

NOTICE
OF
MEETING

**WINDSOR AND ASCOT DEVELOPMENT
MANAGEMENT COMMITTEE**

will meet on

WEDNESDAY, 6TH APRIL, 2022

At 7.00 pm

In the

GREY ROOM - YORK HOUSE AND 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: 29 March 2022

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **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.	<p><u>APOLOGIES FOR ABSENCE</u></p> <p>To receive any apologies for absence.</p>	-
2.	<p><u>DECLARATIONS OF INTEREST</u></p> <p>To receive any declarations of interest.</p>	5 - 8
3.	<p><u>MINUTES OF PREVIOUS MEETING</u></p> <p>To approve the minutes of the meeting held on 2 March 2022 as a true and accurate record.</p>	9 - 12
4.	<p><u>21/02144/OUT - LAND AT 19 AND 19 OLD FERRY DRIVE WRAYSBURY STAINES</u></p> <p>Proposal: Outline application for access and layout only to be considered at this stage with all other matters to be reserved for the construction of x32 dwellings (comprising x14 two-storey affordable retirement living units, x4 two-storey detached dwellings and x14 two-storey semi-detached dwellings), revised pedestrian and vehicular access, local business/community hub and children's play area, following removal of existing structures.</p> <p>Recommendation: REFUSE</p> <p>Applicant: OSB Ltd</p> <p>Member Call In: N/A</p> <p>Expiry Date: 20 October 2021</p>	13 - 44
5.	<p><u>21/02467/FULL - SQUIRES GARDEN CENTRE MAIDENHEAD ROAD WINDSOR SL4 5UB</u></p> <p>Proposal: Erection of 30 dwellings including the re-location of existing access along Maidenhead Road with associated parking, internal circulation, informal public open space, landscaping and related infrastructure.</p> <p>Recommendation: PERMIT</p> <p>Applicant: -</p> <p>Member Call In: N/A</p> <p>Expiry Date: 24 November 2021</p>	45 - 78
6.	<p><u>21/03765/FULL - SITE OF FORMER PINE LODGE HATCH LANE WINDSOR</u></p>	79 - 90

Proposal: New pedestrian and vehicular entrance gates with piers.

Recommendation: PERMIT

Applicant: Beechcroft Developments Ltd

Member Call In: N/A

Expiry Date: 17 February 2022

7.

PLANNING APPEALS RECEIVED AND PLANNING DECISION
REPORT

91 - 94

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' GUIDE TO DECLARING INTERESTS AT MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a Disclosable Pecuniary Interest (DPI) or Other Registerable Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

Any Member with concerns about the nature of their interest should consult the Monitoring Officer in advance of the meeting.

Non-participation in case of Disclosable Pecuniary Interest (DPI)

Where a matter arises at a meeting which directly relates to one of your DPIs (summary below, further details set out in Table 1 of the Members' Code of Conduct) you must disclose the interest, **not participate in any discussion or vote on the matter and must not remain in the room** unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI.

Where you have a DPI on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

DPIs (relating to the Member or their partner) include:

- *Any employment, office, trade, profession or vocation carried on for profit or gain.*
- *Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her 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 council.*
- *Any licence to occupy land in the area of the council for a month or longer.*
- *Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.*
- *Any beneficial interest in securities of a body where:*
 - a) that body has a place of business or land in the area of the council, and*
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.*

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

Disclosure of Other Registerable Interests

Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (summary below and as set out in Table 2 of the Members Code of Conduct), you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive

interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

Other Registerable Interests (relating to the Member or their partner):

You have an interest in any business of your authority where it relates to or is likely to affect:

- a) *any body of which you are in general control or management and to which you are nominated or appointed by your authority*
- b) *any body*
 - (i) exercising functions of a public nature*
 - (ii) directed to charitable purposes or*

one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Disclosure of Non- Registerable Interests

Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a body included in those you need to disclose under DPIs as set out in Table 1 of the Members' code of Conduct

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter **affects** your financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

Other declarations

Members may wish to declare at the beginning of the meeting any other information they feel should be in the public domain in relation to an item on the agenda; such Member statements will be included in the minutes for transparency.

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Agenda Item 3

WINDSOR AND ASCOT DEVELOPMENT MANAGEMENT COMMITTEE

WEDNESDAY, 2 MARCH 2022

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

Also in attendance: Councillor John Baldwin, Councillor Gurpreet Bhangra and Councillor Maureen Hunt

Officers: Oran Norris-Browne, Sian Saadeh, Jo Richards, Adrien Waite, Zarreen Hadadi and Michael Lee

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Knowles and Councillor Wisdom Da Costa with Councillor Carole Da Costa acting as substitute.

DECLARATIONS OF INTEREST

Councillor Bateson declared that she was Ward Councillor for Sunningdale, and Cheapside She was attending the meeting with an open mind.

Councillor Bowden declared that he was a member of the Development Management Panel in 2017 where the hybrid decision was passed for Heatherwood Hospital. He stated that he was attending with an open mind.

Councillor Carole Da Costa declared that she had been a former employee of Wexham and Heatherwood NHS Trust, but she was attending the meeting with an open mind.

Councillor Shelim also declared that he was a member of the Development Management Panel in 2017 where the hybrid decision was passed for Heatherwood Hospital. He stated that he was attending with an open mind.

MINUTES OF PREVIOUS MEETING

AGREED UNANIMOUSLY: That the minutes of the last meeting held on 5th January 2022, be a true and accurate record.

20/00969/FULL-LAND TO THE NORTH LYNWOOD CRESCENT SUNNINGDALE ASCOT

A motion was put forward by Councillor Bowden to permit the application as per officer's recommendation upon the satisfactory completion of an undertaking to secure the carbon off-set contribution set out in Section 10 of the report and with the conditions listed in Section 15 of the report. This was seconded by Councillor Shelim.

A named vote was taken.

20/00969/FULL-Land To The North Lynwood Crescent Sunningdale Ascot (Motion)	
Councillor David Cannon	For
Councillor John Bowden	For
Councillor Christine Bateson	For
Councillor Julian Sharpe	For
Councillor Shamsul Shelim	For
Councillor Amy Tisi	For
Councillor Jon Davey	For
Councillor Carole Da Costa	For
Carried	

APPROVED UNANIMOUSLY: That the application be permitted upon the satisfactory completion of an undertaking to secure the carbon off-set contribution set out in Section 10 of the report and with the conditions listed in Section 15 of the report.

The Committee were addressed by 6 speakers. Parish Councillor Jacklin, Caroline Farrar (applicant), Councillor Luxton, Councillor Story, Councillor Carroll and Councillor Johnson.

21/02792/REM- HEATHERWOOD HOSPITAL LONDON ROAD ASCOT SL5 8AA

A motion was put forward by Councillor Bowden to defer and delegate the application to the Head of Planning to grant planning permission upon the satisfactory completion of an undertaking to secure a contribution to the Council's Carbon Offset Fund and with the conditions listed in Section 15 of the main report and the Panel Update. This was seconded by Councillor Bateson

A named vote was taken.

21/02792/REM- Heatherwood Hospital London Road Ascot SL5 8AA (Motion)	
Councillor David Cannon	For
Councillor John Bowden	For
Councillor Christine Bateson	For
Councillor Julian Sharpe	Against
Councillor Shamsul Shelim	For
Councillor Amy Tisi	Against
Councillor Jon Davey	Abstain
Councillor Carole Da Costa	Against
Carried	

RESOLVED: That the application be deferred and delegated to the Head of Planning to grant planning permission upon the satisfactory completion of an undertaking to secure a contribution to the Council's Carbon Offset Fund and with the conditions listed in Section 15 of the main report and the Panel Update.

The committee were addressed by 2 speakers. Parish Councillor Wood and Sarah Isherwood (applicant).

21/02508/FULL-IMPERIAL COLLEGE OF SCIENCE AND TECHNOLOGY BUCKHURST ROAD ASCOT SL5 7PY

A motion was put forward by Councillor Sharpe to defer and delegate the application to the Head of Planning to grant planning permission with the conditions listed in Section 15 of the report and the Panel Update and also upon the satisfactory completion of a Unilateral Undertaking to secure a carbon offset contribution. This was seconded by Councillor Tisi.

A named vote was taken.

21/02508/FULL-Imperial College of Science And Technology Buckhurst Road Ascot SL5 7PY (Motion)	
Councillor David Cannon	For
Councillor John Bowden	For
Councillor Christine Bateson	For
Councillor Julian Sharpe	For
Councillor Shamsul Shelim	For
Councillor Amy Tisi	For
Councillor Jon Davey	For
Councillor Carole Da Costa	For
Carried	

AGREED UNANIMOUSLY: That the application be deferred and delegated to the Head of Planning to grant planning permission with the conditions listed in Section 15 of the report and the Panel Update and also upon the satisfactory completion of a Unilateral Undertaking to secure a carbon offset contribution.

The committee were addressed by Neil Rowley (applicant).

21/02777/FULL-127 - 128 HIGH STREET ETON WINDSOR

A motion was proposed by Councillor Carole Da Costa to refuse the application which was in line with officer's recommendation due to the reasons identified in section 15 of the report and the panel update. This was seconded by Councillor Bateson.

A named vote was taken.

21/02777/FULL-127 - 128 High Street Eton Windsor (Motion)	
Councillor David Cannon	For
Councillor John Bowden	Abstain
Councillor Christine Bateson	For
Councillor Julian Sharpe	For
Councillor Shamsul Shelim	Abstain
Councillor Amy Tisi	For
Councillor Jon Davey	For
Councillor Carole Da Costa	For
Carried	

RESOLVED: That the application be refused due to the reasons identified in section 15 of the report and the panel update. This was in line with officer's recommendation.

The committee were addressed by 2 speakers. Nick Berry (applicant) and Councillor Rayner.

PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT

The committee noted the planning appeals received and the planning decision report.

The meeting, which began at 7.00 pm, finished at 9.45 pm

CHAIRMAN.....

DATE.....

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

DEVELOPMENT CONTROL PANEL

6 April 2022

Item: 1

Application No.:	21/02144/OUT
Location:	Land At 19 And 19 Old Ferry Drive Wraysbury Staines
Proposal:	Outline application for access and layout only to be considered at this stage with all other matters to be reserved for the construction of x32 dwellings (comprising x14 two-storey affordable retirement living units, x4 two-storey detached dwellings and x14 two-storey semi-detached dwellings), revised pedestrian and vehicular access, local business/community hub and children's play area, following removal of existing structures.
Applicant:	OSB Ltd
Agent:	Mr Alan Gunne-Jones
Parish/Ward:	Wraysbury Parish/Datchet Horton And Wraysbury
If you have a question about this report, please contact: Michael Lee on or at michael.lee@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application is for outline consent for the erection of 32 dwellings, revised pedestrian and vehicular access, the erection of a community and business hub and children's play area following the demolition of the existing structures. The application is made in Outline form with the principle, means of access and layout to be considered. Scale, appearance and landscaping are to be reserved. The site lies within the Green Belt and flood zones 3b, 3a and 2.
- 1.2 The application was previously before Committee on the 3rd November 2021 with a largely identical recommendation to refuse permission for a number of reasons, principally the impacts on the Green Belt, flood risk and drainage and the poorly designed layout of the scheme. The scheme was deferred by Members to allow the applicant the opportunity to address the flooding reason for refusal and to obtain additional comments from the Environment Agency (EA).
- 1.3 The applicant formally submitted a revised Flood Risk Assessment that sought to address the objections of the Environment Agency (EA). The EA have now removed their objection, subject to two conditions. Comments from the LLFA have not yet been received. Notwithstanding, it falls to the LPA to carry out the sequential test and matters of safe access and egress. These flood risk and drainage issues remain unresolved.
- 1.4 The proposal was considered to be unacceptable for a number of reasons including; 1) the principle of the new housing representing inappropriate development in the Green Belt; 2) the inappropriateness of the development within Flood Zone 3b and failure to pass the sequential and exceptions tests; 3) that the site constitutes an unsustainable location that would actively discourage future occupants from sustainable forms of transport; 4) the layout represents a poor form of design by virtue of inactive frontages and lack of connectivity within the site itself and to the surroundings; 5) no Arboricultural Reports have been submitted and therefore an

assessment on the potential impacts on trees and other landscaping cannot be determined; 6) the scale and proximity of the proposed apartment building would be harmful to the living conditions of neighbouring occupiers at 21 Old Ferry Lane, 7) there is no mechanism in place to secure the proposed 40% affordable housing; and 8) without a Heritage Assessment the Local Planning Authority are unable to fully assess the potential impacts on the Grade II* Listed Building known as King Johns Hunting Lodge.

- 1.5 The scheme is still considered to be unacceptable for the same reasons with the exception that, following a revised Flood Risk Assessment (FRA) and subsequent comments from the EA, the scheme is not within Flood Zone 3b, the functional flood plain. The flood risk and drainage reason for refusal remains save for the revision that excludes the reference to the scheme falling within the functional flood plain to reflect the additional comments from the EA.
- 1.6 Weighing in favour of the scheme, the proposal would provide 32 new dwellings and seek to achieve on site affordable housing of 40%. The proposal also includes a children’s play area and community hub. The weight attributed to these benefits would not either individually or cumulatively, be sufficient to outweigh the other harms that are set out above. On the basis of the foregoing it is therefore recommended that planning permission be refused.

<p>It is recommended that Committee REFUSES planning permission for the reasons listed below and in Section 13 of this report.</p>	
1.	<p>The application site does not fall within the recognised Green Belt settlement of Wraysbury or within the wider understanding of what comprises the village. Furthermore, the proposed development would not constitute limited infilling within a built up frontage. Therefore, the proposal represents inappropriate development in the Green Belt, which is by definition harmful to the Green Belt. Furthermore, the proposal would result in harm to the openness of the Green Belt and would conflict with one of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment'. No Very Special Circumstances have been demonstrated that clearly overcome the harm to the Green Belt and any other harm. The proposal is therefore contrary to Policy QP5 of the Borough Local Plan and paragraphs 147, 148 and 149 of the National Planning Policy Framework (2021).</p>
2.	<p>The proposal, by reason of its siting in an area where there is a high probability of flooding, fails to demonstrate that there are no other reasonably available sites appropriate for the proposed development with a lower risk of flooding than the application site. The application therefore fails the sequential test.</p> <p>In addition, the submitted flood risk assessment fails to adequately assess the flood risk posed by the development. Accordingly, the application has not demonstrated that the proposed development would be safe for its lifetime without increasing flood risk elsewhere. Furthermore, the Flood Risk Assessment fails to demonstrate a safe means of egress for future occupants in times of flood.</p> <p>For these reasons, the proposal is contrary to Policy NR1 of the Borough Local Plan and paragraphs 163 - 173 of the National Planning Policy Framework 2021.</p>
3.	<p>The proposal comprises residential intensification and community facilities within a rural countryside location which suffers from poor accessibility and reliance on the private motor car. The road network serving the site is poorly lit and the footpaths and cycleways</p>

<p>are substandard. The upgrading of the existing infrastructure has not been secured and therefore the proposed development would remain inaccessible for future residents. The location of the proposed development would go against the aims of paragraph 110 of the National Planning Policy Framework and Policy IF2 of the Borough Local Plan) which advises that development should be focussed on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes.</p>
<p>4. The proposed development, by virtue of its in-ward facing layout represents a poorly laid out scheme that would create numerous inactive frontages. Furthermore, the different elements of the development are not laid out in such a way so as they connect well with one another or respect the surrounding pattern of development. In addition the built form includes excessive and unnecessary hard-surfacing, namely the 9m wide circular roadway that would appear highly engineered and dominate the site. The proposal constitutes a poor form of design contrary to the objectives of Policy QP3 of the Borough Local Plan, Policies HOU1 and HOU2 of the Neighbourhood Plan, Section 12 of the NPPF and Principle 6.2 of the Borough Wide Design Guide SPD.</p>
<p>5. In the absence of a supporting Arboriculture Report, Tree Constraints Plan and Tree Protection plan it is not possible for the Local planning Authority to fully assess the potential arboriculture related issues arising from the proposal. The scheme is therefore contrary to the aims of Policies QP3 and NR3 of the Borough Local Plan, Policy NP/HOU1 of the Neighbourhood Plan, Section 12 of the NPPF and Principle's 5.1 and 6.2 of the Borough Wide Design Guide SPD.</p>
<p>6. Block E, by virtue of its height, orientation and proximity to the shared boundary with No. 21 Old Ferry Drive would be likely to result in a materially harmful loss of privacy to the occupants of No. 21. As such the development proposals are contrary to Policy QP3 of the Borough Local Plan, the objectives of paragraph 130(f) of the NPPF and Principle 8.1 of the Borough Wide Design Guide SPD.</p>
<p>7. In the absence of a mechanism to secure the proposed 40% Affordable Housing as set out in the submitted Affordable Housing Technical Note, the proposal is contrary to the objectives of Policy HO3 of the Borough Local Plan, paragraph 63 of the NPPF (2021), and the Planning Obligations and Development Contributions SPD.</p>
<p>8. In the absence of a Heritage Statement, the LPA are unable to assess the potential impacts on the Listed Building that, as a Grade II* building is of particular importance Owing to the importance of King Johns Hunting Lodge, and without any assessment of the potential impacts on this building the proposal is contrary to Policy HE1 of the Borough Local Plan, Policy NP/BE2 of the Neighbourhood Plan and paragraph 194 of the NPPF.</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.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site measures approximately 2.2ha and is located within the Green Belt to the west of the settlement of Wraysbury.
- 3.2 The site is a roughly rectangular area that is comprised of four mobile homes and other structures and hardstanding the subject of the 2011 Lawful Development Certificate which are sited to the west of the site with the majority of the site forming open green space which is bound by sporadic trees and landscaping.

- 3.3 Beyond to the east and south are residential properties that front Hill View Road and Fairfield Approach respectively. Both residential streets include typical suburban development that is comprised of detached bungalows and two storey properties.
- 3.4 To the north and west lie areas of dense trees and woodland with the Grade II* Listed Building known as King Johns Hunting Lodge.
- 3.5 Old Ferry Drive itself extends roughly east/west and connects Wraysbury in the east to Ferry Island in the west where properties front the River Thames associated with Old Windsor.
- 3.6 The road itself is a single width carriageway without footpaths and around the site and to west there are no street lights. Heavy tree lines border the site and contributes to its green and verdant character.
- 3.7 Whilst linking two suburban residential streets Old Ferry Drive, once past the Kingswood Creek junction, takes on a very green and verdant almost rural character befitting its Green Belt location with dense trees belts and woodland to the north and south of Old Ferry Drive.

4. KEY CONSTRAINTS

- 4.1 The site lies within the Green Belt and is located wholly within Flood Zones 2 and 3.
- 4.2 In addition the site is located to the south of King Johns Hunting Lodge, a Grade II* Listed Building; Public Right of Way Path WRAY/8C/1 extending across the south west part of the site. Further to the above the site is located within the London Heathrow safeguarding area, minerals consultation area, Colne Valley Regional Park area and the Wraysbury CP Article 4 area.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposal is for erection of 32 dwellings, revised means of vehicular and pedestrian access, local community and business hub and children's play area. The application is made in Outline form with the principle, means of access and layout to be considered. Appearance and landscaping are to be reserved. The applicant has stated that the residential element of the scheme will be two storey. No further information on scale has been provided. If the application were to be approved additional information on scale would need to be submitted with the Reserved Matters application.
- 5.2 The scheme proposes residential properties fronting a circular internal access road with the new access proposed to the east of the site. To the south east of the site would be the community and business hub, the children's play area would be to the south, with the two storey retirement properties being sited to the north west part of the site.
- 5.3 The residential units would be comprised of four two-storey detached dwellings that would front the internal access road to the north of the site; two terraces of 7 two-storey properties protruding north/south within the centre of the site and 14 units of accommodation for the elderly.

- 5.4 The proposal also incorporates a local community and business hub. It is not clear, on the basis of the information submitted what this would comprise or how it would function nor has there been any justification for the need for such a use and the associated built form in the Green Belt.
- 5.5 The application, as submitted, proposed a tenure split between market and affordable dwelling as the 14 elderly units of accommodation as affordable while the remaining 18 residential properties would be open market dwellings. In response to the consultation response from the Housing Officer the applicant has confirmed that it is possible to provide 13 residential units as affordable properties. Reference is made to this below in more detail. The applicant also notes that the four detached properties would be self-build units.

6. DEVELOPMENT PLAN

Adopted Borough Local Plan (2022)

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

Issue	BLP Policy
Character and Design of New Development	QP3
Building Height and Tall Buildings	QP3(a)
Development in Rural Areas and the Green Belt	QP5
Housing Mix and Type	HO2
Affordable Housing	HO3
Nature Conservation and Biodiversity	NR2
Trees, Woodland and Hedgerows	NR3
Historic Environment	HE1

- 6.2 **Horton & Wraysbury Neighbourhood Plan (2018 – 2033)**

Issue	NP Policy
Presumption in Favour of Sustainable Development	SUSTEV 01
Management of the Water Environment	SUSTEV 02
Good Quality Design	HOU1
Footprint, Separation, Scale & Bulk	HOU2
Smaller Properties & Housing Mix	HOU3
Redevelopment & Change of Use	HOU4
Water Supply, Waste Water, Surface Water and Sewerage Infrastructure	HOU5
Heritage Assets	BE2
Landscape	OE1
Ecology	OE2
Public Rights of Way	OE3
Local Green Space	OE4
Traffic Management including Pedestrians & Cyclists	TM1
Community Facilities	KF1

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 8 – Promoting Healthy and Safe Communities

Section 11 – Making Effective Use of Land

Section 12 – Achieving Well-Designed Places

Section 13 – Protecting Green Belt Land

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

Section 15 – Conserving and Enhancing the Natural Environment

Section 16 – Conserving and Enhancing the Historic 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 Supplementary Planning Documents

- Planning Obligations and Development Contributions
- Borough Wide Design Guide

7.4 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

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

56 letters have been received objecting to the development. Three letters of support have been received. The issues raised are summarised in the table below:

Comment	Where in the report this is considered
<p>The 56 letters of objection raise a number of issues which are distilled below:</p> <ul style="list-style-type: none"> • The development represents inappropriate and harmful development in the Green Belt; • Agricultural land is not suitable for such a development; • Building on the flood plain is wholly inappropriate – exacerbated as floods are becoming more frequent and severe owing to climate change; • Funding for the proposed flood relief scheme scrapped; • Additional residents would reduce the ability to safely evacuate in times of flood; • Flood warning times are questionable as floods often happen without warning; • Sewage/electricity often fails in times of flood; • Old Ferry Drive is a single width road incapable of taking the additional traffic; • Additional vehicular movements would impact on pedestrian and cyclist safety; • Community/business hub would further increase traffic movements on an already unsuitable road; • Access should be from Fairfield Approach; • The site is 20km from Cycle Network not 5km as suggested owing to the River Thames; • Local road and services infrastructure can't cope with existing residents; 	<p>Reference to Green Belt; Flooding, Highways and Sustainability; Design and Character, Neighbouring Impacts and other matters are set out in Section 9 below.</p>

<ul style="list-style-type: none"> • The school could not accommodate additional children; • Development would be out of keeping with the surrounding area; • No information on design given, exacerbated by the likely need to raise houses up for flooding grounds; • The inward facing layout represents poor design; • 32 houses is too much for the village; • The park would give rise to anti-social behaviour; • The development would adversely impact on wildlife and ecology; and • The noise from the construction and associated vehicles would be harmful to residents. 	
<p>The issues/matters given in support of the scheme are distilled/listed below:</p> <ul style="list-style-type: none"> • The provision of smaller homes is welcome; • If flooding issues have been addressed residents would welcome the development; • The development would bring much needed affordable housing to the area; • Site is currently messy and the development would please local neighbours; • Development would benefit the elderly and youth and would bring such members of the community together. 	<p>Benefits associated with the provision of market and affordable housing and the community hub are set out in Section 9 below.</p>

Consultees

Consultee	Comment	Where in the report this is considered
Environment Agency – Re-Consultation	<p>No objection subject to two conditions.</p> <p>The EA removed their previous objections following the receipt of a revised FRA from the applicant that confirms that only a very small percentage of the site falls within the functional flood plain and that any future housing will be constructed with a floodable void underneath that will exceed the design flood level by 300mm.</p>	Section 9 (ii)
Housing	<p>Housing Enabling Officer comments summarised as follows:</p> <p>No tenure given for the 14 retirement dwellings;</p>	Section 9 (vii)

	<p>Of the need for 1,901 units for the elderly affordable units only constitutes 2% (35 units);</p> <p>The elderly accommodation proposed does adequately meet the needs of those on the Council's Housing Register.</p>	
Lead Local Flood Authority	<p>Summary of LLFA comments:</p> <ul style="list-style-type: none"> - Can the applicant confirm which flood mitigation measures are proposed; - Can the applicant clarify how the infiltration rates have been derived; - Clarification of ground water levels and flood water flow needed; - Have Thames Water given permission for the permeable surfacing and such surfacing to the front of the housing would not be permitted as it may be removed during the lifespan of the development; - Who would be responsible for maintenance and management of such flood/drainage infrastructure 	<p>Section 9 (ii)</p> <p>Additional information has been submitted. Any additional LLFA comments will be the subject of a Committee update on the day of committee.</p>
Environmental Protection	<p>No objection subject to conditions regarding aircraft noise and construction management plan.</p>	<p>Section 9 (vi)</p>
Public Rights of Way/Parks and Countryside officer	<p>Wraysbury Footpath 8c Public Rights of Way crosses the site. DAS notes that this would be retained. Accordingly no objection at this stage is raised.</p>	<p>Section 9 (iii and viii)</p>
Highways Authority	<p>Highways confirm the site is in an unsustainable location and therefore recommend refusal.</p> <p>If Officers are minded to approve the scheme numerous conditions and informatives are suggested.</p>	<p>Section 9 (issue iii and vii)</p>
Ecology Officer	<p>The Ecology Officer requires additional information before recommending permission be granted.</p> <p>Additional information is required in relation to numerous designated sites including the South West London RAMSAR/SPA and Wraysbury Gravel SSSI sites and the adjoining woodland. Justification of the assumption that the</p>	<p>Section 9 (v)</p>

	<p>additional 32 dwellings would be unlikely to result in increased footfall/impacts on the woodland is required.</p> <p>Clarification on Bats and the surveys undertaken and why certain buildings were unable to be surveys. Clarification of when precisely the surveys were undertaken.</p> <p>Further information regarding reptiles and great crested newts is also required. Lastly, a bespoke Biodiversity Enhancement Report is required that details the precise measure to be undertaken to achieve the necessary biodiversity enhancements.</p>	
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9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i. Development in the Green Belt
- ii. Flood Risk & Drainage
- iii. Sustainability of the Site
- iv. Design & Character
- v. Trees and Landscaping & Ecology
- vi. Residential Amenity
- vii. Provision of Market & Affordable Housing
- viii. Highway Safety and Parking
- ix. Heritage
- x. Community/Business Hub & Children's Play
- xi. Housing Land Supply
- xii. Very Special Circumstances

i Development in the Green Belt

9.2 The entire site is located within the Green Belt and as such assessing the proposal against national and local Green Belt policy is of paramount importance to the acceptability of the scheme and as such Policy QP5 of the Borough Local Plan (BLP) is of particular importance.

9.3 Policy QP5 of the BLP states that the Green Belt will be protected from inappropriate development and that planning permission will not be granted for inappropriate development (as defined by the NPPF) unless very special circumstances are

demonstrated. As such it is necessary to consider the overarching objectives of Section 13 of the NPPF.

- 9.4 Paragraph 148 of the NPPF explains that inappropriate development in the Green Belt is harmful and that it should only be approved in Very Special Circumstances.
- 9.5 Paragraph 148 continues by stating that when considering planning applications, substantial weight should be given to any harm to the Green Belt. "Very Special Circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 9.6 The applicant contends that the proposal is not inappropriate development in the Green Belt as the scheme represents limited infilling in villages and the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, is appropriate pursuant to paragraphs 149 (e) and (g) of the NPPF respectively.
- 9.7 Policy QP5 of the Borough Local Plan Main, as noted above, states that the Metropolitan Green Belt will continue to be protected, as designated on the Policies Map, against inappropriate development. Permission will not be given for inappropriate development (as defined by the NPPF), unless very special circumstances are demonstrated.
- 9.8 The proposal seeks outline consent with means of access and layout to be considered for a residential development of 32 dwellings along with a community/business hub and children's play area and associated parking within the Green Belt. Paragraph 149 of the revised NPPF outlines that the construction of new buildings should be regarded as inappropriate development apart from a few limited exceptions. Exception (e) is for the limited infilling in villages and (g) is for the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development. Whilst the site contains some previously developed land (the western part of the site) this only represents a fairly small part of the site. The significant majority of the site and its associated Old Ferry Drive frontage remains undeveloped. It is the extent of the sites openness which leads on to an assessment of whether the site and proposal represents limited infilling in villages.

Limited infilling in Villages

- 9.9 Policy QP5(4) of the Borough Local Plan states certain other forms of development are not considered inappropriate development within the Green Belt as defined by the NPPF. One such reference is to the Limited infilling within the identified village settlement boundaries within the Green Belt. Such allowances echo exception (e) of paragraph 149 of the NPPF which allows for limited infilling in villages.
- 9.10 The applicant, in support of the argument that the scheme represents limited infilling in an otherwise built up frontage, refers to Policy QP5 of the emerging Borough Local Plan version that states "Limited infilling outside identified village settlement boundaries where it can be demonstrated that the site can be considered as falling within the village envelope as assessed on the ground...".
- 9.11 Importantly, and of particular importance to this case it is the view of Officers that the defined settlement boundaries are not necessarily the same as village boundaries for

the purposes of infilling within the NPPF and an assessment needs to be made in this case to determine whether the application site could be deemed as falling within the village of Wraysbury.

- 9.12 Prior to considering this however it is pertinent to note the comments from the applicant. The applicant, in support, refers to an appeal (APP/R0660/W/20/3259305) in Prestbury within the Borough of East Cheshire. The applicant then refers to the existing development that flanks the application site thereby forming an otherwise built up frontage. This is plainly an exaggerated assertion. Before considering the merits of the current application it is necessary to refute the Prestbury appeal that the applicant highlights in support of the scheme. In this example, the proposal represented subdividing an existing residential plot sited on the junction of Prestbury Road and Macclesfield Road to provide a single additional dwelling. In this example, the appeal site comprised a dwelling to the south of a row of four detached properties that were sited within spacious plots and each had gaps of approximately 20 to 30 metres between them save for the appeal site that had a gap of approximately 50 metres.
- 9.13 The application site comprise a series of dilapidated single storey structures and mobile homes to the west of the site that would be removed as part of the development. To the east of the site lies the built up edge of the village of Wraysbury. Between these two areas of development lies a gap of approximately 95 metres. Such a significant gap which allows views of the open nature of the site cannot be considered as a 'small gap' in an otherwise built up frontage. Such a sizeable gap gives one a clear impression of leaving the otherwise built up envelope of the village of Wraysbury and leaving such a location and entering a considerably more rural area that is dominated by trees, landscaping and the woodlands that comprises the designated area of Green Space within the Neighbourhood Plan.
- 9.14 In turning to Policy QP5 again, the Policy states that in assessing what constitutes the village envelope, consideration will be given to the concentration, scale, massing, extent and density of built form either side of the identified village settlement boundary and the physical proximity of the proposal to the identified village settlement boundary.
- 9.15 There is no disagreement that the eastern edge of the site abuts the edge of the village settlement boundary. However, the western edge of the site adjoins a single dwelling which in itself is largely dominated by mature trees with an extensive area of woodland protruding for approximately a further 220 metres before there is any other noticeable development. The single dwelling adjacent to the site to the west does not form an extended part of the village boundary that would allow officers to conclude the site represents a built up frontage. Whilst the proposal site lies immediately adjacent to the settlement area of Wraysbury, this application site and surrounds, for the reasons set out above, represents a looser, more sporadic grain of development compared to the tighter grain of development which sits inside the settlement boundary. Such a form of development together with the extensive gap of nearly 100 metres from the dilapidated structures on site to the properties within Wraysbury village, coupled with the open nature of the site frontage further serves to highlight the separation from, and the visual contrast to, the village boundary which has a considerably more suburban character atypical of many such built up areas. Whilst the Site Layout is discussed below in more detail the proposed inwards facing form of development represent a harmful juxtaposition. It is evident therefore that the site does not lie within the village envelope of Wraysbury but rather it clearly falls outside the built up village boundary.
- 9.16 Furthermore, the Council also have concerns that the amount of development proposed would not be 'limited'. The erection of 32 dwellings, many of which are terraced, and an internal road layout (the carriageway and pavements combined being

approximately 9m in width) would not accord with the pattern of development within the vicinity of the site in terms of density and extent of built form. Given that the proposal would result in a site which would be more intensively developed than other plots within the immediate vicinity which contain detached dwellings, the proposal does not constitute limited infilling for the purposes of bullet point 5 of paragraph 145 of the NPPF or Policy QP5(4) of the adopted Borough Local Plan.

Limited infilling or redevelopment of previously developed land

- 9.17 Exception (g) is for the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development. Whilst the site contains some previously developed land (the western part of the site), a large part of the site remains undeveloped. Furthermore, the proposal of 32 dwellings and all the associated infrastructure would far exceed the amount of development currently on site, such that it would have a significantly greater impact on openness. As such, the proposal would fall foul of this exception.

Impact on openness

- 9.18 In addition to the harm caused by inappropriateness, the proposal would have a significant impact on the openness of the Green Belt, by virtue of the addition of 32 dwellings, community and business hub, associated hard-surfacing and increase in intensity of the site and the addition of domestic paraphernalia which would arise from the use of the 32 properties on a site which is largely free from development. The term openness, pursuant to Paragraph 001 Reference ID: 64-001-20190722 of the NPPG, has both a spatial and visual dimension and in this case the harm to openness would arise from both the presence of built form and increased activity on the site.
- 9.19 Furthermore, the use of the land for residential purposes would conflict with the purposes of including land within the Green Belt, namely protecting the countryside from encroachment. The construction of 32 dwellings and their associated development and paraphernalia would urbanise this site and detract from the character of the open countryside contrary to the purposes of the Green Belt.
- 9.20 The proposal has been found to constitute inappropriate development which would result in a significant impact on openness, conflicting with the purposes of the Green Belt to which substantial weight must be attached. Inappropriate development can only be approved if Very Special Circumstances can be demonstrated and Very Special Circumstances will not exist unless the harm to the Green Belt by inappropriate development and any other harm are clearly outweighed. The case for Very Special Circumstances will be discussed below.

ii Flood Risk

Fluvial Flooding

- 9.21 The application site falls wholly within Flood Zones 2 and 3 and as such any development must fully accord with Policy NR1 of the Borough Local Plan which states, inter alia, that development proposals will need to be accompanied by a Sequential Test, that proposals should include an assessment of the potential impacts of climate change and that in all cases development should not impede the flow of flood water, reduce the capacity of the flood plain, increase the number of people or properties at

risk from flooding, cause new or exacerbate existing flooding problems either on site or elsewhere or reduce the waterways viability as an ecological resource.

- 9.22 The scheme also needs to satisfy the requirements of paragraphs 163 – 173 of the NPPF which collectively set out the need for a site-specific Flood Risk Assessment in such locations as well as the need to undertake a sequential test and (if passed) an exceptions test. These tests seek to, respectively, direct development away from areas at risk of flooding, and if such areas are not available then ensure development should not increase the risk of flooding elsewhere.

Flood vulnerability

- 9.23 Before discussing the sequential test, it should be noted that the EA had previously objected on the grounds that part of the site is within the functional floodplain (flood zone 3b). The proposed development is 'more vulnerable' and therefore not compatible with this floodzone.
- 9.24 The applicant has updated their FRA in seeking to respond to the EA's objections. The updated FRA states that the previous assessment of Flood Zone 3b and the functional floodplain as shown on Plan No. 908-a Revision C) was based on out-dated modelling data. When the up-to-date, correct, flood model data (River Thames [Hurley to Teddington]), site specific topography and 1m LiDAR data concludes that only a small part in the south west corner and along the western boundary is within Flood Zone 3b.
- 9.25 Having been re-consulted on this information the EA have confirmed that, subject to a condition ensuring the development is carried out in accordance with both the initial FRA and the revised FRA, they raise no objection with regard to the development being sited in Flood Zone 3b.

Sequential Test

- 9.26 The application was initially accompanied by a Sequential Test that has focused solely on sites within the parish of Wraysbury which is unacceptable. As Sequential Tests need to focus on the Borough as a whole in order to assess whether there are any sequentially preferable sites to accommodate such a proposed development the scheme was considered unacceptable in this regard. Notwithstanding this the applicant submitted a more detailed Sequential Test that focused on the sites contained within the Housing and Economic Land Availability Assessment (HELAA).
- 9.27 The updated sequential test is still inadequate with regard to the reasons for dismissing some of the sites. Furthermore, in addition to a review of Borough Wide sites within the Council's HEELA, land and development agents searches are also required. As such the proposal still fails the sequential test.

Exceptions Test

- 9.28 With regard to the exceptions test, it is for the LPA to assess whether safe access and escape routes are included. Section 6.2 of the updated Flood Risk Assessment received in October 2021 states that a safe means of escape may not be possible. The Borough Council would require, at worst, a very low hazard means of safe escape and this has not been demonstrated. Furthermore, the LPA must determine whether this option satisfies the hazard associated in consultation with emergency services / emergency planners, and the Council must accept any increased burden, including any financial or other resourcing matters on emergency services. In cases such as

these, the Council would not support a Flood Evacuation plan as there is no guarantee that this could be implemented safely.

- 9.28 Furthermore, the EA have objected to the submitted FRA on the grounds that it has not been demonstrated that the development would not increase flood risk elsewhere. The updated FRA, that the EA have reviewed, states that the proposed houses would be constructed with floodable voids underneath. The voids would be at least 300mm over the design flood level and secured with steel bars to prevent them from being used for storage.
- 9.29 On the basis of the foregoing, and whilst pursuant to paragraph 163 of the NPPF, it is not necessary to go on to the exception test if the Sequential Test has not been passed, consideration of the exception test further highlights the unacceptability of the principle of the development in flood risk terms. Nevertheless, while some flood risk aspects such as the floodable voids have removed the second element of the EA's objection the applicant has still failed to demonstrate a safe means of escape.
- 9.30 To conclude, while the applicant has demonstrated that the proposed development does not lie within the functional floodplain (zone 3b) where residential development is unacceptable in principle, the applicant has failed to undertake a satisfactory Sequential Test nor has a safe means of access/escape been demonstrated. The development is therefore contrary to the objectives of Policy NR1 of the Borough Local Plan and Section 14 of the NPPF.

Surface Water Flooding and Drainage (LLFA)

- 9.31 With regard to surface water drainage, the LLFA have recommended that permission is not forthcoming until a number of issues are clarified and addressed. The issues include the need to set out what flood mitigation measures are proposed, how infiltration rates and groundwater levels have been assessed, clarification on the exceedance flow routes, have Thames Water granted permission for the permeable paving, permission for permeable to the front of properties would not be forthcoming as it is likely it would be taken up, who would be responsible for the maintenance of such flood risk schemes and can BIM calculations be provided.
- 9.32 As a result the LLFA had confirmed they would not support the scheme in its current form. Additional information has been submitted to try and address the initial comments made by the LLFA. Accordingly, the LLFA have been re-consulted and their subsequent comments will follow by way of a members update on the evening of committee.

iii. Sustainability of the Site

- 9.33 Policy IF2 of the Borough Local Plan and paragraph 110 of Section 9 of the NPPF, entitled Promoting Sustainable Transport, both ensure new developments should have appropriate opportunities to promote sustainable transport modes can be, or have been, taken up given the type of development proposed and its location.
- 9.34 Such a requirement mirrors the economic objective of sustainable development that requires land of the right type is located in the right place and, with regard to the environmental objective, seeks to ensure an effective use of land that improving biodiversity, using natural resources prudently and minimising waste and pollution and mitigating and adapting to climate change.

- 9.35 In addition to the overarching objective noted above Policy IF2 of the Borough Local Plan (Main Modifications Version) ensures development should be located close to offices and employment, shops and local services and facilities and provide safe, convenient and sustainable modes of transport. Developments that help create safe and comfortable environment for pedestrians and cyclists and improve access by public transport will be supported.
- 9.36 The Manual for Streets, at Section 4.4 entitled The Walking Neighbourhood states that such neighbourhoods are characterised by having a range of facilities within a 10 minute walk, up to around 800 metres. As Policy IF2 states however, it is not just the distance that is of particular importance in such cases, it is the quality and overall sense of safety that needs to be considered which includes the presence of footpaths, street lights etc.
- 9.37 The application site is, in terms of more general every day shops and services, some 1km from the nearest, albeit limited convenience store and public house to the south along Welly Road which exceeded the recommended 800m set by manual for Streets.
- 9.38 Whilst there are two facilities, a bus stop on Welly Road and the Wraysbury Primary School within the recommended 800m walking distance the bus stop has a very limited service and Old Ferry Drive does not have designated footpaths and is only lit along part of its length. Such matters would be likely to deter parents and children from walking to the school further contributing towards car based forms of travel. With regard to other facilities, the nearest train station Sunnymeads, is some 1.31km from the site.
- 9.39 While such distances are at the higher end of those recommended by Manual for Street and therefore the site is not in an unsustainable location it is the unattractiveness of the surrounding highways infrastructure that would deter future residents from using sustainable modes of transport as evidenced by Old Ferry Drive failing to provide a separate footpath and street lights that the location of the development would, notwithstanding the Green Belt and Flood Zone constraints, fail to provide safe and convenient forms of sustainable development.
- 9.40 In their current form, the Highways Authority have stated that the existing cycle and pedestrian routes are substandard and would not encourage such modes of transport. Whilst there are a number of facilities within 2km, the recommended upper limit, the Highways Authority conclude that the site, without such enhancement measures, represents an unsustainable location. The Highways Officer goes on to say that were such measures in place, there would be insufficient grounds to recommend refusal, however, such enhancement measures have not been secured via a legal agreement.
- 9.41 While local services and facilities are within the higher end of accessibility distances set in Manual for Steet's thereby making modes of sustainable transport difficult there is no mechanism to secure any contributions that would contribute towards an improvement in the local highway infrastructure. As such the scheme is contrary to the objectives of Policy IF2 of the Borough Local Plan, Neighbourhood Plan Policy TM1 and Section 9 of the NPPF.

iv. Impacts on Character and Appearance

- 9.42 Policy QP3 of the BLP seeks, inter alia, new development to be of a high standard of sustainable design that respects and enhances the local, natural or historic environment paying particular regard to urban grain, layouts, rhythm, density, heights, scale etc. This echoes the broad objectives of 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.

- 9.43 Neighbourhood Plan Policy NP/HOU1 states development proposals should make a positive contribution to the character and sense of place to Horton and Wraysbury's built environment and character. Further, Policy NP/HOU2.2 requires new development to respect the established building lines and arrangements of front gardens.
- 9.44 Such objectives are further supported by the Borough Wide Design Guide that ensures, inter alia, all new development is of a high quality design. Principle 6.2 of the Design Guide SPD ensures, inter alia, that development creates animated and active streets by using fine grain development and designing strong active frontages. Further, Principle 6.4 ensures large developments should incorporate blocks that create a clearly defined street network
- 9.45 While submitted in outline form with appearance being reserved the application has sought permission for layout and as such there are several urban design aspects that can be considered at this stage.
- 9.46 The scheme would comprise a primarily circular internal access road with the three main residential elements (the detached housing in the north and the terraced housing west and east) facing inwards towards the circular access road with the elderly accommodation also facing inwards fronting a spur off the circular access.
- 9.47 Such a layout would result in the four detached properties backing onto Old Ferry Drive, thus failing to provide any active frontage to Old Ferry Drive. Furthermore, this layout would result in a visual disconnect with the residential development to the east. Such a poor layout would further serve to demonstrate that the scheme does not represent any connection to the surroundings or that it would represent infilling within a village as it would be out of character with and represent an incongruous feature within the Old Ferry Drive street scene.
- 9.48 Furthermore, the two terraces of residential properties would also face inwards towards one arm of the circular internal access road. Such a layout creates yet further areas of blank street scenes with Block C creating a poor relationship with the north/south access road arm. Block C would also create an inactive relationship with the parking area proposed to the west of the site, and the children's play area.
- 9.49 The Borough Wide Design Guide refers to the need to ensure the design of a layout reduces the fear of crime. Such a requirement stems from having areas actively overlooked through active frontages. Not only does inactive and blank street scenes represent a poor form of design it also increases the fear of crime that further discourages sustainable modes of travel. The lack of natural surveillance over the internal access roads, parking areas and children's play area would lead to an increased risk of anti-social behaviour thereby increasing the fear of crime as a result of what is considered to be a poorly laid out form of development thereby constituting a poor form of design.
- 9.50 Furthermore, the in-ward facing layout would result in walls/fences protruding up to existing and proposed streets and paths that would fail to provide any opportunities for additional landscaping further serving to demonstrate the unacceptability of the proposal in design terms.

- 9.51 Whilst the application is submitted in outline form the most recent FRA refers to there being a floodable void underneath all the proposed houses, and by extension the proposed business hub building. The floodable void may be approximately 2m in height. Together with the floor levels and any other such structures the propose houses could result in a disproportionate increase I height, scale and mass compared to the surrounding two storey development.
- 9.52 Finally, the proposed layout and different elements within the scheme do not relate or connect well with one another. The proposal comprises of different types of housing, a 9m wide circular road, and two large car parking areas. Each element is disconnected spatially. The layout connects poorly to the surroundings and within the site itself.
- 9.53 While submitted in outline form with layout to be considered it is not possible to consider the appearance at this stage. Nevertheless, the in-ward facing layout represents a poorly laid out scheme that would create numerous inactive frontages that would constitute a poor form of design contrary to the objectives of Policy QP3 of the Borough Local, Policies HOU1 and HOU2 of the Neighbourhood Plan and Section 12 of the NPPF.

v. Trees and Landscaping & Ecology

Trees and Landscaping

- 9.54 Old Ferry Drive is, once one travels past the residential element, dominated by mature trees and landscaping that serve to create a verdant and almost rural appearance. While the existing Old Ferry Drive Frontage has a low wall the railings within this boundary treatment allow for views over the open undeveloped site towards more trees and landscaping.
- 9.55 Polices QP3 and NR3 of the Borough Local Plan both highlight the importance that trees and landscaping make to the character of an area. Furthermore, Policy NP/HOU1 of the Neighbourhood Plan encourages the incorporation of appropriate landscaping.
- 9.56 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.
- 9.57 The applicant contends that the built form associated with the development is a sufficient distance from the trees such that there would be no impact on them. The applicant is not a qualified Arboricultural Consultant and without any definitive information regarding the root protection areas, the trees that would need to be lost to provide for a relocated access would require arboricultural information to be submitted prior to the determination of the application.
- 9.58 Whilst an Outline application with only access and layout to be considered, the layout of and the extent of built form could adversely impact the health and long-term vitality of existing trees on site. As such, and without an Arboriculture Report and Tree Protection plan it is not possible for the Local planning Authority to fully assess the

potential arboriculture related issues arising from the proposal. The scheme is therefore contrary to the aims of Policies QP3 and NR3 of the Borough Local Plan, Policy NP/HOU1 of the Neighbourhood Plan and Section 12 of the NPPF.

Ecology

- 9.59 A preliminary ecological appraisal and an Ecology Impact Assessment was submitted in support of the application. Comments from the Council's Ecologist having reviewed the two documents submitted with the application and has requested additional information and numerous points to be clarified prior to determination. The site is approximately 350, from the South West London Waterbodies SPA and as such the ecological issues related to the scheme are of particular importance to the merits of the scheme.
- 9.60 Additional information on and justification regarding potential impacts on designated sites within the surrounding area including the South West London Waterbodies RAMSAR/SPA site, the Wraysbury Gravel SSSI site and the woodland to the west of the site. Additional information is required on and existing information to be clarified regarding bats, reptiles and great crested newts.
- 9.61 The comments from the Council's Ecologist confirm the proposal is lacking with regard to survey work and further clarification with regard to impact on protected species, habitats, designated sites and biodiversity net gain. As such the proposal is contrary to the objectives of Policy NR2 of the BLP what seeks to ensure ecology is protected and developments to bring about an enhancement to a sites ecological value.

vi Residential Amenity

- 9.62 Policy QP3(m) of the BLP ensures development has no unacceptable impact on the amenities of neighbouring properties in terms of privacy, light, disturbance, etc. Moreover, 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.
- 9.63 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.
- 9.64 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

- 9.65 To the east of the site is no. 7 Old Ferry Drive. The eastern property of Block B would have a flank/front relationship with no. 7 with the flank elevation being approximately 18 metres from the front of no. 7. Such a distance would ensure there is no adverse amenity impact on the occupants of no. 7.

- 9.66 With regard to Block C, this would have a back to flank relationship with the rear garden area of no. 7. The northernmost property on this terrace would be approximately 20 metres from the side boundary of no. 7 and in excess of 25 metres from the rear elevation of no. 7. Such distances would exceed the minimum distance of 12 metres set out in the Borough Wide Design Guide.
- 9.67 To the west of the site is no. 21 Old Ferry Drive. The proposed two storey elderly accommodation annotated as block E on the Site Plan would have an angled rear to flank relationship with no. 21. The rear elevation of this block would be between 5 and 6 metres from the boundary with no. 21.
- 9.68 Such a distance would be significantly below the recommended 12 metre distance set out in the Borough Wide Design Guide. While not having detailed floor plans it is nevertheless such a relationship that would be likely to result in a materially harmful overlooking impact on the occupants of no. 21. Such an impact would be exacerbated by the protrusion of Block E extending the entire length of the shared flank boundary of their garden and the number of windows that could overlook the property.
- 9.69 The proposal would therefore be contrary to the objectives of Policy QP3(m) and paragraph 130 of the NPPF.

Future Occupants

- 9.70 In addition to the above it is important to ensure new developments would provide future occupants with a high standard of amenity, both internally and externally.
- 9.71 The application is submitted in Outline form with only the means of access and layout to be considered. As such it is not possible to assess the proposed residential units against the Internal Space Standards. This would be an issue to be considered at the Reserved Matters Stage.
- 9.72 In terms of outdoor space, the Borough Design Guide ensures all new houses are provided with their own private garden/amenity space with Principle 8.4 setting minimum spaces of 40 sq.m for 1 bedroom properties, 55 sq.m for 2 and 3 bedroom properties and 70 sq.m for 4+ bedroom properties. These areas increase to 50, 65 and 85 sq.m respectively for north facing gardens.
- 9.73 The submitted Site Plan shows that each of the houses with their own private rear gardens. Each of the gardens would appear to measure approximately 140 sq.m for the four detached north facing gardens and 60 sq.m for the east/west facing gardens associated with the terrace properties of Block C. Whilst the size of these properties in terms of scale and number of bedrooms is to be reserved, it appears that the Site Layout plan demonstrates that suitable rear garden areas can be provided.

vii Provision of Market and Affordable Housing

- 9.74 Local Plan Policy H8 seeks to ensure that development provides for a mix of dwelling types and Neighbourhood Plan Policy NP/HOU3.1 and 3.2 ensures schemes of five units or more should deliver at least 20% of these units as 1 and 2 bedroom units and also for the provision of small properties suitable for older people and starter homes.
- 9.75 The scheme is submitted in Outline form with appearance and scale to be reserved. The Reserved Matters application would also involve details on the precise size and type of the residential units proposed. This outline application however confirms that

specialist accommodation would be provided for the elderly together with larger detached properties would be provided as well as smaller terraced properties.

- 9.76 In this regard the development would appear to accord with Local Plan policies that seek to ensure that both a mix of house types and sizes are provided.
- 9.77 In turning to the provision of affordable housing. Policy HO3 of the Borough Local Plan ensures that on schemes of 10 units, gross, or more on a greenfield site up to 500 units to provide 40% of the number of the total units to be affordable. Of the 40% the tenure should comprise a split of 45% social rent, 35% affordable rent and
- 9.78 The scheme, as originally submitted proposed the 14 units of accommodation for the elderly as affordable. This would represent 44% provision. The Housing Officer commented however that the SHMA confirms that of the need for 1,901 units of accommodation for the elderly only 35 are needed as affordable, some 2% of the total need. As such, the scheme would not adequately meet the need for those on the RBWM housing register.
- 9.79 The applicant has provided a Technical Note in response to these comments that concluded that the applicant can provide 13 of the dwellings as affordable units that represents a policy compliant scheme in terms of affordable housing. Such provision could if the development proposal was acceptable in all other aspects, be secured by way of a Section 106 Legal Agreement. However there is no such mechanism in place at the current time to secure this level of affordable housing.
- 9.80 While a Section 106 Legal Agreement would be used to secure the provision of affordable housing officer, by virtue of the unacceptability of the scheme as a whole, the provision of affordable has not been sought. If the scheme was acceptable in all other aspects the affordable housing would be secured through a S.106.
- 9.81 Additional reference is made to the provision of market and affordable housing below within the Planning Balance and Conclusion section of this report.

viii Highway Safety & Parking

- 9.82 The Highways Authority have reviewed the application and have made the following comments.
- 9.83 Outlined above in Section 9(iii) is reference to the sustainability of the site. It is concluded therein, and as further demonstrated by the comments of the Highways Authority, that the site is not in a sustainable location and would fail to provide realistic opportunities for sustainable travel. The following considers the more technical aspects of the development in terms of parking and access.

Access & Internal Road Arrangements

- 9.84 The proposal seeks to stop up the existing access and to form a new access to the east of the site. The applicant states that this will achieve the necessary 2.4 x 25 visibility splays in both directions and that all internal access roads would be between 5.6 and 6 metres. The Highways Authority confirm that this is acceptable. However the submitted site plan shows that the internal circular road would be approximately 9m in width (including carriageway and pavements). The LPA consider this to exceed the standards for a development of this nature, and is further indicative of the poor design and inappropriate development in the Green Belt.

Parking Provision

- 9.85 With regard to parking arrangements, each of the dwellings appears to show the parking for each of the houses being sited to the front which is, in principle acceptable. The precise level of parking would need to be confirmed at the Reserved Matters stage when the size and number of bedrooms are confirmed.

Vehicular Movements

- 9.86 The Highway Authority have reviewed the submitted Transport Statement which refers to the national TRICS database and confirms that the proposal would not be likely to result in a severe highway impact with regard to paragraph 111 of the NPPF.

Cycle Provision

- 9.87 With regard to secure bicycle parking provision, there would appear to be sufficient space within the curtilages to be afforded to the dwellings to provide for secure bicycle parking

Refuse Provision

- 9.88 The proposed refuse strategy set out at Section 5.4 of the Transport Statement is considered acceptable.

Summary/Additional Highway Comments

- 9.89 The Highways Authority have commented on the site's unsustainable location. However, they have listed a number of conditions that should be imposed should the LPA be minded to grant permission.

- 9.90 Such conditions and informatives relate to:

- Approved access to be laid out prior to occupation;
- Visibility splays to be provided and retained as such;
- Existing access to be stopped up.
- Confirm height of entrance archway.
- Parking and access for delivery vehicles.
- Cycle provision and access.
- Refuse provision with swept path analysis plan.

ix Heritage

- 9.91 The application site is located to the south of a Grade II* Listed Building known as King Johns Hunting Lodge. Policy NP/BE2 of the Neighbourhood Plan states that proposals which would directly or indirectly affect locally or nationally important heritage assets should seek to safeguard or enhance the asset and the effect of a proposal on an asset will be taken into account during the course of an application.

- 9.92 In addition Policy HE1 of the BLP and Paragraph 194 of the NPPF requires applicants to describe the significance of any heritage assets affected, including the contribution

of their setting. The applicant has failed to submit any Heritage Assessment that considers the potential impacts of the proposed development on the significance of King Johns Hunting Lodge.

- 9.93 Without such an assessment the LPA are unable to assess the potential impacts on the Listed Building that, as a Grade II* building is of particular importance of more than special interest with some 5.8% of such buildings as being Grade II*. Owing to the importance of King Johns Hunting Lodge, and without any assessment of the potential impacts on this building the proposal is contrary to Policy HE1 of the Borough Local Plan, Policy NP/BE2 of the Neighbourhood Plan, paragraph 194 of the NPPF.

x Housing Land Supply

- 9.94 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.*

- 9.95 Following the adoption of the BLP the Council are able to demonstrate a five-year supply of deliverable housing sites. While significant weight should be given to the provision of both market and affordable housing this weight can be tempered somewhat by virtue of the housing land supply position.

xi. Community business hub and Children's play

- 9.96 The application also proposes a community and business hub. Such a proposal could be of benefit to the local community and local businesses. However, the applicant has provided no information within the application about the need for a community business hub, or an identified end user. As such, and at most, only limited weight could be given to the provision of such a facility.

- 9.97 The principle of a children's play area to accompany a residential development would be welcomed, however the site constraints, namely the Green Belt and Flood Risk mean the development is unacceptable in principle and the provision of children's play space would not justify the development.

xii. Very Special Circumstances

- 9.98 The objectives of national Green Belt policy are discussed above. Of relevance however is Policy QP5 and paragraph 148 that states Very Special Circumstances (VSC's) will, not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- 9.99 It has been concluded above that that the development constitutes an inappropriate form of development which is harmful by definition. There is further harm to the Green

Belt as a result of harm to openness and harm to purposes. **Substantial weight** needs to be given to cumulative harm to the Green Belt. Furthermore, **significant** weight needs to be attached to the harm to flood risk for the reasons outline in section (ii) and **significant** weight needs to be attached to the harm to impact on the character of the area as outline in section (iv). There are other grounds of objection as highlighted within the report that need to be taken into account on this side of the balance.

- 9.100 Weighing in favour, is the provision of market and affordable housing with four of the market houses being for self-build properties and the community and business hub. The provision of market and affordable housing attracts **significant** even with the Council being able to demonstrate a 5 year housing land supply. Without any end user identified or in the absence of any meaningful justification for the community/business hub this could only attract **limited** weight.
- 9.101 Case law has established that VSC do not need to be 'very special' and that they can arise as a result of numerous normal planning benefits that cumulatively add up to amount to VSC thereby clearly outweighing the harm to the Green Belt. Such benefits in this case cannot be said to clearly outweigh the harm to the Green Belt and any other harm. Such benefits do not outweigh the harms identified and as such the case for VSC is not made.

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 is made in outline form and the appearance and scale would be addressed at the Reserved matters stage. This would include the assessment of the potential CIL charge to be levied on the development.

11. PLANNING BALANCE & CONCLUSION

- 11.1 This application seeks outline permission for the erection of 32 residential units with the principle, means of access and layout to be considered. Appearance, scale and landscaping are to be considered at the reserved matters stage.
- 11.2 Since the application was previously before committee the Borough Local Plan has been adopted, the main relevant policies are summarised throughout this report. The following considers those issues that weight in favour of and against the development.

Green Belt

- 11.3 The application is located within the Green Belt where Policy QP5 of the BLP and the NPPF seek to prevent in appropriate development in order to protect the openness of such areas. The applicant claims that the scheme represents limited infilling on villages pursuant to paragraph 149(e) of the NPPF and that, as part of the site represents previously developed land (PDL) and therefore pursuant to 149(g) the development does not represent inappropriate development in the Green Belt.
- 11.4 Whilst part of the site is considered to be PDL this is only a relatively small part of the site. On this basis, as the majority of the site is open greenfield the proposal does not accord with 149(g) of the NPPF. In turning to whether the proposal represents limited infilling in villages; the existing mobile homes and associated dilapidated structures are located some 95 metres further to the west of the easternmost dwelling associated with

the built up village of Wraysbury. Such a significant gap, and such a significant proposal cannot therefore be said to constitute limited infilling in villages.

- 11.5 The scheme therefore represents inappropriate development in the Green Belt. This attracts substantial weight against the development.

Flood Risk

- 11.6 The site is located within Flood Zones 2 and 3. In such flood zones residential development must be accompanied by a site-specific Flood Risk Assessment; and must also pass both the Sequential Test and Exception Test.

- 11.7 The most recent Sequential Test is still considered to be insufficient and therefore the scheme fails the Sequential Test. Furthermore, the FRA confirms it is likely not possible to ensure, at worst, a very low hazard means of safe escape from the development. The Exception Test is therefore also failed. This weighs heavily against the development.

Unsustainable Location

- 11.8 The overarching objective of Policy IF2 of the BLP and the NPPF and the Neighbourhood Plan is to ensure that the planning system delivers sustainable development. A key facet of this is to ensure sustainable non-car based travel.

- 11.9 The application site is located at the upper end of sustainable transport distances set out in Manual for Streets 800m/10 minute walking guidance and down a road without designated footpaths and, in part, is unlit by street lamps. Such issues would actively discourage sustainable modes of transport in favour of the private car. This is somewhat contrary to the objectives of sustainable development nor is there a mechanism to secure any improvements to highway infrastructure that would encourage sustainable transport measures. This weighs significantly against the development.

Design and Character

- 11.10 Policy QP3 of the BLP and Section 12 of the NPPF both highlight the importance of securing development that is of a high quality design. Such a requirement is echoed in Neighbourhood Plan policies. The Borough Wide Design Guide clearly states that residential development should deliver active and strong street scenes. Development must therefore front onto existing and proposed streets such that inactive street frontages are avoided. This also reduces the fear of crime and anti-social behaviour.

- 11.11 The internal and circular access roads have resulted in an inward facing design that is contrary to the key aspects of urban design and would result in a poorly laid out form of development. The development does not connect well with the surrounding pattern of development or with the different elements of the scheme itself. The proposal therefore amounts to poor design contrary to the Local Plan, Neighbourhood Plan and the NPPF. Such an impact is of fundamental importance against the proposal.

Neighbour amenity

- 11.12 Policy QP3(m) of the BLP and paragraph 130 of the NPPF ensures new development ensures a high standard of amenity for both existing and future residents. The future residents would all appear to have private garden areas that would exceed to minimum space set out in the Borough Wide Design Guide.

- 11.13 Regarding existing residents, number 7 Old Ferry Drive would not be materially affected by the development. No. 21 Old Ferry Drive however would, by virtue of the proximity of Block E to the shared boundary have a materially adverse impact owing to a loss of privacy. Such an impact weighs against the development.

Heritage

- 11.14 The site is located to the south of a Grade II* Listed Building known as King Johns Hunting Lodge. Such a listing ensures that the building is of more than local significance where the Neighbourhood Plan and the NPPF seeks to protect and where possible enhance the significance of such buildings.
- 11.15 In the absence of a Heritage Assessment the LPA are unable to assess the potential impacts on the building's significance and its setting. The development is therefore contrary to the objectives of both paragraph 194 of the NPPF and Policy NP/BE2 of the Neighbourhood Plan.

Trees & Ecology

- 11.16 Policies QP3 and NR3 of the BLP and paragraph 131 of the NPPF highlight the importance of trees to the character of an area and the quality of a development. The site is bound on all boundaries by a range of trees and other landscaping. In the absence of any arboricultural information the LPA are unable to assess the potential impacts on the health and long term impacts on such trees. The scheme is therefore contrary to the objectives of Policy DG1 of the Local Plan and the NPPF.
- 11.17 There are several designated RAMSAR, SPA and SSSI sites within the surrounding area and as such the potential ecological impacts associated with the development are of particular importance to the merits of the scheme. With additional surveys and clarification being required by the Council's Ecology officer the lack of such information must therefore weigh against the granting of planning permission.

Matters weighing in favour of Proposal and balance

- 11.18 The provision of both market (including four self-build) and affordable housing both attract significant weight in favour of the development. The provision of the community and business hub would also weigh in favour of the scheme. Without an identified end user however, or without any meaningful justification as to the need for such a use this can only attract limited weight.
- 11.19 There would also be a limited benefit in the provision of a children's play area.
- 11.20 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.

11.21 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.

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

Issue	Benefit or Harm	Weight
Provision of Housing	Benefit	Significant
Provision of Affordable Housing	Benefit	Significant
Community/Business Hub	Benefit	Limited
Children’s Play Area	Benefit	Limited
Green Belt	Harm	Substantial
Flood Risk	Harm	Significant
Unsustainable Location	Harm	Significant
Character and Appearance	Harm	Significant
Existing Resident’s Amenity	Harm	Moderate
Heritage	Harm	Moderate
Trees	Harm	Moderate
Ecology	Harm	Moderate

11.23 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.

11.24 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, in particular the harm to the Green Belt by reason of inappropriateness such that planning permission should be forthcoming for this proposal.

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 site does not fall within the recognised Green Belt settlement of Wraysbury or within the wider understanding of what comprises the village.

Furthermore, the proposed development would not constitute limited infilling within a built up frontage. Therefore, the proposal represents inappropriate development in the Green Belt, which is by definition harmful to the Green Belt. Furthermore, the proposal would result in harm to the openness of the Green Belt and would conflict with one of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment'. No Very Special Circumstances have been demonstrated that clearly overcome the harm to the Green Belt and any other harm. The proposal is therefore contrary to paragraphs 147, 148 and 149 of the National Planning Policy Framework (2021) and saved policies GB1, GB2(a) and GB3 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003).

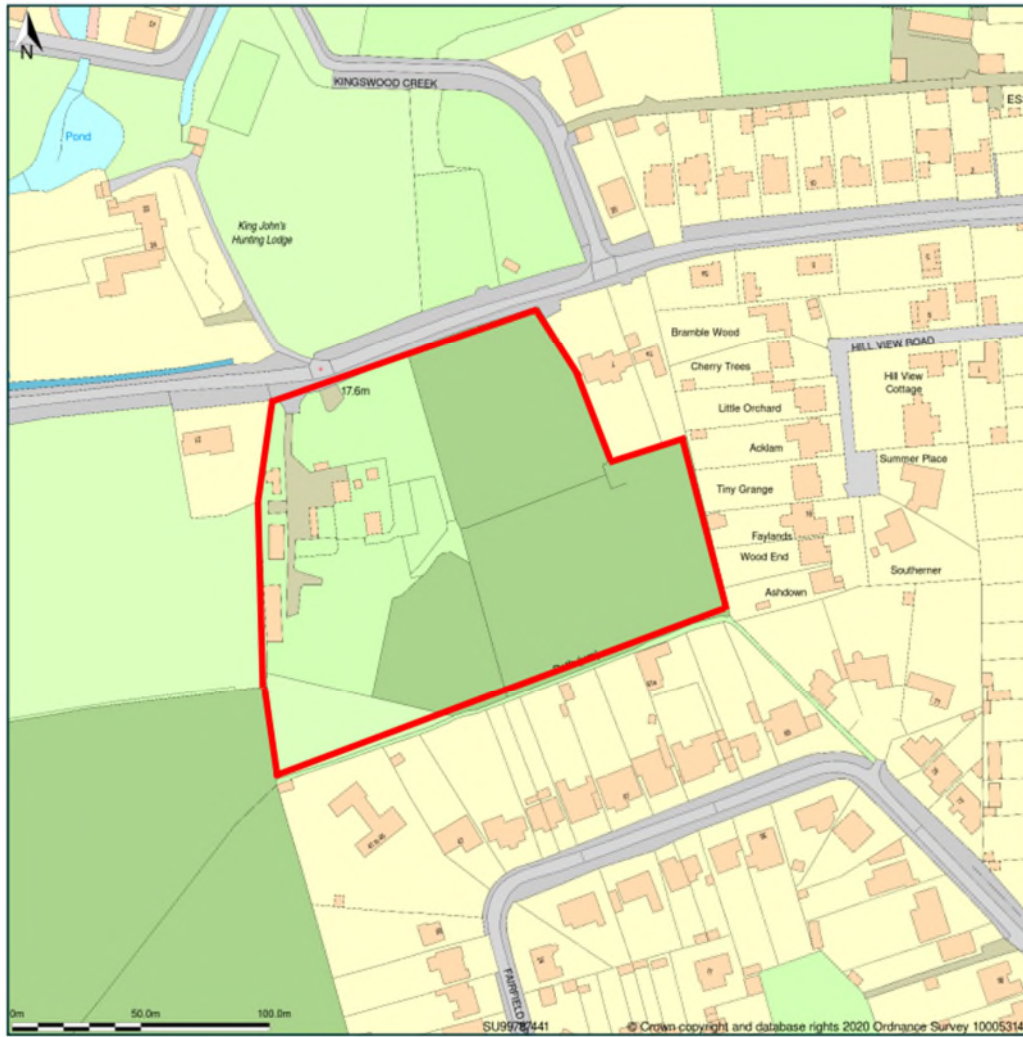
- 2 The proposal, by reason of its siting in an area where there is a high probability of flooding, fails to demonstrate that there are no other reasonably available sites appropriate for the proposed development with a lower risk of flooding than the application site. The application therefore fails the sequential test. In addition, the submitted flood risk assessment fails to adequately assess the flood risk posed by the development. Accordingly, the application has not demonstrated that the proposed development would be safe for its lifetime without increasing flood risk elsewhere. Furthermore, the Flood Risk Assessment fails to demonstrate a safe means of egress for future occupants in times of flood. For these reasons, the proposal is contrary to Policy NR1 of the Borough Local Plan and paragraphs 163 - 173 of the National Planning Policy Framework 2021.
- 3 The proposal comprises residential intensification and community facilities within a rural countryside location which suffers from poor accessibility and reliance on the private motor car. The road network serving the site is poorly lit and the footpaths and cycleways are substandard. The upgrading of the existing infrastructure has not been secured and therefore the proposed development would remain inaccessible for future residents. The location of the proposed development would go against the aims of paragraph 110 of the National Planning Policy Framework and emerging policy IF2 of the Borough Local Plan (Main Modifications version) which advises that development should be focussed on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes.
- 4 The proposed development, by virtue of its in-ward facing layout represents a poorly laid out scheme that would create numerous inactive frontages. Furthermore, the different elements of the development are not laid out in such a way so as they connect well with one another or respect the surrounding pattern of development. In addition the built form includes excessive and unnecessary hard-surfacing, namely the 10m wide circular roadway that would appear highly engineered and dominate the site. The proposal constitutes a poor form of design contrary to the objectives of Policy DG1 of the Local Plan and Policy H10 of the Local Plan, Policies HOU1 and HOU2 of the Neighbourhood Plan, Section 12 of the NPPF, Policy QP3 of the emerging Borough Local Plan (Main modifications Version) and the Borough Wide Design Guide SPD.
- 5 In the absence of a supporting Arboriculture Report, Tree Constraints Plan and Tree Protection plan it is not possible for the Local planning Authority to fully assess the potential arboriculture related issues arising from the proposal. The scheme is therefore contrary to the aims of Policies DG1 and N6 of the Local Plan, Policy NP/HOU1 of the Neighbourhood Plan, Section 12 of the NPPF and Policies QP3 and NR2 of the emerging Borough Local Plan (Main Modifications Version).
- 6 Block E, by virtue of its height, orientation and proximity to the shared boundary with No. 21 Old Ferry Drive would be likely to result in a materially harmful loss of privacy to the occupants of No. 21. As such the development proposals are contrary to the objectives of paragraph 130(f) of the NPPF and emerging Policy QP3 of the Borough Local Plan (Main Modifications Version).
- 7 In the absence of a mechanism to secure the proposed 40% Affordable Housing as set out in the submitted Affordable Housing Technical Note, the proposal is contrary to the objectives of Policy H3 of the Local Plan, paragraph 63 of the NPPF (2021), Policy

HO3 of the emerging Borough Local Plan (Main Modifications Version) and the Planning Obligations and Development Contributions SPD.

- 8 In the absence of a Heritage Statement, the LPA are unable to assess the potential impacts on the Listed Building that, as a Grade II* building is of particular importance of more than special interest with some 5.8% of such buildings as being Grade II*. Owing to the importance of King Johns Hunting Lodge, and without any assessment of the potential impacts on this building the proposal is contrary to policy HE1 of the emerging Borough Local Plan (Main modifications Version), Policy NP/BE2 of the Neighbourhood Plan, paragraph 194 of the NPPF and Policy HE1 of the emerging Borough local Plan (Main Modifications Version).

21/02144/OUT – Land At 19 And 19 Old Ferry Drive, Wraysbury.

Appendix A – Location Plan



Appendix B – Proposed Site Layout

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Appendix C – Extract from updated Flood Risk Assessment showing revised ‘functional floodplain’ in blue.



Figure 1 – Extent of flooding during a 1 in 20 year return period event, plotted using 1m resolution aerial height data ((© Environment Agency, Contains Ordnance Survey data © Crown copyright and database right 2021)).

DEVELOPMENT CONTROL PANEL

6 April 2022

Item: 2

Application No.:	21/02467/FULL
Location:	Squires Garden Centre Maidenhead Road Windsor SL4 5UB
Proposal:	Erection of 30 dwellings including the re-location of existing access along Maidenhead Road with associated parking, internal circulation, informal public open space, landscaping and related infrastructure.
Applicant:	
Agent:	Mrs Sara Duffield
Parish/Ward:	Bray Parish/Clewer And Dedworth West

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

1. SUMMARY

- 1.1 The application site comprises an allocated site for housing under the recently adopted Borough Local Plan. Since the adoption of the BLP the Green Belt boundaries of the site have been redrawn and the site no longer falls within the Green Belt designation, as set out in the supporting proposals maps.
- 1.2 The Borough Local Plan sets out that the site (AL22) has been allocated for approx. 39 residential units and sets out the expectation of proposals in delivering a scheme at the site. It is considered on balance that the proposal satisfies the context of the Borough Local Plan in this regard.
- 1.3 A recently refused scheme (ref: 19/01755/FULL) went to appeal and the site was assessed by the Inspector and dismissed under the now replaced Local Plan. In light of the site's allocation and changes to the Green Belt boundaries, this appeal decision has only been afforded relevant weighting where appropriate.
- 1.4 The current proposal has seen the removal of a block of flats, replaced with two-storey dwellings having regard for the Inspectors comments on the design and layout of the development which was dismissed at appeal. Subsequently, it is considered that the changes to the scheme have improved the design proportions of the site and adequately addressed the concerns of the Inspector relating to impact on character.
- 1.5 As part of the proposal the applicant is delivering 30% affordable housing on site. The mix of social rented, shared ownership and affordable rent is set out within this report. It is considered that the proposal delivers an appropriate mix of housing in line with the requirements of the Borough Local Plan.
- 1.6 The proposal introduces sustainability measures to reduce the carbon footprint of the development. In the absence of a net zero development the applicant has agreed to prepare a legal agreement which would allow for contributions towards the carbon offset fund.
- 1.7 No concerns are raised in relation to the impact on highways, ecology, landscaping or flood risk subject to the use of appropriate conditions.

It is recommended the Committee authorises the Head of Planning:

1.	To grant planning permission on the satisfactory completion of an undertaking to secure the highway infrastructure, affordable housing and carbon offset fund contributions in Section 10 of this report and with the conditions listed in Section 15 of this report.
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2. REASON FOR COMMITTEE 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 Committee as the application is for major development.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises land bounded by Maidenhead Road to the north; the A308/Maidenhead Road roundabout to the east; the A308 to the south and the residential dwellings to the west beyond which is open land; 'Willows Park Homes' site to the north west; and The Willows to the north – a former mansion house dating from 1850 which has been divided into a number of individual properties. The site was occupied by Squires Garden Centre which includes a car park, a single storey retail building and an open air plant display area, but has been vacated. The site is bounded by a red brick wall that forms part of the garden centre building to the north; a wrought iron fence to the east; trees/shrubs on the boundary with the A308 to the south; and a combination of close board fencing and trees to the west.

4. KEY CONSTRAINTS

- 4.1 The application site is allocated within the Borough Local Plan as AL22 (Squires Garden Centre, Maidenhead Road, Windsor).
- 4.2 The site previously fell within the Green Belt designation of the now replaced Local Plan (formerly adopted 2003). Since the adoption of the BLP in February 2022, the Green Belt boundaries have been redrawn to exclude this allocated site.
- 4.3 Under previously assessed applications at the site, the eastern corner of the site fell within Flood Zone 2 with the rest of the site falling within Flood Zone 1. Having reviewed the flood mapping provided by the Environmental Agency, the entire site now falls within Flood Zone 1.

5. THE PROPOSAL

- 5.1 The proposal is for the erection of 30 dwellings including the relocation of the existing access along Maidenhead Road with associated parking, internal circulation, landscaping and related infrastructure.
- 5.2 Following the recent refusal of application reference 19/01755/FULL and appeal decision APP/T0355/W/20/3255844, the redevelopment of the site has been revisited and a greater number of dwellinghouses have been introduced, with one less block of flats when compared to the previous scheme.
- 5.3 The proposal includes one block of flats (comprising 8 units) and 22 x 3- and 4-bedroom units designed as a mix of traditional two storey semi-detached and terrace houses with the accommodation set of 2 and 3 floors. The block of flats is set across 2 to 3 storeys and would be located at the north western tip of the site.

5.2 There is extensive planning history for the site associated with the operation of the garden centre. In terms of relevant planning history for the redevelopment of the site for residential, there was an application for the erection of 39 dwellings, creation of a new access of Maidenhead Road, provision of parking, internal circulation, public open space, landscaping and related infrastructure that was withdrawn by the applicant on 13 March 2019, ref: 18/03754/FULL. The most recent planning application ref 19/01755/FULL for 37 dwellings was refused and dismissed at appeal on grounds of Green Belt harm and design. The failure to secure Affordable Housing and Highway Improvements via a section 106 was overcome during the course of the appeal.

6. RELEVANT PLANNING HISTORY

Application Ref	Description of Works	Decision and Date
19/01755/FULL	Erection of 37 dwellings including the re-location of existing access along Maidenhead Road with associated parking, internal circulation, public open space, landscaping and related infrastructure	Refused and Appeal Dismissed
18/03754/FULL	Erection of 36 dwellings including the re-location of existing access along Maidenhead Road with associated parking, internal circulation, public open space, landscaping and related infrastructure	Withdrawn

7. DEVELOPMENT PLAN

7.1 The main relevant policies are:

Adopted Borough Local Plan

Issue	Policy	Compliance
Spatial Strategy for the Borough	SP1	Yes
Climate Change	SP2	Yes
Sustainability and Placemaking	QP1	Yes
Green and Blue Infrastructure	QP2	Yes
Character and Design of New Development	QP3	Yes
Building Height and Tall Buildings	QP3a	Yes
River Thames Corridor	QP4	Yes
Housing Development Sites	HO1	Yes
Housing Mix and Type	HO2	Yes

Affordable Housing	HO3	Yes	
Managing Flood Risk and Waterways	NR1	Yes	
Nature Conservation and Biodiversity	NR2	Yes	
Trees, Woodlands and Hedgerows	NR3	Yes	
Renewable Energy	NR5	Yes	
Environmental Protection	EP1	Yes	
Air Pollution	EP2	Yes	
Artificial Light Pollution	EP3	Yes	
Noise	EP4	Yes	
Contaminated Land and Water	EP5	Yes	
Infrastructure and Developer Contributions	IF1	Yes	
Sustainable Transport	IF2	Yes	
Local Green Space	IF3	Yes	
Utilities	IF7	Yes	

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 2- Achieving sustainable development

Section 3- Plan-making

Section 4- Decision-making

Section 5- Delivering a sufficient supply of homes

Section 9- Promoting Sustainable Transport

Section 10- Supporting high quality communications

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

Supplementary Planning Documents

- Borough Wide Design Guide

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
- Corporate Strategy
- Environment and Climate Strategy

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

69 occupiers were notified directly of the application.

6 letters were received objecting to the application, as well as objections received from Residents associations. These are summarised as:

Comment		Where in the report this is considered
1.	Proposed site is too close to Willows Riverside Park. Existing road is dangerous and the proposed access is close to the bend giving rise to potential accidents.	Para 9.18 onwards
2.	Site is being considered by an Independent Inspector-making a decision on this site prior would be pre-emptive.	Para 9.2 onwards
3.	Proposal conflicts with NPPF Green Belt policies	Para 9.2 onwards
4.	Scheme has been poorly designed	Para 9.7 onwards
5.	Further development would impact flooding within the area as a result of high-density housing	Para 10.87 onwards
6.	Air quality along the A308 is already poor	Para 10.39 onwards
7.	No need for purpose-built flats	Para 9.2 onwards
8.	Over-looking would arise as a result of the proximity of the buildings to the site	Para 9.27 onwards

Consultees

Consultee	Comment	Where in the report this is considered
Highways	Project centre is satisfied that the 'change of use' from a garden centre to residential use is unlikely to lead to an adverse effect on capacity or safety on the local highway network, especially with regard to paragraph 109 of the NPPF.	Para 9.16
Environmental Agency	The Council consulted EA on the proposal. However, limited comments were received which are considered within this report.	No further action required having regard for the LLFA comments
Ecology	The site did not have the potential to support GCN, reptiles, badger, dormice, water vole, or roosting bats. The site was found to have some suitability to support foraging and commuting bats and as such a condition should be set to ensure that bats (and other wildlife) are not adversely affected by any external lighting installed.	Para 9.33
Lead Local Flood Authority	We recommend that should the local planning authority be minded to grant	Para 10.67

	planning permission for this application a suitably worded pre-commencement (excluding demolition) condition be imposed requiring submission of full details of the proposed surface water drainage system and its maintenance arrangements.	
Housing	<p>The proposed development has been the subject of discussions between housing officers and the applicant. Following detailed discussions, the housing supply would be:</p> <p>4x 2-bed flats - social rent 2x 1-bed flats - shared ownership 2x 2-bed flats - shared ownership 1x 3-bed house (6 person) - affordable rent 9 affordable (30% of 30 dwellings)</p>	Para 9.40

Other Groups

Consultee	Comment	Where in the report this is considered
Parish Council	Recommended for refusal – GB1 & GB2 Inappropriate development in the Green Belt. The applicant has failed to demonstrate that there are any very special circumstances which would outweigh harm to the Green Belt. The density of the site which is over 40 dwellings per hectare is considered to be overdevelopment in the Green Belt.	The application site no longer falls within the designated Green Belt under the new Borough Local Plan.
Thames Water	<p>The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.</p> <p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair</p>	The applicant has stated in their forms that surface water will not be discharged into the public drainage network. Matters relating to SUDs are considered within this report.

	<p>or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planningyour-development/Working-near-or-diverting-our-pipes.</p>	
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<p>Windsor and Eton Society</p>	<p>The site is still within the Green Belt and this application would be inappropriate development which harms the openness of the Green Belt. The application is premature until such time as the designation is changed.</p> <p>The design of the block of flats could be improved further. Although the scale and height has been reduced the design does not address its important location on the roundabout and the design is rather disappointing.</p> <p>The first-floor flats have no private amenity spaces and consideration should be given to providing balconies. There is no easily accessible open space for the occupants of the first-floor units as the green space around the block is blocked off by hedging. In addition, this space is very close to the highway and roundabout and provides a poor environment.</p> <p>The Society is concerned that the affordable housing units are corralled at one end of the site. It would not want to see these units distinguished in any way and all materials, details, landscaping etc must match the remainder of the estate.</p> <p>The Society has included the wall along the old Maidenhead Road in its List of Non-Designated Heritage Assets. It is part of a group of buildings and features formerly known as The Willows Estate which are important to the understanding of the heritage and development of this area bordering Windsor. The Society would like to see as much of the original wall retained as possible or rebuilt to match where possible.</p>	<p>The application site no longer forms part of the designated Green Belt under the current development plan.</p> <p>The applicant has given regard to earlier appeal decisions at the site and the current proposal reduces the number of blocks of flats from two to one along the south-eastern corner of the site.</p> <p>Concerns have been raised about the siting of affordable housing. The delivery of the affordable housing is addressed within the report and is not isolated to only the flats but a dwelling within the site as well. Matters relating to materials will likely form a pre-commencement condition which will allow officers to consider the information provided, and seek to ensure that a sense of difference is not created through the design of the building.</p>
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<p>Oakley Green and Fifield Residents Association</p>	<p>The subject application replaces application 19/01755/FULL for 37 dwellings that was refused in January 2020. The decision was appealed by the Applicant, but this appeal was dismissed in May 2021. The Inspector concluded that the very special circumstances necessary to justify the development on a site in the Green Belt did not exist.</p> <p>The process of consulting on the Main Modifications to the Borough Local Plan is now underway, but this application remains premature and unless or until the site (AL22) is removed from the Green Belt the situation with the subject application is unchanged and the very special circumstances necessary to justify development in the Green Belt do not exist. We acknowledge that the applicant has sought to address local residents' concerns over the scale of development, but as the applicant admits in the Planning Statement 'the proposal will deliver a greater mass and volume than the existing buildings being demolished' and we consider that the density remains too high for the area and the apartment block located on the roundabout remains overly dominant in the setting. We also remained concerned over inadequate parking and vehicular access.</p> <p>OGFRA's wider objections to this development were set out in detail in our letter of objection dated 26 July 2019. It is not intended to repeat those objections here, but the majority of those concerns still apply and a copy of our letter is attached for reference.</p> <p>We also wish to note three further issues:</p> <ul style="list-style-type: none"> • Heritage assets. In para 7.18 of the Planning Statement it states that 'The site is not located within a Conservation Area, nor is it constrained by any identified above ground designated heritage asset'. However the 'Willows Estate', north of the A308, and extending along both sides of the 'Old Maidenhead Road' has recently been recognised by both The Windsor & Eton Society and the Borough's Principal Conservation Officer as a non-designated heritage asset. This includes the wall along the Old Maidenhead Road which should be preserved to the fullest extent possible. 	<p>Section I considers the previously dismissed scheme at the site.</p> <p>Section iii considers the highways matters at the site.</p>
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	<ul style="list-style-type: none"> • A308 capacity. OGFRA has consistently argued that no further development along the A308 should be allowed until the long overdue A308 corridor study has been completed. In responding to the Borough Local Plan Main Modifications Consultation we have argued that Main Modifications are required to address A308 capacity issues and that any planned development of allocated sites along the A308 should be paused until the A308 study has been completed and its recommendations (and associated funding requirements) have been implemented/identified. • Climate change/flooding. There is increasing global concern with climate change causing more extreme weather and an increased risk of flooding – and this site suffers from surface water flooding. The Borough is proposing that ‘Adaptation measures need to be built into all new developments to ensure the sustainable development of housing, businesses and the economy of the Royal Borough.’ We consider that the extent of development permitted on sites such as AL22 should be reconsidered in light of the increased flooding risk. <p>In summary OGFRA’s position remains that it objects to the revised application for 37 dwellings and recommends that RBWM refuse the application.</p>	
West Windsor Residents Association	<p>The West Windsor Residents Association represents over one thousand residents within the Clewer and Dedworth West and Clewer and Dedworth East constituencies. We would like to thank the developer for reaching out to the community to discuss the proposal and making significant compromises from the original application. Despite this, the association has instructed me to write a letter formally OBJECTING to the above planning application for the following reasons:</p> <ol style="list-style-type: none"> 1. The Application fails to substantially address concerns raised in relation to the prior Application 19/01755/FULL <p>The decision questioned: “whether the appeal scheme would be inappropriate development in the Green Belt, including the effect the proposals would have on openness, in particular:</p>	Section 10.2 onwards

	<ul style="list-style-type: none"> • The effect the proposals would have on the character and appearance of the area • Whether or not affordable housing in line with adopted policy is included • Whether sufficient infrastructure required for the scheme has been included • Whether very special circumstances exist to warrant an exception to policies which require the protection of the Green Belt” <p>There remains serious concerns with development on the Green Belt, the Borough Local Plan has yet to be adopted and this application appears premature in assuming the local plan will be adopted. The decision also questioned that “although no specific style of architecture dominates the area around the appeal site, its prevailing character is one of openness, reflecting the area’s designation within the Green Belt. This is derived from the large gardens enjoyed by ‘The Willows’ which run north to the River Thames and the set back of properties from road frontages by deep belts of mature vegetation. For example, the Dedworth estate is set back by access roads along the Maidenhead Road and Ruddlesway which are interspersed with well treed landscape belts”</p> <p>The new plans do not address these concerns, with the height of the main block and the density of the development remaining out of keeping with the local area. As noted previously “For these reasons, the proposed scheme would adversely impact on the character and appearance of the area and conflicts with Saved policies DG1 and H11 of the Local Plan 2003. Furthermore, the appeal scheme would conflict with paragraph 127 of the Framework which requires new development to maintain a strong sense of place”.</p> <p>In terms of car parking there remains insufficient spaces, therefore, there has been a request from residents of Maidenhead Road adjacent to the site that if permission is granted for the development that there is a consideration for the area to become a resident permit area.</p>	
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	Residents would like again to extend our thanks to the developer for the time to address these concerns directly.	
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10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Principle of Development
- ii Climate Change and Sustainability
- iii Affordable Housing
- iv Housing Provision and Quality
- v Design and Character
- vi Parking and Highways Impacts
- vii Impact on amenity of neighbouring buildings
- viii Trees
- iv Other Material Considerations

Principle of Development

- 10.2 The application site now forms an allocated housing site within the Borough Local Plan Site Allocation Proformas. The application site is shown within the Borough Local Plan Proposals map as AL22.
- 10.3 Under previously considered applications at the site, the site fell within the Green Belt designation of the now replaced Local Plan. The Green Belt boundaries have been re-drawn under the current BLP around the site to the northern side of Maidenhead Road. As such, the application site is no longer within the Green Belt.
- 10.4 The Borough Local Plan identifies the site as appropriate for residential development subject to site specific requirements. This list of requirements is set out within the BLP and their adherence must be demonstrated by any proposed development at the site.

Allocation	<ul style="list-style-type: none"> Approximately 39 residential units
Site Area	<ul style="list-style-type: none"> 0.74 ha
<p>Site Specific Requirements</p> <p>Development of the site will be required to:</p> <ol style="list-style-type: none"> 1. Be considered as part of a wider area to enable comprehensive development and effective placemaking for the Windsor growth location 2. Enhance existing pedestrian and cycle links towards Maidenhead and Windsor 3. Ensure that the development is well served by public bus routes/demand responsive transport/other innovative public transport solutions, with appropriate provision for new bus stop infrastructure, such that the bus is an attractive alternative to the private car for local journeys, including to nearby GP surgeries, leisure facilities, educational facilities and railway stations 4. Not threaten the retention of the trees just beyond the site boundary, either during construction or in the longer term by creating amenity issues for future residents 5. Provide high quality green and blue infrastructure 6. Be designed to be of a high quality which supports and enhances local character 7. Provide 30% affordable housing 8. Front onto the A308 9. Consider flood risk as part of a Flood Risk Assessment as the site is partially located within Flood Zone 2 10. Address potential risks to groundwater 11. Demonstrate the sustainable management of surface water runoff through the use of Sustainable Drainage Systems (SuDS) in line with policy and best practice; any proposed surface water discharge should be limited to greenfield runoff rates where feasible <ol style="list-style-type: none"> 12. Provide appropriate mitigation measures to address the impacts of noise and air pollution to protect residential amenity 13. Ensure that the sewer systems including treatment works are sufficiently reinforced prior to the occupation and use of the housing. 	

10.5 The proposal seeks a residential development of 30 units at the site incorporating highways alterations, internal layouts, landscaping and other matters further identified within this report. As the site now falls outside the Green Belt and is an allocated site for residential housing within the new development plan, it is considered that the principle of development is acceptable subject to the proposal satisfactorily achieving compliance with the site-specific requirements set out in the BLP. As set out in this report, the application proposal delivers a residential scheme that has been sensitively set out and designed to respect the pattern of development to the north and east. The proposal delivers an appropriate mix of affordable housing which satisfies the 30% trigger referenced within the BLP. Additionally, careful consideration has been given to the retention of mature trees and landscaping features around the site that would respect the transitions of the site between the Green Belt to the north and Windsor to the south.

10.6 Further to the above, the applicant has set out their commitment to delivering green and blue infrastructure opportunities within the area through highway contributions, delivery of sustainability measures and landscaping enhancement opportunities. The proposal will introduce landscaping enhancement within the site where largely the area is hard surfaced, which would enhance the green infrastructure within the vicinity. Furthermore, the proposal will consider SUDs matters as part of a planning condition ensuring that drainage matters are designed into the development prior to any works being undertaken on site which would delivery blue infrastructure within the site. When viewed as a whole the proposal clearly works towards addressing the site-specific requirements set out within the Borough Local Plan.

- 10.7 In reaching this conclusion on the principle of development regard was given to the previously dismissed appeal at the site under reference APP/T0355/W/20/3255844. In light of the removal of the site from the Green Belt, the Inspectors comments can no longer be afforded anything more than very little weight when considering the principle of development within the development plan and framework.
- 10.8 The proposal would provide a total of 30 dwellings compared to the 39 as set out within the AL22 proforma. Whilst it is recognised the number of dwellings is lower than the approximate recommendation as set out within the proforma, it is the view of officers that the scheme would meet the site-specific requirements and provide a betterment to that previous scheme which was refused and dismissed at a recent appeal on character grounds (which is a material consideration to this application).

Climate Change and Sustainability

- 10.9 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. Paragraph 152 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 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.
- 10.10 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.
- 10.11 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. An interim position statement was therefore adopted in March 2021 which clarifies the Council's approach to these matters.
- 10.12 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.
- 10.13 The submission was made to the Council in July 2021, shortly after the introduction of the ISPS but prior to the formal adoption of the Borough Local Plan. In light of the adoption of the BLP and the significant weight afforded to Policy SP2 it was considered reasonable of the LPA to seek a sustainability report from the applicant, as well as contributions within the legal agreement where it could not be demonstrated that the development could achieve net-zero.
- 10.14 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, whilst having regard for water consumption.

10.15 As a whole the development has the capacity to achieve a 20% reduction in CO2 emissions based on the information provided and a formal confirmation from the applicant. Whilst this would represent a considerable reduction in the potential CO2 omitted from the site, the proposal does not achieve net zero. As such, it is reasonable for the LPA to achieve the remainder by a contribution to the carbon offset fund. This contribution has been calculated and relayed to the applicant who understands this will form part of the subsequent legal agreement with other matters to be secured within the S106 (housing and highways).

Affordable Housing

10.16 Policy HO3 of the Borough Local Plan states that the Council will require all developments for 10 dwellings gross, or more than 1,000 sq.m of residential floorspace, to provide on-site affordable housing in accordance with the following:

On greenfield sites providing up to 500 dwellings gross - 40% of the total number of units proposed on the site;

b. On all other sites, (including those over 500 dwellings) – 30% of the total number of units.

10.17 The application proposal seeks the creation of 30 residential dwellings which would trigger the affordable housing requirement within the development plan. Further to this the policy seeks to ensure the delivery of affordable housing will be provided in accordance on site and distributed across the development to create a sense of sustainable, balanced community.

10.18 The proposal has been subject to detailed discussions between housing officers and the applicant to ensure the housing mix appropriately represents the aims of the NPPF (2021) and development plan. The affordable housing mix now offered is as below:

10.19

Social Rent		4
Shared Ownership		4
Affordable Rent		1
Total		9 units or 30%

10.20 The proposed mix of affordable housing proposed within the site would amount to a mix of 56% rent and 44% shared ownership. The proposed tenure mix would not fall wholly in line with the split of housing set out within Policy HO3 of the Borough Local Plan which sets out that the required affordable housing size and tenure mix shall be in accordance with the Berkshire SHMA (2016) resulting in a split of 45% social rent, 35% affordable rent and 20% intermediate tenure.

10.21 The context of Policy HO3 offers a degree of flexibility on smaller sites where the affordable housing being achieved meets the 30% threshold and in line with the affordable housing needs identified in the Berkshire SHMA (2016). The corporate plan has a outlined goal of 2000 households helped into new and existing affordable homes, prioritising social and housing rent. Social rent accounts for around 45% of the proposed mix which would be in line with the Corporate Plan and the aims of the SHMA

(2016) and BLP. Further to this the housing officer accepted the proposed mix set out by the applicant in the above table principally because a mix rented and shared ownership building served via the same access would be unlikely acceptable to a housing organisation. On this basis the block of 8 flats benefits from two entrances making the split of tenure more appropriate and attractive to a housing organisation, it is accepted that the affordable rent unit be a family unit in the form of a dwelling. Whilst it is noted that the delivery of social housing is not in strict compliance with Policy HO3, the applicant is delivering the requisite affordable housing in site as a percentage and this must be considered in hand with the reality of delivery for housing organisations who will be seeking to deliver the housing. As such, in applying the planning balance it is considered the proposal would contribute towards the boroughs housing need in a positive manner.

Overall Housing Mix

- 10.22 Policy HO2 of the Borough Local Plan sets out to ensure that the provision of new homes contributes to meeting the needs of current and projected households. The information available to officers to make such a judgement would be the Berkshire SHMA 2016..
- 10.23 The Berkshire SHMA (2016) sets out that the greatest need for housing stems around family sized units (3 and 4+ bedrooms), which is followed by two-bedroom units and then one bedroom units.
- 10.24 The proposed development comprises 2 x 1 beds, 7 x 2 beds, 12 x 3 bedrooms and 9 x 4-bedroom dwellings. As a proportional % mix this would equate to approx. 7% of 1-bedroom units, 23% of 2-bedroom units, 40% of 3 bedroom units and 30% of 4 bedroom units.
- 10.25 Table 2 below sets out a comparative mix between the SHMA (2016) and the proposed development;

Size of Housing	SHMA Projection	Application Delivery
One Bedroom	9.4%	7%
Two Bedroom	27.9%	23%
Three Bedroom	42%	40%
Four + Bedroom	20%	30%

- 10.26 Table 2 demonstrates that the proposal would deliver a % mix of housing that would largely satisfy the aims and projection of the SHMA (2016). The mix of housing proposed would work towards achieving the aims of Policy HO2 of the Borough Local Plan and provide a good proportion of family dwellings on site

Housing Provision and Quality

- 10.27 As part of the assessment of the application under the Borough Local Plan and the NPPF (2021) consideration must be given to the living conditions of not only neighbouring residents, but the future occupants of the proposed development.
- 10.28 The proposed units of accommodation would meet the requirements of the technical housing standards (space standards). Furthermore, the proposed habitable windows

would benefit from unobstructed and unincumbered views towards the front or rear of the respective plots. In doing so the proposal ensures a satisfactory living arrangement for all future occupants of the development.

- 10.29 Concerns have been raised by local residents' groups as to the absence of private amenity space for occupants of the block of flats. The ground floor units all have direct access to private patio areas which would provide open, usable and practical amenity space. It is acknowledged that the upper floors do not benefit from balconies, however they would have direct access to the landscaped areas surrounding the site which is easily accessible from the location of the proposed staircase. Further to this it is not unusual for upper floor flats to rely on provision of washing and drying clothes internally with combined washing machine/dryers and there remains sufficient space within the respective kitchen areas to achieve this.
- 10.30 It is prudent to point out that under the new Borough Local Plan, open space standards have changed such that a development of this scale is not required to provide formal areas of open space within the development. Policy IF4 (4) (Open Space) advises that new open space and play facilities for children and young people will be required on sites allocated for new housing and housing-led mixed used development as set out in the site allocation proformas. Proforma AL22 does not provide any specific requirements relating to open space and therefore the proposal meets the requirements of this policy.
- 10.31 On balance it is considered that the proposed development would provide appropriate living standards and amenity space for future occupants as not to warrant any policy based objections.

Design and Character

- 10.32 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'. Policy QP3 of the Borough Local Plan also states that the character and design of new development should ensure it . Respects and enhances the local, natural or historic character of the environment, paying particular regard to urban grain, layouts, rhythm, density, height, skylines, scale, bulk, massing, proportions, trees, biodiversity, water features, enclosure and materials;
- 10.33 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.

10.34 The application site was the subject of a planning appeal against the refusal of the redevelopment of the site. In the first instance it is considered appropriate to review the Inspectors comments, as these related to the design and appearance of the development amongst other factors. Where the development policies of the outdated plan are consistent with the aims of the adopted Borough local Plan a judgement on the weighting to be afforded to the Inspectors comments will be made. The key difference between the previous 37 unit scheme and the 30 unit scheme the subject of this application is the removal of a second block of flats, and its replacement with 4 two to three storey dwellings.

10.35 In para 18 of the appeal decision (ref APP/T0355/W/20/3255844) the Inspector considered the pattern of development along the northern and western periphery of the site to be in context with the pattern of development within the area. The Inspector concluded that *'The design of the appeal scheme has sought to respond positively to the range of surrounding buildings through the location of the detached houses on the frontage of the northern edge of the site, mirroring the built form on the north side of the road in 'The Willows'. The built form within the scheme seeks to replicate the surrounding pattern of building on land to the west of the site and on the Dedworth estate. Furthermore, the scheme would be built with a palette of materials drawn from the surrounding buildings.'*

10.36 The proposed design of the dwellings along the western part of the site has seen an introduction of more terraced style properties spread across two and three storeys with habitable accommodation in the loft. Whilst the appearance and architectural vernacular of the properties has changed as well as their siting, the general density of dwellings within this part of the site remains the same as the scheme subject to the appeal.

10.37 The mix of both detached, semi-detached and terraced units across the site would be consistent with the Inspectors comments whereby the scheme takes its design derivative from the surrounding pattern of land to the west and north. The general site layout would have a degree of density and appearance which would fit in with the identified characteristics of the immediate vicinity.

10.38 The Inspectors main concerns related to the appearance of the two flatted developments within the context of the street scene, as well as within the development as a whole. The Inspectors comments read as:

'These 2 x 3 storey blocks of flats would be prominent in the streetscene. Looking west along Maidenhead Road the block at the site's eastern edge would be particularly prominent by reason of its height and proximity to the front of the site. With a ridge height of around 11.5m the 2 No. 3 storey blocks, whilst only being slightly lower than

some of the surrounding properties lack their qualities, including set back from frontages commensurate with their scale and detailing, as is the case with the cottages, included in 'The Willows' on Maidenhead Road.

The other block lies close to the southern edge of the site and relies on the well treed boundary and broad landscaping strip on highway to afford some degree of cover. However even this area of existing landscaping, strengthened as part of the scheme, could not address the adverse impact of the block on the area's existing character and appearance resulting in an incongruous appearance in this part of the streetscene.

For these reasons, both of these blocks would adversely contrast with the prevailing character and appearance of the area defined by built development which has only limited impact on the streetscene. Whilst the elevational treatment of each block has been articulated through a series of projecting gables and balcony details these measures, rather than reducing the impacts of each block serve only to emphasise their height and bulk.'

- 10.39 The current proposals heed the Inspectors comments by removing one of the blocks of flats along the southern side of the site, and replacing this with more traditional style dwellings which reflect the other units within the development. The generally lower ridge heights, bulk and massing of the dwellings would be in minimal compared to the block of flats which previously were designed to occupy this space. Furthermore, the block of flats in the eastern part of the site has been reduced significantly in scale in response to the Inspector's concerns regarding prominence.
- 10.40 The impact of this design change ensures the prominence of the development is not as great when viewed from the public realm along all sides of the site. This is coupled with the limited removal of existing vegetation and the likely retention of parts of the northern high boundary wall which is a Non- Designated Heritage Asset within the Windsor NLP.

Parking and Highways

- 10.41 Policy QP3 of the Borough Local Plan states that new development should seek to deliver easy and safe access and movement for pedestrians, cyclists, cars and service vehicles, maximising the use of sustainable modes of transport where possible.
- 10.42 The context of Policy QP3 is supported by the RBWM Parking Strategy (2004). This document remains relevant following the adoption of the Borough Local Plan and up to the point a replacement SPD document is adopted formally in its place.
- 10.43 Under the previously refused scheme at the site, and subsequent appeal decision the Planning Inspector raised no concerns as to the proposed infrastructure arrangement to support the site. This was owing to the applicant presenting a Unilateral Undertaking during the course of the public inquiry.
- 10.44 The applicant has provided a draft unilateral undertaking with the current proposal which covers three matters, Affordable Housing, Sustainability and Highway Works obligations. Owing to the nature of the agreement, legal services have advised that the UU should be prepared as a S106 agreement. Highways have stated that they will actively seek financial contributions from development that front or have access on the A308 corridor, thereby allowing the Borough to improve and encourage sustainable

modes of travel across its local and strategic highway network. The proposed contributions would allow the Council to contribute towards the delivery of safe movement to and from the site, as well as surrounding areas for residents and locals. The delivery of this would ensure the development complies with para c and d of Policy QP3.

- 10.45 Concerns were raised during the consultation period by local residents as to the impact the proposal would have on the highway network, and the safety of local network users. The application site has had an extensive history for use as a garden nursery/centre. Whilst the use has ceased to operate for a period of time following its closure, the activity and vehicular movement to and from the site would have been a reasonable number per day for a level of business enterprise such as this.
- 10.46 As part of the application process officers consulted RBWM highways who considered that the visibility splays of the proposed access would comply with local and national standards. Whilst the concerns of residents are noted, the proposed access is located further along Maidenhead Road further from the existing junction which enhances visibility splays into the road, and from the development. As such, no policy-based grounds for objection are raised with relation to the new access arrangements.
- 10.47 In 2019, under the application considered by the Council and subsequently dismissed at appeal concerns were raised by officers as to the local infrastructure deficiencies, notably with relation to cycle and pedestrian routes. As part of the public inquiry the applicant provided a Unilateral Undertaking which agreed to highway contributions allowing for the improvement of cyclists and pedestrians within the immediate vicinity. In continuation of this approach, the applicant has again provided a draft UU which demonstrates a commitment to an undertaking contributing to the aims of the recent A308 Corridor Study.
- 10.48 Further to the highway improvements, the supporting plans indicate that the site layout for plot type A, B and C (inclusive of C1 and C2) would allow for at least two off-street parking spaces. This would be achieved in the form of driveway spaces or integral garages.
- 10.49 The type D dwellings and the block of flats would benefit from on-street parking provision laid out in a considerate manner both with relation to the development as a whole, but equally within safe transitions of the buildings they serve. To the north of the site are disabled parking spaces which would provide adequate spacing standard for future users.
- 10.50 In total 67 parking spaces would be required to facilitate the development, as a maximum. The original site plan set out 69 spaces which would exceed the maximum required within the development and this was raised with the applicants. Subsequently an amended plan was provided which committed 67 parking spaces to the residential units. Although private parking spaces have been provided, no evidence of electric or passive vehicle charging provision within the site has been provided. The applicant acknowledges their responsibility in delivering this and have agreed to the use of a pre-commencement condition on delivering this across the site.
- 10.51 On balance, and in light of Highways comments it is considered that the proposed parking provision and commitment to highway and network enhancements would be sufficient to cater for the proposed development.

Impact on amenities of neighbouring buildings

10.52 Policy QP3 of the adopted Borough Local Plan states under sub section (m) that development should ensure it has no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight.

10.53 A comparison between the previously refused scheme in 2019, and the current proposal before us identifies that the layout of properties to the west and north of the site is largely consistent between both proposals. The notable change to the current scheme is the replacement of a second block of flats with four houses along the southern perimeter of the site following concerns raised by the Inspector on design grounds.

10.54 As such, it is reasonable to consider earlier officers comments:

'The nearest residential properties are Willows Cottage, Willow House, Fold Cottage, Westlodge Cottage and Westwind Manor to the west, and nos. 1 and 2 Park Cottage, and nos. 1, 5 and 14 The Willows which are sited to the north on the opposite side of Maidenhead Road.

There would be a separation distance of approximately 20m between the proposed houses on plot no. 1-9 and Willow House and Fold Cottage. There is a lesser separation distance of approximately 16m between Willows Cottage and the proposed house on plot no. 11, but due to its orientation the proposed house would be angled away from Willows Cottage. As such, it is considered that there would be no undue impact in terms of loss of light, loss of privacy and visual intrusion to these neighbouring properties. It is noted that there would be garages sited within the rear garden of plot no. 1, 2, 5 and 8, close to the shared boundary. However, the garages would be single storey with an eaves height of approximately 2.2m at the eaves and hipped roof sloping away from the shared boundary. As such, the proposed garages are not considered to result in undue loss of light or visual intrusion.'

10.55 The general relationship between the properties to the west of the application site, and the proposed dwellings along the western perimeter (Pot 1-12) has not materially changed to a degree that would lead to a different conclusion being reached. In addition, the distancing between Plot 1, 21 and the block of flats is again similar in relationship with the residential properties to the north. Whilst in some circumstances the relationship between dwellings is accepted as being less than set out in the residential design guide, the siting of properties, vegetation and highways separating properties plays a key consideration in the assessment of amenity.

10.56 Further to this, the proposed dwellings plots 13-16 are located a substantial distance from the nearest habitable properties as not to warrant any policy based objections.

10.57 In light of the previous decisions at the site including the planning appeal, there would be limited circumstances to raise policy-based objections over the proposal which would stand the test at appeal. As such, it is considered that the proposed development would not lead to a degree of amenity impact on neighbouring properties to warrant a policy-based objection.

Trees

10.58 Policy QP3 of the Borough Local Plan raises the importance of respecting the natural environment, especially in relation to protecting trees and vegetation worthy of retention.

- 10.59 In addition to this, Policy NR3 states that development proposals shall maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of proposals.
- 10.60 The accompanying Arboricultural Impact Assessment which identifies that the trees proposed for removal are within the lower categories of C and U, meaning their amenity value or future amenity value is low. Higher value amenity trees in the category of A and B are shown to be retained, which are largely prevalent across the eastern, southern and western sides of the site and act as a natural screening buffer to the site. Consideration has also been given to trees outside of the development and their importance to the character of the site, and the loss of trees whilst regrettable is on balance acceptable owing to the retention of trees with higher amenity value. The amendments to the scheme including the removal of the southern block of flats would alleviate pressure on the southern boundary trees. The proposal is considered to meet point 4 of the proforma in this respect.
- 10.61 In addition to this, the applicant has prepared a landscaping masterplan. The masterplan demonstrates the ability and intent of the proposed development to introduce soft and hard landscaping features within the site. The level of hard surfacing proposed would be typical of a development of this size and scale. Key to the design of the masterplan is the ability of each dwelling to have a degree of soft landscaping within the front gardens to act as a buffer between transitions of dwellings, and private and public land.

Ecology

- 10.62 Policy NR2 of the Borough Local Plan seeks to ensure that development proposals will demonstrate how they maintain, protect and enhance the biodiversity of application sites including features of conservation value.
- 10.63 As part of the application the applicant provided an Ecological Impact Assessment, which was prepared in July 2021. The report concluded that which the site is within 5km of several international a nationally designated sites, the habitats on site are of low ecological value. It was identified that a hedgerow within the development was considered to be a priority habitat, but this is shown to be retained.
- 10.64 The remainder of the site was found to have some suitability for foraging and commuting bats, and the likely increase in light would affect this. As such, it was recommended by the Council's ecologist that conditions form part of any subsequent decision notice which serve to ensure that external lighting does not adversely impact on wildlife.
- 10.65 Whilst the proposed lighting condition would maintain and protect the ecological value of the site. Consideration must also be given to the ability of the site to enhance the biodiversity opportunities, especially in light of the site's relationship with other designated sites. As such, it would not be unreasonable of the LPA to seek biodiversity enhancements across the site to encourage bird and bat boxes, as well as other planting measures that would form part of the soft landscaping features within the site.

Archaeology

- 10.66 Under the previously refused application in 2019 (19/01755/FULL), the case officer stated the following:

'The site lies within the Thames Valley which have been a focus of settlement, agriculture and burial from the earlier prehistoric period to the present day and important prehistoric finds have been recorded close to the application site. Therefore, the application site falls within an area of potential archaeological significance. If minded to approve, a programme of archaeological field evaluation in accordance with a written scheme of investigation, and any subsequent mitigation strategy, can be secured by condition. It is considered that this requirement can be secured post-permission in this particular case as there has been some previous development on the site.'

- 10.67 Policy HE1 of the Borough Local Plan replaces the now replaced former Local Plan policy ARCH3. Policy HE1 seeks to ensure that applications for works in archeologically sensitive areas will be required to include a desk-top archaeological assessment.
- 10.68 It is imperative decision making is consistent and fair and subsequently it would be unreasonable of the Council to request this information at this stage. It is considered that the approach taken previously by officers was reasonable, and that a similarly worded condition should form part of any subsequent decision notice ensuring a WSI is provided.

SUDs

- 10.69 The sites position within the BLP as an allocated site seeks to ensure that the proposal benefits from appropriate measures of green and blue infrastructure. The matter of green measures has been addressed within the amenity spaces provided and landscape enhancement. The blue infrastructure is limited within the site owing to the absence of a water body in or through the site which could be enhanced or extended to. In light of this, it would not be appropriate to consider the site capacity appropriate for blue infrastructure opportunities.
- 10.70 Notwithstanding this, there remains an opportunity for the site to ensure that it implements appropriate SUDs measures which would not result in surface water drainage matters as a result of the increased capacity, and higher risk posed by housing compared to a garden centre. It has been recommended by the LLFA that a suitably worded condition form part of any subsequent decision notice which sets out the requirement for further information on drainage strategy within the site.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 11.1 The development is CIL liable.

12. PLANNING BALANCE AND CONCLUSION

- 12.1 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. Furthermore, the site is allocated for housing development within the local development plan with the proposal delivering on the site-specific requirements.
- 12.2 It is considered that this proposed development is an improvement on the previous applications 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.

12.3 Having regard for the Council's position on their housing supply, it can now be demonstrated that a 5-year housing supply is available. As such, there is no requirement to apply the tilted balance approach in line with the context of the NPPF. Notwithstanding this, the site allocation and its position within the development plan is afforded significant weight in delivering housing.

12.4 It is therefore recommended that planning permission is granted.

13. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B/C – Landscaping Strategy/ Tree Protection Plan
- Appendix D – Proposed Elevations

14. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place above slab level until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy QP3 of the Borough Local Plan;
- 3 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.
- 4 Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwelling house the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.
Reason: The prominence of the site requires strict control over the form of any additional development which may be proposed. Relevant Policies - Borough Local Plan QP3
- 5 No development shall take place until samples and/or a specification of all the finishing materials to be used in any hard surfacing on the application site 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.
- 6 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 QP3 and IF2.

- 7 No roof-light(s) shall be inserted in the roof elevation(s) of plots 1, 21 and the block of flats (unit 23-30).

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan QP3.

- 8 No further roof-light(s) shall be inserted in the roof elevation(s) of plots 2 to 20..

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan QP3.

- 9 No development (excluding demolition) shall commence on the site until a surface water drainage scheme for the development, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority. Details shall include: 1. Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details. 2. Supporting calculations confirming compliance with the Non-Statutory Technical Standards for Sustainable Drainage Systems. Where disposal of surface water runoff via infiltration is proposed the supporting calculations should be based on infiltration rates determined by testing carried out in accordance with BRE365. 3. 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 Borough Local Plan NR1, National Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure that the proposed development is safe from flooding and does not increase flood risk elsewhere.

- 10 The existing access to the site of the development shall be stopped up and abandoned immediately upon the new access being first brought into use. The footways and verge shall be reinstated before the development is first occupied in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Reason: In the interests of highway safety and the amenities of the area. Relevant Borough Local Plan Policies QP3 and IF2.

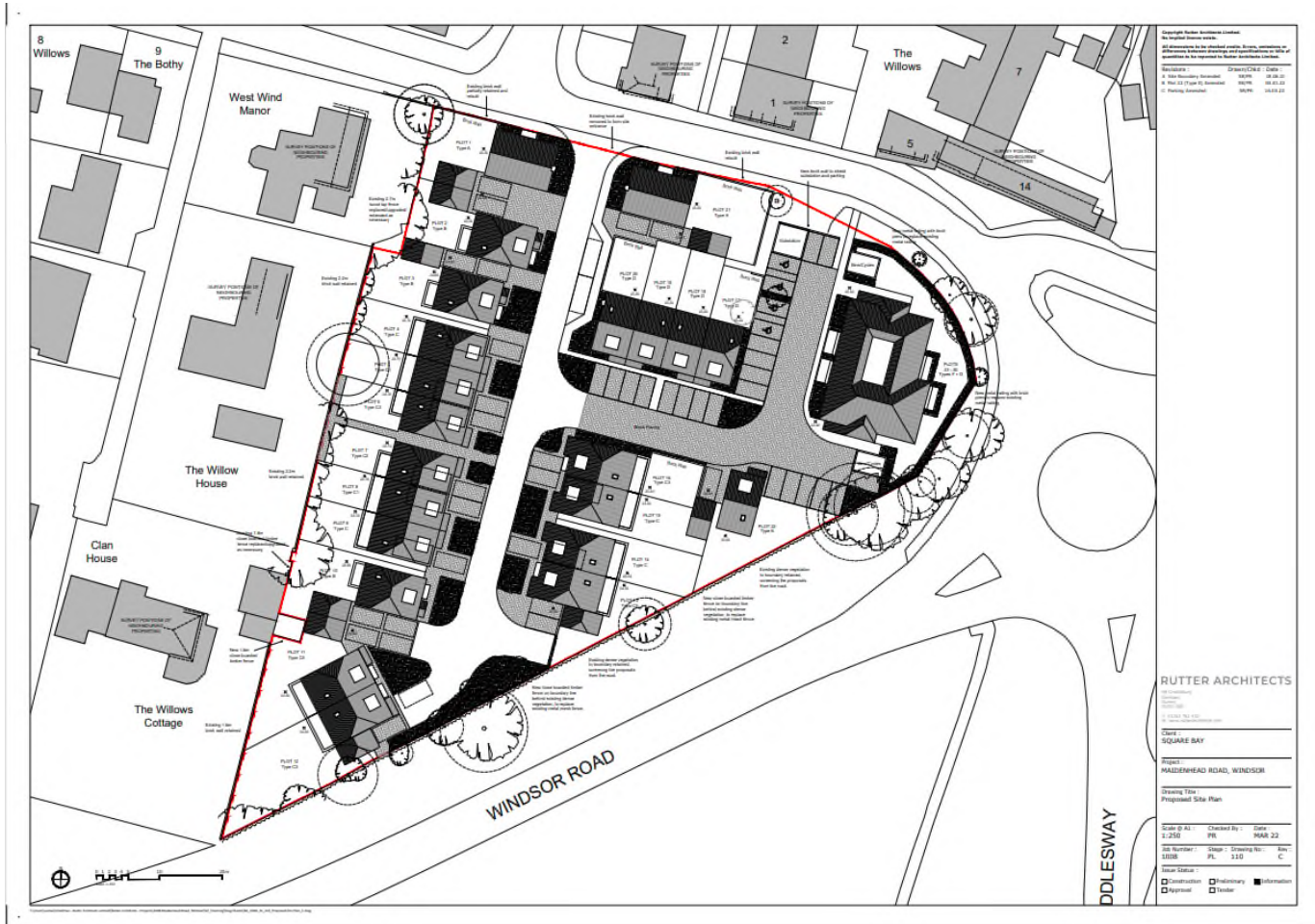
- 11 No part of the development shall be occupied until vehicle parking space has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority including details of charging facilities for electric cars (fast charge and rapid charge points). The space approved shall be retained for parking in association with the development. Reason: To ensure that the development is provided with adequate parking facilities to reduce the likelihood of roadside parking which would be detrimental to the free flow of traffic and to highway safety and ensure that the development encourages sustainable travel. Relevant Policies - Borough Local Plan QP3 and IF2.

- 12 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. Reason: To ensure that the development is provided with adequate parking facilities to encourage the use of alternative modes of transport. Relevant Policies- Borough Local Plan QP3 and IF2.

- 13 Prior to the commencement of the development above slab level, details of biodiversity enhancement, to include integral bird and bat boxes, tiles or bricks on the new buildings and trees, log piles, native and wildlife friendly planting (including pollen rich and fruit bearing species) and wildlife friendly boundary fencing, shall be submitted to and approved in writing by the Council. The biodiversity enhancements shall thereafter be installed as approved and a brief confirming that the biodiversity enhancements have been installed, including a simple plan showing their photographs in situ, is to be submitted to and approved in writing by the Council. Reason: To incorporate biodiversity in and around developments in accordance with Borough Local Plan Policies NR2 and NR3, as well as para 175 of the NPPF (2021).
- 14 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: * 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 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. Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with Borough Local Plan Policies NR2 and NR3 and para 180 of the NPPF.
- 15 No further window(s) shall be inserted at first floor level in the elevation(s) of the dwellings hereby approved.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H11.
- 16 The first floor window(s) in the eastern and western elevation(s) of plots 1 and 21 serving the habitable rooms shall be of a permanently fixed, non-opening design and fitted with obscure glass and the window shall not be altered.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan QP3.
- 17 The first floor window(s) in the eastern and western elevation(s) of the plots 1 and 21 serving en-suites and bathrooms shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the window shall not be altered.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H14.

Appendix A

Site Location Plan and Site Layout



Appendix C
 Tree Protection Plan



Appendix D

Proposed Elevations

PLOT 22



PLOTS 1 + 21 (Handed)



PLOTS 2 + 3 + 10 (Handed)



Type B
Front Elevation
11000x4111



Type B
Side Elevation
11000x4111



Type B
Rear Elevation
11000x4111



Type B
Side Elevation
11000x4111



Type C
Front Elevation
11000x4111



Type C
Side Elevation
11000x4111



Type C
Rear Elevation
11000x4111

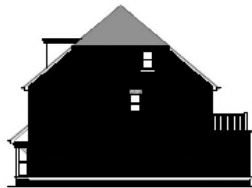


Type C
Side Elevation
11000x4111

PLOTS 11 + 12



Type C
Front Elevation
11000x4111



Type C
Side Elevation
11000x4111



Type C
Rear Elevation
11000x4111



Type C
Side Elevation
11000x4111

PLOTS 15+16 and 13+14 (Handed)



Type C
Front Elevation
11000x4111



Type C
Side Elevation
11000x4111



Type C
Rear Elevation
11000x4111

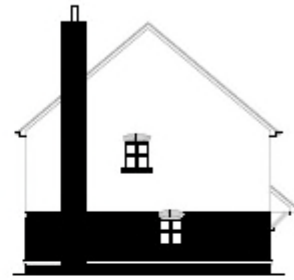


Type C
Side Elevation
11000x4111

PLOTS 17 + 18 + 19 + 20



Type D
East Elevation
1:100 @ A1



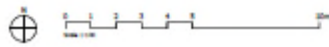
Type D
Side Elevation
1:100 @ A1



Type D
Side Elevation
1:100 @ A1



Type D
Side Elevation
1:100 @ A1



PLOTS 23 - 30



Type F + G
West Facing Elevation
1:100 @ A1



Type F + G
Side Elevation
1:100 @ A1



Type F + G
East Facing Elevation
1:100 @ A1



Type F + G
North Facing Elevation
1:100 @ A1



SITE ELEVATION 01 Along Maidenhead Road
1:100 at AD



BUTTER ARCHITECTS

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DEVELOPMENT CONTROL PANEL

6 April 2022

Item: 3

Application No.:	21/03765/FULL
Location:	Site of Former Pine Lodge Hatch Lane Windsor
Proposal:	New pedestrian and vehicular entrance gates with piers.
Applicant:	Beechcroft Developments Ltd
Agent:	Mrs Sarah Smith
Parish/Ward:	Windsor Unparished/Clewer East
If you have a question about this report, please contact: Zarreen Hadadi on 01628 796042 or at Zarreen.Hadadi@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposal is for new pedestrian and vehicular entrance gates with piers. This is for the site entrance to the approved scheme for the redevelopment of the former Thames Hospice for 41 dwellings, permitted under application 20/02976/FULL.
- 1.2 The proposed gates are set back by 8 metres from Hatch Lane and would therefore not cause an obstruction to the Highway. The development is considered to be in keeping with the recently approved housing development and the street scene as a whole.

It is recommended the Committee grants planning permission with the conditions listed in Section 14 of this report.

2. REASON FOR COMMITTEE 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 Committee as the application has been called in by Cllr Karen Davies due to concerns that the proposed gates will have a significant impact on the street scene. There is also a concern that the location, directly opposite Clewer Green First School, renders a build-up of vehicles outside the gates a particular hazard to pedestrians.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The site is located at the entrance of the former Thames Hospice, Pine Lodge on Hatch Lane in Windsor. The site measures approximately 0.63ha and lies within the settlement of Windsor on the east side of Hatch Lane. A central access serves the site from Hatch Lane. The site formerly comprised a large, part single storey-part two storey building which was occupied by Thames Hospice Care. The approved housing development is now largely constructed on site.
- 3.2 Hatch Lane bounds the site to the west with Clewer Green First School on the opposite side of the road, while a footpath leading from Hatch Lane to Longbourn bounds the site to the north. To the north of the footpath are existing detached residential properties fronting on to Hatch Lane. To the north-east is the Longbourn housing development while to the south-east is playing fields belonging to Windsor Girls School.

4. KEY CONSTRAINTS

- 4.1 No key constraints to note on the specific entrance to the site marked by the red line boundary on the site plan.

5. THE PROPOSAL

- 5.1 The proposal is for a new pedestrian and vehicular entrance gates with piers. This is to accommodate the entrance to the approved scheme for the redevelopment of the former Thames Hospice under 20/02976/FULL. This is to provide a retirement housing development of 41 dwellings comprising three x 2-storey terraced houses, two x 2-storey semi-detached houses, one x 2 storey apartment building, two 2.5-storey apartment blocks and one 3-storey apartment block with associated parking, landscaping and refuse store following demolition of the existing building.
- 5.2 The cover letter states that the proposed development is required to provide secure parking for all residents within this development. The gates are set back from Hatch Road by 8 metres. The proposed development includes 2 masonry piers set 5m apart with black powder coated steel vehicular gates sited between. These gates include an automated audio link to each apartment and house within the gates and includes a fob receiver for occupiers.
- 5.3 There are 2 pedestrian accesses, one located to the north of the proposed main vehicular access and one to the south of this with a fixed panel to match the main vehicular gate with 2 piers either side. The height of these piers varies between 1.9 and 2.2 metres due to the difference in ground levels. The proposed masonry piers are 440mm square brick piers capped with Bath Stone GRC Pier Cap and would have facing brickwork to match plots 1-3 and plots 4-5 of the approved scheme.
- 5.4 An additional street elevation has been submitted. A landscaping plan has not been submitted but a landscaping scheme for the whole site is required to be submitted as part of condition 6 of planning permission 20/02976/FULL.

6. RELEVANT PLANNING HISTORY

Reference	Description	Decision
19/03351/FULL	Redevelopment of the former Thames Hospice to provide a retirement housing development of x45 dwellings comprising x3 two-storey terraced houses, x4 two-storey semi-detached houses, x2 2.5- storey apartment blocks and x1 three-storey apartment block with associated parking, car port, landscaping, refuse stores and cycle stores, following demolition of the existing building.	Refused 04.09.2020 Dismissed at appeal 27.01.2021
20/02976/FULL	Redevelopment of the former Thames Hospice to provide a retirement	Permitted at Panel 13.05.2021

	housing development of 41 dwellings comprising three x 2-storey terraced houses, two x 2-storey semi-detached houses, one x 2 storey apartment building, two 2.5-storey apartment blocks and one 3-storey apartment block with associated parking, landscaping and refuse store following demolition of the existing building.	
21/03696/VAR	Variation (under Section 73) of conditions 9 (tree protection) and 20 (approved plans) to increase the number of on-site parking spaces by two and to substitute those plans approved under 20/02976/FULL for the redevelopment of the former Thames Hospice to provide a retirement housing development of 41 dwellings comprising three x 2-storey terraced houses, two x 2-storey semi-detached houses, one x 2 storey apartment building, two 2.5-storey apartment blocks and one 3-storey apartment block with associated parking, landscaping and refuse store following demolition of the existing building.	Pending

7 DEVELOPMENT PLAN

7.1 The main relevant policies are:

Adopted Borough Local Plan

Issue	Policy	Compliance	
Sustainability and Placemaking	QP1	Yes	
Character and Design of New Development	QP3	Yes	
Sustainable Transport	IF2	Yes	

Adopted Windsor Neighbourhood Plan

Issue	Policy	Compliance	
Character and Appearance	DES.01	Yes	
Amenity	RES 01	Yes	
Sustainable Transport	CW 01 PAR.01	Yes	

8. 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

Supplementary Planning Documents

- Borough Wide Design Guide

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Landscape Assessment
- RBWM Parking Strategy
- Interim Sustainability Position Statement
- Corporate Strategy
- Environment and Climate Strategy

9. CONSULTATIONS CARRIED OUT

9.1 Comments from interested parties

5 occupiers were notified directly of the application. No letters were received supporting the application.

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

Comment		Where in the report this is considered
1.	Concern over increased congestion and impact on Highway safety, particularly in vicinity to school.	Section 10.3
2.	Overbearing impact on street scene character compared to Copper Horse Court gate.	Section 10.2

9.2 Consultees

Consultee	Comment	Where in the report this is considered
Highways	The Project Centre offers no objection to the above application.	Section 10.3

9.3 Others (e.g. Parish and Amenity Groups)

Group	Comment	Where in the report this is considered
The Windsor and Eton Society	Vehicles waiting for automatic gates to open will cause additional congestion opposite school.	Section 10.3
	Gates add to more urban character along the outer suburb area to become a gated community.	Section 10.2
Windsor Neighbourhood Plan Delivery Group	The entrance gates have not previously formed part of applications at earlier stages including the approved scheme. The gate proposal incorporates a formalising feature which is at odds with the design of the new houses adjacent to it. No reference to WNP in cover letter.	Section 10.2

10. EXPLANATION OF RECOMMENDATION

The key issues for consideration are:

- i. Principle of Development
- ii. Design and Character
- iii. Parking and Highways Impacts
- iv. Impact on amenity of neighbouring buildings

10.1 Principle of Development

10.1.1 As stated in the covering letter, the proposed development is required to provide secure parking for all residents within this development. The associated permitted application for retirement housing development of 41 dwellings, ref: 20/02976/FULL included a number of conditions relating to highways and landscaping in accordance with approved plans. It is noted that the landscaping scheme (condition 6) has not yet been submitted to be approved. This earlier permission did not include gates to serve the development, the current application is therefore submitted as a later addition.

10.2 Design and Character

Policies

10.2.1 The site falls within an area identified as a 'Victorian Village' in the Council's Townscape Assessment. Hatch Lane, which the site forms part of, is a secondary road leading off Clewer Hill Road (the principle street) and the pattern of development largely conforms to the 'Victorian Village' characteristics. A 'Victorian Village' is mainly characterised by principal streets with larger 2 to 3 storey buildings on irregular plots and no front gardens, and secondary side roads which also consist of irregular plots but are typically narrower with smaller 2-storey houses with front gardens. Backland development has occurred along most streets, resulting in shortened plots and higher densities.

10.2.2 National Planning Policy Framework Section 12 (Achieving well-designed places) advises that all development should seek to achieve a high quality of design that improves the character and quality of an area. Newly adopted Borough Local Plan Policy QP3 states that new development will be expected to contribute towards achieving sustainable high-quality design in the Borough. This includes (h):

Incorporating interesting frontages and design details to provide visual interest, particularly at pedestrian level. The proposal includes 2 pedestrian access gates with a vehicular gate in between.

- 10.2.3 Principle 9.1 of the Borough Wide Design Guide outlines the criteria for boundary treatments which are expected to be high quality, reflect the positive character of the surrounding context and draw upon local design references, including historical references. Treatments to the public realm will be expected to be visually interesting and very high quality. Long lengths of unrelieved hard boundary treatments will be resisted. Boundary treatments should be safe and not obscure visibility for vehicles emerging from properties.

Boundary treatment

- 10.2.4 The surrounding area includes a variety of boundary treatments. This includes steel vehicular entrance gates, fences, hedges and brick walls and pillars of differing heights. A similar designed gate is located on Copper Horse Court which does not appear overly obtrusive on the street scene as it is set in from the boundary frontage and allows space in front, similar to the proposed development.
- 10.2.6 The proposed development includes 2 masonry piers set 5m apart with black powder coated steel vehicular gates sited between. There are 2 pedestrian accesses, one located to the north of the proposed main vehicular access and one to the south of this with a fixed panel to match the main vehicular gate with 2 piers either side. The height of these piers varies between 1.9 and 2.2 metres due to the difference in ground levels. The proposed masonry piers are 440mm square brick piers capped with Bath Stone GRC Pier Cap and would have facing brickwork to match plots 1-3 and plots 4-5 of the approved scheme.
- 10.2.5 It must be noted that the scale of the proposed gate would be more apparent when viewed from Hatch Lane than other boundary treatments. However, as the gates are set back from Hatch Lane by 8 metres, they would not appear prominent within the street scene. The proposal must be viewed in the context of the permitted housing development for plots 1-3 and 4-5 of the approved scheme. The proposed street elevation illustrates that there would be soft landscaping along the wider site frontage. In comparison with the approved new dwellinghouses either side of the access, the proposed gates would appear well proportioned, set back from the street scene and subservient in form and scale.
- 10.2.7 A landscaping plan has not been submitted but a landscaping scheme for the whole site is required to be submitted as part of condition 6 of planning permission 20/02976/FULL. This stated that the development shall not be occupied until the hard and soft landscaping scheme has been implemented.
- 10.2.8 When considered in the context of Hatch Lane, the proposed boundary treatment is considered to have an acceptable impact on the street scene.

10.3 Parking and Highways Impacts

- 10.3.1 Borough Local Plan Policy IF2 3(f) states that developments should optimise traffic flows and circulation to minimise negative environmental impacts of travel including congestion, air pollution and noise.
- 10.3.2 The proposed gates are positioned 8 metres from the edge of the adjoining carriageway. Pursuant to the Borough's Highway Design Guide gated accesses should be positioned at least 5.00m from the edge of the carriageway to allow vehicles to be

driven off the public highway before the gates are opened. In this regard the design accords with the Borough's design standard. It is noted that when opened, the distance between the gates is approximately 4.70 metres, which accords with the minimum width requirement for two-way vehicular flows as recommended in Manual for Streets. It is expected that many vehicular movements through the entrance are likely to be single one-way movements.

10.3.3 It is acknowledged that the site is located in close proximity to Clewer Green First School and the impact on pedestrians must be considered. Highway Safety and Parking Provision has already been considered acceptable under 20/02976/FULL subject to certain conditions including visibility splays. The current proposal is only to consider the impact the gates would have in addition to this. The Highways Officer is satisfied that the proposal is unlikely to result in severe harm to the safe and free flow of pedestrian and vehicular traffic along Hatch Lane. The proposal is therefore considered to comply with Policy IF2.

10.4 Impact on amenity of neighbouring buildings

10.4.1 Policy QP3(m) states that proposals should not have an unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight. The nature of the proposal would be considered acceptable to neighbouring occupiers.

11. PLANNING BALANCE

11.1 The proposal includes vehicular and pedestrian entrance access gates which are set back from the street scene and considered to be in keeping with the recently approved housing development and the street scene as a whole. The report outlines that the development complies with the relevant planning policies and thus, in accordance with paragraph 11c) of the NPPF, which states that Local Planning Authorities should approve development proposals that accord with an up-to-date development plan without delay, permission should be granted.

12 CONCLUSION

The proposal complies with the development plan including BLP Policies QP1, QP3 and IF2. Planning permission is recommended to be granted.

13. APPENDICES TO THIS REPORT

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

14. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1 The development hereby permitted shall be commenced within three years from the

date of this permission.

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

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

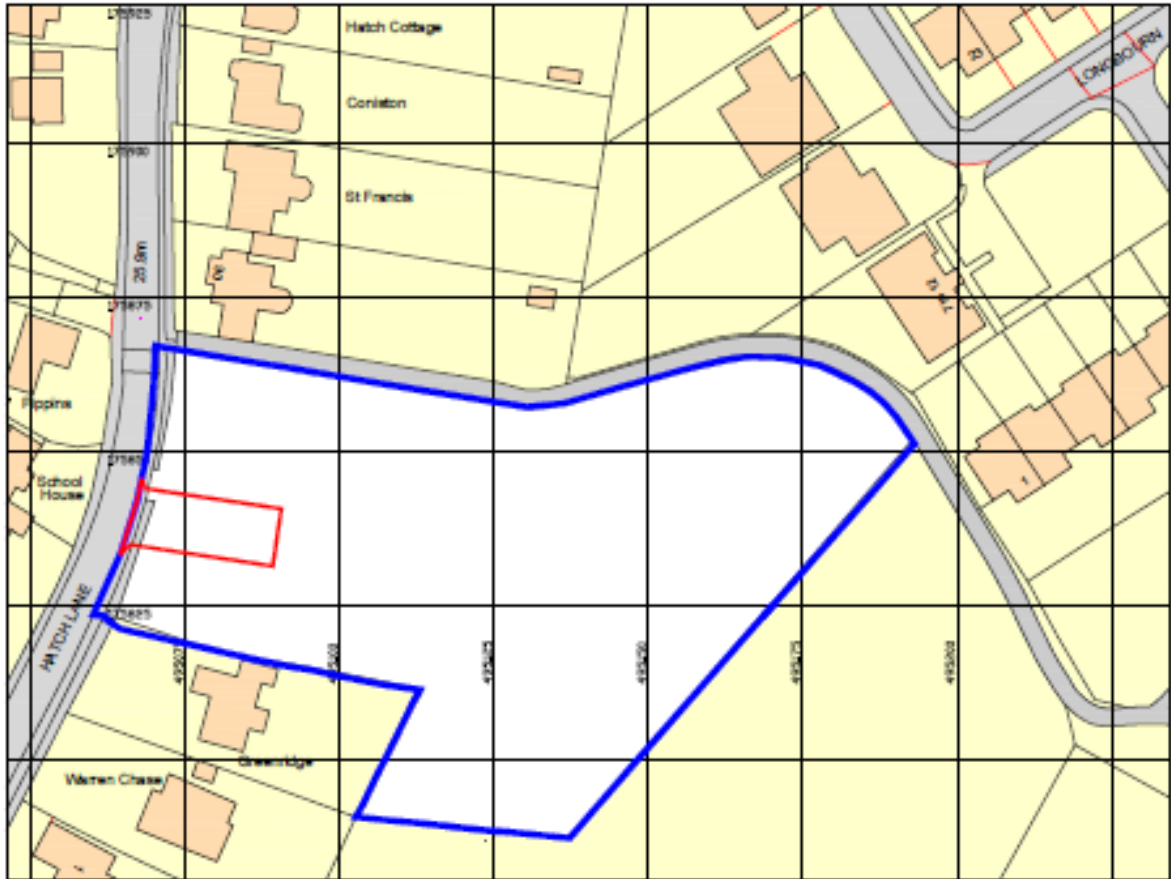
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.

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

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

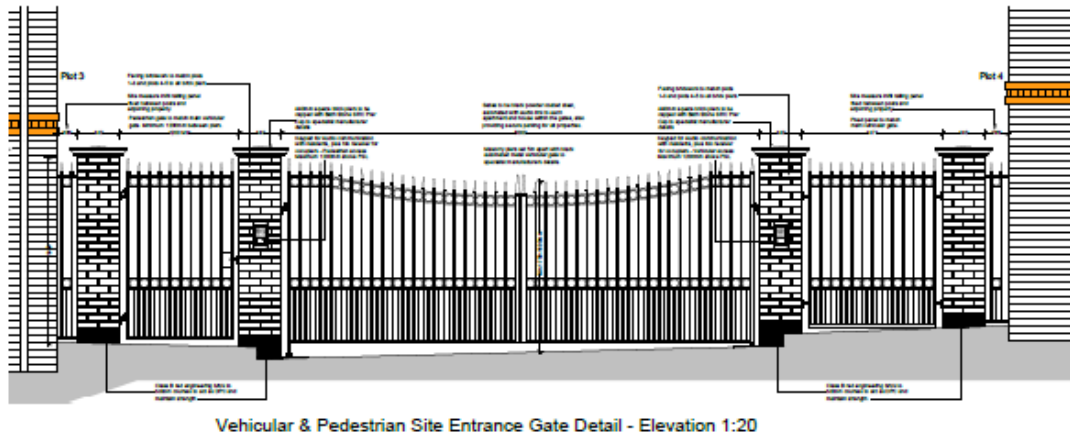
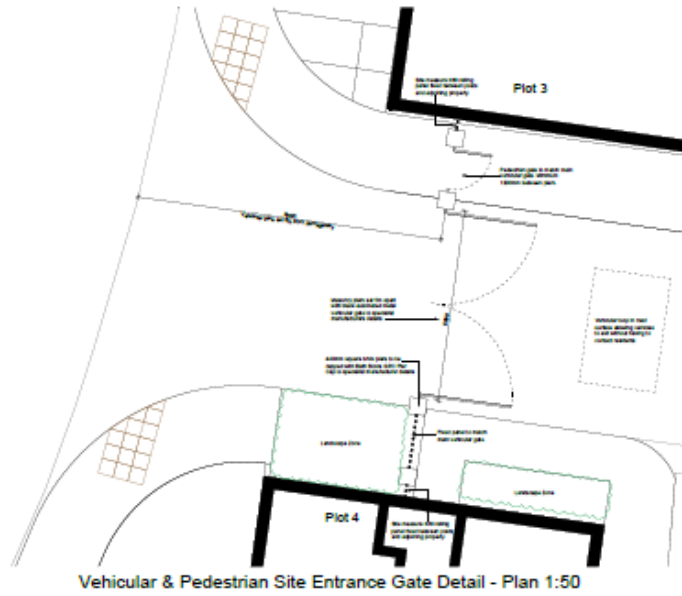
Appendix A

Site Location Plan



Appendix B

Plan and elevations



Street Scene



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Planning Appeals Received

22 February 2022 - 28 March 2022

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: Sunninghill And Ascot Parish

Appeal Ref.: 22/60022/NONDET **Planning Ref.:** 21/02054/FULL **PIn Ref.:** APP/T0355/W/21/3283139

Date Received: 2 March 2022 **Comments Due:** 13 April 2022

Type: Non-determination **Appeal Type:** Written Representation

Description: Construction of x6 three-bedroom dwellings with associated parking and new shared vehicular access, following demolition of the existing dwelling and outbuildings.

Location: **Former Missanda Wells Lane Ascot SL5 7DY**

Appellant: Pipeline Worldwide Ltd **c/o Agent:** Mr Neil Davis Davis Planning Ltd 19 Woodlands Avenue Winnersh Wokingham Berkshire RG41 3HL

Ward:

Parish: Sunningdale Parish

Appeal Ref.: 22/60023/REF **Planning Ref.:** 21/01844/FULL **PIn Ref.:** APP/T0355/W/21/3289134

Date Received: 3 March 2022 **Comments Due:** 7 April 2022

Type: Refusal **Appeal Type:** Written Representation

Description: x2 new dwellings with detached garage and vehicular entrance gates, following demolition of existing dwelling and garage.

Location: **Linthorpe Fireball Hill Sunningdale Ascot SL5 9PJ**

Appellant: Mr And Mrs J Butler **c/o Agent:** Mr Laurence Moore Woolf Bond The Mitfords Basingstoke Road Three Mile Cross Reading RG7 1AT

Ward:

Parish: Windsor Unparished

Appeal Ref.: 22/60024/ENF **Enforcement Ref.:** 21/50098/ENF **PIn Ref.:** APP/T0355/F/22/3293626

Date Received: 3 March 2022 **Comments Due:** 14 April 2022

Type: Enforcement Appeal **Appeal Type:** Written Representation

Description: Appeal against the Enforcement Notice: Without listed building consent, extensive works to listed building.

Location: **Nell Gwynn Chinese Restaurant 6 Church Street Windsor SL4 1PE**

Appellant: Y & F Plus Ltd **c/o Agent:** Miss Abigail Frost Walsingham Planning Bourne House Cores End Road Bourne End SL8 5AR

Ward:
Parish: Sunningdale Parish
Appeal Ref.: 22/60025/REF **Planning Ref.:** 21/00474/TPO **Plns Ref.:** APP/TPO/T0355/8714
Date Received: 8 March 2022 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Fast Track Appeal
Description: Please refer to report - works to trees 2150, 2151, 2152, 2153, 2154, 2155, 2157, 2159, 2161, 2162, 2163, 2164, 2165, 2166, 2171, 2172 with the exception of T2168 Oak which is to be crown reduced by up to 2m and NOT removed. (TPO31 of 1998).
Location: **Tylney Lodge Devenish Road Sunningdale Ascot SL5 9QT**
Appellant: Mr S Kerr **c/o Agent:** Mr Ben Abbatt Sapling Arboriculture Limited 94 Mount Pleasant Road Alton Hampshire GU34 2RS

Ward:
Parish: Old Windsor Parish
Appeal Ref.: 22/60029/REF **Planning Ref.:** 21/00477/FULL **Plns Ref.:** APP/T0355/W/21/3288610
Date Received: 10 March 2022 **Comments Due:** 14 April 2022
Type: Refusal **Appeal Type:** Written Representation
Description: Demolition of the existing garages and replacement with a single storey front extension to provide 3 no. bedrooms, new enclosed covered walkway, solar panels, alterations to fenestration, cycle storage and associated works.
Location: **Manor Lodge Probation Hostel 8 Straight Road Old Windsor Windsor SL4 2RL**
Appellant: Ministry of Justice **c/o Agent:** Miss Claire Pegg Cushman & Wakefield 1 Marsden Street Manchester M2 1HW

Ward:
Parish: Bray Parish
Appeal Ref.: 22/60030/REF **Planning Ref.:** 21/03264/CLAS AA **Plns Ref.:** APP/T0355/D/21/3289697
Date Received: 21 March 2022 **Comments Due:** Not applicable
Type: Refusal **Appeal Type:** Householder Appeal
Description: Application for prior approval for construction of one additional storey to the property with a maximum height of 2.60m.
Location: **Jasmin House 2 The Hatch Windsor SL4 5UD**
Appellant: C/o CDP **c/o Agent:** Mr David Holmes G F Falconer 24D Peters Close Prestwood Great Missenden HP16 9ET

Appeal Decision Report

22 February 2022 - 28 March 2022

Windsor and Ascot

Appeal Ref.: 21/60030/NOND **Planning Ref.:** 20/03107/CLU **Plns Ref.:** APP/T0355/X/21/326997
Appellant: Mr T Sloan **c/o Agent:** Other ET Planning Office ET Planning 200 Dukes Ride Crowthorne RG45 6DS
Decision Type: Delegated **Officer Recommendation:** Would Have Refused
Description: Certificate of lawfulness to determine whether the use of the existing two storey side extension as a residential dwelling with private garden and parking is lawful.
Location: 56 Pierson Road Windsor SL4 5RF
Appeal Decision: Allowed **Decision Date:** 18 March 2022

Appeal Ref.: 21/60069/REF **Planning Ref.:** 20/01524/FULL **Plns Ref.:** APP/T0355/W/21/3276985
Appellant: Mr David Marshalsea **c/o Agent:** Mr Duncan Gibson Duncan Gibson Consultancy 74 Parsonage Lane Windsor Berkshire SL4 5EN
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Change of use of the existing offices at ground floor to residential and single storey side/rear extension and alterations to fenestration.
Location: 69 - 69A Bolton Road Windsor
Appeal Decision: Allowed **Decision Date:** 17 March 2022
Main Issue: The Appeal Inspector considers that the limited eaves height, together with the proximity of the pre-existing 2-storey outrigger projection and intervening boundary treatment, is such that the proposed development is unlikely to result in any significantly worsened outlook from the rear of No. 71, or a significantly increased 'tunnelling effect'. The Inspector considers that the proposed side facing windows would likely increase overlooking to no. 67, and as such conditions have been included on the appeal decision notice to mitigate the potential impact.

Appeal Ref.: 21/60068/REF **Planning Ref.:** 21/00272/FULL **Plns Ref.:** APP/T0355/W/21/3274994
Appellant: Lynda Frampton **c/o Agent:** Mrs Karen Hammond Smart Garden Offices Ltd Thurston Park Church Road Thurston Bury St Edmunds IP31 3RN
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Detached garden room.
Location: The Garden House Church Lodge Whitmore Lane Ascot SL5 0NT
Appeal Decision: Withdrawn **Decision Date:** 18 March 2022
