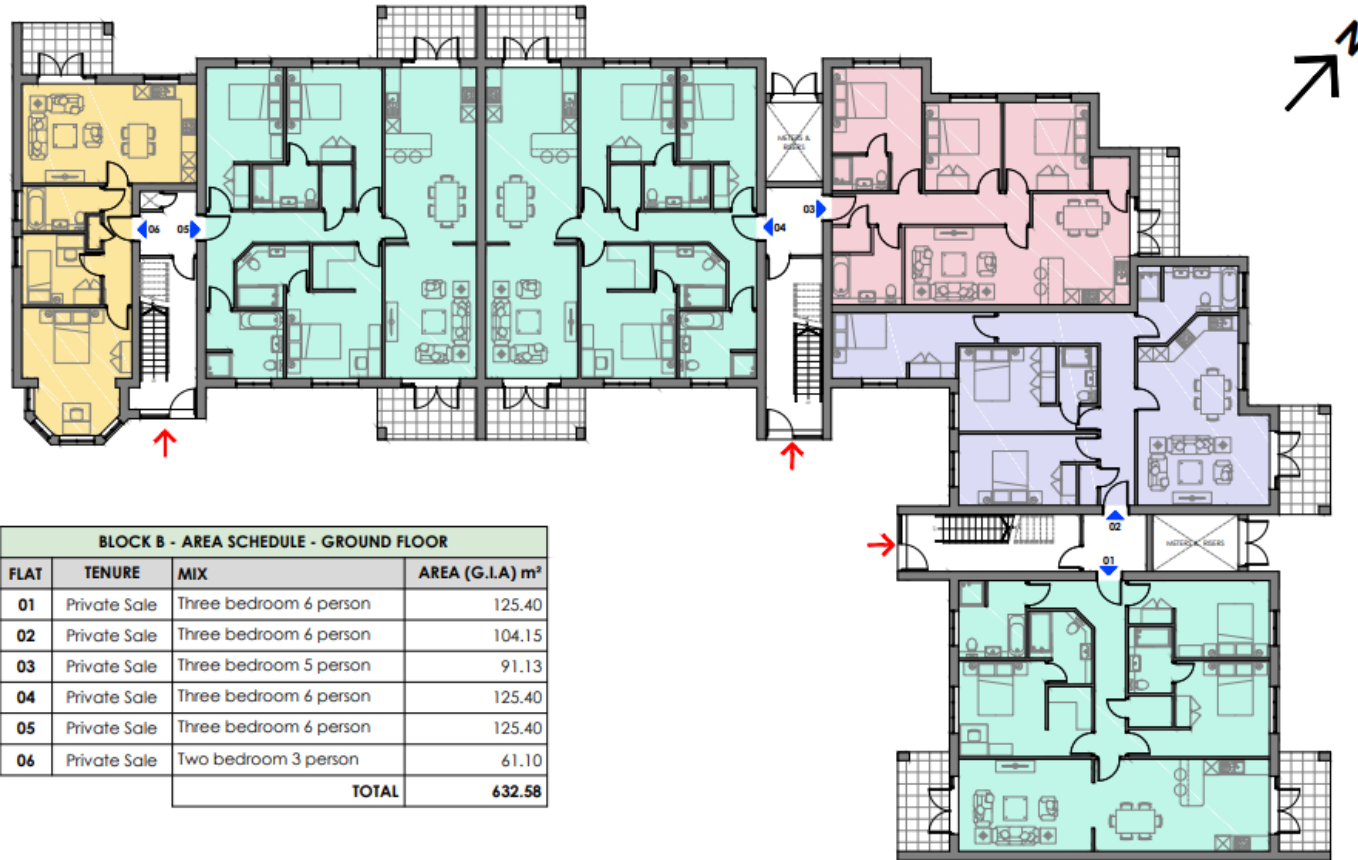
TYPICAL SECOND FLOOR PLAN (BLOCK A)

105

Revision Date Description By Checked Approved Date	Revision Date Description By Checked Approved Date	Revision Date Description By Checked Approved Date	Revision Date Description By Checked Approved Date	Revision Date Description By Checked Approved Date	Revision Date Description By Checked Approved Date
BLOCK A - PROPOSED SECOND FLOOR 21-01-A-202-P2 1:125RA3 JAN 2021			HINTON COOK Architects 01 755 220044 01 755 220044 info@hintoncook.co.uk 10 Colindale Avenue Colindale Avenue East Colindale Avenue London NW9 1AQ www.hintoncook.co.uk		

Appendix B.7 – Block B Ground Floor Plan

106



BLOCK B - AREA SCHEDULE - GROUND FLOOR			
FLAT	TENURE	MIX	AREA (G.I.A) m²
01	Private Sale	Three bedroom 6 person	125.40
02	Private Sale	Three bedroom 6 person	104.15
03	Private Sale	Three bedroom 5 person	91.13
04	Private Sale	Three bedroom 6 person	125.40
05	Private Sale	Three bedroom 6 person	125.40
06	Private Sale	Two bedroom 3 person	61.10
<b>TOTAL</b>			<b>632.58</b>

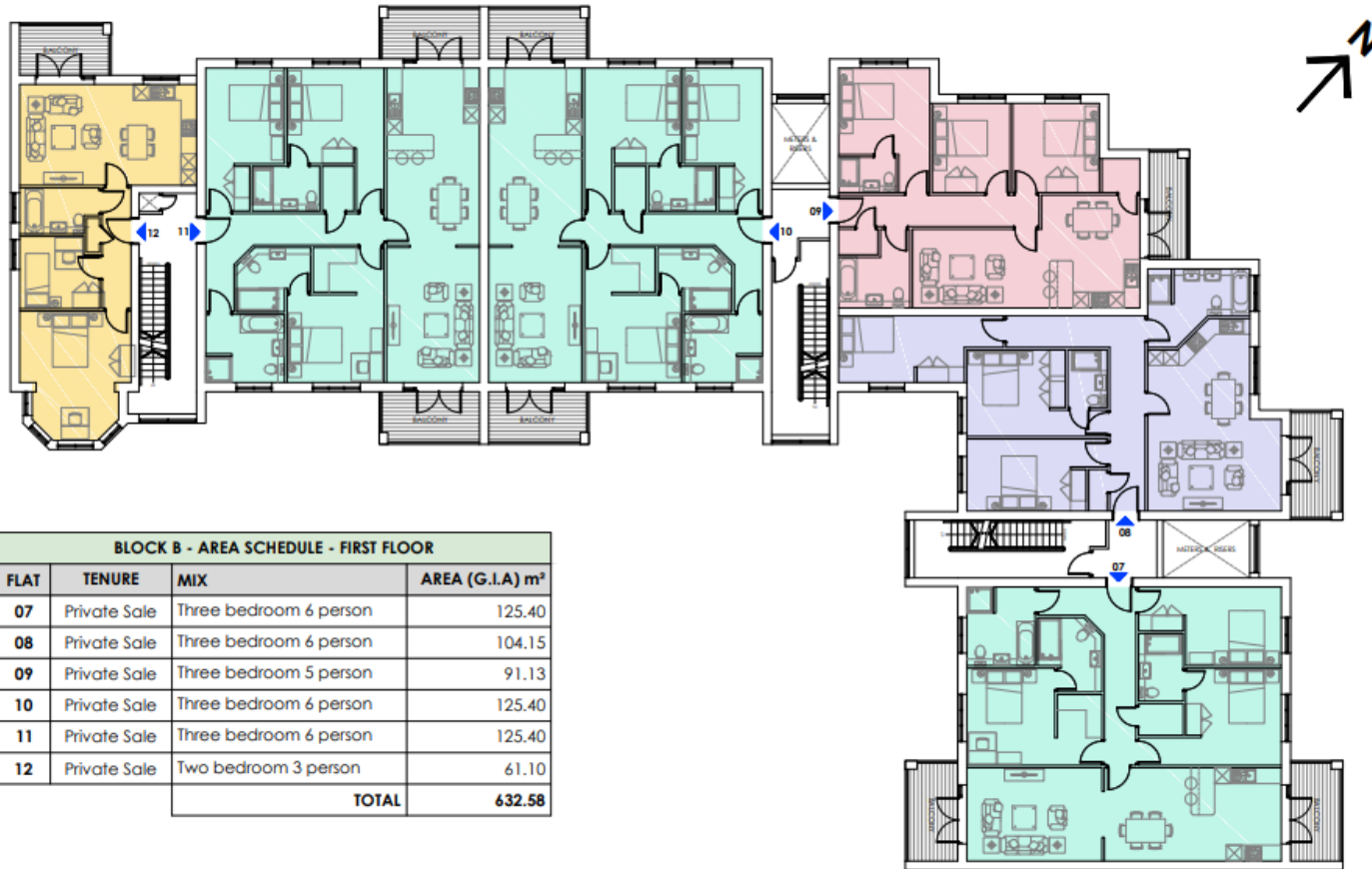
INDICATIVE ONLY

TYPICAL GROUND FLOOR PLAN (BLOCK B)

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Rev	Date	Description																	

Appendix B.8 – Block B First Floor Plan

107



BLOCK B - AREA SCHEDULE - FIRST FLOOR			
FLAT	TENURE	MIX	AREA (G.I.A) m <sup>2</sup>
07	Private Sale	Three bedroom 6 person	125.40
08	Private Sale	Three bedroom 6 person	104.15
09	Private Sale	Three bedroom 5 person	91.13
10	Private Sale	Three bedroom 6 person	125.40
11	Private Sale	Three bedroom 6 person	125.40
12	Private Sale	Two bedroom 3 person	61.10
<b>TOTAL</b>			<b>632.58</b>

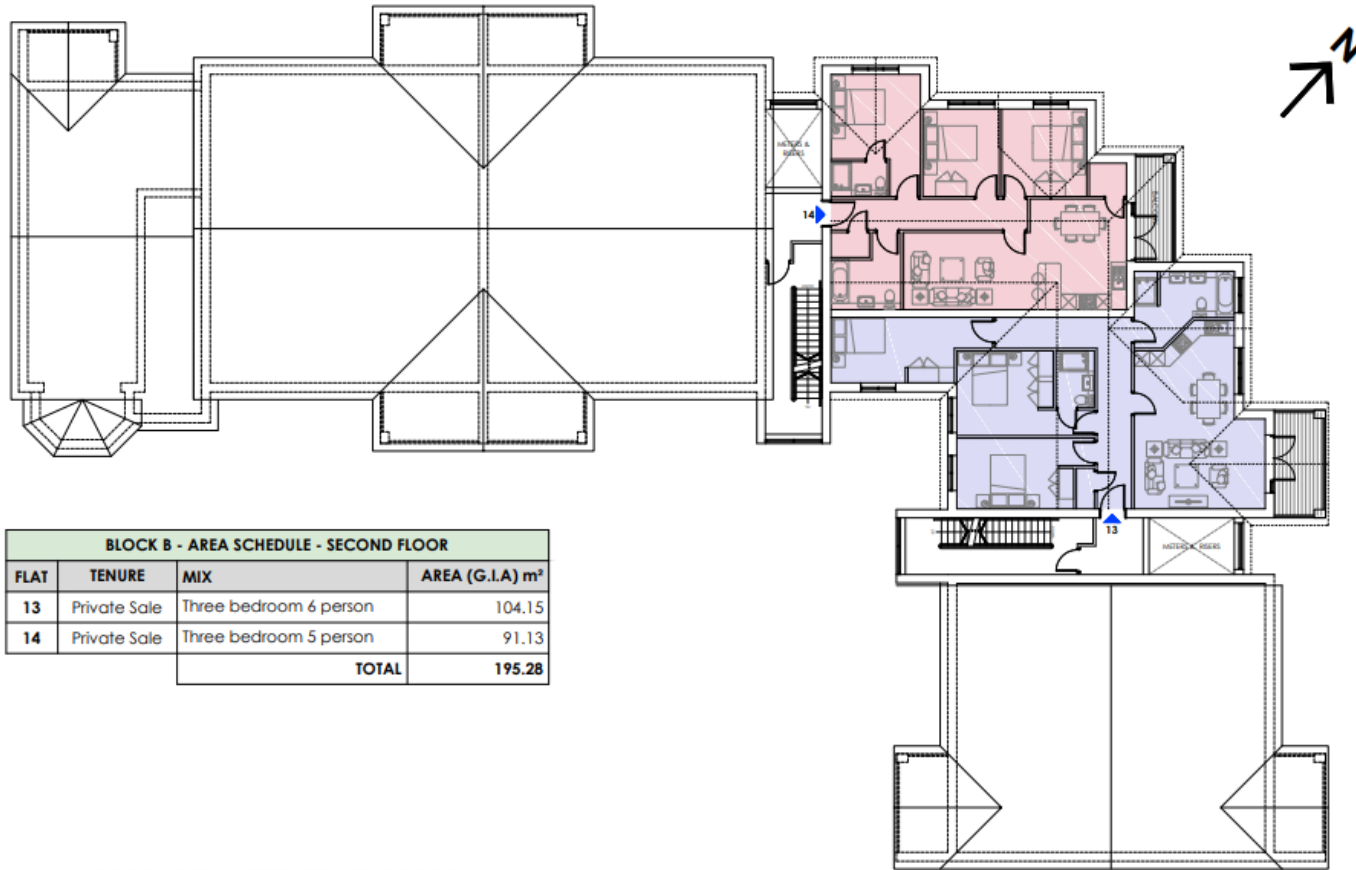
INDICATIVE ONLY

TYPICAL FIRST FLOOR PLAN (BLOCK B)

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Revisions	Date	Description																																																																					
Revisions	Date	Description																																																																					

Appendix B.9 – Block B Second Floor Plan

108



BLOCK B - AREA SCHEDULE - SECOND FLOOR			
FLAT	TENURE	MIX	AREA (G.I.A) m <sup>2</sup>
13	Private Sale	Three bedroom 6 person	104.15
14	Private Sale	Three bedroom 5 person	91.13
<b>TOTAL</b>			<b>195.28</b>

INDICATIVE ONLY

TYPICAL SECOND FLOOR PLAN  
(BLOCK B)

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th>Rev</th><th>Date</th><th>Description</th></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	Rev	Date	Description																<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th>Rev</th><th>Date</th><th>Description</th></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	Rev	Date	Description																<p><b>NOTES</b></p> <ul style="list-style-type: none"> <li>1. ALL DIMENSIONS ARE TO FACE UNLESS STATED OTHERWISE.</li> <li>2. ALL DIMENSIONS ARE TO FACE UNLESS STATED OTHERWISE.</li> <li>3. ALL DIMENSIONS ARE TO FACE UNLESS STATED OTHERWISE.</li> <li>4. ALL DIMENSIONS ARE TO FACE UNLESS STATED OTHERWISE.</li> <li>5. ALL DIMENSIONS ARE TO FACE UNLESS STATED OTHERWISE.</li> <li>6. ALL DIMENSIONS ARE TO FACE UNLESS STATED OTHERWISE.</li> <li>7. ALL DIMENSIONS ARE TO FACE UNLESS STATED OTHERWISE.</li> <li>8. ALL DIMENSIONS ARE TO FACE UNLESS STATED OTHERWISE.</li> </ul>	<p><b>PLANNING</b></p> <p>DATE: JAN 2021</p> <p>SCALE: 1:150 @ A3</p> <p>PROJECT: 21-01-8-202-P2</p>	<p>CLIENT: ELLIOT CHARLES GROUP</p> <p>PROJECT: NEW BOUNDARY HOUSE SITE - SUNNINGDALE</p> <p>DESCRIPTION: BLOCK B - PROPOSED SECOND FLOOR</p> <p>DATE: JAN 2021</p> <p>SCALE: 1:150 @ A3</p> <p>PROJECT: 21-01-8-202-P2</p>	<p><b>HINTON COOK Architects</b></p> <p>01753 226344 01753 226344 hintoncook@hintoncook.co.uk</p> <p>8 Oakford Park Oakford Wood Farm Milling Lane Weymouth, Dorset DT9 8JL</p> <p>www.hintoncook.co.uk</p>
Rev	Date	Description																																							
Rev	Date	Description																																							

## Planning Appeals Received

21 August 2021 – 23 September 2021

### Windsor and Ascot

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 PIn 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:** Wraysbury Parish

**Appeal Ref.:** 21/60058/REF      **Planning Ref.:** 21/00424/FULL      **PIns Ref.:** APP/T0355/D/21/3277543

**Date Received:** 9 September 2021

**Comments Due:** Not Applicable

**Type:** Refusal

**Appeal Type:** Householder Appeal

**Description:** First floor front extension, cladding and render, front dormer window, part conversion of carport to habitable accommodation with ramp, extension to car port and alterations to hardstanding.

**Location:** **57 The Avenue Wraysbury Staines TW19 5EZ**

**Appellant:** Mr James McCauley **c/o Agent:** Mrs Judy Giddings 26 Melbourne Road Teddington Middlesex TW11 9QX

**Ward:**

**Parish:** Windsor Unparished

**Appeal Ref.:** 21/60059/REF      **Planning Ref.:** 21/00872/FULL      **PIns Ref.:** APP/T0355/D/21/3276912

**Date Received:** 10 September 2021

**Comments Due:** Not Applicable

**Type:** Refusal

**Appeal Type:** Householder Appeal

**Description:** Single storey front/side extension and part garage conversion to include raising of garage roof.

**Location:** **54 White Horse Road Windsor SL4 4PQ**

**Appellant:** Mr Tom Carter **c/o Agent:** Mr Chris Rickerby CDR Consultants Ltd 39 Clifton Rise Windsor SL4 5SX

## Appeal Decision Report

21 August 2021 - 23 September 2021

### Windsor and Ascot

**Appeal Ref.:** 21/60033/REF      **Planning Ref.:** 20/02754/FULL      **Plns Ref.:** APP/T0355/D/21/3269928

**Appellant:** Sherandra Seetharamdoo **c/o Agent:** Mr Richard Simpson RJS Planning 132 Brunswick Road London W5 1AW

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

**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**

**Appeal Decision:** Dismissed      **Decision Date:** 27 August 2021

**Main Issue:** The Inspector found that the proposal would be inappropriate development in the Green Belt. In line with the Framework, the Inspector afforded substantial weight to the harm caused by reason of inappropriateness.

---

**Appeal Ref.:** 21/60042/REF      **Planning Ref.:** 20/03532/FULL      **Plns Ref.:** APP/T0355/D/21/3271592

**Appellant:** Mr Shafiul Syed **c/o Agent:** Mr Asim Hussain Crown Designs 15 Alleyn Park Southall UB2 5QT

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

**Description:** First floor side extension with undercroft

**Location:** **6 Fairfield Road Wraysbury Staines TW19 5DU**

**Appeal Decision:** Dismissed      **Decision Date:** 27 August 2021

**Main Issue:** The Inspector concluded that the proposal has failed to demonstrate that it would not, in combination with other structures on the site, increase the risk of flooding and would therefore conflict with Policy F1 of the Local Plan, the Framework, and Policy NP/SUSTDEV02 of the Neighbourhood Plan which seek to reduce flood risk.

---