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Notice of Meeting

Windsor and Ascot Development Management Committee

Councillors Amy Tisi (Chair), Mark Wilson (Vice-Chair), David Buckley, Alison Carpenter, Carole Da Costa, Devon Davies, Sayonara Luxton, Julian Sharpe and Julian Tisi

Thursday 7 March 2024 7.00 pm

Grey Room - York House - Windsor & on [RBWM YouTube](#)

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Agenda

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5	23/01063/LBC - Ditton Manor Ditton Park Road Datchet Slough SL3 7JB PROPOSAL: Consent for Hotel-led development comprising the conversion, extension and alteration of the existing Manor House and associated buildings, including the North Gatehouse, East Gatehouse, South Gatehouse, Chapel and Granary, to a flexible hotel and wedding/conference venue (Use Class C1 and Sui Generis) with associated ancillary facilities including bar,	121 - 146

	<p>restaurant and gym/spa; additional two storey hotel accommodation block (Use Class C1); erection of a marquee for wedding/conference use (Sui Generis); demolition and erection of a new one storey community building (Use Class F2); car parking; landscaping; and other associated works</p> <p>RECOMMENDATION: Refuse</p> <p>APPLICANT: Ditton Park Property Unit Trust</p> <p>MEMBER CALL-IN: N/A</p> <p>EXPIRY DATE: 27 November 2023</p>	
6	<p>23/01996/FULL - The Lawns Nursery School Imperial Road Windsor SL4 3RU</p> <p>PROPOSAL: Installation of 1no. parking spaces to the side of the existing Early Years Pre-Learning Hub.</p> <p>RECOMMENDATION: Permit</p> <p>APPLICANT: Mr Smith</p> <p>MEMBER CALL-IN: N/A</p> <p>EXPIRY DATE: 7 March 2024</p>	147 - 156
7	<p>23/02835/FULL - Hilltop First School Clewer Hill Road Windsor SL4 4DW</p> <p>PROPOSAL: Single storey front extension with raised decking, steps and 2no. canopies, nursery area, new fence, gates and relocation of the existing gates and 2no. additional parking spaces.</p> <p>RECOMMENDATION: Permit</p> <p>APPLICANT: Mr Smith</p> <p>MEMBER CALL-IN: N/A</p> <p>EXPIRY DATE: 11 March 2024</p>	157 - 170
8	<p>23/03081/FULL - Fowles Crushed Concrete Hythe End Farm Hythe End Road Wraysbury Staines TW19 5AW</p> <p>PROPOSAL: Replacement of hardstanding with concrete surfacing, maintenance access and drainage infrastructure associated with the lawful storage and processing of waste material in the north western area of the existing waste recycling facility.</p> <p>RECOMMENDATION: Permit</p> <p>APPLICANT: Mr Fowles</p>	171 - 198

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9	Planning Appeals Received and Planning Decision Report To note the contents of the report.	199 - 202

By attending this meeting, participants are consenting to the audio & visual recording being permitted and acknowledge that this shall remain accessible in the public domain permanently.

Please contact Mikey Lloyd, Mikey.Lloyd@RBWM.gov.uk, with any special requests that you may have when attending this meeting.

Published: Wednesday 28 February 2024



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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 Background Papers that have been relied on to a material extent in the formulation of the report and recommendation.

The 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 within the report, 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, The National Planning Policy Framework, National Planning Practice Guidance, National Planning Circulars, 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 within the report.

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:

- a) any unpaid directorships
 - b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
 - c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
- of which you are a member or in a position of general control or management

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, or a body included under Other Registerable Interests in Table 2 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 financial interest or well-being of a body included under Other Registerable Interests as set out in Table 2 (as set out above and in 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 (referred to in the paragraph above) **affects** the 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

Thursday 8 February 2024

Present: Councillors Amy Tisi (Chair), Mark Wilson (Vice-Chair), David Buckley, Alison Carpenter, Carole Da Costa, Devon Davies, Julian Sharpe and Julian Tisi

Officers In attendance: Mikey Lloyd, Jo Richards, Gilian Macinnes and Tom Hughes

Officers in attendance virtually: Helena Stevenson

Apologies for Absence

Apologies for absence were received from Councillor Luxton.

Declarations of Interest

Councillor A. Tisi declared a conflict of interest with agenda item 5 as she was the Cabinet Member for Children's Services, Education and Windsor, and the applicant was RBWM.

Minutes

AGREED: That the minutes of the meeting held on Thursday 4 January 2024 were a true and accurate record.

23/02211/FULL - College Eton College Slough Road Eton Windsor SL4 6DJ

A motion was proposed by Councillor J. Tisi to grant planning permission on the satisfactory completion of a Unilateral Undertaking to secure the carbon off set contribution set out in Section 10 of this report and with the conditions listed in Section 14 of this report. This was seconded by Councillor Da Costa.

A named vote was taken.

23/02211/FULL - College Eton College Slough Road Eton Windsor SL4 6DJ (Motion)	
Councillor Amy Tisi	For
Councillor Mark Wilson	For
Councillor David Buckley	For
Councillor Alison Carpenter	For
Councillor Carole Da Costa	For
Councillor Devon Davies	For
Councillor Julian Sharpe	For
Councillor Julian Tisi	For
Carried	

AGREED UNANIMOUSLY: To grant planning permission on the satisfactory completion of a Unilateral Undertaking to secure the carbon off set contribution set out in Section 10 of this report and with the conditions listed in Section 14 of this report.

The Committee was addressed by one registered speaker. John Bowles, Applicant.

(Councillor A. Tisi, The Chair, left the room at 7:26pm due to declaring a conflict of interest with the next item as she was the Cabinet Member for Children’s Services, Education and Windsor. Councillor Wilson, Vice Chair, took over as Chair for the next item.)

23/02834/FULL - Trevelyan Middle School Wood Close Windsor SL4 3LL

A motion was proposed by Councillor Sharpe to grant planning permission with the conditions listed in Section 14 of the report. This was seconded by Councillor Carpenter.

A named vote was taken.

23/02834/FULL - Trevelyan Middle School Wood Close Windsor SL4 3LL (Motion)	
Councillor Amy Tisi	Conflict Of Interests
Councillor Mark Wilson	For
Councillor David Buckley	For
Councillor Alison Carpenter	For
Councillor Carole Da Costa	For
Councillor Devon Davies	For
Councillor Julian Sharpe	For
Councillor Julian Tisi	For
Carried	

AGREED: To grant planning permission with the conditions listed in Section 14 of the report.

Planning Appeals Received and Planning Decision Report

(Councillor A. Tisi re-entered the room at 7:35pm following the completion of the previous agenda item.)

Councillor Sharpe said he was surprised at the Ascentia House appeal decision and asked the Planning Team why the appeal was successful.

Jo Richards, Development Management Team Manager, explained that they had refused the initial application based on technical grounds as they believed that the proposed building exceeded height limits outlined in their interpretation of legislation class ZA, specifically surpassing two stories above part of the existing structure, and extending beyond seven meters. Jo Richards explained that the appeal decision from the inspector differed and that the upper limit of the existing building should have been considered when comparing heights between existing and proposed structures and as a result the appeal was allowed. It was noted that counsel opinion was sought regarding the interpretation of the legislation, but that counsel opinion supported the inspector’s interpretation.

Jo Richards continued that the counsel opinion had a positive outcome relating to the use of a condition which required the applicant to seek mitigation for impacts on the Thames Basin Heaths SPA before commencing development.

It was noted that the General Permitted Development Order (GDPO) encompassed various provisions allowing developers to change the use or extend upwards, including some newer provisions and officers were doing what they could in terms of working within the legislation.

The Committee noted the report.

The meeting, which began at 7.03 pm, finished at 7.39 pm

Chair.....

Date.....

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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

DEVELOPMENT CONTROL PANEL

7 March 2024

Item: 1.

Application No.:	23/01062/FULL
Location:	Ditton Manor Ditton Park Road Datchet Slough SL3 7JB
Proposal:	Hotel-led development comprising the conversion, extension and alteration of the existing Manor House and associated buildings, including the North Gatehouse, East Gatehouse, South Gatehouse, Chapel and Granary, to a flexible hotel and wedding/conference venue (Use Class C1 and Sui Generis) with associated ancillary facilities including bar, restaurant and gym/spa; additional two storey hotel accommodation block (Use Class C1); erection of a marquee for wedding/conference use (Sui Generis); demolition and erection of a new one storey community building (Use Class F2); car parking; landscaping; and other associated works.
Applicant:	Ditton Park Property Unit Trust
Agent:	Mr Harry Spawton
Parish/Ward:	Datchet Parish/Datchet Horton And Wraysbury

If you have a question about this report, please contact: Sarah Chesshyre on or at sarah.chesshyre@rbwm.gov.uk

1. SUMMARY

- 1.1. This report is an addendum to the full committee report for planning application 23/01062/FULL following the receipt and consideration of amended application material, and should be read alongside the full committee report, attached at Appendix 1.
- 1.2. The application seeks full planning permission for a hotel-led development comprising the conversion, extension and alteration of the existing Manor House and associated buildings to a hotel and wedding and conference venue with associated ancillary facilities. The proposal also includes the removal and replacement of an existing scout hut building.
- 1.3. Application 23/01062/FULL was presented to Windsor and Ascot Development Management Committee (WADMC) on 5th October 2023 with an officer recommendation for refusal, for six reasons, which related to harm to the Green Belt; harm to character; harm to designated heritage assets; a lack of information to enable an assessment of the highway impacts of the proposal; arboricultural harm and harm to ancient woodland; and the lack of a S106 legal agreement to secure financial contributions to a Carbon Offset Fund.
- 1.4. Following discussion of the application at WADMC, a motion was put forward to determine the application in line with the officer recommendation to refuse planning permission. This motion did not pass. A further motion was put forward to defer the application in order to allow additional and amended information to be submitted and considered by officers, in order to seek to address technical matters.
- 1.5. Amended plans and technical information was received by the Council on 1 December 2023, 15 December 2023 and 10 January 2024.

- 1.6. The purpose of this addendum is to update the assessment in the committee report to reflect the amended proposals.
- 1.7. Following consideration of the amended proposals, officers are of the view that the proposed development would be unacceptable for a number of reasons, including:
- 1) inappropriate development within the Green Belt where no very special circumstances exist to outweigh the harm to the Green Belt by virtue of its on appropriateness, harm to openness, harm to purposes and other identified harm;
 - 2) the scale, form and design of development would result in a prominent and incongruous development which would be harmful to the historic and parkland character of the area;
 - 3) the proposed development would constitute less than substantial harm at the higher end of the scale to the heritage assets and the identified harm is not outweighed by the public benefits identified;
 - 4) the proposed development would fail to safeguard the amenity of existing residents;
 - 5) lack of evidence to demonstrate that the development would not result in the deterioration of ancient woodland;
 - 6) the proposed development would result in harm to protected trees;
 - 7) insufficient information to demonstrate the development would make suitable provision for pedestrian access and to demonstrate that the traffic impacts would not result in harm to highway safety;
 - 8) insufficient information to demonstrate the development would not result in harm to protected species;
 - 9) failure to meet the requirements of SP2 and the Council's interim sustainability statement.
- 1.8. There is a **presumption against the development** proposed due to its location in the Green Belt. The proposed development would cause harm to the Green Belt by way of inappropriateness and because of loss of visual and spatial openness. The NPPF mandates that such harm be given **substantial weight**. The development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt and any other harm resulting from the proposal is **clearly outweighed** by other considerations.
- 1.9. Added to the harm to the Green Belt there would be less than substantial harm to designated heritage assets which would not be outweighed by public benefits. The NPPF dictates that **great weight** is given to the conservation of designated heritage assets. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting; decision makers have a statutory duty to give **considerable weight** to preserving the setting of listed buildings.
- 1.10. Further harm would accrue as a result of the design and impact on character; the impact on amenity of residents; the failure to demonstrate the proposals would not result in the deterioration of ancient woodland; the impact on protected trees; the failure to demonstrate the proposals would not have an unacceptable impact on the highway network and highway safety; the failure to demonstrate the proposals would not impact protected species; and the failure to meet the Council's requirements for sustainability.
- 1.11. The proposed development would generate a number of economic benefits; makes various commitments with regards to sustainability; would achieve biodiversity net gain above policy requirements; and would deliver a number of limited benefits with regards to community uses and public access.

- 1.12. Having regard to these benefits, they **do not clearly outweigh** the overall significant harm to the Green Belt, the less than substantial harm to designated heritage assets, and the other identified harms. Therefore the very special circumstances necessary to justify the development do not exist.

It is recommended the Committee refuses planning permission for the following summarised reasons (the full reasons are identified in Section 13 of this report):	
1.	The proposed development would constitute inappropriate development which, by definition, would be harmful to the Green Belt. The proposed development would result in the intensification of the use of the site and the encroachment of substantial built form within the open and rural parking setting. The harm to the Green Belt as a result of inappropriateness with the moderate harm to openness must be afforded substantial weight. No very special circumstances exist to outweigh the harm to the Green Belt by virtue of its appropriateness and harm to openness, and the other harm identified in the subsequent reasons for refusal. The proposed development would be contrary to Section 13 of the National Planning Policy Framework and Policy QP5 of the Borough Local Plan 2013-2033.
2.	The proposed development, by virtue of its scale, mass, form, and design would result in a prominent and incongruous form of development which would be harmful to the parkland and historic character of the area. The proposed development is contrary to Policy QP3 of the Borough Local Plan 2013-2033 and Policy DAT2 of Datchet Neighbourhood Plan 2022-2033.
3.	The overall heritage harm arising from the proposed development is less than substantial harm at the higher end as the proposed development would fail to preserve the significance and setting of the listed buildings and registered park and garden. There are a number of public benefits arising from the proposed development, but those benefits identified from the proposed development do not outweigh the heritage harm identified. The proposed development would be contrary to Section 16 of the National Planning Policy Framework and Policy HE1 of the Borough Local Plan 2013-2033.
4.	The proposed development, by virtue of its scale and the proposed use as a wedding venue, would give rise to noise and disturbance which would be harmful to the amenity of neighbouring residential uses and the proposed development would be contrary to Policy QP3 of the BLP.
5.	The proposed development fails to provide sufficient evidence to demonstrate that the proposed development would not result in the deterioration of ancient woodland. The proposed development is contrary to Section 15 of the National Planning Policy Framework and Policy NR2 of the Borough Local Plan 2013-2033.
6.	The proposed development would result in harm to, and potentially the loss of, trees within the avenue of Limes which are subject to a tree preservation order, are an important feature of the parkland and the principal access to the site, make a significant contribution to visual amenity, and are visible from both within the site and in the wider area. As such, the development would result in harm to protected trees which is not considered justified by the development and would be contrary to policy NR3 of the Borough Local Plan.
7.	In the absence of suitable traffic data provided in the transport statement there is a lack of information to demonstrate that any significant impacts from the proposed development on the transport network and highway safety have been mitigated to an acceptable degree, and the proposals also fail to make suitable provision for pedestrian access. The proposed

	development fails to demonstrate that there would be an acceptable impact on highway safety and the local road network. Therefore, the proposed development is contrary to Section 9 of the National Planning Policy Framework and Policy IF2 of the Borough Local Plan 2013-2033.
8.	In the absence of up-to-date ecological surveys, the application contains insufficient information to demonstrate that it would not result in harm to protected species, particularly badgers and bats, and the development would be contrary to policy NR2 of the Borough Local Plan.
9.	The proposed development includes the provision of a number of new buildings to support a hotel and community development. In the absence of financial provision towards the Council's Offset Fund, the likely adverse impact of climate change has not been overcome. The application fails to meet the requirements of the Council's Interim Sustainability Position Statement about climate change by Policy SP2 of the Borough Local Plan 2013-2033.

2. REASON FOR COMMITTEE DETERMINATION

- 2.1. 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. A full description of the site and surroundings is provided at paragraphs 3.1. and 3.2 of the committee report (Appendix 1).

4. KEY CONSTRAINTS

- 4.1. The key site designations and constraints are summarised in paragraph 4.1 of the committee report (Appendix 1).

5. THE PROPOSAL

- 5.1 The original proposals are described in paragraphs 5.1- 5.5 of the committee report (Appendix 1). The amended proposals are described below, followed by a summary of the amendments that have been made to the original proposals.

- 5.2. As amended, the application seeks planning permission for a hotel-led development with the provision of 130 bedrooms and associated facilities. The proposals can be split into two key areas, namely within the moated area and outside the moated area.

Within the moated area

- 5.3. The proposal comprises the conversion of a number of existing buildings with internal alterations. The existing Manor House will be converted to a hotel to provide 31 bedrooms and associated facilities including bar, restaurant, and meeting rooms. The existing Northern Gatehouse will be converted into a spa facility. The Eastern Gatehouse will be converted into a storage and site security facility. The Southern Gatehouse will be converted to provide conference and wedding venue facilities.

- 5.4. The proposal also includes the removal of an existing unauthorised marquee and the introduction of a two-storey L-shaped accommodation block to the west of Manor House, which will provide 99 bedrooms and associated facilities including meeting rooms. With

the new accommodation block, it will allow for a new courtyard and garden to be created to the west of Manor House. To the east of the Manor House, a new gym and back to house block will be proposed to provide a gym facility and a new service area to support the operation of the hotel. The proposed block will have a setback from the existing garden wall so a landscaped garden will be created between the wall and the new block. It is understood that the gym/spa facility will also be publicly accessible.

Outside the moated area

- 5.5. The proposal includes the erection of a marquee for wedding and conference use at the location of an existing scout hut building. The marquee would measure approximately 40 metres by 32.5 metres, resulting in a footprint of approximately 1187 sqm, which exceeds that of the existing scout hut by approximately 950sqm. It would have a pitched roof with an eaves height of 3.3 metres and a ridge height of 5.8 metres. The existing access will be altered to accommodate the provision of a new service area to support the new marquee. The existing parking area within the moated area will be removed and replaced by a woodland parking area to the south of the new marquee. The existing Chapel, which is within the curtilage of Manor House, will mainly be used for weddings and events but will also have community use.
- 5.6. The proposal also includes the removal of the existing scout hut building which will be relocated to a parcel of land, which is at the northern part of the site and is surrounded by Ancient Woodland.
- 5.7. The amendments to the proposals comprise the following:
 - Changes to the internal layout of the Manor House to reduce demolition and retain more of the original layouts, resulting in a reduction in the number of rooms from 33 to 31
 - Reduction in the footprint of the accommodation annexe (by approximately 2.5 metres from the south) to enable the retention of three oak trees (T78, T79, T80) previously intended for removal
 - Amendment of the colour of the proposed new marquee to green
 - Alterations to the proposed car parking to the east of the moated area comprising the reduction in the number of spaces from 198 to 177 to enable the retention of a horse chestnut tree (T38) previously intended for removal and widening of the proposed pedestrian path through the car parking area linking the chapel and moat area
 - Alterations to the proposed landscaping comprising additional planting to the car park edge and adjacent to the footpath linking the chapel and moat area; increased height of hedging to the proposed landscaped elliptical entrance; alterations to footpath linking the car parking area with the marquee; introduction of woodland trail through perimeter of ancient woodland
 - Introduction of new pedestrian entrance and pedestrian path adjacent to the main access from Ditton Park Road
 - Introduction of knee rail fencing between the proposed scout hut and ancient woodland buffer, and proposed 1.8m close boarded fencing to the west side of Conduit Road adjacent to the scout hut

6. RELEVANT PLANNING HISTORY

- 6.1. A summary of the planning history for the site is provided at paragraphs 6.1-6.3 of the committee report (Appendix 1).

6.2. Paragraph 6.2. of the committee report explains that planning permission (97/75585/FULL) was granted in 1997 for 'European Headquarters office building of 23,230sqm and change use of Ditton Manor House to D1 for an education/training centre with ancillary offices, access, parking, landscaping/highway works (Class D2). A listed building consent (97/75586/LBC) was also granted for the alteration and refurbishment of Ditton Park Manor House to provide an education and training centre including demolition of ancillary outbuildings'.

6.3. Since then, a number of applications seeking listed building consent for alterations to the buildings, or seeking advertisement consent, have been approved. However, there are no records of any subsequent planning permission granted for alternative uses of the site. The lawful use of the site is therefore as approved under application 97/75585/FULL. Uses falling within Class D1 for non-residential education and training centres are now categorised as Class F1 (learning and non-residential institutions).

6.4. The application describes that the site is currently used for a range of short term uses, including as a wedding venue. The site is also advertised publicly as a wedding venue. This use appears not to benefit from planning permission. In addition, as noted in paragraph 6.3. of the committee report, the existing marquee (which is understood to accommodate an additional 500 conference delegates in addition to the use permitted in 1997) to the west of the Manor House appears not to benefit from planning permission.

7. DEVELOPMENT PLAN & LEGISLATION

7.1. A summary of relevant policies and other material planning considerations is provided at paragraphs 7 and 8 of the committee report (Appendix 1).

7.2. Since the publication of the committee report, a revised NPPF has been published. Relevant paragraph numbers have been updated in the subsequent sections of the addendum report where necessary.

7.3. The following legislation is also relevant to the determination of this application:

7.4. **Planning (Listed Buildings and Conservation Areas) Act 1990**

7.5. **Human Rights Act 1998**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

7.6. **Equality Act 2010**

In determining this planning application the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

8. CONSULTATIONS CARRIED OUT

8.1. A summary of consultation carried out and responses received on the original submission is provided at paragraph 9 of the committee report (Appendix 1).

8.2. Following the receipt of amended plans and information, 9 neighbours were notified directly. 5 letters were received objecting to the application, summarised as:

Comment	Where in the report this is considered
1 Impact of marquee on nearby cottages	Section 9 vi.

2	Impact of car parking area on the integrity of the manor and its relationship with the chapel	Section 9 v.
3	Noise impacts from proposed use, particularly from marquee	Section 9 vi.
4	Impact on wellbeing of nearby residents	Section 9 vi.
5	Concerns about age of sewerage infrastructure and ability to accommodate increased capacity	Section 9 x.
6	No details of toilet facilities for marquee	Section 9 x.
7	Concerns about permeation of water foul water from cess pits into ground water	Section 9 x.
8	Impact on leaseholders of change of landowner	Section 9 xiii.
9	Loss of countryside/rural character	Section 9 i.
10	Loss of scout hut	Section 9 ii.
11	Concerns about capacity of access and highway safety, concerns about traffic data	Section 9 ix.
12	Concerns about ability of emergency services to access dwellings within the park during events	Section 9 ix.
13	Concerns about introduction of additional pedestrian access and routes in the park, and associated impacts in terms of privacy and anti social behaviour	Section 9 vi.
14	Impacts on wildlife/ecology, impacts on protected species	Section 9 viii.
15	Impact on green belt/loss of green belt	Section 9 i.
16	Lack of very special circumstances to justify loss of green belt	Section 9 xii.
17	Impact on heritage assets and setting of heritage assets	Section 9 v.
18	Loss of privacy	Section 9 vi.
19	Lack of information about proposed use of chapel	Section ii.
20	Lack of consultation from the applicant with residents of the park	Section xiii.
21	Concerns about time allowed to speak at committee	Section xiii.
22	Existing use of Ditton Manor is commercially viable	Section 9 v.
23	Poor quality design of accommodation block	Section 9 iv.
24	New buildings are larger than the Manor House	Section 9 iv.
25	Economic benefits are overstated	Section 9 xii.
26	Noise pollution report is inadequate	Section 9 vi.

27	The proposals need to be considered with reference to Article 1 Protocol 1 and Article 8 of the Human Rights Act	Section 9 vi.
28	Drainage proposals are inadequate	Section 9 x.
29	Refer to Caverswall Castle appeal decision (ref APP/B3438/A/09/2114625)	Noted

In addition to the letters of objection submitted by individual residents, an objection was submitted by Knights on behalf of 5 residents, summarise as:

Comment		Where in the report this is considered
1	Lack of engagement between the applicant and residents	Section 9 xiii.
2	Proposal is inappropriate development within the Green Belt, very special circumstances would need to exist, amendments do not materially alter impact on Green Belt	Section 9 i., xii.
3	Application would not present very special circumstances	Section 9 xii.
4	Harm to heritage assets, objection from Georgian Group, approval would fail to satisfy statutory duty in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990	Section 9 v.
5	Impact on amenity; amendments do not alter impacts; application incorrectly states that marquee would be 180 metres from closest dwelling – actual distance 137 metres; scheme of mitigation should be submitted prior to determination	Section 9 vi.
6	Application fails to consider amenity impact of vehicular movements associated with application	Section 9 vi.
7	Concerns regarding ambiguity over proposed use of chapel, and inability for conditions to control impacts in terms of security etc without knowing extent and nature of use	Section 9 ii.
8	Request that the gates to Ditton Park are locked between the hours of 6am-8pm during summer months and 6am-6pm during winter months	Section 9 vi.
9	Potential to exacerbate existing surface water drainage issues; drainage strategy should be agreed prior to determination	Section 9 x.
10	Highways Technical Note fails to adequately characterise trip generation; surveys fell outside peak wedding and conference period and do not accurately quantify likely highways impacts	Section 9 ix.
11	Impact on National Cycle Network has not be considered	Section 9 ix.
12	Inadequate security measures proposed, particularly along Conduit Lane	Section 9 ix.
13	Consider additional employment associated with the proposals is overstated	Section 9 xii.
14	Loss of trees would result in harm to the character of the surrounding area	Section 9 vii.

15	Alterations to natural environment will result in blurring of boundaries between the site and dwellings within the park; risk of trespass of visitors into residential gardens	Section 9 vi.
16	Concerns about risk of crime and inadequate security	Section 9 vi.
17	Further badger surveys should be submitted prior to determination in order to establish harm to protected species	Section 9 viii.
18	Amendments do not result in material changes to original proposals and do not address previous concerns of officers	Section 9
19	Conflict with the NPPF and the Borough Local Plan	Section 9

8.3. Statutory consultees

Consultee	Comment	Where in the report this is considered
Slough Borough Council	Objection – traffic data is inadequate to demonstrate impacts would be acceptable; lack of suitable pedestrian access; concerns regarding parking provision and ancillary uses	Section 9 ix.
Natural England	No further comments received.	n/a
The Berkshire Garden Trust	Objection – development fails to demonstrate how they preserve or enhance the character, appearance and significance of the Registered Park and Garden and the nested settings of heritage assets	Section 9 v.
The Georgian Group	Objection – amendments do not address previous comments about high level of harm to the setting of the Grade II listed manor and Registered Park and Garden	Section 9 v.
Environment Agency	No objection subject to condition removing permitted development rights; development should demonstrate that safe access and egress to the site can be achieved.	Section 9 x.

8.4. Consultees

Consultee	Comment	Where in the report this is considered
RBWM Conservation	Objection – development would result in less than substantial harm to the listed Manor House, to the Registered Park and Garden and to the setting of listed buildings	Section 9 v.
RBWM Ecology	No further comments received.	Section 9 viii.
RBWM Public Rights of Way	No further comments received.	n/a

RBWM Environmental Protection	Further information required to demonstrate suitable mitigation can be achieved.	Section 9 xi.
RBWM Highways	No objection subject to conditions	Section 9 ix.
Berkshire Archaeology	No further comments received.	n/a
Naturespace Partnership	No additional observations following previous comments.	Section 9 viii.
Thames Valley Police	No further comments received.	n/a
Historic England	Historic England are not required to be consulted on this application.	n/a
Thames Water	No objection	Section 9 x.

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

Group	Comment	Where in the report this is considered
Datchet Parish Council	No objection	Section 9

9. EXPLANATION OF RECOMMENDATION

9.1. The key issues for consideration are:

- i. Green Belt
- ii. Principle of Development
- iii. Climate Change and Sustainability
- iv. Design and Character
- v. Impact on Heritage Assets
- vi. Impact on amenity of neighbouring amenity
- vii. Trees and Woodlands
- viii. Ecology and Biodiversity
- ix. Highways and Parking
- x. Flood risk and Sustainable Drainage
- xi. Environmental Health
- xii. Very Special Circumstances
- xiii. Other Material Considerations

i. Green Belt

9.2. Paragraph 142 of the National Planning Policy Framework (NPPF) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- a. Inappropriate development in the Green Belt

9.3. Paragraphs 10.2-10.8 of the committee report explain that the proposed accommodation block, gym and back of house extension, marquee and extension represent inappropriate development within the Green Belt. It is noted that the proposed floorspace

of the accommodation block as set out in the table in paragraph 10.5 of the committee report has been reduced from 3,818sqm to 3,735sqm, and as a result the total proposed floorspace is reduced to 11,397sqm. The reduction in floorspace does not change the assessment of appropriateness.

b. Impact on openness of the Green Belt

Spatial aspects

- 9.4. The amendments to the proposals are summarised in paragraphs 5.7 above.
- 9.5. Paragraph 10.11 of the committee report concludes that the accommodation block and gym and back of house building would result in a physical loss of openness to the Green Belt. The reduction of 83sqm in the floorspace of the proposed accommodation block is small in the context of the overall scale of new buildings proposed. The reduction amounts to a decrease of 1.7% of the combined floorspace of the accommodation block and gym and back of house building. The decrease to the footprint of the building is sufficiently small so as not to materially alter the impact on openness of these elements of the proposals.
- 9.6. Paragraph 10.12 of the committee report concludes that the new parking area, and the increased activity that would be associated with the car park and the converted chapel, would also result in a loss of openness to the Green Belt. The car park occupies a substantial part of the site adjacent to the moat, covering an area of approximately 4,900sqm. The amendment to omit 21 car parking spaces from the proposed parking area does not significantly alter the area occupied by car parking, as illustrated in the extracts from the masterplan below. The amendments do not reduce the overall wedding or conference capacity, so there would be no material change to the activity associated with the converted development. Therefore, the decrease in car parking is sufficiently minimal so as not to materially alter the impact on openness of these elements of the proposals.



Original submission



Amended submission

- 9.7. Paragraph 10.13 of the committee report concludes that the proposed marquee would have a materially greater impact on openness than the scout hut that it would replace. The amendment to the colour of the marquee from green to white would not materially alter the impact on openness.

- 9.8. The proposed new scout hut would also result in a loss of openness.

Visual aspects

- 9.9. Paragraph 10.15 of the committee report concludes that the proposed accommodation block and gym and back of house building would result in permanent loss of visual openness as experienced within the moated area and from paths through the site. The small reduction to the footprint of the accommodation block would not materially alter the visual harm to the Green Belt resulting from the development.
- 9.10. Paragraph 10.16 of the committee report concludes that the parking area and marquee would result in permanent loss of visual openness. The small reduction in the number of parking spaces would not materially alter the visual harm to the Green Belt. The amendment to the colour of the marquee from green to white would slightly reduce the visual prominence of the marquee, but would not reduce its overall volume or alter its form. In longer views there would be a slight reduction in the harm to visual openness, but at closer range the harm to visual openness would not be materially different. The increase to the height of the hedging around the elliptical garden would slightly increase the extent to which the marquee and car park are screened in the part of the site immediately to the east of the moat, but would not alter the experience of these elements elsewhere in the site.

Community building

- 9.11. Paragraph 10.17 of the committee report concludes that the scout hut, its associated storage building, and associated car parking would result in both spatial and visual harm to the openness of the Green Belt. The amended proposals also introduce a section of 1.8m close board fence to the west of Conduit Lane, opposite the scout hut. This would result in a greater loss of openness and would increase both spatial and visual harm slightly.

c. Impact on purposes of the Green Belt

- 9.12. Paragraph 10.18 of the committee report concludes that the development would fail to safeguard the countryside from encroachment and would conflict with this purpose of the Green Belt. As outlined in detail above, the amendments do not significantly reduce the scale and extent of development. As amended, the proposals would still fail to safeguard the countryside from encroachment.

d. Conclusion

- 9.13. Overall, it is concluded that the proposed development would not fall into any of the exceptions set out in paragraphs 154 or 155 of the NPPF (which are echoed in Local Plan Policy QP5) and is therefore inappropriate development in the Green Belt. Paragraph 152 of the NPPF states that inappropriate development within the Green Belt should not be approved except in very special circumstances.
- 9.14. The amendments would only marginally lessen the spatial and visual harm to openness, but the level of harm would remain high, and the proposal would remain in conflict with the purpose of the Green Belt to safeguard the countryside. As concluded previously, this cumulative harm to the Green Belt is afforded substantial weight and could only be approved if 'Very Special Circumstances' (VSC) exist that outweigh **both** the harm to the Green Belt and any other harm.

ii. Principle of development

- 9.15. The amendments to the proposals do not alter the previous assessment of the principle of development set out in paragraphs 10.20-10.41 of the committee report. The assessment refers to paragraphs 87 and 91 of the NPPF, which are now paragraphs 91 and 95 in the revised NPPF.
- 9.16. In summary, the change of use of the Manor, and the provision of new buildings, to provide a mixed use of hotel accommodation and wedding and conference facilities would be acceptable in principle. The proposed scout hut would be acceptable in principle provided it would not have any adverse impacts on the adjacent Ancient Woodland, as discussed later in the report. The development of land within a minerals safeguarding area would also not represent an in principle policy conflict. Comments have been raised regarding a lack of clarity over the proposed use of the chapel. In order that any impacts of this use could be managed, were the proposals otherwise acceptable a management strategy for the proposed chapel could be secured by condition.

iii. Climate Change and Sustainability

- 9.17. Paragraphs 10.42-10.47 of the committee report provide an assessment of the proposals in respect of climate change and sustainability.
- 9.18. An amended Sustainability Statement, Energy Strategy Report, Circular Economy Statement and Embodied Carbon Assessment were submitted which have been updated to reflect the changes to the development. The conclusions of these reports however are not materially different from the original submission. As previously, the development would not achieve net zero, and a Building Emissions and Lifestyle contributions would be required to offset this shortfall.
- 9.19. In the absence of a legal agreement to secure these financial contributions, the development does not secure the necessary mitigation for failing to achieve net zero and would conflict with Policy SP2 and the Council's Interim Sustainability Position Statement.

iv. Design and character

- 9.20. Paragraph 10.48 of the committee report refers to paragraph 126 of the NPPF. This has been replaced by paragraph 131, although the text remains unchanged.

a. Scale, layout and design

Proposed accommodation block

- 9.21. Paragraphs 10.51 and 10.52 of the committee report highlight concerns about the size of the building on a previously open part of the site (noting that the current marquee appears to be unlawful).
- 9.22. The amendments include the reduction in the footprint of the accommodation block, setting the south elevation back by 2.5 metres from what was previously proposed. In the context of the building as a whole, this is a minor reduction and would not materially alter the overall scale and massing of the block.
- 9.23. It is acknowledged that the layout and materials of the proposed accommodation block have been designed to respond to the garden wall to the east of the Manor House, albeit with the introduction of contemporary materials to the first floor. However, as amended,

the footprint of the proposed block would still be larger than that of the Manor House, and as such could not be considered subservient to the principal building. While the block would be arranged around a new courtyard garden, and would be of a relatively modest height having regard to the context, the long, unbroken layout of the two wings of the building would appear substantial and bulky forms.

Proposed gym and back-of-house block

- 9.24. No changes are proposed to the gym and back-of-house block as part of the amendments.

Proposed marquee

- 9.25. The amendments include a proposal for the marquee to be coloured green. While this may slightly soften the visual impact of the marquee, no changes are proposed to the size or siting of the marquee. The marquee would have a footprint similar to that of the Manor House, and so also cannot be considered subservient to the principal building. This is particularly inappropriate in design terms given that a marquee is inherently a relatively poor quality structure.
- 9.26. It is acknowledged that the marquee would replace the existing scout hut, and therefore would be sited in a location where there is currently built development. However, the footprint of the existing single storey flat roofed scout hut is approximately 225sqm, and the proposed marquee would have a footprint of approximately 1187sqm with a pitched roof extending to a height of approximately 5.8 metres.
- 9.27. Notwithstanding the additional landscaping that is proposed to screen the marquee from the access road, given its highly prominent location within the site, it would remain a substantial and detracting addition from the character and appearance of the site.

Proposed woodland parking area

- 9.28. As noted above, following the omission of 22 car parking spaces, the car parking would still occupy an area measuring 4,900sqm. Despite the proposed incorporation of landscaping, this would remain a highly urbanising feature that would be at odds with the parkland character of the site.
- 9.29. It is acknowledged that the proposed new car parking area would enable the removal of car parking from within the moated area, however that would predominantly be replaced with additional built development rather than being returned to open landscaped areas. Furthermore, while the car parking is currently sited close to the listed Manor House, in the context of the site as a whole and the wider parkland, it is well screened by the buildings on the moated area, including the garden wall, and also by extensive tree screening around the moated area.

Scout hut

- 9.30. The proposed scout hut would be a single storey, timber clad building with a pitched roof and would have a simple, utilitarian appearance. Notwithstanding that the proposed building would be inappropriate development within the green belt, and also concerns regarding the impact of the scout hut on the adjacent ancient woodland, in design terms the scale and appearance of the building would not be inappropriate given its use, or harmful to the character and appearance of the wider site.

- b. Landscaping

- 9.31. The amendments include the following changes to the proposed landscaping:
- Introduction of woodland trail through ancient woodland
 - Increased height of hedging to elliptical garden
 - Widening of footpath linking chapel and moated area
 - Additional landscaping to car park
- 9.32. Paragraph 10.63 of the committee report concludes that the proposed improvements to landscaping at the entrance area would represent an improvement on the existing situation, and the amendments would not alter this conclusion.
- 9.33. However, concerns are raised at paragraph 10.64 about the acceptability of the proposed car parking area. While the widening of the footpath through the car park and the additional planting are acknowledged, these amendments would not mitigate the urbanising effect of introducing 4,900sqm of car parking within the parkland setting.
- 9.34. At paragraph 10.65, concerns are raised about the creation of a formal courtyard to the west of the Manor House, and the diluting effect this would have on the hierarchy of landscaped spaces within the moated area. The small reduction in the footprint of the accommodation block would not alter this assessment.
- 9.35. The proposed woodland trail around the perimeter of the ancient woodland would not be visible in the wider context of the park, so would not have a material impact in terms of character and appearance, although concerns about the impact on the ancient woodland are addressed below.

c. Summary

- 9.36. The amendments to reduce the size of the accommodation block and to colour the marquee green do not substantially alter the overall scale of development proposed, when taken with the proposed gym and back-of-house block and car parking area. As previously assessed in the committee report, officers remain of the view that the proposed scale, mass and layout of the proposed accommodation block and gym and back-of-house block would be harmful to the open parkland setting and at odds with its character and appearance.
- 9.37. Similarly, officers continue to consider that the proposed marquee, despite the proposed change in colour, due to its scale, mass and external appearance would result in a poor quality and incongruous form of development. The proposed car parking would introduce visually prominent urbanising features. The marquee and car park would fail to respond positively to the parkland setting and would detract from its character and appearance.
- 9.38. The proposed development is unacceptable in design terms and conflicts with policy QP3 of the BLP and Section 12 of the NPPF.

v. Impact on Heritage Assets

- 9.39. Paragraph 10.70 of the committee report refers to Section 16 of the NPPF and identifies relevant paragraphs to the consideration of the application. The paragraph numbers have changed in the revised NPPF and are now as follows. Paragraph 205 sets out that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and that this is irrespective of whether any harm amounts to substantial harm, total loss or less than

substantial harm. Paragraph 206 goes on to explain that any harm to the significance of a designated heritage asset should require clear and convincing justification. Paragraph 208 sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. Paragraph 209 also sets out that the effect of an application on the significance of a non-designated heritage asset should be considered in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 9.40. Policy HE1 of the BLP sets out that development proposals would be required to demonstrate how they preserve or enhance the character, appearance, and function of heritage assets (whether designated or non-designated) and their settings and respect the significance of the historic environment.
- 9.41. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. In the Court of Appeal, *Barnwell Manor Wind Energy Ltd v East Northants District Council, English Heritage and National Trust*, 18th February 2014, Sullivan LJ made clear that to discharge this responsibility means that decision makers must give considerable importance and weight to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise (of weighing harm against other planning considerations). The Council has a statutory duty to give considerable weight to preserving the setting of listed buildings.
- 9.42. The amendments to the scheme are summarised in paragraph 5.7 above. An amended Heritage Impact Assessment (HIA) has been submitted, which has been updated to reflect the changes to the proposal, although the HIA notes that the amendments are minor and do not materially affect the assessments and conclusions of the earlier version of the HIA. As previously, the HIA concludes that the proposed development would result in a substantial benefit to the significant of the deisgnated heritage assets.
- 9.43. The conclusion of the HIA is not accepted. The Council's Conservation Officer, The Georgian Group and Berkshire Gardens Trust have been reconsulted on the amended proposals and all continue to object to the proposals. It is noted that these consultees also object to the associated listed building consent application (23/01063/LBC).
- a. Grade II Listed Manor House and its associated Listed Buildings

- 9.44. A description of the Manor and associated buildings is given at paragraph 10.74 of the committee report.

Manor House

- 9.45. The amendments to the proposals affecting the Manor House are principally internal works. The proposal to introduce full height openings from ground floor bedrooms into the internal courtyard has been omitted, which is positive. However, there remain concerns about aspects of the proposed internal changes, including the lack of information on changes required for fire protection and insulation, and concerns about subdivision of original rooms. Most of these changes are internal and require listed building consent (to which there is an objection) but would not require planning permission. However, insofar as they are considered necessary in association with the

proposed change of use to a hotel, the proposed change of use would result in harm to the Grade II listed Manor House.

Proposed accommodation block

- 9.46. As amended, the proposed accommodation block has been reduced by 2.5m from the southern wing. The slight reduction in the footprint does not reduce the impact of the building on the setting of the Manor House or on the Registered Park and Garden. The impact of the accommodation block would be as described in paragraph 10.77 of the committee report, and would result in less than substantial harm to the setting of the Grade II listed Manor House and to the Registered Park and Garden.

Proposed gym and back of house block

- 9.47. No changes have been made to the proposed gym and back of house block, so the impact would be as described in paragraphs 10.78 and 10.79 of the committee report, and would be acceptable.

Proposed marquee and car parking

- 9.48. The landscaped parkland forms the setting of the Manor House and other listed buildings, as well as being a designated heritage asset in its own right. The proposed marquee would be a very large, alien feature within the parkland which would be of a scale, form and style of construction and materials that would not be in keeping with the status of the Manor House and associated buildings. The amendments include changing the colour of the proposed marquee to green and increasing the height of the hedging within the elliptical entrance garden between the marquee and car parking to between 1.75 and 2 metres.
- 9.49. The proposed car parking would occupy an area of approximately 4,900sqm which, while landscaped, would introduce urbanising features both in the infrastructure associated with the parking (lighting bollards, signage, surfacing etc) and in the parked cars themselves. The amendments include the removal of 22 car parking spaces from what was originally proposed, and the introduction of additional planting.
- 9.50. In terms of the impact of the marquee and car parking on views from the listed buildings into the surrounding parkland, and thereby on the setting of the listed buildings, the marquee and car park would be screened by existing vegetation on the perimeter of the moat to the extent that it would likely not be visible in views from the Manor House itself. However, the marquee and car park would be prominently visible from the Eastgate gatehouse and bridge (which are listed in their own right), and in these views both the car park and marquee would significantly detract from the relationship between the gatehouse and the landscaped approach from the east. The transition from the formally laid out landscape within the moated area to the less formal parkland beyond, and the perception of the approach from the Limes Avenue, would be interrupted when perceived from within the gatehouse and the bridge over the moat.

Summary

- 9.51. As noted in the HIA, the alterations to the original scheme are minor and do not materially affect the assessments of the proposal. As concluded previously in paragraph 10.80 of the committee report, the subdivision of the rooms in association with the proposed change of use would not respect the scale and proportions of the original layout of the Manor House, resulting in harm to the listed building. In addition the proposed new buildings within the setting of the Manor House would have a cumulative

impact on the setting of the Manor House which would result in significant harm. The proposed car park and marquee would also harm the setting of listed buildings. Overall, the harm to the significance of the setting of the Grade II Manor House and associated listed buildings is considered to be less than substantial, and at the higher end of the scale.

b. Grade II Registered Park and Garden

9.52. In addition to forming the setting of the various listed buildings, the parkland is a designated heritage asset in its own right. Its significance is described within the HIA and summarised in paragraph 10.81 of the committee report.

Proposed Marquee and Parking Area

9.53. As noted above, the marquee is now proposed to be green. The car parking area has been amended to omit 22 spaces. Additional planting is proposed around the car park, and the hedging to the elliptical garden between the marquee and car park is proposed to be increased in height to 1.75-2 metres. A pedestrian route across the elliptical garden has been omitted, and the historic route linking the chapel and moated area through the car park has been widened and reinforced with additional planting.

9.54. The screening effect of the hedging within the elliptical garden would principally be to the part of the access that passes through the garden. Even within this area, the screening of the marquee would be limited given the marquee extends to a height of approximately 5.8 metres and the hedge is proposed to extend to 2 metres in height. In the wider parkland, beyond the elliptical garden, the increased hedge height would not provide any additional screening. The change in colour to green of the marquee would also not reduce the overall scale, bulk and massing as perceived from within the parkland.

9.55. It is acknowledged that the scout hut is an existing feature that detracts from the parkland, albeit one that is modest in scale and height. While its removal would be of benefit to the parkland, the marquee that would replace it is significantly greater in scale (footprint of 1187sqm and height up to 5.8 metres, compared to the scout hut with a footprint of 225sqm), and therefore overall this would be harmful.

9.56. While 22 car parking spaces have been omitted the car park would still extend over an area of approximately 4,900sqm, and would introduce urbanising features in the form of lighting bollards and signage, as well as parked cars. The amendments also include details of lighting, which is considered to be excessive and would further detract from the character of the parkland. It is proposed to surface the car park with grasscrete, which is not considered to be an appropriate surface treatment as it rarely retains a grassed appearance when subjected to anything but very infrequent use. It is acknowledged that there are some existing areas of hardstanding where the car park would be sited, although these are beginning to break up and be colonised by vegetation, and are not perceptible in longer views within the parkland.

9.57. It is acknowledged that there is some benefit to the introduction of the elliptical garden, and formalising this aspect of the parkland within the approach. It is also acknowledged that there is benefit in the proposed removal of existing security fencing around the moated area, which has an institutional appearance and detracts from the parkland. However, overall the amendments to the original proposal do not mitigate the visibility of the marquee along the approach to the moated area from the principal access off Ditton Park Road.

- 9.58. Overall, it is concluded that the proposed marquee and car parking area would have a negative visual impact on the main approach to the Manor House within the parkland setting.
- 9.59. It is also noted that the Highway Authority have advised that, in order to provide suitable pedestrian, cycle, and vehicle access to the proposed scout hut, Conduit Lane may require upgrading (widening and/or passing places), resurfacing and lighting. This would result in a further urbanising effect and further erosion of the character of the parkland.

Proposed courtyard area

- 9.60. The reduction by 2.5 metres to the southern wing of the accommodation block does not materially alter the proposals in respect of the formal courtyard area that would be created to the west of the Manor House. It is understood that the area to the west of the Manor House previously formed an open, less formally landscaped area, creating a sequence of landscaped 'rooms' from the formal courtyard to the east to a 'wilderness' area to the western, lower status aspect of the Manor House. Concerns remain, as expressed in paragraph 10.83 of the committee report, that the creation of a secondary courtyard fails to show an understanding of the hierarchy of landscaped spaces, and would dilute the status of the principal courtyard to the east.
- 9.61. The scale and siting of the accommodation block, on an area that previously formed part of the open parkland of the Registered Park and Garden (albeit it is acknowledged that this area is currently occupied by hardstanding and an unauthorised marquee) would result in a loss of historic pleasure grounds closely linked with the use of the listed building.

Summary

- 9.62. The same conclusion is reached as set out in paragraph 10.84 of the committee report, that the proposed marquee and parking area in a prominent area in the approach from the principal access to the moated area would significantly alter the appearance and quality of the parkland in this part of the site. Similarly, it is also concluded that the proposed accommodation block would erode the hierarchy of landscaped spaces within the moated area, and so would also result in harm to the parkland. Overall, the proposals would result in less than substantial harm to the Grade II Registered Park and Garden, at the higher end of the scale.

- c. Whether the harm to designated heritage assets would be outweighed by public benefits

- 9.63. As referred to above, Paragraph 208 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

Public benefit

- 9.64. Paragraph 20 of the PPG sets out that public benefits may follow from many developments and could be anything that delivers economic, social, or environmental objectives as described in the NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits. Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long-term conservation

Economic benefit

9.65. The application is accompanied by an updated Economic Headline Report, although the reasoning behind the increase in benefits, when compared to the originally submitted report, has not been explained. For completeness, the benefits from the originally submitted report and the amended report are summarised below:

Economic Headline Report March 2023	Economic Headline Report November 2023
Creation of 305 job opportunities during the construction period	Creation of 380 job opportunities during the construction period
£330,000 local spending by workers during construction period	£515,000 local spending by workers during construction period
Creation of 130 full time job opportunities once operational	Creation of 130 full time job opportunities once operational
£56,000 local spending annually by workers once operational	£56,000 local spending annually by workers once operational
155 additional indirect full time jobs, 60 of which estimated to be taken by residents in the borough	155 additional indirect full time jobs, 60 of which estimated to be taken by residents in the borough
£8.7 million visitor expenditure per annum	£8.6 million visitor expenditure per annum
Additional tax revenues of between £1,400,000 and £1,900,000 , of which business rates payments of approximately £90,000	Additional tax revenues of between £1,100,000 and £1,500,000 , of which business rates payments of approximately £90,000
Other benefits to the local economy from the hosting and operation of events	Other benefits to the local economy from the hosting and operation of events

9.66. Given the proposals have not changed significantly as a result of the amendments, the rationale for the changes in economic benefits is not clear, for example it is not clear why the amendments would result in an increase from 305 to 380 construction jobs. Nonetheless, having regard to the range of economic benefits outlined in both the reports, in line with the conclusion in paragraph 10.88 of the committee report, **moderate** weight is afforded to the economic benefits associated with the proposals.

Social benefits

9.67. Paragraphs 10.89 and 10.90 of the committee report afford the social benefits of the reprovion of the community building to be lost to the development and the public access to the gym and chapel **very limited** weight; and the provision of increased public access to the grounds and the potential to provide cricket facilities on site **no weight**. With the exception of the increased public access to the grounds, which officers give **limited** weight, the assessment of these benefits remains the same.

Environmental benefits

9.68. The proposed development could achieve a biodiversity net gain of 216.14%. The provision is well above the 10% mandatory requirement. This is afforded **limited weight**. The amendments include a proposal to secure a Parkland Restoration and Management Plan, although this would only apply to part of the site, and is partly intended to compensate for impacts on ancient woodland. This is afforded **limited weight**.

Heritage benefits

9.69. The heritage benefits described in the amended HIA are consistent with those summarised in paragraph 10.94, however for the reasons outlined above officers do not accept that the proposals would result in the benefits listed.

9.70. Consideration has been given to whether the proposed development, and the long-term use that it would secure, could be considered a heritage benefit to which weight should be given. It is understood that the existing use of the site as a conference facility is currently a viable use, without the net additional harm that would result from the proposed development. Furthermore, for the reasons outlined above, the proposed change of use involves elements (both internal changes to the house requiring listed building consent, and external changes requiring planning permission) that are overall harmful to the designated heritage assets. While the principle of the proposed use would be acceptable from a heritage perspective, the proposals as currently presented suggest that the use as proposed would be harmful. Officers therefore do not consider this to be a heritage benefit.

9.71. As referred to under environmental benefits, a Parkland Restoration and Management Plan is proposed, which would be intended to facilitate the restoration of some elements of the landscaped parkland which are currently in a poor condition. However, as noted above, the PRMP would not cover the whole of the parkland, being limited to the part of the site broadly north of the access road and moated area. Officers therefore afford this **limited weight**.

9.72. The HIA proposes a programme of heritage research and recording work, and the implementation of an interpretation strategy as part of the proposals, which it is suggested could be secured by condition. Aspects of recording would be required where historic fabric would be lost, to mitigate for that loss. Regarding wider research and interpretation, given the lesser-known history of the intelligence use of the park by the military, and to the extent that this would not take place without the development, this would be afforded **limited weight**.

d. Conclusion

9.73. For the reasons detailed above, the cumulative impacts arising from the proposed development is considered to result in a high level of **less than substantial harm** to the Grade II Listed Manor, its setting and that of other listed buildings within the site, and to the Grade II Registered Park and Garden. Paragraph 208 sets out that were development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The benefits summarised above are not considered to outweigh the heritage harm identified and the proposed development would conflict with Section 16 of the NPPF, specifically paragraph 208, and Policy HE1 of the BLP. Insofar as the proposals would fail to preserve the listed buildings and their settings, the development would be contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which is a higher duty.

vi. Impact on neighbouring amenity

- 9.74. Policy QP3 of the Borough Local Plan 2013-2033 sets out that new development should have 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. Policy EP4 of the BLP sets out that new development should consider the noise and quality of life impact on occupants of existing nearby properties and the intended new occupiers. Development proposals will need to demonstrate that they will meet the internal noise standards for noise-sensitive developments as set out in the Policy.
- 9.75. The amendments to the scheme do not materially alter the proposals in respect of impacts of the development on residential amenity as set out in paragraphs 10.99-10.101 of the committee report. Comments regarding concerns about anti social behaviour and crime are addressed in paragraph 10.100 of the committee report, and conclude that this can be addressed by security measures which can be secured by condition.
- 9.76. Officers have given further consideration to impacts of the proposed development when compared to impacts associated with the current lawful use, and have also considered further representations made by residents of dwellings within and adjacent to the park, including appeal decisions submitted. Comments made by residents also highlight that the distances between the marquee and the closest dwellings given in the Noise Impact Assessment are incorrect. Further consideration has also been given to whether conditions could address outstanding concerns, and whether any such conditions would meet the five tests set out in paragraph 56 of the NPPF.
- 9.77. The existing use of the site as a conference venue is lawful, although the marquee to the west of the Manor House does not appear to benefit from planning permission. The existing marquee increases the capacity of the conference venue by 500 people, from 250 to 750 delegates. The application describes that the site is also currently used as a wedding venue for up to 500 guests, although this use (sui generis) does not appear to benefit from planning permission. The scout hut is a lawful use.
- 9.78. It is therefore necessary to consider what additional impacts the proposed development would give rise to, when compared to the current lawful baseline associated with the use as conference venue for up to 250 delegates and scout hut.
- 9.79. The dwellings that are considered most vulnerable to impacts from the development with respect to amenity are:
- Creak Cottage, located immediately adjacent to the main access from Ditton Park Road
 - Evans Cottage, located to the east of Conduit Lane, approximately 155m from the proposed marquee
 - Mayes Cottage, located to the east of Conduit Lane, approximately 180m from the proposed marquee
 - Osborne Cottage and Creagh Cottage (also called Peters Cottage), located to the west of Conduit Lane, approximately 250m from the proposed marquee
- 9.80. The proposed scout hut would be sited close to existing residential development to the north on Marlborough Road and Cedar Way, but the use would not be incompatible with neighbouring residential uses and is unlikely to result in harmful impacts.

- 9.81. Concerns have been raised in public comments regarding the impact of the proposed development on the privacy of residential properties, and the potential for guests to trespass into gardens. As noted above, security measures could be secured by condition, and subject to compliance with agreed measures it is considered that the proposed development would be unlikely to result in a harmful loss of privacy to existing residents, noting the existing use of the site and also having regard to existing permissive access through the site.
- 9.82. The development would entail the provision of a 130-bedrom hotel across the Manor House and proposed accommodation block. The hotel use (separate from associated wedding or events use that would not be ancillary to the hotel use) would largely be contained within the moated area, which is well-screened by mature trees. While the car parking area is located closer to dwellings, the arrival and departure of hotel guests is likely to be spread over a wide period and is unlikely to give rise to noise or disturbance to residential use. While the hotel use would rely on the main access from Ditton Park Road, which is located very close to Creak Cottage, it is not considered that comings and goings of hotel guests would give rise to materially greater impacts than the lawful conference venue use.
- 9.83. The proposed development would significantly increase the capacity of the site as a conference venue. However, the activities associated with this use are unlikely to give rise to significant impacts to amenity in terms of noise and disturbance. The introduction of a hotel use on site also means that coference delegates may be likely to stay within the hotel whilst attending conferences, which would result in the arrival and departure of delegates being spread over a wider period. It is not considered that the increased capacity as a conference venue is likely to give rise to harmful impacts to amenity.
- 9.84. The proposed use as a wedding venue would be able to accommodate up to 500 guests, and would make use of the existing buildings as well as the proposed new marquee. This would introduce a new use, which is likely to extend significantly later in to the evening than the existing use. The celebratory nature of wedding receptions, and the associated likely consumption of alchohol, is such that guests attending weddings are likely to generate significantly greater levels of noise and potentially disturbing activity, than conference delegates. The use of amplified music is also a feature of wedding receptions that would not be associated with the current lawful use.
- 9.85. In addition, the vehicle movements associated with a reception of this scale are likely to be significant. The car parking area has a capacity for 177 cars. While it is acknowledged that arrivals of wedding guests may be relatively spread out, and at a time of day when a degree of background disturbance could perhaps be expected, the departure of wedding guests is likely to be concentrated at a specific time, when the reception ends, and late at night. Some guests may stay within the hotel, but the capacity as a wedding venue (500 people) far exceeds the number of hotel rooms (130), so not all guests could be accommodated on site. Even if wedding guests were not to leave the site in their own cars, significant numbers of vehicle trips by taxis or cars otherwise collecting guests would be required. This would also involve both an inbound and outbound trip in close succession, increasing the concentration of trips late at night.
- 9.86. The Highways Response technical note includes trip data associated with two events held at the site. The nature of these events is not specified, however an event was held on 22nd September 2023 which was attended by 500 delegates. 360 inbound and 360 outbound trips were recorded. It is noted in the summary of the data that the most frequent arrivals were at 00:30 (17 arrivals) and the most frequent departures were at 23:15 (22 departures). There are also likely to be concentrations of vehicle trips late in

the evening, and potentially early in the morning to prepare for events, associated with the 175 additional employees that would be generated by the proposed development.

- 9.87. In addition to vehicle movements associated with departing guests, high levels of noise and activity are likely to be generated by guests congregating within the car park or close to the access road on leaving the wedding venue. Again, the nature of the use as a wedding venue is such that guests are likely to be in high spirits and socialising in larger groups.
- 9.88. It is acknowledged that the Council's Environmental Protection Officer previously raised no objection with regards to the noise impacts considered in the submitted Noise Impact Assessment, subject to securing appropriate mitigation for noise from plant and music and events. However, the potential impacts and scope for mitigation have been considered following clarification regarding the proximity of the marquee to existing dwellings.
- 9.89. Having regard to the impact of the proposed marquee, the Noise Impact Assessment incorrectly states that the closest dwelling is located at a distance of 180m. As noted above, Evans Cottage is located approximately 155m from where the marquee would be sited. On the basis of a separation distance of 180m, the NIA concludes that the calculations of noise levels from a music event with typical sound levels in a canvas or plastic marquee indicated that a significant degree of mitigation would be required to control noise levels. The NIA sets out a range of mitigation measures that are being considered, including:
- Constructing the marquee using a more robust temporary construction method
 - Where glazing is to be installed, the acoustic performance will be carefully considered
 - Installing a specialized loudspeaker system to limit the amount of noise breaking out of the marquee at source
 - Limiting maximum noise levels inside the event space to ensure limits at nearest residences are met
 - Designing to discourage use of outdoor areas during events at sensitive times
 - Locating entrances away from the nearest residences
 - Limitations on times of use
- 9.90. Given the NIA acknowledges the extent of mitigation that would be required, the Council's Environmental Protection Officer has confirmed that a difference of 25m would be significant in this context. On the basis of this difference, the Environmental Protection Officer has advised that a specific assessment of the noise breakout from the marquee and the required mitigation measures would be required prior to determining the application in order to demonstrate that the proposed noise limit can be achieved. This also does not take into account impacts on private residential gardens, which extend closer to the marquee (137 metres), and where noise would not be mitigated by building walls, as is assumed for calculating noise levels within the cottage.
- 9.91. Consideration has been given to the practicality of implementing the mitigation measures. With regards to the construction type and detailed specification of the marquee, it is considered that there is insufficient certainty over the degree of noise mitigation this would secure, and it is not demonstrated that this would sufficiently mitigate noise to an acceptable level. It is also considered unlikely that in practice the use of external spaces can be sufficiently controlled so as to prevent noise spill. It is considered that limitations on times of use would unreasonably compromise the use of the marquee as a wedding venue. In light of these uncertainties and concerns over

practicalities, it has not been demonstrated that an effective and implementable mitigation strategy, that would sufficiently ameliorate likely noise impacts from the proposed marquee, can be achieved. The NIA also only considers noise levels as experienced within dwellings, and does not consider noise impacts on private gardens, the noise environment of which can also be expected to be reasonably safeguarded. It is therefore concluded that it has not been demonstrated that the proposed development would safeguard the amenity of the closest residential properties.

- 9.92. Furthermore, the Noise Impact Assessment has a relatively narrow scope which is limited to consideration of noise associated with plant, and from music and events within the proposed buildings. Consideration must be given to the broader impacts of noise and disturbance associated with the proposed use including noise from guests outside buildings, and associated with vehicle trips.
- 9.93. Of particular concern is the impact of vehicle movements on Creak Cottage. The north (front) elevation of the dwelling is separated from the access by 5 metres, is not screened by any form of boundary treatment, and has multiple openings. Floor plans of the house indicate that a bedroom and dining room, both habitable rooms, are situated to the front of the house, adjacent to the access. It is considered that the vehicle movements that would likely be introduced in very close proximity to this dwelling, having regard to their overall number and the time they would likely occur, would represent a significant increase compared to the existing lawful situation. It is acknowledged that the dwelling is also sited close to Ditton Park Road, but the house is set further back from the road, and benefits from screening on this elevation. Furthermore, passing traffic is likely to generate less engine noise than vehicles turning into and out of the access from Ditton Park Road, where they will be actively accelerating as they turn into and out of the site. Having regard to all these factors, it is considered that the nature of the proposed wedding venue use, and its scale, would result in vehicle movements in very close proximity to Creak Cottage with a frequency and time of occurrence that would unacceptably diminish the level of amenity that could be enjoyed to well below what could be reasonably expected given the current situation.
- 9.94. In addition, there are concerns about the potential for noise to carry from congregated guests in the car park, on the access road, and outside the marquee, and the impact this would have on Creak Cottage, and also on Evans, Mayes, Creagh and Osborne Cottages. It is not considered that it has been demonstrated that the noise of guests would not impact on the amenity of these dwellings.
- 9.95. In summary, while the proposed hotel use, increased conference venue capacity, and scout hut use would be acceptable, the development proposal as a whole, when considering the likely impacts of the proposed wedding venue use, would unacceptably harm the amenity of neighbouring dwellings, and would be contrary to policy QP3 of the BLP.

vii. Trees and Woodlands

- 9.96. Paragraph 10.102 of the committee report refers to paragraph 180 of the NPPF. This has been replaced by paragraph 186, although the text remains unchanged. Paragraph 186(c) states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
- 9.97. Policy NR3 of the BLP sets out that where the amenity value of the trees, woodland and hedgerows outweighs the justification for development, planning permission may be

refused. Policy NR2 states that development proposals will be expected to demonstrate how they maintain, protect and enhance the biodiversity of application sites including features of conservation value such as hedgerows and trees. Development proposals shall avoid the loss of biodiversity and the fragmentation of existing habitats.

Ancient Woodland

- 9.98. Ancient Woodland is an irreplaceable habitat. Standing advice prepared by Natural England and the Forestry Commission entitled 'Ancient woodland, ancient trees and veteran trees: advice for making planning decisions' provides guidance on the application of paragraph 186(c) of the NPPF. This guidance is a material planning consideration. Paragraph 10.103 of the committee report summarises the guidance in the standing advice.
- 9.99. An amended arboricultural implications report (AIR) has been submitted which is updated to reflect the revisions to the proposals. An Ancient Woodland technical note has also been submitted, which responds to the assessment of the proposals made in the committee report. The applicant is also proposing that a Parkland Restoration and Management Plan is secured by condition.
- 9.100. There are a number of veteran trees within the site. The AIR demonstrates that a 15 metre buffer would be provided to each of these trees, within which there would be no development. The proposals are unlikely to have detrimental impacts on any identified ancient or veteran trees.
- 9.101. The Ancient Woodland technical note states that, while the woodland has been identified as ancient, the reality is that it lacks discernible attributes of an ancient woodland. However, it is not evident what this assessment is based on as the trees within the ancient woodland do not appear to have been individually surveyed: they are annotated as 'W2 various' on the tree protection plan within the AIR, but not described in the tree survey schedule. The Ecological Impact Assessment also does not contain any details of specific surveys undertaken to identify or preclude the presence of ancient woodland features within the designated areas.
- 9.102. Paragraph 10.104 of the committee report explains that while the scout hut building would be located outside the ancient woodland buffer, a small section of the proposed access to the scout hut would encroach into the buffer. As amended, this would remain the case. The AIR states that the construction of this part of the access road would be supervised by an arboricultural consultant, but it is not explained how that would have a mitigating effect on the encroachment into the buffer. The encroachment of the access road into the buffer would still result in a permanent loss of soft ground to hard surfacing. The standing advice states that, where possible, a buffer zone should contribute to wider ecological networks and be part of the green infrastructure of the area, and should consist of semi-natural habitats such as woodland, a mix of scrub, grassland, heathland and wetland. The access road would not conform with any of these recommendations, and therefore the recommended buffer would not be maintained at the location of the encroachment of the access road.
- 9.103. Paragraph 10.106 explains that the location of the scout hut was previously occupied by woodland which has previously been cleared, and describes the site as a greenfield area surrounded by ancient woodland. The Ancient Woodland technical note disputes this description, and suggests that the site should be considered previously developed land. While it is acknowledged that the site was occupied by buildings associated with the MoD use, these have long since been cleared. The Baseline Habitat Features Plan categorises the site as modified grassland. The location of the scout hut does not meet

the description of previously developed land in the NPPF¹. Regardless of whether the land is considered previously developed or not, this does not detract from the current function it performs in terms of providing connectivity and habitat between the eastern and western ancient woodland.

- 9.104. As assessed in the committee report, the hut would therefore be sited on an area of grassland surrounded by ancient woodland. As such, the proposed building and associated access road, car parking and storage building, would result in the loss of the grassland to built development, which would sever connectivity between the ancient woodland to the east and west. The development would also introduce a range of activities which would be potentially detrimental to the ancient woodland.
- 9.105. The standing advice identifies that both direct and indirect effects of development can cause the loss or deterioration of ancient woodland. The loss of an area of open grassland between the surrounding ancient woodland to built development, and associated drainage features, and the introduction of a community use with associated activities and vehicle movements which would generate noise, and light, would result in a range of impacts which are identified as risking deterioration in the standing advice. Impacts associated with indirect effects include breaking up or destroying working connections between woodlands – affecting protected species, such as bats or wood-decay insects; reducing the amount of semi-natural habitats next to ancient woodland that provide important dispersal and feeding habitat for woodland species; increasing the amount of dust, light, water, air and soil pollution; increasing disturbance to wildlife, such as noise from additional people and traffic; increasing damage to habitat, for example trampling of plants and erosion of soil by people accessing woodland
- 9.106. The submitted AIR acknowledges that there will likely be some impact on the adjacent woodland. It is suggested that lighting could be controlled by condition, although there is no detailed suggestion of how it would be controlled, or how this would prevent or mitigate the impact on the ancient woodland. Particularly during the winter months, at least external lighting of the car parking is likely to be required during hours of use. The application suggests that light spill from vehicle headlights into the ancient woodland to the west could be mitigated by the introduction of a 1.8m high close-boarded fence opposite the scout hut. However, this would encroach within the ancient woodland buffer, and would also further sever connectivity between the eastern and western parts of the ancient woodland (and would also result in further loss of openness in the green belt). It would also not prevent light spill from headlights into other parts of the ancient woodland in the east and south from manoeuvring vehicles.
- 9.107. In addition to these likely impacts, the specific use of the building as a scout hut is considered likely to generate associated activities that are particular to that use, and which would be harmful to the ancient woodland. Many of the activities of scout groups, including outdoor activities, camping and woodcraft, if carried out within or adjacent to

¹ NPPF Annex 2: Glossary: 'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and **land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape**' (my emphasis).

the ancient woodland, would be likely to contribute to the harmful impacts. While a fence is proposed to separate the scout hut from the ancient woodland buffer, the extent of any access to the adjacent woodland by users of the scout hut has not been confirmed, but it is unlikely that access could be prevented entirely. The building of dens, lighting fires, and other associated activities would be harmful to the ancient woodland.

- 9.108. In addition to the impacts associated with the proposed scout hut, the amended landscape masterplan proposes a 'woodland trail' through the perimeter of the ancient woodland. The landscape strategy includes details of a proposed treatment for the woodland trail, which includes timber footpath edging boards held in place with timber stakes, and a layer of mulch to the footpath laid to a depth of 100mm with an optional membrane beneath. An example section is shown, which suggests that excavation would be required to accommodate the mulch layer. While the landscape strategy states that there would be no digging within the RPAs of trees, there is the potential for wider impacts to the ancient woodland. Excavation of a footpath along a length of approximately 830 metres would result in disturbance to soil structures and potential loss of important flora and fungi within the ancient woodland.
- 9.109. In addition, the introduction of a permissive route through the woodland would introduce activity within the ancient woodland, with associated impacts of potential noise, litter and dog fouling, as well as the risk of impacts over a wider area than the designated footpath cause by people straying off the path. This would be a particular risk given the trail links with the permissive pedestrian access at the north of the site, which links to adjacent residential development. The impact of this is not addressed within the AIR or the Ancient Woodland technical note.
- 9.110. Officers also note that the highway authority have advised that Conduit Lane would need to be upgraded in order to serve the proposed scout hut, which could result in encroachment into the ancient woodland buffer, or direct loss of ancient woodland.
- 9.111. Paragraph 10.107 of the committee report explains that the applicant has not explored an alternative site for the replacement scout hut building, that would avoid harm. Policy NR2 of the BLP states that development proposals will be required to apply the mitigation hierarchy to avoid, mitigate or, as a last resort, compensate, for any adverse biodiversity impacts. The Ancient Woodland technical note states that the mitigation hierarchy is only engaged where there would be significant harm to biodiversity, however policy NR2 engages this requirement where there would be *any* adverse biodiversity impacts. No consideration of alternative sites (within the wider park or elsewhere) that would avoid harm has been undertaken, and so policy NR2 has not been complied with in this regard.
- 9.112. In summary, the application has not demonstrated that the development would not result in the deterioration of irreplaceable habitat. Paragraph 186(c) of the NPPF states that **such development should be refused unless there are wholly exceptional reasons**.
- 9.113. Footnote 67 to paragraph 186(c) suggests that wholly exceptional reasons could include, 'for example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.
- 9.114. A recent appeal decision (APP/C1435/W/23/3321978 6th February 2024) concluded that the provision of 424 dwellings in an area with a significant housing shortfall (between 3.29 and 3.92 years housing land supply) did not constitute a wholly exceptional circumstance required by paragraph 186(c) to justify harm to ancient woodland.

- 9.115. The proposed scout hut would replace the existing scout hut that would be lost as a direct result of the development. While it is acknowledged that the existing scout hut is somewhat dated, there would overall be a loss of floorspace (approximately 40sqm), and the proposed scout hut would not be a significantly improved facility beyond being accommodated in a new building. The proposed scout hut would principally mitigate the loss of the existing scout hut as a part of the development. It is therefore of very limited benefit, and I do not consider this benefit to outweigh the harm to ancient woodland. No wholly exceptional circumstances exist.
- 9.116. In addition to requiring wholly exceptional circumstances to justify harm to ancient woodland, paragraph 186(c) also requires that a suitable compensation strategy exists. By way of compensation, the applicant is proposing that a Parkland Restoration and Management Plan (PRMP) is secured by condition. The Ancient Woodland technical note suggests that this would secure three benefits: arresting the loss and deterioration of veteran trees within the wider parkland; the potential to restore the ancient woodland to favourable condition; and the reversal of the decline in quality and quantity of the landscape elements of the historic parkland.
- 9.117. The potential benefit to the historic parkland is acknowledged but is not relevant to the consideration of compensation for harm to biodiversity. As noted above, the conclusion that the ancient woodland is in poor condition does not appear to be evidenced within the application. It is also noted that the proposed PRMP would not cover the whole site, being limited broadly to the part of the park north of the access road and north of the moated area. The Ancient Woodland technical notes states that it would take in the substantial area classified as Wood-Pasture/Parkland (habitat of principal importance), although significant areas of this habitat extend to the south of the area within the scope of the PRMP (some of which would be lost to the proposed car park). Therefore the extent to which the proposed PRMP would provide suitable compensation for impacts on the ancient woodland cannot be established.
- 9.118. In summary, on the basis of the information available within the application, there is insufficient evidence to demonstrate that the proposed scout hut would not result in the deterioration of ancient woodland. No wholly exceptional circumstances exist to justify the harm to ancient woodland, and it has not been demonstrated that a suitable compensation strategy exists, therefore in accordance with paragraph 186(c) of the NPPF the development should be refused.

Trees

- 9.119. Paragraphs 10.110 and 10.112 of the committee report raise concerns regarding the loss of a number of trees that are considered to be important. As amended, the proposed development would allow the retention of T38 (horse chestnut) adjacent to the car park. While T38 would be retained, the footpath from the car park to the moated area would encroach within the root protection area (RPA). The tree protection plan indicates that this section of footpath would require above soil surfacing. The impact of this encroachment has not been considered in the AIR, however given this path is only required to accommodate pedestrian traffic officers are satisfied that a suitable solution that avoided harm to the retained tree could be found, including potentially realigning the route.
- 9.120. The small reduction in the footprint of the accommodation block would enable the retention of T78-T80 (english oaks). The building would not encroach into their RPAs and the relationship between the retained trees and the building would be acceptable.

- 9.121. As amended, the application proposes the formation of a pedestrian footpath from the access into the site, adjacent to Creak Cottage. Parts of the new footpath will encroach within the RPAs of some of the 29 Lime trees in this avenue, which are subject to a tree preservation order. The proposed footpath comes to within 0.5m of stems, and crosses the stem of tree no. 22, so the assumption is this tree would have to be felled. The note on the tree protection drawing states a geogrid or geoweb will be installed beneath the subbase of the new footpath. Details of its actual design and construction have not been provided. To avoid cutting through roots, it would need to be built above ground level, but this will create a height difference with the adjacent driveway and lawn area, such that it may become a safety issue. Kerbing may need to be installed to delineate and prevent the side of the raised path from being damaged by vehicles, kerbing requires haunching and this is normally laid below ground level.
- 9.122. Given the path will be raised, it will be obvious in the parkland and detract from its appearance as it would be another urbanising feature. The side of the path facing the lawn may require soil fill to grade back from the top of the path to the existing ground levels, this would raise levels closer to or partly around the stems of some of the Lime trees. Dependent upon the weight of material and whether a geoweb will be used, will determine whether any compaction will be caused. There may be pressure to widen the path in future. Root severance, compaction, restriction of gaseous diffusion and nutrient recycling would have a deleterious effect on trees.
- 9.123. The avenue of Limes is a key feature in this sector of the site, and in light of the above the likely impacts of this footpath would not be acceptable.
- 9.124. Elsewhere within the park, a total of 39 trees would be removed. This is a significant loss of trees; new planting is proposed, but not in similar areas. However, on balance, subject to details of replacement planting being secured by condition, officers are satisfied that acceptable mitigation could be provided. There are further potential impacts on retained trees from surface water and foul drainage required for the development and from proposed lighting, which are not currently accounted for. However indicative drainage layouts have been submitted and, subject to careful design and coordination of conditions requiring further details of drainage and lighting with tree protection measures, officers are satisfied that acceptable drainage and lighting schemes could be provided without further harm to trees.
- 9.125. In summary, while suitable details of mitigation planting and drainage and servicing could be secured by condition, the proposed new footpath would result in harm to, and potentially the loss of, trees within the avenue of Lime trees which are subject to a tree preservation order, and are an important feature of the parkland and the principal access to the site, visible from both within the site and in the wider area. As such, the development would result in harm to protected trees which is not considered justified by the development and would be contrary to policy NR3 of the Borough Local Plan.

viii. Ecology and Biodiversity

- 9.126. Ecological impacts in respect of ancient woodland are addressed above. With regards to other ecological implications, the amendments to the scheme do not materially alter the proposals. The biodiversity net gain calculations have been updated to reflect the revisions to the scheme, and it is now suggested a net gain of 216.14% can be achieved.
- 9.127. Paragraphs 10.117-10.129 assess that, subject to conditions securing a CEMP, an invasive non-native species method statement, and a Biodiversity Gain Plan, details of ecologically sensitive lighting, the proposals would not have any unacceptable ecological impacts.

9.128. However, in updating this assessment, regard has been had to the Chartered Institute of Ecology and Environmental Management Advice Note on the lifespan of ecological reports and surveys.

9.129. The Advice Note states that ecological surveys are likely to be valid for 12-18 months subject to exceptions. These exceptions include where a site may offer existing features which could be utilised by a mobile species within a short timeframe, and where a mobile species is present on site or in the wider area, and can create new features of relevant to the assessment. An example of the former scenario is where trees or buildings on site have been surveyed for evidence of bat roosts and none were found, new roosts may be present, and trees or buildings may have developed new features which were not previously present. An example of the latter scenario is where a badger survey confirmed the presence of badgers on site, new setts may have been excavated within the site. Both of these scenarios apply to the application site.

9.130. The Phase 1 habitat surveys (which include surveys of badger setts, which were found to be present on site) were undertaken in July 2022. The Bat Surveys were undertaken in September and October 2022. In light of the above guidance, and also having regard to the recommendations within the submitted Ecological Impact Assessment which advise that update surveys are likely to be required, further information is required to adequately characterise the baseline conditions of the site with respect to protected species. In the absence of updated surveys, the application contains insufficient information to demonstrate that the proposals would not harm protected species, particularly bats and badgers, and the proposals are contrary to Policy NR2 of the BLP.

ix. Highways and parking

9.131. Paragraph 116 of the NPPF sets out that development proposals should give priority first to pedestrian and cycle movements and second – so far as possible – to facilitating high-quality public transport. Policy IF2 of the BLP sets out that new development should provide safe, convenient and sustainable modes of transport.

9.132. Paragraphs 10.131-10.149 consider the proposals with respect to access and highway safety. As explained in paragraphs 10.131-10.138, it was considered that there was inadequate information to enable an informed assessment of the proposals on the highway network and highway safety. It was considered that car parking provision, electric vehicle charging provision and cycle parking provision would be acceptable.

9.133. Amendments to the application include a Highways Response technical note, which includes traffic data collected during two events at the site in September 2023, as well as additional supporting information regarding access proposals and connectivity.

Access

9.134. RBWM Highway Authority previously advised that new pedestrian and cycle connections would be required to make the development acceptable in accessibility terms, and that new links would need to be of sufficient width for safe movement of all types of pedestrians and cyclists, be surfaced with a bonded material and would need to be illuminated so that they are useable at all times.

9.135. An additional plan submitted with the amendments shows that a new pedestrian link at the main site access would be provided. An uncontrolled tactile crossing with the access to Parsons Road opposite would be provided to allow pedestrian connections to the wider Langley area to the east. While RBWM Highway Authority have not raised

concerns in relation to this pedestrian access, they have advised that comments are required from Slough Borough Council to advise whether upgrades to existing infrastructure are required to achieve suitable access to and from the site from within Slough Borough.

- 9.136. Slough Borough Council, within whose boundary the works adjacent to Parsons Road would take place, have raised various concerns. They have highlighted that the proposed access with Parsons Road crosses a ditch which carries a watercourse and have advised that the access does not appear to be feasible. They have also highlighted that the route through Parsons Road does not provide access to routes that would be most likely to be taken by pedestrians accessing the site. They have stated that, in order for the proposed new pedestrian access on Creak Cottage to link suitably with the surrounding pedestrian network, a pedestrian footway would need to be provided along Ditton Park Road. In the absence of such a facility, concerns are raised that pedestrians would walk along Ditton Park Road within the carriageway, resulting in conflict with pedestrians and vehicles.
- 9.137. Concerns were raised previously about the suitability of the vehicular access to the site. Speed surveys have been undertaken on Ditton Park Road, and details of visibility splays have been provided, although no road safety audit has been undertaken.
- 9.138. The Highway Authority have reviewed the results of the speed surveys and agree with the conclusion that visibility splays of 2.4m x 120m would be acceptable. Drawings contained within the Highways Response technical note demonstrate that the existing vehicle access could achieve the required visibility splays to left and right, although it is noted that there is currently extensive vegetation that is obstructing the visibility splays, which would need to be removed. The clearance of this vegetation could be secured through a S278 agreement.
- 9.139. The Highway Authority have highlighted that, in order to provide suitable pedestrian, cyclist and vehicular access to the scout hut, Conduit Lane would likely require upgrading. Notwithstanding the concerns regarding the impact this would have on the Registered Park and Garden, and the potential arboricultural impacts, further details demonstrating how the required standards would be achieved could be secured by condition.
- 9.140. An updated draft Travel Plan has been submitted with the amendments. A concern has been highlighted about the motorbike inhibitor and pallisade fencing at the access into the site from Cedar Way to the north. While these concerns are noted, this is not proposed as part of the development. A final Travel Plan can be secured by S106 agreement.
- 9.141. Concerns have been raised in public comments about the ability of emergency services to access dwellings within the park during events. Given the proposed vehicular access and parking provision for the development are considered to be acceptable, there is not considered to be any risk of emergency vehicles being unable to access the residences within the park.
- 9.142. While the vehicle access into the site is considered suitable to serve the proposed development, the application has failed to demonstrate that acceptable provision would be made for pedestrian access and connectivity.

Vehicle movements and highway impact

- 9.143. Concerns were raised previously that traffic data had been used from a site within the TRICS database that was not comparable to the application site or proposed use. The Highways Response technical note includes the results of traffic surveys conducted over a 9-day period between 22nd and 30th September 2023. During this time the site accommodated two separate events accommodating 500 and 200 people.
- 9.144. From the details submitted, the data does not indicate that the existing vehicular access, Ditton Park Road, or the junction with the A4 London Road is already at or over capacity or is showing to cause highway safety concerns. RBWM Highway Authority have advised that they do not deem that the proposed development would have a severe detrimental effect on the site access or the junction with Ditton Park Road and Riding Court Road. They have advised that Slough Borough Council are required to provide comments regarding the junction between Ditton Park Road and the A4.
- 9.145. Slough Borough Council Highway Authority have advised that they do not consider the traffic survey and analysis to be sufficiently robust so as to demonstrate that the development would not result in unacceptable impacts on the highway network. They highlighted in their previous comments that the junction between Ditton Park Road and A4 already experiences high traffic flows during peak hours. They have noted that traffic surveys were carried out on a Friday and Saturday, and have requested that the assessment be based on a worst case junction capacity assessment on a neutral weekday (Tuesday-Thursday) at peak periods. In the absence of this assessment, it has not been demonstrated that the development would not have a detrimental impact on the highway network or on highway safety.
- 9.146. SBC Highway Authority have also raised concerns regarding the use of the gym, spa and restaurant facilities if they are to be standalone facilities rather than ancillary to the hotel use. The use of the facilities as ancillary to the hotel could be controlled by condition were the proposals otherwise found to be acceptable.

Car parking

- 9.147. As amended, the application proposes the provision of 177 car parking spaces within the parking area adjacent to the site access. In order to comply with the parking standards in the Council's current Parking Strategy, the development would be required to provide 366 car parking spaces. The Highway Authority have given consideration to nearby equivalent sites, and regard has also been had to the age of the Parking Strategy. Taking account of these factors the Highway Authority have advised that the proposed car parking provision can be accepted subject to a condition securing a car parking management plan detailing, as a minimum, how the car parking facilities within the site (including overflow) would be allocated and managed for workers; to ensure that car parking is allocated fairly and to ensure that overspill parking would not lead to roadside parking along Ditton Park Road or the surrounding highway network.
- 9.148. Slough Borough Council Highway Authority have raised concerns about the proposed level of car parking provision. While their concerns are noted, regard has also been had to the above assessment made by RBWM officers, and the need to strike a balance between providing adequate car parking and encouraging a shift to more sustainable modes of travel. Were the proposals otherwise found to be acceptable, as noted above officers consider that the provision of parking and the prevention of increased parking pressure on surrounding residential streets could be dealt with via a condition securing a car parking management plan.

9.149. To comply with the Parking Strategy, the scout hut would be required to provide 6 car parking spaces. 10 car parking spaces would be provided, which is considered an acceptable level of provision.

9.150. The Council's Interim Sustainability Position Statement sets out that at least 20% of parking spaces should be provided with active electric vehicle charging facilities and 80% of parking spaces should be provided with passive provision.

9.151. The proposed development is seeking to provide 48 electric vehicle charging facilities, which equates to approximately 27% of the parking spaces in total. Passive provision shall be provided for remaining spaces. Details of the electric vehicle charging facilities should be provided and those facilities should be made available prior to the operation of the proposed hotel development and the community building. However, such details can be secured by a planning condition.

Cycle parking

9.152. The 2004 Parking Strategy does not have a specific cycle parking standard for hotel units. However, it sets out that a ratio of 1 to every 20 car parking spaces with a minimum of two stands shall be provided in general. Considering the proposed development is seeking to provide a total of 177 parking spaces in total, a minimum of 9 cycle parking spaces should be provided.

9.153. The application proposes 32 covered cycle parking spaces within the moated area, and an additional 10 cycle parking spaces to serve the scout hut. Further details of stores can be secured by condition. It is also recommended that the level of provision is reviewed as part of the travel plan measures.

Servicing and refuse

9.154. The submitted plans show that an area to the north of the manor buildings would be provided for deliveries and private refuse collection. Drawings within the Highways Response technical note demonstrate that there would be parking for at least 4 large 7.5 tonne box vans or small refuse vehicles and that all vehicles would be able to safely enter and leave this area in a forward gear.

9.155. The Highway Authority have advised that swept path analysis for these larger vehicles has not been provided for the main vehicle access onto Ditton Park Road. These would be required to understand whether minor design changes are required for the site access. This could be addressed by condition.

Summary

9.156. While the proposed development is considered to provide suitable vehicular access, it would fail to provide suitable pedestrian access. The application also contains insufficient information to demonstrate that the development would not have a harmful impact on the Ditton Park Road/A4 Bath Road junction with regards to highway functioning and highway safety. As such the development would not be acceptable in respect of highway impacts and would be contrary to Policy IF2 of the BLP and paragraphs 114 and 116 of the NPPF.

x. Flood risk and Sustainable Drainage

- 9.157. The amendments to the scheme do not materially alter the proposals in respect of impacts of the development on flood risk as set out in paragraphs 10.150-10.158 of the committee report. As amended, the proposals would be acceptable in terms of flood risk.
- 9.158. The amendments also do not materially alter the proposed drainage strategy. Were the proposals otherwise found to be acceptable, details of a surface water drainage scheme could be secured by condition.
- 9.159. Concerns have been raised regarding provision for foul drainage within the site. It has been queried whether toilets would be provided within the marquee; toilet facilities are shown on the proposed floor plans for the marquee. A foul sewerage assessment has been submitted with the application, which includes an indicative foul drainage layout and demonstrates that acceptable provision could be made for foul drainage. Thames Water have confirmed that they do not have any objections to the proposals, and that there is sufficient capacity within the foul network to accommodate the development.
- 9.160. The Environment Agency have highlighted that, due to the access onto the moated area being located within Flood Zone 2, it is necessary to demonstrate that safe access and egress can be achieved. The submitted Flood Risk Assessment demonstrates that the AOD level of the bridge onto the moated area is above the level of the 1% AEP + climate change allowance. All other parts of the access are located within Flood Zone 1.

xi. Environmental Health

a. Lighting

- 9.161. Paragraphs 10.161-10.163 of the committee report set out that, subject to a condition securing details of measures to minimise the effects of artificial light, the proposed lighting would be acceptable. The Lighting Impact Assessment has been updated to reflect the amendments to the proposals, but there are no material changes to either the design strategy or the findings of the report. As amended, the proposals would therefore be acceptable with regards to the impacts of lighting and compliant with policy QP3.

c. Contaminated Land

- 9.162. Paragraphs 10.167-10.168 of the committee report conclude that, subject to a condition relating to encountering unexpected contamination, the development would not have any unacceptable impacts in respect of contamination. The amendments do not alter these conclusions.

xii. Very Special Circumstances

- 9.163. Paragraph 152 of the NPPF sets out that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt because of inappropriateness, and any other harm resulting from the proposal, is outweighed by other considerations.
- 9.164. Paragraphs 10.170-10.189 of the committee report gives consideration to whether very special circumstances exist.

a. Green Belt harm

9.165. The proposed development would be inappropriate development within the Green Belt which is, by definition, harmful to the Green Belt.

9.166. Paragraphs 9.4-9.12 above summarise the harm to the Green Belt. The amendments to the scheme do not materially alter the impact of the proposed development on the openness of the Green Belt in either spatial or visual terms. It remains the case that the development would result in substantial harm to the openness of the Green Belt, in addition to the harm by reason of inappropriateness. As mandated in the NPPF, this harm is afforded **substantial weight**.

b. Other harm

Scale and siting

9.167. The amendments to the scheme do not significantly alter the scale or siting of the proposed buildings within the site. As described in paragraph 10.174 of the committee report, and above in section vi. of this report, the proposed development is of a scale and massing that would not be subservient to the Manor House or respond appropriately to the open parkland setting, and would be harmful to the character and appearance of the site. This harm is afforded **significant weight**.

Heritage

9.168. As described in paragraph 10.175 of the committee report, and above in section v. of this report, the proposed development would result in a high level of less than substantial harm to the Grade II Listed Manor House and associated Listed Buildings, and to the Grade II Registered Park and Garden, and this harm would not be outweighed by public benefit. This harm is afforded **significant weight**.

Trees and Ancient Woodland

9.169. Section vii. of this report considers the impact of the proposed development on ancient woodland. It has not been demonstrated that the proposed community building, and the activities associated with its use, would not result in indirect impacts that would be harmful to the ancient woodland. It has also not been demonstrated that the proposed scout hut could not be located elsewhere. There are not wholly exceptional circumstances that would justify the harm to the ancient woodland, and it has not been demonstrated that a suitable compensation strategy exists. In addition, the proposed woodland trail through the perimeter of the ancient woodland would likely result in direct and indirect harm to the ancient woodland. This harm is afforded **significant weight**.

9.170. Section vii. of this report also considers the impact of the proposed development on trees within the site. The proposed new footpath adjacent to the access would likely result in harm to viability and long term health of the trees within the avenue of Limes which line the access, which are subject to a tree preservation order, and which make a significant contribution to amenity as well as to the character of the historic parkland. This harm is afforded **significant weight**.

Amenity

9.171. Section vi. of this report considers this impact of the proposed development on the amenity of residential occupiers in the vicinity of the site. It is concluded that the scale and nature of activity that would be associated with the proposed use, and that would

be enabled by the scale of development proposed, would reduce the level of amenity enjoyed within existing dwellings below a level that could reasonably be expected, and which would be harmful. This harm is afforded **significant weight**.

Ecology and biodiversity

9.172. Section viii. of this report considers the impact of the proposed development on ecology and biodiversity. It is concluded that, in the absence of up to date ecological surveys, the application contains insufficient information to demonstrate that the development would not result in harm to protected species, particularly badgers and bats. This harm is afforded **significant weight**.

Highways

9.173. Section ix. of this report considers the proposed development in respect of access and highway safety. It is concluded that, in the absence of provision for suitable pedestrian facilities, and in the absence of robust traffic data to demonstrate the development would not have an unacceptable impact on the Ditton Park Road/A4 Bath Road junction, the application fails to demonstrate that the proposals would not give rise to harmful impacts on the highway network or on highway safety. This harm is afforded **significant weight**.

Sustainability

9.174. As described in paragraph 10.178 of the committee report, and above in section iii. of this report, the development fails to achieve net zero, and in the absence of a S106 agreement to secure financial contributions that would offset this shortfall, the development would not mitigate the residual CO2 emissions from the site. This harm is afforded **significant weight**.

c. Benefits

9.175. In weighing up whether very special circumstances exist, consideration can be given to whether impacts amount to very special circumstances individually, or whether in combination they cumulatively amount to very special circumstances. In support of the proposals, the applicant has included their case for very special circumstances with the amendments to the application. These are summarised and considered individually in the below table:

<u>Impact</u>	<u>Applicant's comments and weight</u>	<u>Council's comments and weight</u>
<i>Heritage research</i>	<p>The applicant proposes a programme of heritage research and recording in connection with the military intelligence use including research; oral history project; programme of historic building recording; and interpretation strategy including provision of information boards and display of artworks and artefacts within the Manor House.</p> <p>The applicant suggests this should be afforded substantial weight.</p>	<p>As explained in section v. of this report, a programme of historic building recording would be a requirement of any planning and listed building consent. While the other aspects of research and interpretation are acknowledged as a benefit, overall there would be residual heritage harm and this harm attracts significant weight.</p> <p>It is therefore concluded that individually this does not amount to a very special circumstance.</p>

<p><i>Biodiversity net gain</i></p>	<p>The development could deliver a net gain of 216.24% habitat units and 188.11% hedgerow units, which exceeds policy requirements.</p> <p>The applicant suggests this should be afforded substantial weight.</p>	<p>As acknowledged in section viii. of this report, the delivery of biodiversity net gain above policy or statutory requirements is a planning benefit which is afforded limited weight.</p> <p>However individually this does not amount to a very special circumstance.</p>
<p><i>Economic</i></p>	<p>The development would deliver a range of economic benefits during the construction and operational phases, including 380 jobs during the construction period; 130 full time equivalent jobs; a total of £8.6million annual expenditure from visitors; 155 additional indirect full time equivalent jobs; estimated additional £3.7 million output in GVA annually.</p> <p>The applicant suggests this should be afforded substantial weight.</p>	<p>Notwithstanding that the increase in suggested economic benefits compared to the original submission is unexplained, the economic benefits of the development are acknowledged, and afforded, at most, moderate weight as a benefit.</p> <p>However, individually this does not amount to a very special circumstance.</p>
<p><i>Management and restoration of irreplaceable habitat</i></p>	<p>It is proposed to implement a parkland restoration and management plan (PRMP), to include specialist survey and individual longevity optimisation plans for veteran trees and introduction of understorey and conservation silviculture for the ancient woodland, which will arrest the loss and deterioration of veteran trees and return the woodland to a favourable condition.</p> <p>The applicant suggests this should be afforded substantial weight.</p>	<p>The potential ecological, landscape, and heritage benefits of a PRMP are acknowledged. However, this is proposed as compensation for the impact to ancient woodland, and the ancient woodland standing advice advises that you should not consider compensation measures as part of the assessment of the merits of the development proposal. In addition, overall it is considered likely that there would be residual harm to the ancient woodland.</p> <p>Individually, this does not amount to a very special circumstance.</p>
<p><i>Heritage</i></p>	<p>The proposal will bring forward a new long-term viable use for the site with no adverse heritage impacts and limited heritage benefits.</p> <p>The applicant suggests this should be afforded moderate weight.</p>	<p>The Council does not accept the position that there would be no adverse heritage impacts. Overall, it is concluded that there would be less than substantial harm to designated heritage assets which is not outweighed by public benefits, including the potential benefit of securing a long term viable use.</p> <p>This is not accepted as beneficial impact.</p>

<p><i>Community</i></p>	<p>The development would provide new community uses including a new scout hut, restoration of the chapel and public access to the proposed gym and spa.</p> <p>The applicant suggests this should be afforded moderate weight.</p>	<p>The proposed scout hut would principally reprovide an existing community facility that would be lost to the development. The new facility would be smaller but of a higher standard than the existing facility, which it is acknowledged is of very limited benefit.</p> <p>No details of the manner in which the chapel would be used by the community are provided, so this is of very limited benefit. Similarly, details of public access to the spa and gym are not known so this is of limited benefit.</p> <p>Individually, the community benefit does not amount to a very special circumstance.</p>
<p><i>Energy and sustainability</i></p>	<p>The proposals include a range of measures that would contribute towards mitigating for climate change, including commitment to achieve BREEAM 'Excellent' for new builds and 'Very good' for existing buildings; net-zero carbon through on-site measures and cash-in-lieu payment; electric vehicle charging in excess of requirements; commitment to circular economy; commitment to whole life cycle carbon assessments.</p> <p>The applicant suggests this should be afforded moderate weight.</p>	<p>In the absence of a S106, the cash-in-lieu payments to secure net zero carbon would not be secured. Were they to be secured, this would achieve policy-compliance but not go beyond this requirement.</p> <p>The other positive impacts outlined are acknowledged to be benefits, and are afforded moderate weight, although individually, the benefit in respect of energy efficiency and sustainability does not amount to a very special circumstance.</p>
<p><i>Public access</i></p>	<p>The proposal includes a range of enhancements to the public access of the parkland, including increased permeability through the informal path networks, removal of security features, and interpretation boards and wayfinding information.</p> <p>The applicant suggests this should be afforded moderate weight.</p>	<p>With the exception of the proposed woodland trail through the ancient woodland, which would be harmful, the increased public access to the site is acknowledged as a beneficial impact, albeit limited given the existing permissive access through the site.</p> <p>The benefit of increased public access is afforded limited weight but individually does not amount to a very special circumstance.</p>

<i>Landscaping</i>	<p>The LVIA concludes that once the landscape has established, the scheme would represent a slight beneficial effect to the landscape resource and landscape character of the surrounding area.</p> <p>The applicant suggests this should be afforded limited weight.</p>	<p>It is acknowledged that in the long term the development would result in a 'slight beneficial' effect to landscape character, and that this represents a planning benefit.</p> <p>This beneficial landscape impact is afforded limited weight but individually does not amount to a very special circumstance.</p>
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9.176. As highlighted above, very special circumstances will not exist unless the potential harm to Green Belt by reason of inappropriateness, and any other harm resulting from the proposals is clearly outweighed by other considerations.

9.177. As set out in the above table, none of the impacts would, individually, constitute very special circumstances. The impacts that are accepted as benefits, and the weight afforded those benefits, are:

- Biodiversity net gain in excess of policy and statutory requirements – limited weight
- Economic benefit – moderate weight
- Community benefit – very limited weight
- Commitments to BREEAM, whole life cycle carbon assessment, commitment to circular economy – moderate weight
- Increased public access – limited weight
- 'Slight beneficial' landscape effect – limited weight

9.178. With respect to the extent of Green Belt harm, the proposals would introduce over 15,000sqm (including the car park) of built development to the site, and as described in detail above would result in both spatial and visual loss of openness. The development is harmful by definition by reason of inappropriateness, and would also result a harmful loss of openness. This attracts **substantial weight**. It is noted that applications proposing over 1,000sqm of floorspace within the Green Belt must be referred to the Secretary of State if being recommended for approval.

9.179. In addition to the Green Belt harm, the proposed development would result in heritage harm, which would not be outweighed by public benefit. The NPPF advises that **great weight** should be given to the conservation of designated heritage assets (paragraph 205), and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting; decision makers have a **statutory duty to give considerable weight** to preserving the setting of listed buildings.

9.180. The application has not demonstrated that it would not result in deterioration of ancient woodland, which is an irreplaceable habitat, and the NPPF advises that such applications **should be refused unless there are wholly exceptional reasons** and a suitable compensation strategy exists (paragraph 186).

9.181. The proposed development would also result in harm to the character and appearance of the site; would result in harm to residential amenity; harm to protected trees; does not demonstrate that harm to protected species would be avoided; does not demonstrate that harm to the highway network or in respect of highway safety would be avoided; and the failure to achieve net zero carbon would result in harm.

9.182. The cumulative harm resulting from the proposals weighs very heavily against the scheme. Given the extent of harm, it is considered that, when considered cumulatively, considerations summarised in paragraph 9.150, **do not clearly outweigh the cumulative harm** and therefore **very special circumstances do not exist** and the proposed development is contrary to Section 13 of the NPPF and Policy QP5 of the Borough Local Plan.

xiii. Other material considerations

9.183. Paragraphs 10.186-10.189 of the committee report considers documents entitled the 'Surrey Hotel Futures Study 2015' and 'The Recovery of the UK Hotel Market 2021', which are referenced in the applicant's town centre policy report. The conclusion that the findings of the study do not carry any weight remains the case.

9.184. Concerns have been raised in public comments about the impact on leaseholders of the change of landowner. This is a civil matter and is not a material planning consideration. Concerns have also been raised about a lack of consultation with residents by the applicant. Public consultation on the planning has been carried out in accordance with statutory requirements. The applicant is not required to conduct additional consultation outside of the formal planning application process.

9.185. Concerns have also been raised about the time allowed to residents to speak at planning committee. Interested parties have had the opportunity to provide detailed comments on the application; it is considered that the time allowed for committee speakers is reasonable and in line with the constitution.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

10.1. The proposed development is not CIL liable.

11. CONCLUSION

11.1. Section 70(2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires where regard is to be had to the Development Plan that applications for planning permission must be determined in accordance with the Plan unless material considerations indicate otherwise.

11.2. The application has been assessed on its merits, against the development plan and the NPPF in relation to sustainable development.

11.3. There is a **presumption against** the development proposed due to its location in the Green Belt. The proposed development would cause harm to the Green Belt by way of inappropriateness and because of loss of visual and spatial openness and such harm holds substantial weight, as mandated by the NPPF.

11.4. The development would also result in harm to designated heritage assets, to ancient woodland, to protected trees, to residential amenity, to character and appearance, and conflict with the Council's requirement to achieve net zero carbon.

11.5. The very special circumstances that would be required to justify the development do not exist.

11.6. Great weight is attached to the identified development plan policy conflicts, which weigh heavily in the planning balance. Notwithstanding the economic benefits of the proposed development, and the other benefits summarised in paragraph 9.150, these **do not clearly outweigh the cumulative harm**. Balancing all of the material considerations assessed in the report, it is concluded that there are not material considerations that indicate the application should be determined other than in accordance with the development plan. It is therefore recommended that the development is unacceptable and should be refused.

12. APPENDICES TO THIS REPORT

- Appendix 1 – Committee report
- Appendix 2 – Site location plan and site layout
- Appendix 3 – Plan and elevation drawings

13. RECOMMENDATION

Refuse planning permission for the following reasons

- 1 The proposed development would constitute inappropriate development which, by definition, would be harmful to the Green Belt. The proposed development would result in the intensification of the use of the site and the encroachment of substantial built form within the open and rural parking setting. The harm to the Green Belt as a result of inappropriateness with the moderate harm to openness must be afforded substantial weight. No very special circumstances exist to outweigh the harm to the Green Belt by virtue of its appropriateness and harm to openness, and the other harm identified in the subsequent reasons for refusal. The proposed development would be contrary to Section 13 of the National Planning Policy Framework and Policy QP5 of the Borough Local Plan 2013-2033.
- 2 The proposed development, by virtue of its scale, mass, form, and design would result in a prominent and incongruous form of development which would be harmful to the parkland and historic character of the area. The proposed development is contrary to Policy QP3 of the Borough Local Plan 2013-2033 and Policy DAT2 of Datchet Neighbourhood Plan 2022-2033.
- 3 The overall heritage harm arising from the proposed development is less than substantial harm at the higher end as the proposed development would fail to preserve the significance and setting of the listed buildings and registered park and garden. There are a number of public benefits arising from the proposed development, but those benefits identified from the proposed development do not outweigh the heritage harm identified. The proposed development would be contrary to Section 16 of the National Planning Policy Framework and Policy HE1 of the Borough Local Plan 2013-2033.
- 4 The proposed development, by virtue of its scale and the proposed use as a wedding venue, would give rise to noise and disturbance which would be harmful to the amenity of neighbouring residential uses and the proposed development would be contrary to Policy QP3 of the BLP.

- 5 The proposed development fails to provide sufficient evidence to demonstrate that the proposed development would not result in the deterioration of ancient woodland. The proposed development is contrary to Section 15 of the National Planning Policy Framework and Policy NR2 of the Borough Local Plan 2013-2033.
- 6 The proposed development would result in harm to, and potentially the loss of, trees within the avenue of Limes which are subject to a tree preservation order, are an important feature of the parkland and the principal access to the site, make a significant contribution to visual amenity, and are visible from both within the site and in the wider area. As such, the development would result in harm to protected trees which is not considered justified by the development and would be contrary to policy NR3 of the Borough Local Plan.
- 7 In the absence of suitable traffic data provided in the transport statement there is a lack of information to demonstrate that any significant impacts from the proposed development on the transport network and highway safety have been mitigated to an acceptable degree, and the proposals also fail to make suitable provision for pedestrian access. The proposed development fails to demonstrate that there would be an acceptable impact on highway safety and the local road network. Therefore, the proposed development is contrary to Section 9 of the National Planning Policy Framework and Policy IF2 of the Borough Local Plan 2013-2033.
- 8 In the absence of up-to-date ecological surveys, the application contains insufficient information to demonstrate that it would not result in harm to protected species, particularly badgers and bats, and the development would be contrary to policy NR2 of the Borough Local Plan.
- 9 The proposed development includes the provision of a number of new buildings to support a hotel and community development. In the absence of financial provision towards the Council's Offset Fund, the likely adverse impact of climate change has not been overcome. The application fails to meet the requirements of the Council's Interim Sustainability Position Statement about climate change by Policy SP2 of the Borough Local Plan 2013-2033.

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23/01062/FULL - Ditton Manor, Ditton Park Road, Datchet Slough SL3 7JB

Appendix 1 – Committee report

1. SUMMARY

- 1.1. The application site measures approximately 54.8 hectares and is within the Metropolitan Green Belt and within Ditton Park, which is a Grade II listed Registered Park and Garden. The Manor House and its associated courtyard walls, stable and gatehouse blocks, the Main Gatehouse, the connecting bridge, the Garden Walls, and Summerhouse are all Grade II listed. The northern part of the site is covered by Ancient Woodland. While the majority of the site is within Environment Agency Flood Zone 1, some of the moated areas are within Flood Zone 2 and 3. Part of the area near the main access of the site and the area next to Manor House is subject to an Area Tree Preservation Order (TPO).
- 1.2. This application seeks full planning permission for a hotel-led development. The proposal comprises the conversion, extension and alteration of the existing Manor House and associated buildings, including the North Gatehouse, East Gatehouse, South Gatehouse, and Granary, to a flexible hotel and wedding/conference venue (Use Class C1 and Sui Generis) with associated ancillary facilities. The proposal also includes the introduction of a two-storey hotel accommodation block (Use Class C1) to the west (rear) of Manor House and a gym and back of house block to the east of Manor House. Outside the moated area, the proposal includes the erection of a marquee for wedding/conference use (Sui Generis) and a woodland parking area to the south of the marquee. The existing Chapel, which is within the curtilage of Manor House will mainly be used for weddings and events but will also be community use. The proposal also includes the removal of the existing scout hut building which will be relocated to a parcel of land, which is at the northern part of the site and is surrounded by Ancient Woodland.
- 1.3. The proposed development is considered to be unacceptable for a number of reasons including 1) inappropriate development within the Green Belt where no very special circumstances exist to outweigh the harm to the Green Belt by virtue of its on appropriateness, harm to openness, harm to purposes and other identified harm; 2) the scale, form and design of development would result in a prominent and incongruous development which would be harmful to the historic and parkland character of the area; 3) the proposed development would constitute less than substantial harm at the higher end of the scale to the heritage assets and the identified harm is not outweighed by the public benefits identified, 4) failure to provide an acceptable transport statement to demonstrate that any significant impacts on the transport network and highway safety have been mitigated to an acceptable degree, 5) failure to provide acceptable assessment to demonstrate how the direct and indirect impacts on the adjacent ancient woodland are assessed and to provide robust justification for the removal of a number of trees which would have a detrimental impact on the parkland setting, and 6) failure to meet the requirements of SP2 and the Council's interim sustainability statement.
- 1.4. Weighing in favour of the scheme, the proposed development would achieve an onsite 29.84% net gain in biodiversity and generate a number of economic benefits. However, 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 this basis of the foregoing, it is therefore recommended that planning permission be refused.

It is recommended that the Committee authorises the Head of Planning to refuse planning permission for the following summarised reasons:

1	The proposed development would constitute inappropriate development which, by definition, would be harmful to the Green Belt. The proposed development would result in the intensification of the use of the site and the encroachment of substantial built form within the open and rural parking setting. The harm to the Green Belt as a result of inappropriateness with the moderate harm to openness must be afforded substantial weight. No very special circumstances exist to outweigh the harm to the Green Belt by virtue of its appropriateness and harm to openness, and the other harm identified in the subsequent reasons for refusal. The proposed development would be contrary to Section 13 of the National Planning Policy Framework and Policy QP5 of the Borough Local Plan 2013-2033.
2	The proposed development, by virtue of its scale, mass, form, and design would result in a prominent and incongruous form of development which would be harmful to the parkland and historic character of the area. The proposed development is contrary to Policy QP3 of the Borough Local Plan 2013-2033 and Policy DAT2 of Datchet Neighbourhood Plan 2022-2033.
3	The overall heritage harm arising from the proposed development is less than substantial harm at the higher end as the proposed development would fail to preserve the significance and setting of the listed buildings and registered park and garden. There are a number of public benefits arising from the proposed development, but those benefits identified from the proposed development do not outweigh the heritage harm identified. The proposed development would be contrary to Section 16 of the National Planning Policy Framework and Policy HE1 of the Borough Local Plan 2013-2033.
4	In the absence of any existing traffic data provided in the transport statement, there is a lack of information to demonstrate that any significant impacts from the proposed development on the transport network and highway safety have been mitigated to an acceptable degree. The proposed development fails to demonstrate that there would be an acceptable impact on highway safety the local road network. Therefore, the proposed development is contrary to Section 9 of the National Planning Policy Framework and Policy IF2 of the Borough Local Plan 2013-2033.
5	The proposed development fails to provide sufficient evidence to demonstrate how the direct and indirect effect of the potential increasing levels of activities would impact to the adjacent ancient woodland. Furthermore, the proposed removal of a number of existing trees would have a detrimental impact on the parkland setting and their removal is not fully justified. The proposed development is contrary to Section 15 of the National Planning Policy Framework and Policy NR3 of the Borough Local Plan 2013-2033.
6	The proposed development includes the provision of a number of new buildings to support a hotel and community development. In the absence of financial provision towards the Council's Offset Fund, the likely adverse impact of climate change has not been overcome. The application fails to meet the requirements of the Council's Interim Sustainability Position Statement about climate change by Policy SP2 of the Borough Local Plan 2013-2033.

2. REASON FOR COMMITTEE DETERMINATION

- 2.1. 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 application site measures approximately 54.8 hectares and is within Metropolitan Green Belt and within Ditton Park, which is a Grade II listed Registered Park and Garden. The Manor House and its associated courtyard walls, stable and gatehouse blocks, the Main Gatehouse, the connecting bridge, the Garden Walls and Summerhouse are also Grade II listed. The northern part of the site is covered by Ancient Woodland. While the majority of the site is within Environment Agency Flood Zone 1, some of the moated areas are within Flood Zone 2 and 3. Part of the area near the main access of the site and the area next to Manor House is subject to an Area Tree Preservation Order (TPO).
- 3.2. The site is located east of the Botanica Ditton Park employment site, which is a designated Established Employment site under Policy ED2 of Borough Local Plan 2013-2033. Currently, the only vehicular access is from Ditton Park Road, where Ditton Park has various pedestrian entrances, including the one to the north of the site which connects to Cedar Way and a bridge connecting to the adjacent Botanica Ditton Park employment site. The application site is also within the setting of a number of other Grade II listed buildings along Ditton Park Road, including the Ditton Farmhouse, its associated Barn and Granary.

4. KEY CONSTRAINTS

- 4.1 The key site designations and constraints are listed below:
- Grade II listed buildings, including the Manor House and its associated buildings and structures
 - Grade II listed registered park and garden
 - Metropolitan Green Belt
 - Ancient Woodland
 - Tree Preservation Order
 - Area of Archaeological Significance and Archaeological Remains
 - Sharp Sand and Gravel minerals safeguarding area
 - Environment Agency Flood Zones 2 and 3
 - Red impact risk zone for great crested newts
 - National and RBWM Cycle Network

5. THE PROPOSAL

- 5.1. This application seeks planning permission for a hotel-led development with the provision of 132 bedrooms in total and associated facilities. The application can be split into two key areas, namely within the moated area and outside the moated area.

Within the moated area

- 5.2. The proposal comprises the conversion of a number of existing buildings with internal alterations. The existing Manor House will be converted to a hotel to provide 33 bedrooms and associated facilities including bar, restaurant, and meeting rooms. The existing Northern Gatehouse will be converted into a spa facility. The Eastern

Gatehouse will be converted into a storage and site security facility. The Southern Gatehouse will be converted to provide conference and wedding venue facilities.

- 5.3. The proposal also includes the removal of an existing marquee and the introduction of a two-storey L-shaped accommodation block to the west of Manor House, which will provide 99 bedrooms and associated facilities including meeting rooms. With the new accommodation block, it will allow for a new courtyard and garden to be created to the west of Manor House. To the east of the Manor House, a new gym and back to house block will be proposed to provide a gym facility and a new service area to support the operation of the hotel. The proposed block will have a setback from the existing garden wall so a landscaped garden will be created between the wall and the new block. It is understood that the gym/spa facility will also be publicly accessible.

Outside the moated area

- 5.4. The proposal includes the erection of a marquee for wedding/conference use (Sui Generis) at the location of an existing scout hut building. The existing access will be altered to accommodate the provision of a new service area to support the new marquee. The existing parking area within the moated area will be removed and replaced by a woodland parking area to the south of the new marquee. The existing Chapel, which is within the curtilage of Manor House will mainly be used for weddings and events but will also be community use.
- 5.5. The proposal also includes the removal of the existing scout hut building which will be relocated to a parcel of land, which is at the northern part of the site and is surrounded by Ancient Woodland.

6. RELEVANT PLANNING HISTORY

- 6.1. Ditton Park has a lengthy planning history. Most of these cases are related to the adjacent employment site so they are not relevant to this planning applications.
- 6.2. In 1997, planning permission (97/75585/FULL) was granted for European Headquarters office building of 23,230sqm and change use of Ditton Manor House to D1 for an education/training centre with ancillary offices, access, parking, landscaping/highway works (Class D2). A listed building consent (97/75586/LBC) was also granted for the alteration and refurbishment of Ditton Park Manor House to provide an education and training centre including demolition of ancillary outbuildings.
- 6.3. Based on the Council's record, the existing marquee, which is located to the west of Manor House, is not subject to any planning permission

At the time of writing this report, a Listed Building Consent (23/01063/LBC) application was received for the Consent for Hotel-led development comprising the conversion, extension and alteration of the existing Manor House and associated buildings, including the North Gatehouse, East Gatehouse, South Gatehouse, Chapel and Granary, to a flexible hotel and wedding/conference venue (Use Class C1 and Sui Generis) with associated ancillary facilities including bar, restaurant and gym/spa; additional two storey hotel accommodation block (Use Class C1); erection of a marquee for wedding/conference use (Sui Generis); demolition and erection of a new one storey community building (Use Class F2); car parking; landscaping; and other associated works. It is still pending for decision.

7. DEVELOPMENT PLAN

7.1. The main relevant policies are:

Adopted Borough Local Plan 2013-2033

Issue	Policy
Spatial Strategy for the Royal Borough of Windsor and Maidenhead	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Green and Blue Infrastructure	QP2
Character and Design of New Development	QP3
Development in Rural Areas and the Green Belt	QP5
Strengthening the Role of Centres	TR6
Visitor Development	VT1
Historic Environment	HE1
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Air Pollution	EP2
Artificial Light Pollution	EP3
Noise	EP4
Contaminated Land and Water	EP5
Infrastructure and Developer Contributions	IF1
Sustainable Transport	IF2
Rights of Way and Access to the Countryside	IF5

Adopted Central and Eastern Berkshire Joint Minerals and Waste Plan 2021-2036

Issue	Policy
Safeguarding sand and gravel resources	M2
Locations for sand and gravel extraction	M4

Adopted Datchet Neighbourhood Plan 2022-2033

Issue	Neighbourhood Plan Policy
High Quality Design and Character	DAT2

Views	DAT5
Biodiversity	DAT6
Provision for Wildlife in New Development	DAT8
Flooding Drainage and Water Efficiency	DAT10
Key Movement Routes	DAT12

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2023)

Section 2 – Achieving sustainable development
Section 4 – Decision-making
Section 8 – Promoting healthy and safe communities
Section 9 – Promoting Sustainable Transport
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
Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Documents

- RBWM Borough Wide Design Guide
- RBWM Sustainable Design and Construction SPD
- RBWM Planning Obligation and Developer Contributions SPD
- RBWM Parking Strategy

Other Local Strategies or Publications

- Natural England and Forestry Commission Ancient woodland, ancient trees and veteran trees: standard advice for making planning decisions
- RBWM Corporate Strategy
- RBWM Environment and Climate Strategy
- RBWM Interim Sustainability Position Statement

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 9.1. The planning officer posted a site notice advertising the application at the site on 17.05.2023 and the application was advertised in the Local Press on 18.05.2023.
- 9.2. 9 neighbours were notified directly, and 8 letters and a petition were received in total. 1 letter was received supporting to the application, 7 letters were received objecting to the application including one petition which was signed by 29 local residents, summarised as:

Comment		Where in the report this is considered
1	Concerns over the scale of the proposed accommodation block and it is not sympathetic to the existing buildings.	Section 10 (iv)
2	Concerns over the new marquee would have an adverse visual impact.	Section 10 (iv)
3	Concerns over the new location of the marquee as it will move closer to the existing residential properties.	Section 10 (vi)
4	Concerns over the permanent erosion of the setting and significance and character of the Registered Park and Garden.	Section 10 (v)
5	Concerns over the increase in large commercial vehicles movement	Section 10
6	Concerns over the noise pollution from the proposed wedding venue	Section 10
7	Concerns over the proposed parking area will have a negative visual impact to amenity.	Section 10
8	Concerns over the existing flood at the new marquee location.	Section 10
9	Concerns over the proposed development would constitute inappropriate development within Green Belt.	Section 10
10	Concerns over there is a lack of details in the applicant's recommended maintenance plan.	Section 10
11	Concerns over there is a lack of security plan to be provided in this planning application.	Section 10
12	Concerns over the potential increase in anti-social behaviour after the removal of fences and gate	Section 10

Publicity of the planning application

- 9.3. Concerns have been expressed related to the publicity of the planning application. As the site is immediately adjacent to the Slough administrative boundary, the Council is not able to send any notification letters to residents who are within Slough.
- 9.4. Notwithstanding, two site notices have been posted at the site, where one of the site notices is at the northern entrance of Ditton Park. Slough Borough Council has also been formally consulted on this application and residents who reside within Slough can still make their representations to Slough Borough Council for their consideration. This is the normal process which is followed in these circumstances.

Statutory Consultees

Consultees	Comments	Where in the report this is considered
Slough Borough Council	Requests the provision of TRICS survey data and there is a lack of mitigation for the Ditton Park Road/A4 Bath Road junction and the impact of increased vehicle movements on Ditton Park Road.	Section 10

Natural England	No objection subject to advice related to ancient woodland, ancient and veteran trees.	Section 10
The Berkshire Garden Trust	The proposal fails to demonstrate how it can preserve or enhance the character of the Registered Park and Garden and the setting of the listed buildings with respect to the significance of the historic environment.	Section 10
Environment Agency	Standard advice received.	Noted.

Consultees

Consultees	Comments	Where in the report this is considered
RBWM Conservation	Objection: the proposed development would lead to a less than substantial harm at a higher end to the setting of the Registered Park and Garden and the setting and significance of the listed buildings.	Section 10
RBWM Ecology	No objection subject to recommended condition.	Section 10
RBWM Public Rights of Way	No objection as the proposed development would improve the site permeability and new pedestrian/cycling routes are provided to link to the existing routes.	Section 10
RBWM Environmental Protection	No objection subject to recommended conditions related to contaminated land, artificial light scheme, noise control and site-specific construction environmental management plan.	Section 10
RBWM Highways	Objection to the proposed development and comments received related to the draft travel plan.	Section 10
Berkshire Archaeology	No objection subject to a condition requiring the submission of a programme of archaeological work.	Section 10
Naturespace Partnership	No objection subject to recommended condition.	Section 10
Thames Valley Police	Unable to support the application.	Section 10
Historic England	Do not wish to comment.	Noted.

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

Groups	Comments	Where in the report this is considered
Datchet Parish Council	No objection but suggesting there are planning conditions to restrict noise and the impacts to residents and wildlife around the site. The	Section 10

	marquee should be positioned to ensure that the views from the listed building would be avoided, and the noise would be reduced by an appropriate tree lined area or an aesthetic hedging.	
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10. EXPLANATION OF RECOMMENDATION

10.1. The key issues for consideration are:

- i) Green Belt
- ii) Principle of Development
- iii) Climate Change and Sustainability
- iv) Design and Character
- v) Impact on the setting of Heritage Assets
- vi) Impact on Neighbouring Amenity
- vii) Trees and Woodland
- viii) Ecology and Biodiversity
- ix) Highways and Parking
- x) Flood Risk and Sustainable Drainage
- xi) Environmental Health
- xii) Very Special Circumstances
- xiii) Other Considerations

i) Green Belt

10.2. Paragraph 137 of the National Planning Policy Framework (NPPF) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

(a) Inappropriate development in the Green Belt

10.3. Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Paragraph 149 sets out a number of exceptions to inappropriate development including the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; and the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. Paragraph 150 continues to set out that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, including the re-use of buildings provided that the buildings are of permanent and substantial construction.

10.4. The proposal is seeking to introduce a hotel development to the site by converting and extending the existing Manor House and its associated buildings and by the construction of a new two-storey hotel accommodation block, a gym and back of house extension and a new marquee for wedding/conference use.

10.5. The following table compares the existing and proposed footprint of the development:

	Existing floorspace (sqm)	Proposed floorspace (sqm)
Manor House	3,578	3,578
North Gatehouse	353	353
South Gatehouse	992	992
Granary	119	119
East Gatehouse	82	82
Chapel	73	73
Scout Hut	214	192
Accommodation Block	--	3,818
Gym and Back of House Extension	--	1,134
Marquee	--	1,139
Total	5,411	11,480

Accommodation block and Gym and back of house extension

- 10.6. From the table above, it shows that the total floorspace of both the accommodation block and the gym and back of house extension is 4,952sqm, which is significantly larger than the existing Manor House, which is 3,578sqm. Such substantial increases in built form would result in disproportionate additions over and above the size of the original Manor House. As such, the proposed development would constitute inappropriate development in the Green Belt.

Conversion of Manor House and its associated buildings to hotel development

- 10.7. The Grade II listed Manor House and the associated buildings within its curtilage, including North Gatehouse, South Gatehouse, Granary, East Gatehouse, and Chapel are all permanent buildings. In this case, the proposed development is seeking to convert those buildings to provide a new hotel and associated hotel facilities. However, paragraph 150 sets out that such development can only be considered appropriate if it can preserve the openness of the Green Belt and not conflict with the purposes of including land within the Green Belt, which will be discussed later in this report.

Erection of a Marquee

- 10.8. The proposed development is seeking to remove the existing Scout Hut building and to erect a new marquee. The replacement marquee is clearly not in the same use as the existing Scout Hut building. The proposed floorspace of the marquee would also be 1,139sqm, which is significantly larger than the floorspace of the existing Scout Hut building of 192sqm (i.e., 493% increase). As such, the proposed development would constitute inappropriate development in the Green Belt.

(b) Impact on openness of the Green Belt

- 10.9. As inappropriate development in the Green Belt, the proposal is, by definition, harmful to openness. Paragraph 001 of the Planning Practice Guidance (PPG)¹ sets out that in assessing the impact of a proposal on the openness of the Green Belt, openness is

¹ Reference ID: 64-001-20190722

capable of having both spatial and visual aspects, and that the permanence and degree of activity likely to be generated should be considered.

Spatial aspects

- 10.10. The proposed development is seeking to introduce a hotel development to the site with a number of new buildings to support the use. The proposed development is also seeking to open some of its hotel facilities to local residents. The proposal would inevitably increase the degree of activity to be generated by the new hotel and community use due to the increase in both overnight visitors and day visits to the venue.
- 10.11. The proposed development is seeking to introduce an accommodation block and a gym and back of house extension to the west and the east of Manor House respectively within the moated area. The L-shaped built form of the accommodation block and the proposed gym and back of house extension, cumulatively will introduce a considerable amount of built form to the site (circa 5,000 sq.m). The existing location of the accommodation block hosts an unauthorised marquee building and a landscaped area with parkland setting. The existing location of the gym and back of house existing hosts an open courtyard parking area. By virtue of the proposed floor area, spread, mass and height of the proposed new development into open areas of the site, the proposal would result in a significant loss of openness around the existing Manor House. This significant volumetric increase in built form would result in a physical loss of openness to the Green Belt.
- 10.12. Furthermore, the proposed development is seeking to introduce a new parking area to the south of the proposed marquee, where it is currently an undeveloped greenfield with some hardstanding for informal parking and to convert the existing vacant chapel building to a mixed events and community use building. The new parking area and the new mixed use of chapel building will increase the degree of activity and introduce an urbanising feature in that area. While it is not clear from the proposal how the Chapel building will be operated to facilitate the events and community use, the proposal inevitably would increase the level of activity of the building, given that it is currently vacant. The introduction of formal parking area to the undeveloped greenfield and the reuse of the chapel building, would result in an increase in the physical presence of people and vehicles (both stationary and in transit) which would also result in the loss of openness to the Green Belt in spatial terms.
- 10.13. The proposed development is also seeking to introduce a new marquee for events and conferencing. The marquee will be located at the existing location of the Scout Hut building but with considerable increase in floorspace. Considering the floor area and mass of the marquee, when compared to the existing Scout hut building, it would have a materially greater impact on the openness of the Green Belt.

Visual aspects

- 10.14. The application site is within a well-established parkland. The Grade II listed Manor House and its associated buildings are sited within the moated area with mature natural screening. The moated area is currently secured by fencing and gates. Outside the moated area, the chapel building, which is within the curtilage of Manor House sits comfortably to the southeast of the moated area. Currently, the vehicular access to Ditton Park is gated and restricted to private residents and Manor House occupants only. Ditton Park has a number of pedestrian entrances, and they are all gated.

- 10.15. Within the moated area, the proposed accommodation block will be located at the existing location of the marquee which does not have planning permission. The accommodation block will be highly visible from within the site as it is immediately adjacent to the Manor House within an open area of land (apart from the unauthorised marquee). The introduction of the accommodation block would lead to a permanent visual loss of the openness of the Green Belt when viewed from within the grounds. Turning to the gym and back of house extension block, this building would still be visible from the rear and north of the Manor House and partially visible from the site frontage, projecting above the existing wall and would also lead to a permanent visual loss of the openness of the Green Belt. Considering the moated area is screened by natural vegetation, the new buildings would be largely screened from the outside of the moated area and from the wider Ditton Park. However, there are public footpaths/cycle paths running through Ditton Park and the new development would be visible from certain vantage points within the parkland, including to the north and west.
- 10.16. Outside the moated area, the new parking area will be located at an undeveloped greenfield with some hardstanding for informal parking. The proposed new parking area will lead to a permanent removal of the existing undeveloped greenfield. The proposed marquee will be located at the existing location of the Scout Hut building but with considerable increase in floorspace. Currently, the Scout Hut building is setback from the main access to Manor House and is screened by natural vegetation. The proposed marquee will be substantially larger than the existing Scout Hut building and it will be located towards the access. Though some plantings will be introduced to create a landscaped area between the proposed marquee and the access, the proposed marquee can be visible within Ditton Park. It therefore would constitute a permanent visual harm to the openness of the Green Belt.

Community building

- 10.17. The proposed development would also introduce a new community building at the northern boundary of the site. While the area is currently an undeveloped greenfield and is surrounded by Ancient Woodland, the proposed development would introduce a new use to the area and increase the level of activity of that area. While the vehicular access of the new community building will use the existing one, it means that the proposed development will generate extra vehicular movements on that existing lane, which is currently to be used by residents only. Also the proposal includes the introduction of a storage area to the north of the new community building. It will lead to some loss of existing trees. The building will be visible from outside Ditton Park. The introduction of a new community building, including its associated storage and parking, will have both spatial and visual harm to the openness of the Green Belt

Impact on purposes of the Green Belt

- 10.18. One of the purposes of the Green Belt is to assist in safeguarding the countryside from encroachment. In this case, although the proposed development involves a conversion of Manor House to a hotel use, the proposed development would include an introduction of an accommodation block and a gym and back of house extension block within the moated area, a new parking area and a new marquee outside the moated area and a new community building at the northern boundary of the site. The proposed development would encroach the countryside area and would conflict with this purpose of the Green Belt.

Conclusion

10.19. Overall, it is concluded that the proposed development would clearly not fall into any of the exceptions set out in Paragraph 149 or 150 of the NPPF (which is echoed in Local Plan policy QP5) and is therefore inappropriate development in the Green Belt. In addition to the harm by virtue of inappropriateness, the proposed would result in actual harm to the openness of the Green Belt both spatially and visually. Furthermore, the proposal would conflict with one of the purposes of the Green Belt. This cumulative harm to the Green Belt is afforded substantial weight and could only be approved if 'Very Special Circumstances' (VSC) exist that outweigh the harm to the Green Belt and any other harm.

ii) Principle of Development

10.20. The proposal is seeking to introduce a hotel development to the site by converting and extending the existing Manor House and associated buildings and by the construction of a new two-storey hotel accommodation block and a new marquee for wedding/conference use. The submitted planning statement sets out that the site has been used for conference centre since 2019, however, the existing building cannot accommodate the demand for 24-hour conferencing as there is no provision of bedroom facilities.

Hotel Development

10.21. Paragraph 87 of the NPPF sets out that local planning authorities should apply a sequential test to planning applications for main town centre uses which are not in an existing centre. Paragraph 91 continues to set out that an application which fails to satisfy the sequential test should be refused.

10.22. Policy TR6 of the BLP sets out that main town centre uses must be located within the centres defined in the hierarchy of centres where sites are suitable, viable and available. Planning applications for main town centre uses which are neither in a defined centre nor in accordance with policies of the Local Plan will be subject to the sequential test. Policy TR6 also sets out that development proposals for retail, leisure, and office development, larger than the threshold set out in Policy TR6 (i.e., leisure development of 2,500 square metres), located outside defined centres must be accompanied by an assessment of their impact on the vitality and viability and investment in defined centres within their catchment.

10.23. Policy VT1 of the BLP requires that development proposals for visitor development will be expected to:

- a) be consistent with the sequential approach to site selection within that settlement or as exception show evidence that the proposed development is locationally specific and consistent in terms of scale, impact, and function with their location,
- b) contribute positively to the character of the area, the amenity of surrounding land uses and the retention and enhancement of heritage assets,
- c) contribute, where appropriate, towards town centre rejuvenation and environmental enhancement and a sustainable, safe, attractive, and accessible environment

Town Centre Sequential Test

10.24. This application is accompanied by a town centre policy assessment Report, which is prepared by Alyn Nicholls Chartered Town Planner, on behalf of the applicant. A sequential assessment is included in the applicant's report. The report sets out that the

total floorspace to be required for a hotel development with ancillary facilities including a gym and spa, conferencing and welling facilities is approximately 11,600 square metres. While it is considered that the figure is slightly different from the one of approximately 11,133 square metres² set out in the submitted planning statement, the minimum floorspace required for the hotel development is approximately 11,100 to 11,600 square metres. With the adoption of 20% flexibility, the report sets out that the minimum floorspace requirement is approximately 8,900 square metres. The other key feature of the proposed development is that the site lies within a parkland setting, where the site area is 55 hectares and an area of 3 hectares is then used in the sequential test after considering the site area of the hotel developments nearby.

- 10.25. The site search is based on a site to accommodate a hotel and associated facilities of approximately 8,900 square metres on a site of approximately 3 hectares. A number of different resources have been used to inform the site search to identify potential sites including BLP site allocations, Slough Local Plan allocations, and internet search of land and premises being marketed for sale.
- 10.26. Three BLP allocated sites, namely AL29 Minton Place, Windsor, AL30 Windsor and Eton Riverside Car Park, Windsor and AL31 King Edward VII Hospital, Windsor have been identified but they all fall outside the search criteria as the site area is below the search criteria. The search also went to the sites identified through a call for sites process during the review of the Borough Local Plan making process. Five sites were identified but none of the sites meet the size threshold of 3 hectares.
- 10.27. The search then went to the Slough Local Plan allocated sites. Five sites were identified and two sites, namely SSA13 Heart of Slough comprehensive regeneration site and SSA14 Queensmere and Observatory shopping centres met the criteria of the site area. Regarding SSA13 allocated site, the applicant's assessment report sets out that an outline planning permission was previously granted for a mixed-use development of that site, subject to the provision of 1,300 units, office floorspaces, education/innovation use and retail floorspaces. However, it is noted that both sites will not be available during the emerging Slough local plan period. The search also went to internet search and three sites were identified. However, all of the identified sites are too small and do not meet the search criteria.
- 10.28. It is noted that the sequential assessment has been carried out in a robust manner. As such, it has been demonstrated that there are no sequentially preferable sites within town centres in this particular case. The sequential assessment has been passed in this regard.

Impact Test

- 10.29. The application is also accompanied by an impact test to assess the impact on the vitality and viability of and investment in defined centres within their catchment. Given that the leisure development within the proposed development falls below the required threshold to produce an impact assessment and there is no requirement of a hotel development to produce an impact assessment, an impact test is therefore not required in this regard.

Community Development

² The total floorspace of 11,480sqm excludes the Easte Gatehouse of 82sqm, Chapel of 73sqm and Scout Hut of 192sqm.

10.30. Policy IL6 of the BLP sets out that proposals for new or improved community facilities which meet the needs or aspirations of local residents and visitors will be supported. Where an assessment identifies specific needs in the local area, proposals to meet that local need will be supported when they are located in areas that are accessible by walking, cycling or public transport. Policy IL6 also sets out that existing community facilities should be retained, improved and enhanced. Applications for change of use or redevelopment will therefore be resisted, unless evidence can be provided to show that the facility is not needed, not economically viable and is no longer required to meet the needs of the local community.

Relocation of the Scout Hut building

10.31. The proposed development includes the relocation of the existing community building outside of the moated area of Ditton Manor to the northern edge of Ditton Park to allow the erection of a marquee to provide a venue for holding any events or functions. The existing building is currently occupied by Datchet Sea Scout on an informal basis. A letter from Datchet Sea Scouts is provided in this application to support the relocation proposal as the existing building is needed to be repaired and is not economically viable. It also sets out that there is community benefit provision for young people in the local area. The submitted planning statement also sets out that the storage and car parking facilities are inadequate at the current site.

10.32. It is understood that the fundamental reason for the relocation is so the location of the existing building can be used for the erection of a marquee to support the hotel development. This is not considered to be the evidence as required under Policy IF6 to justify the redevelopment proposal. There is also no evidence provided in this application to demonstrate how the redevelopment proposal would be more financially viable than repairing the existing building. Notwithstanding, the proposed development includes the provision of a new replacement community building with associated facilities which will be located at the northern boundary of the site. While the GIA of the new community building is 192 sqm which is slightly smaller than the existing building of 214 sqm, there is no loss of a community building at the site.

10.33. In terms of accessibility, vehicles will have to continue to use Conduit Way through the main vehicular entrance of Ditton Park. However, the new location will be adjacent to the pedestrian entrance of Ditton Park connecting the established residential area to the north, therefore it is considered that members of the public can easily get into the building by the pedestrian entrance of Ditton Park.

10.34. In terms of meeting the identified community need, the existing community building is occupied by Datchet Sea Scouts under an informal arrangement. It is considered that Datchet Sea Scouts will continue to use the new community building. I

10.35. There is no objection in principle to the relocation of the existing Scout Hut building as there is no overall loss of community facility, given that a new building will be provided within the site. Considering the new location of the community building, it is connected to the residential area to the north of the site and vehicles will be able to use Conduit Way to get to the proposed community building.

10.36. Given that the proposed location of the building will be within the area to be surrounded by the designated Ancient Woodland, the principle of having a Scout Hut building in the proposed location can only be accepted if the proposed development would not have any adverse impacts to the adjacent Ancient Woodland, which will be discussed later in this Report.

Ancillary hotel facilities to be made publicly accessible

- 10.37. The proposed development is seeking to open the ancillary gym and spa facilities of the hotel and the chapel will be made publicly accessible. The submitted planning statement sets out that it is supported by the local communities. According to the submitted Statement of Community Involvement, 84% of the respondents agree or strongly agree that local community can also use those facilities.
- 10.38. While the proposed community use of the ancillary gym and spa facilities and the chapel building is supported, Policy IF6 requires the facility should be designed to maximise use by local communities. It is not clear from the submitted information how these facilities can be practically operated to be used by both future hotel guests and local communities.

Minerals Safeguarding Area

- 10.39. Policy M2 of the Central and Eastern Berkshire Joint Minerals and Waste Plan 2021-2036 (JMWP) sets out that non-minerals development in the minerals safeguarding area may be permitted if it can be demonstrated through the preparation of a Mineral Resources Assessment, that the option of prior extraction has been fully considered as part of an application, and prior extraction, where practical and environmentally feasible, is maximised, taking into account site constraints and phasing of development; or it can be demonstrated that the mineral resources will not be permanently sterilised; or it would be inappropriate to extract mineral resources in that location, with regard to other policies in the wider Local Plans.
- 10.40. Policy M4 then sets out that proposals for new sites not outlined in the Policy will be supported in appropriate locations including they are situated within the Area of Search.
- 10.41. The application site is within the sand and gravel safeguarding area and a minerals resources assessment (MRA) is required to support the application. Notwithstanding, it is understood that there are a number of designations within the site, including Ancient Woodland, Listed Buildings and Registered Parks and Gardens. The application site is excluded from the Area of Search as these areas should be avoided for development to be sustainable. Considering the number of designations within the site and, a pragmatic approach should be adopted, and it is not considered that the requirement of a MRA would be reasonable in this regard.

iii) Climate Change and Sustainability

- 10.42. 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, minimising vulnerability and improving resistance, and supporting renewable and low-carbon energy and associated infrastructure. The Royal Borough of Windsor and Maidenhead declared a climate emergency in June 2019, and the Council intends to implement a national policy to ensure net-zero carbon emissions can be achieved by no later than 2050.
- 10.43. In December 2020, the Environment and Climate Strategy was adopted to set out how the Borough will address the climate emergency. These are material considerations in

determining this application. The strategy sets a trajectory which seeks a 50% reduction in emissions by 2025.

- 10.44. While a Sustainability Supplementary Planning Document will be produced, the changes to national and local climate policy are material considerations that 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. The Council has adopted an Interim Sustainability Position Statement (ISPS) to clarify the Council's approach to these matters.
- 10.45. A circular economy statement, which is prepared by Elementa, on behalf of the applicant, is provided to support this application. The statement sets out that the proposed development is able to demonstrate the key six circular economy principles, including building in layers, designing out waste, designing for longevity, designing for adaptability or flexibility, designing for disassembly and using systems, elements or materials that can be reused and recycled.
- 10.46. A sustainability statement and an embodied carbon assessment report, which are prepared by Elementa, on behalf of the applicant, are provided to support this application. The sustainability measures set out in the Statement accord with the requirements of the Interim Sustainability Position Statement. As a whole, the development can achieve a 40% reduction in CO₂ emissions, including the introduction of new buildings which can achieve a greater reduction when comparing with the existing buildings to be demolished and the improvements to the existing buildings to be retained, based on the information provided and a formal confirmation from the applicant.
- 10.47. Whilst this would represent a considerable reduction in the potential CO₂ emitted from the site, the proposal does not achieve net zero. As such, it is reasonable for the Local Planning Authority to achieve the remainder by Building Emissions and Lifestyle contributions. Notwithstanding, no legal agreement has been agreed to secure the contributions as required. In an absence of the required legal agreement, it is not considered that the application does secure the necessary measures against the likely impacts on the remainder of CO₂ emissions from the site. Therefore, the proposed development, therefore, fails to comply with Policy SP2 and the Council's Interim Sustainability Position Statement.

iv) Design and Character

- 10.48. Section 12 of the NPPF is about achieving well-designed places. Paragraph 126 sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 10.49. Policy QP3 of the BLP sets out that all development should seek to achieve a high-quality design that improves the character and quality of an area. The Policy sets out that new development should be able to respect and retain existing high-quality townscapes and landscapes and help create attractive new townscapes and landscapes.
- 10.50. While the proposed development comprises internal alterations of existing buildings, it also introduces a number of new building blocks to the site, including a new hotel accommodation block to the west of the Manor House, a new gym and back of house block and a new community building to the north of the site.

(a) Scale and Layout

Proposed accommodation block

- 10.51. The proposed accommodation block will be connected to the Manor House at the ground floor through a glazed link. The proposed accommodation block will be a two-storey L-shaped development and will provide 99 hotel rooms, which will create a new landscaped garden and courtyard area to the west of the Manor House. Concerns have been raised during the public consultation that the scale of the proposed accommodation block is not acceptable as it fails to be sympathetic to the existing buildings.
- 10.52. The proposed development is seeking to introduce a sizable building within the moated area, where this part of site is currently occupied by a marquee³ and is therefore relatively open and free from built development. While it is understood that the scale of the proposed accommodation block has already been kept to a minimum, the proposed building will occupy a land which was originally intended to be a green space within the parkland environment and will have a substantial footprint when comparing with the adjacent Manor House. Considering the sensitive location of the proposed block, the scale and layout of the proposed accommodation block would appear at odds with the adjacent Manor House and fail to respond positively to the surrounding.

Proposed gym and back-of-house block

- 10.53. The proposed gym and back-of-house block, which the GIA is approximately 1,134 sqm, is proposed where there is currently a car park. The proposed block will be a single storey linear block which will provide gym, studio space and associated facilities. The back of house part will be accessible from the Manor House at the ground floor and via the servicing area. The block will have a setback from the listed garden wall, where the buffer area will be a landscaped area and access to connect Manor House and the gym block.
- 10.54. The proposed block would substantially increase the built structure of that area which is currently used for parking and the building will sit behind the existing garden wall. The height of the proposed block would also slightly be above the height of the existing wall. There would have some impacts on the views from within the eastern courtyard, but it is considered that the impacts are limited in this regard.

Proposed marquee

- 10.55. The marquee is proposed to have a pitched roof, white PVC outer and glazing. Glazing is restricted to the south-east, south-west and north-east elevations and it will be at the location of the existing scout hut building. Considering the GIA of the existing scout hut building, the GIA will substantially increase from 214 sqm to 1,139 sqm.
- 10.56. While the scout hut building is well setback from the access, the new marquee is attempting to maximise its size by relocating to the centre of the existing hardstanding area of the scout hut building. The existing access to the scout hut building will be restored to a landscaped area. The marquee will have two separate accesses for pedestrian and service vehicles, where a pedestrian access is proposed to the south-east of the marquee and a vehicular access is proposed to the south-west of the marquee, where it will connect to the existing main access of the site. Given its external

³ Based on the Council's record, there is no planning permission for the erection of the marquee.

appearance will be white in colour and its prominent location, the proposed marquee is considered an unacceptable addition to the site in terms of scale as it would fail to positively respond to the parkland setting.

Proposed woodland parking area

The woodland parking area is proposed to provide parking to Manor House and its associated facilities. While it is understood that there are some benefits in removing the existing parking area within the moated area, the proposed parking area however will be in a very sensitive location as it is located at the entrance area of Manor House, which currently is occupied by grassland with some hardstanding near the access. The parking area will be extended from the main access to the area next to the chapel building and to the west to the existing trees along the moat. The introduction of a parking area will permanently alter this entrance area and is clearly not in accordance with the parkland setting.

- 10.57. The proposed parking area will physically separate the chapel building and the Manor House, where the chapel building is considered to be within the curtilage of the listed Manor House. The parking will also be immediately next to the chapel building, where it is not considered adequate buffer is provided between the chapel building and the parking area. It is not considered that the layout of the parking has positively considered the setting of the chapel and the Manor House.
- 10.58. Thames Valley Police has also raised security concerns over the parking area as it will be located at the area that is publicly accessible. While the security concern about the parking area raised by Thames Valley Police is noted, it is considered that this can be addressed by the implementation of appropriate security measures, including the installation of CCTV cameras. Such details can be secured by a planning condition.

Proposed community building

- 10.59. The proposed community building will be single storey and it comprises a central activity area with associated facilities including a secure storey compound to the north of the site. The proposed development will inevitably introduce a number of buildings and structures to this undeveloped greenfield, where it is surrounded by Ancient Woodland. When considering the scale of the building, the proposed community building would fail to positively respond to the Ancient Woodland setting.

(b) Landscaping

- 10.60. The submitted design and access statement sets out that the main hotel development area will be divided into different landscape character area. In the marquee and entrance area, the proposed development is seeking to introduce a new pedestrian pathway to connect the woodland parking area to the south and the new marquee. The main access will be altered, and an attenuation basin will be created between the moat and the altered access. The new service parking area for the new marquee will be covered by reinforced grass.
- 10.61. The proposed development includes the introduction of wildflower mix and native plantings to the entrance area. Soft landscaping will be provided to the woodland gravel parking area. The proposed development will retain the existing water feature at the centre of the entrance garden of Manor House and enhancement planting will be introduced in the entrance garden.

- 10.62. Green roofing will be introduced to the proposed gym and back-of-house block and the proposed accommodation block. The proposed development is also seeking to introduce new landscaping to the west of Manor House to create a new courtyard area.
- 10.63. The proposed landscape improvement at the entrance area would improve the existing condition of the area, where it is partially covered by hardstanding. The retention of the existing water feature is also supported as it would broadly retain the existing landscaping of the entrance garden of Manor House, where the enhancement planting will improve the landscaping of the area.
- 10.64. Notwithstanding, the proposed development is seeking to introduce a parking area to the undeveloped greenfield, and it will physically be in between Manor House and the chapel building. While soft landscaping is proposed within the parking area, it is considered that the proposed parking would still intensify the level of activities of the area. With the introduction of new plantings within the parking area to act as screening of the area, the parking area and new plantings will permanently separate the chapel building from Manor House, which is considered that the chapel is within the curtilage of the House and the urbanisation of the site would permanently alter the parkland setting of the site.
- 10.65. Considering the L-shape design of the proposed accommodation block, while it is understood that the proposed development is to introduce a new courtyard and landscaped garden to the future hotel guests, concerns have been raised by the Council's Conservation Officer that the proposed development fails to demonstrate a full understanding of the Registered Park and Garden, as the landscape design of that area is intended to be a wilderness environment. The proposed courtyard area to the west of Manor House would dilute the significance of the existing courtyard area to the east.

Summary

- 10.66. The proposed development is seeking to introduce a sizeable accommodation block and a gym and back of house extension block within the moated area and a new marquee and a parking area outside the moated area to the east of Manor House.
- 10.67. The proposed accommodation block, by virtue of its scale, mass, form, and design would result in an incongruous form of development. Considering both the accommodation block and the proposed gym and back of house extension block, cumulatively, they would be harmful to the character of the parkland setting where the existing site is relatively open and free from built environment.
- 10.68. The proposed marquee, by virtue of its scale, mass and external appearance would result in an incongruous form of development and fail to positively respond to the character of the parkland setting where the existing site is occupied by a Scout Hut building with a smaller footprint and is setback from the access road. The proposed parking area to the south of the proposed marquee would permanently alter the existing undeveloped greenfield and it would fail to positively respond to the wider parkland setting.
- 10.69. Overall, the proposed development is contrary to Policy QP3 of the BLP.
- v) Impact on the setting of Heritage Assets**
- 10.70. Section 16 of the NPPF is about conserving and enhancing the historic environment. Paragraph 199 sets out that when considering the impact of a proposed development

on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 continues to set out that any harm to the significance of a designated heritage asset should require clear and convincing justification. Paragraph 202 sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. Paragraph 203 also sets out that the effect of an application on the significance of a non-designated heritage asset should be considered in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 10.71. Policy HE1 of the BLP sets out that development proposals would be required to demonstrate how they preserve or enhance the character, appearance, and function of heritage assets (whether designated or non-designated) and their settings and respect the significance of the historic environment.
- 10.72. The application site is entirely within Ditton Park, which is a Grade II Registered Park and Garden⁴. The Manor House and its associated courtyard walls, stable and gatehouse blocks are Grade II listed⁵. The Main Gatehouse, the connecting bridge, the Garden Walls and Summerhouse are also Grade II listed⁶. The application site is also within the setting of a number of other Grade II listed buildings along Ditton Park Road, including the Ditton Farmhouse, its associated Barn and Granary.
- 10.73. The application is accompanied by a heritage impact assessment, which is prepared by Landgage heritage, on behalf of the applicant to support this application. The report summarises that the proposed development would result in a substantial benefit to the significance of the Grade II listed Manor House and the Registered Ditton Park. The Council's Conservation Officer has been formally consulted on this application and has raised objection to the proposed development as it would fail to preserve the significance and setting of the listed buildings and the registered park and garden.

Grade II Listed Manor House and its associated Listed buildings

- 10.74. Ditton Park has a long history, dating back to the early medieval times. The original Manor House has existed on the site since the 15th Century, and it was rebuilt in the 17th Century. The 17th Century House however was destroyed under a fire in 1812. The House was then reconstructed in the 19th Century, which forms the current Manor House. The site was in residential use when the first Manor House was built. In 1917, it was used as the Admiralty Compass Observatory for research and development. It then became the headquarters of the Defence, Evaluation and Research Agency. The site had been used for research and laboratory purpose until 1979. In 1997, the site was subject to a planning permission for an education and training centre. The southwestern part of the wider site was then redeveloped to the office complex in the early 2000s.

Conversion of Manor House

⁴ List Entry Number: 1001290

⁵ List Entry Number: 1319354

⁶ List Entry Number: 1117628 (Main Gatehouse and Bridge); 1319355 (Garden Walls and Summer House)

- 10.75. The proposal is seeking to convert the Manor House to 33 hotel bedrooms and to introduce a restaurant to the building. The proposal also comprises the removal of the existing toilet areas on the ground floor and the first floor and other internal alterations which are subject of the associated listed building application (ref: 23/01063/LBC).
- 10.76. The internal ground floor layout of the Manor House is broadly the same as the existing one, except the existing toilet area will be converted into a dining room and a number of windows facing into the courtyard will be replaced by full-length openings to allow the direct access from the main dining area of the restaurant to the proposed private dining rooms. The existing service yard area to the northeast of the building will be removed to provide a new connection to the proposed gym building. There is no objection in principle to the conversion of the existing toilet area into a dining room and the removal of the service yard area. However, there are concerns over the detailed internal alteration works to Manor House. Whilst the internal works to the listed building would be covered under the listed building consent application, the addition of the full length windows in the building façade are subject of the full application and would result in a loss of historic building fabric.

Proposed Accommodation Block

- 10.77. The proposed accommodation block would be located to the west of Manor House within its curtilage and setting. The Council's Conservation Officer has raised concerns that the L-shaped built form would have a substantial footprint, occupying land within the wilderness area that forms part of the designated landscape area. While it is understood that the proposal is attempting to keep the scale of the accommodation block to a minimum to respect the prominence of Manor House, the proposed building would still have a significant presence in terms of its footprint, positioning, arrangement, modern appearance, and materiality. The proposed accommodation building would lack subservience when compared to Manor House. Considering the proposed accommodation block and the proposed gym and back of house block together, they would cumulatively have an increased negative impact on the historic environment. The proposed accommodation block would also be visible and impact views of the Manor House, in particular the views from the south lawn area, the approach from the west and views from the rooms along the south-western range of Manor House.

Proposed Gym and Back of House Block

- 10.78. The proposed development also includes a new gym and back of house block to the north-east of Manor House. The proposed extension has been amended to ensure there is limited impact on the existing built fabric and views of the Manor House from the east. It is noted that the proposed building will be rectangular in plan form. Considering the position of the building, it would be set away from the listed courtyard wall to allow adequate buffer between the proposed block and the courtyard wall. While it is understood that the height of the proposed building would slightly rise above the height of the courtyard wall, there is only a limited impact on the views from the courtyard. While the proposed building would form part of views of the Manor House from the north, it is not considered that the impact to the views from Manor House would be significant.
- 10.79. The Council's Conservation Officer has set out that the erection of this building would inevitably increase the built form and have an impact on the setting of the Manor House. However, it is considered that this area had been used as a service area and therefore the impact to the significance of the listed Manor House is limited in this case.

Summary

- 10.80. The proposed hotel development is within the setting of the Grade II Manor House. The proposed alterations to the Manor House are not considered to be acceptable as they would lead to a permanent loss of historic fabric and fail to subdivide the rooms of the House sensitively. It would result in significant harm to the significance of the Manor House. The proposed accommodation block and gym block would constitute a cumulative impact to the Manor House, which would result in significant harm to the setting of Manor House. Overall, the harm to the significance of the setting of the Grade II Manor House is considered to be **less than substantial and at a higher end of the scale** in this regard.

Grade II Ditton Park

- 10.81. Ditton Park is a Grade II registered park and garden comprising a number of features of interest, including the waterbodies extending westwards, northwards, and a fishpond to the south of the Manor House, alongside many other historic built structures.

Proposed Marquee and Parking Area

- 10.82. The Berkshire Garden Trust and the Council's Conservation Officer both have raised concerns over the proposed marquee as it would reduce the sense of arrival of the site, given the prominent location and the external appearance of the proposed marquee. The marquee also would be in full view due to its excessive footprint and would be distracting from the avenue view through to the listed building and have a detrimental impact on the parkland setting.
- 10.83. The proposed development also comprises a woodland parking area to the south of Marquee. The Council's Conservation Officer has raised concerns that the parking area would alter the appearance of the existing open space directly adjacent to the chapel building. It would have a negative visual impact along the main approach to Manor House and to the setting of the curtilage of the chapel building and the parkland setting.

Proposed Courtyard Area

The proposed introduction of the L-shaped accommodation block to the west of Manor House also includes the creation of a formal courtyard area. While it is understood that the proposed courtyard area to the west of the Manor House would provide additional landscaping to future hotel guests, the Council's Conservation Officer has raised a concern that the introduction of a secondary courtyard area to the west of Manor House lacks understanding of the significance of the Registered Ditton Park, as the landscape design of that area was and is intended to be a wilderness environment. Furthermore, the secondary courtyard would dilute the significance of the original courtyard to the east. The proposed courtyard area would be harmful to the setting of the Grade II Ditton Park.

Summary

- 10.84. The proposed secondary courtyard area to the west of Manor House would dilute the significance of the existing historical courtyard area to the east and materially alter the existing landscape of the area, which is a wilderness environment. The proposed courtyard area would result in significant harm to the setting of Ditton Park. The proposed marquee and parking area outside the moated area would result in significant harm to the significance of the setting of the Ditton Park. The harm is **less than**

substantial at a higher end of the scale due to the sensitive location of the proposed marquee and parking area and the parking area would substantially alter the appearance of the existing open space directly adjacent to the chapel building, which is within the curtilage of the Manor House.

Public Benefit

10.85. Paragraph 20⁷ of the PPG sets out that public benefits may follow from many developments and could be anything that delivers economic, social, or environmental objectives as described in the NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits. Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long-term conservation

10.86. This application is accompanied by an economic headline report, which is prepared by Volterra Partners, on behalf of the applicant. The statement sets out the economic, social and heritage benefits of the proposed development.

Economic Benefit

10.87. The applicant's headline report sets out a number of benefits of the proposed development as below:

- The creation of 305 job opportunities during the construction period.
- The creation of 130 full-time job opportunities, while retaining the existing employment onsite.
- £8.7 million visitor expenditure per annum.
- Additional tax revenues of between £1,400,000 and £1,900,000 and also business rates payments of approximately £90,000.
- The operation and hosting of events would continue to deliver benefits for the local economy

10.88. In terms of economic benefit, the economic benefit of the creation of 305 construction job opportunities is time limited. The proposed development will result in creating a net 120 additional permanent job opportunities. It will help support the labour market in general. The proposed development will result in a £8.7 million visitor expenditure per annum, which is a considerable amount of income to the local economy. The proposed development will result in an additional tax revenues and business rates payment. Though it is a considerable amount of additional tax revenues, it is to comply with the legislation only. The existing site is already operating and hosting of events. The proposed development would also lead to a considerable loss of spaces for conferencing (i.e., from 5,123 sqm to 1,193 sqm). Overall, only **moderate** weight is afforded to this benefit.

Social Benefit

⁷ Reference ID: 18a-020-20190723

- 10.89. The applicant's headline report sets out that the proposed development would provide a new community facility to replace the existing dated scout hut building at the site. The applicant is also engaging with the local cricket club to provide cricket facilities within the site. The proposed development would also open up the site grounds to the public and improve accessibility to the Manor House. The applicant's planning statement also sets out that there is a social benefit in opening the gym and chapel building for community use.
- 10.90. In terms of social benefit, the provision of a replacement community building is mainly due to the existing location of the building will be used for a new marquee to support the proposed hotel development. It is also considered that a new community building can be provided separately. While there is a social benefit in opening the gym and chapel building for community use, how this will operate is not clear as no such details are provided in this application. Overall, only a **very limited** weight is afforded to this benefit.
- 10.91. No details have been provided in this application related to the provision of an onsite cricket facility for the local cricket club and it is not clear what and where the facilities would be provided within the site. It is also considered that such facilities can be separately provided. **No weight** is afforded to this benefit.
- 10.92. The site including Manor House can be opened to the public without a need of a planning permission. **No weight** is afforded to this benefit.

Environmental Benefit

- 10.93. The proposed development will provide a biodiversity net gain of 205.91%, where 29.84% is from onsite provision. The provision is well above the 10% national requirement to be mandatory in November 2023. **Limited** weight shall be afforded to this benefit in this regard.

Heritage Benefit

- 10.94. Paragraph 6.1.6 of the applicant's heritage impact assessment sets out that there are a number of heritage benefits which can be identified in the proposed development as below:
- the refurbishment of Manor House would result in a low heritage benefit, as the building would be used in a manner consistent with its conservation with the involvement of minimal impacts;
 - the physical works to the north stable block would preserve the significance of the building.
 - the proposed accommodation block would preserve the setting of Manor House and would result in a small enhancement to the setting of the western elevation of Manor House;
 - the proposed gym facility would not harm the significance of the parkland or the listed buildings;
 - the introduction of a new marquee and a car parking area would result in a low benefit to the significance of the parkland and the settings of the listed buildings; and
 - the proposed community building to the north of the parkland would not harm the significance of the parkland.

- 10.95. The applicant's Design and Access Statement also sets out that the applicant will be committed to a programme of heritage research and recording work and it would enhance both understanding and appreciation of the historic interest of Ditton Park and Manor House.
- 10.96. In terms of heritage benefit, it is considered that the applicant's commitment of launching a programme of heritage research and recording work is welcomed. However, it is considered that this can be carried out without the proposed development, and it is the social responsibility of the applicant to carry out this programme. The programme of heritage research and recording work can be carried out without a need of a planning permission. **No weight** is afforded to this benefit.

Conclusion

- 10.97. In light of the foregoing, the cumulative harm arising from the proposed development is considered to be **less than substantial at a high-end level** of the scale in this case. Paragraph 202 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. The benefits identified from the proposed development **do not** outweigh the heritage harm identified in this regard and therefore the proposed development would be contrary to Section 16 of the NPPF and Policy HE1 of the BLP.

Archaeology

- 10.98. The application site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development. Berkshire Archaeology has been consulted and has raised no objection to the proposed development. However, a programme of archaeological work including a written scheme of investigation shall be provided to support this application. Such detail can be secured by a planning condition.

vi) Impact on Neighbouring Amenity

- 10.99. Policy QP3 of the Borough Local Plan 2013-2033 sets out that new development should have 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.
- 10.100. Concerns have been raised during the public consultation over a lack of security plan being provided in this application and the increase in anti-social behaviour after the removal of fences and gate. Thames Valley Police has raised a concern over proposed design of the scout hut building. The proposed removal of fences and gate can be carried out without a need of a planning permission. While there is security concern over the community building, it is considered that this can be addressed by the implementation of appropriate security measures. Such details should be provided to support the current application, but they can be secured by a planning condition.
- 10.101. There is a considerable separation distance from the nearest residential properties to the proposed hotel development. Therefore, it is not considered that the proposed development would have an adverse impact on the amenity of neighbouring properties. The proposed location of the new community building along the northern boundary of the site will be immediately adjacent to the established residential area. A secure storage compound is proposed at the northern boundary of the site. As the community

building will be located at the centre of the site, it is not considered that the proposed community building would have an adverse impact on the amenity of neighbouring properties.

vii) Trees and Woodlands

10.102. Paragraph 180 of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats such as ancient woodland should be refused unless there are wholly exceptional reasons⁸ and a suitable compensation strategy exists. Policy NR3 of the BLP also sets out that the amenity value of the trees, woodland and hedgerows outweighs the justification for development, planning permission may be refused.

Ancient Woodland

10.103. According to the Natural England and Forestry Commission Standard Advice related to Ancient Woodland, development, including construction and operational activities can affect ancient woodland and the wildlife they support on the site or nearby. Both direct or indirect effects of development can cause the loss or deterioration of ancient woodland. Suitable evidence should be provided to support the application including any proposed mitigation measures in development proposals to avoid and reduce harm caused by development on ancient woodlands.

10.104. An arboricultural implications report and an outline woodland management plan, which are prepared by SJA trees, on behalf of the applicant, are provided to support the application. The applicant's report sets out that the proposed development would not encroach into the woodland area but a small section of the proposed access to the community building will be within the 15 metres ancient woodland buffer. The applicant's arboricultural implications report summarises that there will be no loss or deterioration of the ancient woodland.

10.105. The applicant's outline management plan sets out that the buffer zone of the ancient woodland will be maintained where all development activities are excluded. The applicant's management plan also outlines a number of principles of woodland management to restore and enhance the ancient woodland. While the applicant's outline management plan sets out that the construction of the community building will have the impacts to the adjacent woodland. However, they can be managed to avoid any unacceptable damages to the trees including the provision of the 15 metres ancient woodland buffer.

10.106. The new location of the community building is not within the designated ancient woodland. Based on the applicant's outline management plan, the site however was part of the wider original ancient woodland though the woodland was cleared and has been replanted. It then becomes a greenfield area surrounded by the replanted woodland trees and forms part of the ancient woodland. The proposed development will introduce a new building to this undeveloped greenfield site, including the increasing levels of activities within the site and to physically remove the connectivity of the two surrounding ancient woodlands.

⁸ For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

10.107. While the applicant's planning statement sets out that there is an intention to keep the community building for Datchet Sea Scout onsite to continue to serve the local community, it is not considered that an alternative site has been fully explored by the applicant when considering the relocation in accordance with the mitigation hierarchy. No other evidence has also been provided to demonstrate the building has to be within this particular location. The applicant's report also fails to fully assess the direct and indirect effects of the increasing levels of activities to the adjacent ancient woodland.

Trees

10.108. Policy NR3 of the BLP sets out that development proposals should protect and retain trees. Where the amenity value of the trees outweighs the justification for development, planning permission may be refused.

10.109. The applicant's arboricultural implications report sets out that none of the notable trees on the site are to be removed. However, 45 individual trees will have to be removed in the proposed development.

10.110. While the majority of the trees to be removed are assessed as category C trees, the removal includes T38 Horse Chestnut, which is a category B tree located at the proposed woodland parking area. The applicant's arboricultural implications report identifies that this is a significant component of the tree belt (G9) but the removal will be mitigated through the retention of the tree belt. A number of category C English Oak (T78 to T80) trees are also to be removed within the moated area and they are subject to TPO. The applicant's arboricultural implications report set out that they are of limited arboricultural or landscape merit due to their quality and short stature.

10.111. The removal of T38 tree is due to the introduction of a new parking area to the site. As discussed in the applicant's arboricultural report, this tree is a significant component of the tree belt (G9). The site is within a Registered Park and Garden, and it is important to ensure any new development within the site can retain the existing trees as they will help maintain the parking setting of the wider area, in particular to those trees which are significant. It is considered that there is a lack of strong justification for the removal as the parking area can be designed without the removal of T38 tree.

10.112. A number of English Oak trees can be found to the west of Manor House, and they are planted as a row along the western access to Manor House. Those English Oak trees, together with the retained T81 English Oak and G14 English Oak and Yew belt on the other side of the access, forming a distinctive character of that area.

10.113. While paragraph 5.2.6 of the applicant's arboricultural implications report set out that these trees are in low quality and short stature, the tree survey Schedule, however, identifies that they are in moderate quality and have a potential to form a significant feature in the future. Furthermore, based on the submitted detailed planting proposals, the proposal is seeking to introduce three Frans Fontaine to replace the English Oak trees. The introduction of the new Frans Fontaine trees will have a material change to the existing distinctive character of the area, where it is formed by a number of English Oak trees.

10.114. Considering the inconsistent information contained in the applicant's arboricultural implications report and the existing distinctive character of the area formed by a number English Oak trees, it is not considered that the removal of those TPO English Oak trees is fully justified in this regard.

Summary

10.115. The location of a proposed community building is an undeveloped greenfield site, which is surrounded by ancient woodlands. There is a lack of evidence demonstrating that the replacement building has to be within this particular location. Furthermore, the submitted information fails to fully assess the direct and indirect effect of the potential increasing level of activities on the adjacent ancient woodland. While there is a public benefit of the provision of a community building to serve the local community, it is insufficient to outweigh the damage to the ancient woodland, which is considered to be an irreplaceable habitat and there is no exceptional supporting evidence showing the building has to be at this sensitive area. The removal of a number of trees, including the removal of a category B tree for the parking area and a number of English Oak trees which are subject to TPO and define the distinct character of the area to the west of Manor House, is not fully justified in this application. Overall, the proposal is therefore contrary to Policy NR3 of the BLP and the NPPF.

viii) Ecology and Biodiversity

10.116. The application site is within 10 kilometres of several internationally, nationally and locally designated sites, including South West London Waterbodies Ramsar site and Special Protection Area (SPA), Windsor Forest and Great Park Special Area of Conservation (SAC), Burnham Beeches SAC and the Impact Risk Zone for Wraysbury No.1 Gravel Pit Site of Special Scientific Interest (SSSI), Queen Mother Reservoir Local Wildlife Sites (LWS), Upton Court Park LWS and Datchet Common and Gravel Pits LWS. Given the scale of the proposed development, it is possible that the proposed development could have the potential for significant impacts on these sites. Part of the site is also within the designated Ancient Woodland. The site is also within the red impact risk zone for great crested newts.

Impacts on Designated sites

10.117. This application is accompanied by an ecological impact assessment report, which is conducted by Tyler Grange, on behalf of the applicant. The applicant's report concludes that the proposed development would not have any material impacts on the identified statutory and three non-statutory designated sites.

10.118. Natural England has been formally consulted on this application and it is considered that the proposed development will not have significant adverse impacts on the statutory designated sites. The Council's Ecology Officer has also been consulted on this application and it is considered that the site itself would be managed as open space for recreational use so it would not increase the recreational pressure on the LWSs nearby.

Impacts on Habitats

10.119. The applicant's ecology report sets out that the proposed development is mainly centred on areas of hardstanding, introduced shrubs and lines of trees. Those habitats are of negligible ecological importance. The proposed development will lead to a partial loss of some of the parkland area, but no mature or veteran trees are to be lost. As the proposed development is immediately adjacent to the woodland habitats, a construction and environment management plan (CEMP) is recommended. Though part of the existing hedgerow is to be lost, replacement planting is proposed with the form of native species, and it is expected that the loss will be fully compensated by the replacement planting.

- 10.120. The Council's Ecology Officer sets out that the proposed development will fall in close proximity to the existing woodland habitats and therefore a CEMP, as recommended by the applicant's ecological report, shall be provided to support the application. Such details can be secured by a planning condition.

Impacts on Protected Species

- 10.121. The applicant's ecology report sets out that the proposed development would not have any adverse effects on birds, bats, and other species provided the recommended mitigation measures are followed set out in the report.

Bats

- 10.122. The applicant's ecology report sets out that the proposed development includes the removal of bat commuting and foraging habitat. Bat droppings were found at two loft voids within the Manor House. Following emergence surveys, a roost was identified but none of these roosts are in an area to be impacted by the proposed development. The trees to be removed do not have any potential to support roosting bats.
- 10.123. The Council's Ecology Officer does not dispute the findings of the emergence surveys and agrees that the proposed development will not impact in any way on that identified bat roost and therefore a licence from Natural England is not required. However, a method statement for bats shall be provided as part of the CEMP. The Council's Ecology Officer also confirms that none of the trees to be removed will have the potential to support roosting bats are to be lost so they were not subject to further survey.
- 10.124. The Council's Ecology Officer sets out that the existing woodland habitats would be used by foraging and commuting bats and therefore any new external lighting to be installed as part of the proposed development should not adversely affect bats. Details of the external lighting shall be provided but it is considered that such details can be secured by a planning condition.

Great Crested Newts

- 10.125. The application site is within the red impact risk zone for great crested newts (GCNs). In the red impact zone, there is highly suitable habitat and a high likelihood of GCNs presence. There are 11 ponds within 500 metres of the proposed development, while 6 of them are within the site boundary and 3 are within 20 metres of the site boundary.
- 10.126. The applicant's ecological report sets out that there is no evidence of GCNs was found with any of the waterbodies and GCNs are considered likely to be absent from the application site. Nature Partnership has been formally consulted in this application and sets out that they do not dispute the findings of the applicant's ecological report and agree that GCNs are unlikely to be present in the application site and are highly unlikely to be impacted by the proposed development. However, a precautionary method statement, as recommended by the applicant's ecological report, shall be provided to support the application. Such details can be provided as part of the CEMP.

Badgers

- 10.127. The applicant's ecological report sets out that a badger sett was identified on site, but it is located further than 30 metres from the development footprint. However, it is recommended that an updated badger survey shall be carried out prior to commencement of the proposed development. If active setts are identified, a mitigation

strategy shall be provided and if necessary, a relevant licence shall be obtained from Natural England. It is considered that such details can be provided as part of the CEMP.

Biodiversity Net Gain

- 10.128. NR2 of the BLP requires all new development to demonstrate a net gain in biodiversity. It is understood that a minimum 10% mandatory biodiversity net gain required calculated using the Biodiversity Metric from November 2023 is required after the 2-year implementation period from 9 November 2021 when the Environmental Bill received Royal Assent and became the Act.
- 10.129. A biodiversity net gain metric has been provided to support this application. According to the metric, the proposed development would result in a net gain of 66.51 habitat units, which is a percentage gain of 205.91%. While the proposed development can provide a measurable net gain in biodiversity, it is understood that the majority of the net gain is from offsite provision, including the improvement and enhancement of the existing woodland habitats. The onsite net gain is approximately 29.84%, which is still above the 10% requirement to be mandatory in November 2023.

ix) Highways and Parking

- 10.130. Paragraph 112 of the NPPF sets out that development proposals should give priority first to pedestrian and cycle movements and second – so far as possible – to facilitating high-quality public transport. Policy IF2 of the BLP sets out that new development should provide safe, convenient, and sustainable modes of transport.

Vehicle Movements

- 10.131. Policy IF2 of the BLP sets out that new development shall be located to minimise the distance people travel and the number of vehicle trips generated. This application is accompanied by a transport statement which is prepared by Velocity Transport Planning Limited, on behalf of the applicant.
- 10.132. The applicant's transport statement set out that the baseline surveys were not possible to be carried out due to restricted operation of the venue and therefore the assessment was based on a site in the applicant's transport consultant's database. The proposed development will be expected to have a net increase of approximately 21 vehicle movements in the AM peak hour (0800-0900) and 12 vehicle movements in the PM peak hour (1700-1800). The applicant's statement then concludes the level of traffic likely to be generated by the proposed development would not have a material impact on the existing highway networks.
- 10.133. The Council's Highways Authority has been formally consulted in this application but has raised concerns over the findings of the baseline surveys as they are not complete. The Authority considered that the proposed development is likely to intensify in use of those accesses and would result in highways safety concerns. It is also not clear from the details provided whether a number of facilities are open to the general public as this would result in an increase in traffic generations.
- 10.134. In this case, the applicant's transport statement sets out that the baseline surveys could not be carried out due to covid restricted operation of the venue. As discussed by the Council's Highways Authority, this is not justified as it has been a while after the covid restrictions have been lifted. However, it is understood that the applicant's transport

consultant has used a site in Sheffield which has capacity of 120 during the day and 180 in the evening when carrying out the baseline survey.

- 10.135. According to paragraph 3.5.1 of the applicant's transport statement, it is noted that the existing venue in Ditton Park has a capacity of 560 for conferencing and 500 guests for wedding⁹. It is not clear from the applicant's transport statement whether the site in Sheffield is compatible with the application site as there is a significant difference between the maximum capacity of two venues and whether the operations of two venues are similar. It is not considered that the applicant's transport statement is acceptable as there is a lack of an appropriate baseline survey provided in this regard.
- 10.136. Paragraph 015 of the PPG¹⁰ sets out that data about current traffic flows on links and at junctions within the study area should be included in the transport statement or assessment. As discussed by the Council's Highways Authority, it is considered that the applicant's transport statement does not contain any data about the current traffic flows or key junctions within the study area. While there is a significant reduction in conferencing floorspace from 5,123 sqm to 1,193 sqm, it is noted that the conferencing capacity will broadly maintain at a 500 delegates' level. Additionally, the proposed development is seeking to introduce a new hotel, a number of facilities which will be shared by both future hotel guests and local residents. The intensification in use of the proposed development will inevitably increase the traffic flows on links and the key junctions.
- 10.137. Paragraph 111 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 005 of the PPG¹¹ sets out that transport assessments and statements can be used to establish whether the residual transport impacts of a proposed development are likely to be "severe", which may be a reason for refusal, in accordance with the NPPF.
- 10.138. In an absence of any existing traffic data provided in the applicant's transport statement, it is not considered that any significant impacts from the proposed development on the transport network and highway safety have been mitigated to an acceptable degree. The proposed development fails to demonstrate that there would be no unacceptable impact on highway safety and any severe cumulative impacts on the local road network. Therefore, the proposed development is contrary to Section 9 of the National Planning Policy Framework and Policy IF2 of the Borough Local Plan 2013-2033.

Vehicle Parking

- 10.139. Policy IF2 of the BLP sets out that new developments should provide vehicle and cycle parking and that the parking standards in the 2004 Parking Strategy should be used as a starting point (prior to the adoption of the Parking SPD). Consideration will be given to the accessibility of the site and any potential impacts associated with overspill parking in the local area.
- 10.140. According to the Parking Strategy, the site falls within an area of poor accessibility. Therefore, the parking standards (area of poor accessibility) should be adopted in this

⁹ It includes the existing marquee which is not subject to a planning permission.

¹⁰ Reference ID: 42-015-20140306

¹¹ Reference ID: 42-005-20140306

case. The following table summarises the maximum parking standard set out in the 2004 Parking Strategy for the proposed uses relevant to this application.

10.141. It is noted that the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 introduces a new use class E to replace the revoked use classes D1 and D2.

Use Class	Maximum Parking Standard (Areas of Poor Accessibility)	Number of spaces should be provided
C1 (hotel)	1 space per bedrooms	132
D2 (cinemas, theatres and conference centres)	1 space per 5 fixed seats	100 ¹²
D2 (halls, sports halls and community centres)	1 space per 30sqm	7 ¹³
Total		239

10.142. The applicant's transport statement sets out that the proposed development will provide 198 parking spaces for the hotel and 10 separate parking spaces for the relocated community building. The provision represents 83% of the maximum parking standard (area of poor accessibility). The proposed development is seeking to provide the gym facility and the chapel building for community use. Given that there is a lack of details of how these facilities will be used by both hotel guests and members of public practically, it is not able to work out the parking spaces to be provided for these facilities.

10.143. In terms of potential impacts associated with overspill parking in the local area, the proposed hotel development is within the centre of the site. The proposed community building is within close proximity to the established residential area to the north, but a separate parking area will be provided to accommodate the future occupants of the community building. It is not considered that the proposed development would constitute any overspill parking in the local area.

10.144. The nearest bus stop is approximately 900 metres from the site. Langley railway station is approximately 1.5 miles from the site, which provides regular Elizebeth Line services between Reading and London. The application site is within reasonable walking distance to local bus stops and is not far from mainline train station.

10.145. It is considered that a pragmatic approach should be adopted when assessing the parking levels for this site. Given the Council's Highways Authority has raised no objection to the proposed parking arrangement, the car parking provision is considered to be acceptable in this particular case.

Electric Vehicle Charging Facilities

10.146. The Council's Interim Sustainability Position Statement sets out that at least 20% of parking spaces should be provided with active electric vehicle charging facilities and 80% of parking spaces should be provided with passive provision.

¹² This is based on the maximum number of delegates for the proposed conferencing venue.

¹³ The proposed development is seeking to open some of the facilities for community use. However, no details are provided so this figure excludes the proposed community use.

10.147. The proposed development is seeking to provide 48 nos. electric vehicle charging facilities, which equates to approximately 23% of the parking spaces in total. Passive provision shall be provided for remaining spaces. Details of the electric vehicle charging facilities should be provided and those facilities should be made available prior to the operation of the proposed hotel development and the community building. However, such details can be secured by a planning condition.

Cycle Parking

10.148. The 2004 Parking Strategy does not have a specific cycle parking standard for hotel units. However, it sets out that a ratio of 1 to every 20 car parking spaces with a minimum of two stands shall be provided in general. Considering the proposed development is seeking to provide a total of 208 parking spaces in total, a minimum of 10.4 cycle parking spaces should be provided.

10.149. The proposed development is seeking to provide 42 cycle parking spaces in total, which is well above the requirement of the 2004 Parking Strategy. Details of the cycle parking spaces shall be provided, and those spaces shall be made available prior to the operation of the proposed hotel development and the community building. However, such details can be secured by a planning condition.

x) Flood Risk and Sustainable Drainage

10.150. Policy NR1 of the BLP sets out that development will only be supported within designated Flood Zones 2 and 3, where an appropriate flood risk assessment has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms. Development proposals should include an assessment of the impact of climate change using appropriate climate change allowances over the lifetime of the development so that future flood risk is considered.

10.151. The application site is broadly within Environment Agency Flood Zone 1. However, it is noted that the land immediately adjacent to the moat is within Flood Zones 2 and 3, which means that the site has a medium to high probability of flooding and will need a flood risk assessment. This application is accompanied by a flood risk assessment (FRA), which is prepared by Elliottwood, on behalf of the applicant. The applicant's FRA concludes that the proposed development is acceptable, and it would not increase the risk of flooding elsewhere.

The Sequential Test

10.152. The NPPF sets out that the proposed hotel development is classified as a "More Vulnerable" use and the sequential test is required as it is within Flood Zone 3. Paragraph 162 of the NPPF sets out that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Policy NR1 also sets out that the sequential test is required for all development in areas at risk of flooding, except for proposed developments on sites allocated in the Borough Local Plan or in a made Neighbourhood Plan.

10.153. As the land immediately adjacent to the moat of Manor House is within Flood Zones 2 and 3, it triggers the requirement of a sequential test and an exception test. Section 8.2 Sequential and Exception Tests of the applicant's FRA set out that new buildings and sleeping accommodation of the proposed development have been steered towards the areas which have the lowest flood risk category (i.e., Flood Zone 1).

- 10.154. Paragraph 025 of the PPG sets out that the sequential test is to ensure a sequential, risk-based approach is followed to steer new development to areas with lowest risk of flooding, taking all sources of flood risk and climate change into account. The application site is broadly within Flood Zone 1 and none of the new buildings will be located within Flood Zones 2 and 3.
- 10.155. The proposed development is seeking to convert the existing Manor House to a hotel including the introduction of a number of new buildings to provide supporting facilities such as accommodation block and leisure facilities. It would not be practical to relocate those hotel supporting facilities to an alternative site. Importantly, the location of those new buildings and facilities have already been steered to the areas with lowest risk of flooding (i.e., Flood Zone 1) within the site.
- 10.156. In conclusion, the aim of the sequential test is to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. Technically, only the moat and its immediately surrounding areas are within Flood Zones 2 and 3, where the proposed development is not seeking to construct any new buildings in these areas. Furthermore, it would not be practical to relocate hotel supporting facilities to an alternative site and they have already been steered to the areas with lowest risk of flooding. Therefore, it is considered that the sequential test is passed in this particular case.

The Exception Test

- 10.157. The Exception Test requires that the proposed development can (a) provide wider sustainability benefits to the community that outweigh flood risk, and (b) it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reducing flood risk overall.
- 10.158. The Exception Test is required as the moated area of Manor House is within Flood Zone 3 and hotel use falls into the “more vulnerable” category under the Flood Risk Vulnerability. However, as discussed above, technically only the moat and its immediately surrounding areas are within Flood Zones 2 and 3 and there is no requirement of an Exception Test for more vulnerable use in Flood Zone 1. All of the new buildings and structures are within Flood Zone 1 and sustainable urban drainage will be provided as set out in the applicant’s FRA. Therefore, it is not considered that the proposed development will increase flood risk elsewhere. The proposed development is seeking to allow members of public to use the community spaces in the chapel building and also the proposed spa and gym facilities. It is considered that the provision will generate a wider benefit for the wider economy. Therefore, the exception test is considered to be acceptable in this particular case.

Surface Water Drainage

- 10.159. This application is accompanied by a sustainable drainage strategy, which is prepared by Elliottwood, on behalf of the applicant. The Lead Local Flood Authority (LLFA) has been consulted in this application and has raised no objection to the proposed development. Details of a surface water drainage scheme is required but it is considered that such details can be secured by a planning condition.

xi) Environmental Health

- 10.160. Policy EP1 of the BLP sets out that new development will only be supported where it would not have an unacceptable effect on environmental quality both during the

construction phase and when completed. Details of remedial or preventative measures and any supporting environmental assessments will be required and will be secured by planning conditions to ensure that the development will be acceptable.

Artificial Light

- 10.161. Policy EP3 of the BLP sets out that development proposals should seek to avoid generating artificial light pollution where possible and development proposals for new outdoor lighting schemes that are likely to have a detrimental impact on neighbouring residents, the rural character of an area or biodiversity, should provide effective mitigation measures. Development proposals which involve outdoor lighting must be accompanied by a lighting scheme prepared according to the latest national design guidance and relevant British Standards publications.
- 10.162. A lighting impact assessment, which is prepared by Elementa, on behalf of the applicant, is provided to this application. The assessment summarises that the impacts of the proposed development in terms of artificial lighting will be negligible. However, the assessment identifies a number of measures to further minimise the lighting impact of the proposed development.
- 10.163. The Council's Environmental Protection Officer has raised no technical objection to the submitted lighting impact assessment, subject to details of the measures to minimise the effect of artificial light shall be provided to support this application. It is considered that such details can be secured by a planning condition.

Noise

- 10.164. Policy EP4 of the BLP sets out that new development should consider the noise and quality of life impact on occupants of existing nearby properties and the intended new occupiers. Development proposals will need to demonstrate that they will meet the internal noise standards for noise-sensitive developments as set out in the Policy.
- 10.165. Concerns have been raised during the public consultation over the noise pollution from the proposed wedding venue. A planning noise impact assessment, which is prepared by Spectrum., on behalf of the applicant, is provided to support this application. The assessment summarises that limits have been set for sound from mechanical plants and from music and events at the nearest noise sensitive receptors. Where these limits are met, the potential for noise impact from the proposed development is low.
- 10.166. Details of a scheme of mitigation are required for mechanical plants, event venues and the community building at the northern boundary of the site. The Council Environmental Protection Officer has been consulted and has raised no objection to the submitted planning noise impact assessment. Details of a scheme of mitigation are required for mechanical plants, event venues and the community building at the northern boundary of the site are required but it is considered that such details can be secured by a planning condition.

Contaminated Land

- 10.167. Policy EP5 of the BLP sets out that development proposals will be supported where they can demonstrate that adequate and effective remedial measures to remove the potential harm to human health and the environment are successfully mitigated.
- 10.168. A Phase I & II Geo-Environmental Assessment, which is prepared by EPS, on behalf of the application, to support this application. The report summarises that there is no

significant elevations of contamination identified at the site and no further investigation, remediation or risk assessment is required.

The Council's Environmental Protection Officer has been consulted in this application. The Council Environmental Protection Officer has also raised no objection to the findings of the report, but a planning condition is recommended in the event that unexpected contamination is found.

xii) Very Special Circumstances

10.169. Paragraph 147 of the NPPF sets out that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 continues to set out that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt because of inappropriateness, and any other harm resulting from the proposal, is outweighed by other considerations.

Green Belt Harm

10.170. The proposed development is seeking to introduce a new accommodation block to the west of Manor House, where it is currently occupied by a marquee, which is not subject to any planning permission. The proposal also includes a new gym and back to house block., where the land is currently used for parking. Both of these areas are generally open with no permanent buildings. The proposed development would introduce a new hotel use and intensify the use of the wider site. The proposed development would have a greater spatial and visual impact on the openness of the Green Belt when compared with the current use of the site.

10.171. The proposed development also includes the introduction of a woodland parking area to the site, where it is currently an undeveloped greenfield. While the proposal is not seeking to introduce any permanent buildings to that area, the parking area will intensify the use of the site by vehicular movements. Given the sensitive location of the parking area, it will have a greater visual impact when compared with the current use of the site.

10.172. The proposed development includes the provision of a new community building where the existing location will be for the erection of a new marquee. Given the design of the new marquee and its prominent location, it will have a material visual impact and introduce a new event and entertainment use to that area, where the site is currently of occasionally used by the Datchet Sea Scouts and is mainly for storage. The new location of a community building is within an undeveloped greenfield, which is surrounded by Ancient Woodland. The proposed community building will introduce a new community use and intensify the use of the site. The proposed development would have a greater visual impact when compared with the current use of the site.

10.173. Undoubtedly, the proposed development would constitute substantial harm to the openness and permanence of the Green Belt in this case, in addition to the harm by inappropriateness as described above.

Other Harm

Scale and Siting

10.174. While the proposed development is seeking to introduce a new accommodation block and a gym block adjacent to Manor House, the scale and massing of those buildings are not subservient to Manor House, and they would not be acceptable in scale and massing. The marquee will be located at the existing location of the Scout hut building and there will be a substantial increase in floorspace to be provided. Overall, the scale and massing of the proposed development is not acceptable as it fails to positively consider the wider historic parkland setting of the site. **Significant** weight shall be afforded to this harm.

Heritage

10.175. The proposed alterations to the Manor House are not considered to be acceptable as they would lead to a permanent loss of historic fabric which would result in significant harm to the significance of the Manor House. The proposed accommodation block and gym block would introduce a substantial footprint next to Manor House, which would result in significant harm to the setting of Manor House. The proposed secondary courtyard area to the west of Manor House would dilute the significance of the existing historical courtyard area to the east and materially alter the existing landscape of the area, which is a wilderness environment would substantially alter the appearance of the existing open space directly adjacent to the chapel building, which is within the curtilage of the Manor House. **Significant** weight shall be afforded to this harm to heritage assets.

Highways and Transport

10.176. The applicant's transport statement does not provide any existing traffic data and there is no information provided to demonstrate that the significant impacts from the proposed development on the transport network and highway safety have been mitigated to an acceptable degree. The proposed development may constitute unacceptable impact on highway safety and any severe cumulative impacts on the local road network. **Significant** weight shall be afforded to this harm.

Trees and Ancient Woodland

10.177. The location of a proposed community building is within an undeveloped greenfield site, which is surrounded by ancient woodlands. There is a lack of evidence to support that the replacement building has to be within this particular location. Furthermore, the submitted information fails to fully assess the direct and indirect effect of the potential increasing levels of activities to the adjacent ancient woodland. The removal of a number of trees, including the removal of a category B tree for the parking area and a number of English Oak trees which are subject to TPO and define the distinct character of the area to the west of Manor House, is not fully justified in this application. **Significant** weight shall be afforded to this harm.

Sustainability

10.178. The proposed development can achieve a 40% reduction in CO2 emissions. Whilst this would represent a considerable reduction in the potential CO2 emitted from the site, the proposal does not achieve net zero. The remainder can be achieved by the mean of financial contributions. However, no Section 106 planning obligation has been agreed to secure such contributions. The proposed development fails to secure the necessary measures against the likely impacts on the remainder of CO2 emissions from the site. **Significant** weight shall be afforded to this harm.

Benefits

Economic benefits

- 10.179. While the proposed development will create 305 construction job opportunities, these opportunities are time limited. The proposed development will result in creating an additional 120 permanent job opportunities and it is considered that this will help support the labour market in general. The proposed development will also generate a £8.7 million visitor expenditure per annum, which is a considerable amount of income to the local economy. Overall, only **moderate** weight is afforded to this benefit in this regard.

Ecology and Biodiversity

- 10.180. The proposed development can achieve a net gain in biodiversity of 205.91%, where 29.84% is from onsite provision. The provision is above the 10% national requirement to be mandatory in November 2023. **Limited** weight shall be afforded to this benefit in this regard.

Social Benefits

- 10.181. The proposed development is seeking to replace the existing community building as it is due to the location of the building has to be used for a new marquee. The provision of a new community building can also be separately provided without the proposed hotel development. While the proposed development is seeking to open the gym facility and chapel building for community use, it is not clear from an operational point of view how these facilities can be used by both future hotel guests and local residents. **Limited** weight can be afforded to this benefit.

Other Benefits

- 10.182. The applicant's headline report also sets out there is an ongoing discussion about providing cricket facilities for local cricket club. However, no details are provided in this application related to this provision. Therefore, **no weight** shall be afforded to this benefit.
- 10.183. While the applicant's planning statement sets out that the proposed development will include a range of enhancements to the public access of the parkland, it is considered that such enhancements can be carried out without planning permission. Therefore, **limited weight** is place on this.
- 10.184. The applicant's commitment of launching a programme of heritage research and recording work is welcomed. However, it is considered that this can be carried out without the proposed development, and it is the social responsibility of the applicant to carry out this programme of research to retain a good historic record of any heritage assets. Importantly, the programme of heritage research and recording work can be carried out without planning permission. Therefore, **no weight** shall be afforded to this benefit.

Conclusion

- 10.185. While the proposed development can demonstrate a number of benefits in terms of economic development, ecology and biodiversity and social benefits. However the potential harm to the Green Belt by reason of inappropriateness and other harm resulting from the proposal including, scale, heritage, trees and ancient woodland and sustainability, which overall are afforded substantial weight, are not outweighed in this

case. Very special circumstances do not exist in this case and the proposed development is contrary to Section 13 of the National Planning Policy Framework and Policy QP5 of the Borough Local Plan 2013-2033.

xiii) Other Considerations

Surrey Hotel Futures Study 2015

10.186. A Surrey Hotel Futures Study, which was conducted by Hotel Solutions for Surrey County Council in 2015, was substantially referenced in the applicant's town centre policy assessment report. as Ditton Park is within the identified market area for hotel development. The study sets out that additional provision is required to cater for the strong demand for residential conferences, leisure breaks and weddings, particularly from companies and individuals coming out of London. The study continues to set out the conversion of country house properties providing a viable future for what might otherwise be redundant assets.

10.187. The Study was conducted prior to the Pandemic. The visitor and business markets at the era of post-Pandemic have drastically changed and the sectors are still recovering from the Pandemic. Importantly, the Study also does not form part of the development plans or a supplement planning document (SPD) or local documents published by the Council. Considering the study was carried out prior to the Pandemic and it does not form part of the development plans or SPDs, the findings of the study are not considered to carry any weights when assessing this application and does not outweigh the significant harms arose from the proposed development.

The Recovery of the UK Hotel Market 2021

10.188. The Recovery of the UK Hotel Market Research, which was conducted by Colliers in 2021, was referenced in the applicant's town centre policy assessment report. The findings of the Research set out that there is a rapid recovery of the hotel market and there is a market demand in hotels providing leisure breaks.

10.189. The report only references that there is a recovery in the hotel market due to increasing market demand in general and is before the current ongoing national cost of living crisis. The identified increasing market demand may be impacted by this national crisis. The Council also cannot find any further evidence provided this specifically applies to the hotel market within the Borough. Paragraph 6.10 of the submitted report acknowledges the impacts of the Pandemic and Brexit on the hospitality sector. These impacts including the ongoing cost of living crisis are likely to have a significant impact on this identified growth identified in this Research. Importantly, the Research does not form part of the development plans, or an SPD or local documents published by the Council. Therefore, the findings of the Research are not considered to carry any weight when assessing this application and does not outweigh the significant harms arose from the proposed development.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

11.1. The proposed development is not CIL liable.

12. PLANNING BALANCE AND CONCLUSION

12.1. The application site is within or partially within a number of designated areas, including Green Belt, Grade II listed Registered Park and Garden, Ancient Woodland,

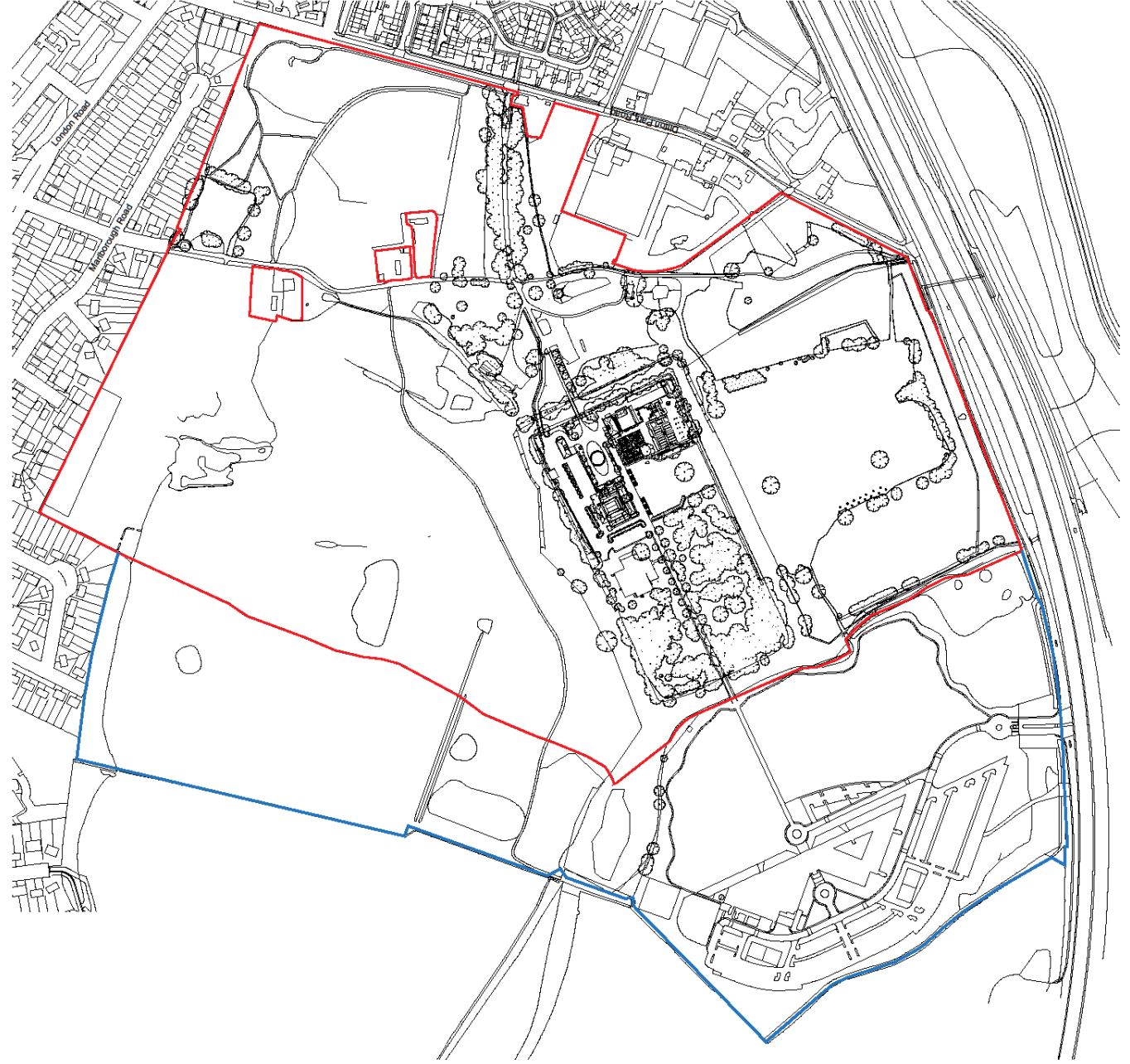
Environment Agency Flood Zones 2 and 3, Area Tree Preservation Order. Manor House and its ancillary buildings are all Grade II listed.

- 12.2. The proposed development is also considered unacceptable in terms of design and character, adverse impact on heritage assets, highways, trees, and sustainability. Importantly, the proposed development would constitute an inappropriate development in the Green Belt, and very special circumstances do not exist in this case.
- 12.3. A number of public benefits can be identified in the proposed development including the economic benefits of a hotel development, the environmental benefit, which provide an onsite 29.84% net gain in biodiversity and the hotel facilities will be open for community use.
- 12.4. To conclude, the weight attributed to the benefits identified would not either individually or cumulatively, be sufficient to outweigh the other harms that are set out in this Report. On this basis of the foregoing, it is therefore recommended that planning permission be refused.

13. APPENDICES TO THIS REPORT

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

Appendix 2 – Site location plan and site layout



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NOTES

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- Application boundary
- Current site

Existing Site Plan
 Scale 1:2500@A1



Studio Moren Ltd
 1000 757 4440
 studio@moren.co.uk
 www.moren.co.uk

PROJECT
 Dilton Park Manor

DATE
 13.04.23
 DRAWN BY
 RA

SCALE
 1:2500 @ A1
 1:5000 @ A0

DATE
 13.04.23
 DRAWN BY
 RA

FOR PLANNING
 FOR APPROVALS

Dilton Park Property Unit Trust

FOR PLANNING

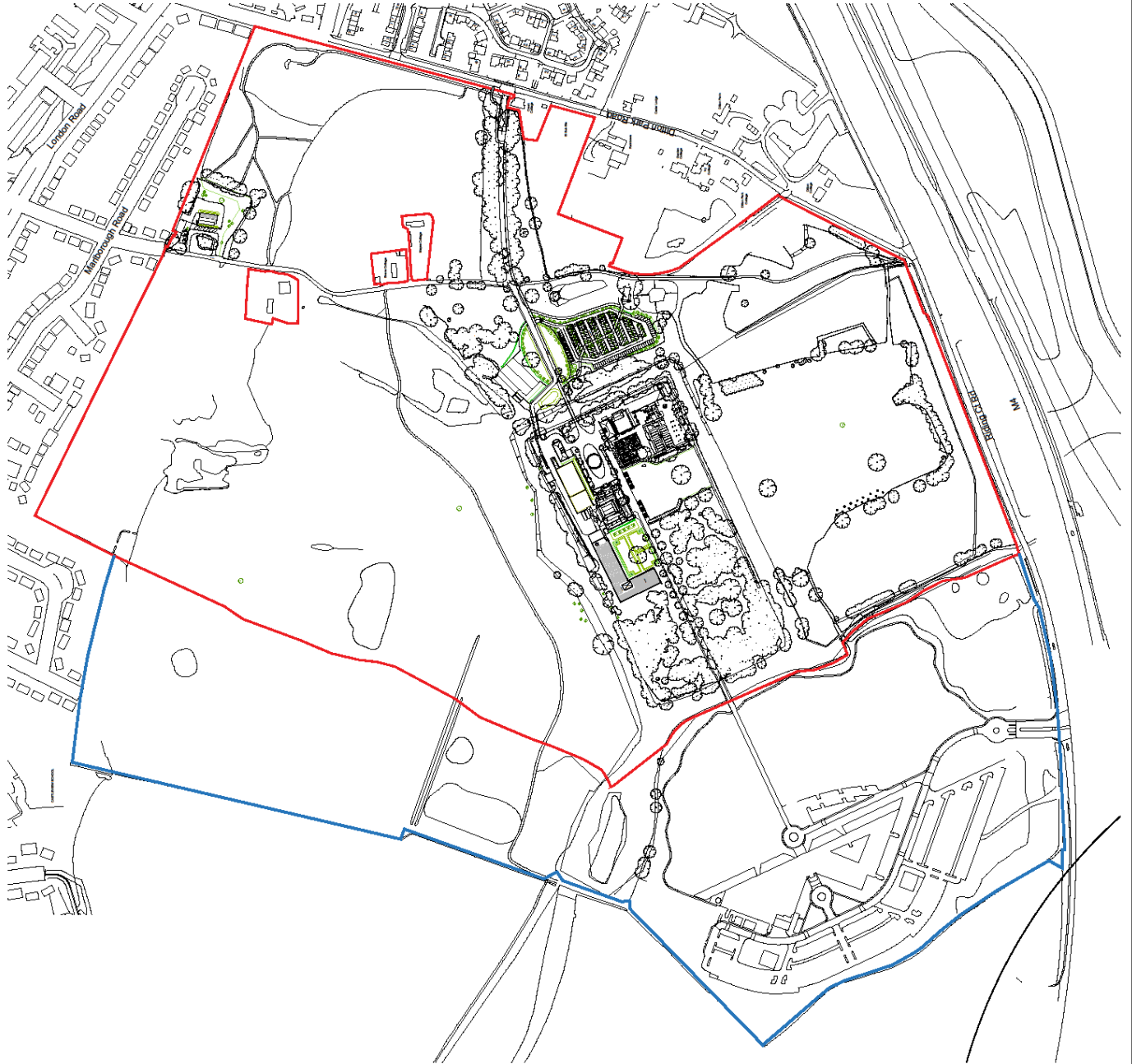
1861 A-025-001 P1



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NOTES

- Application Boundary
- Client Site



Proposed Site Plan
Scale 1:2500 @ A1



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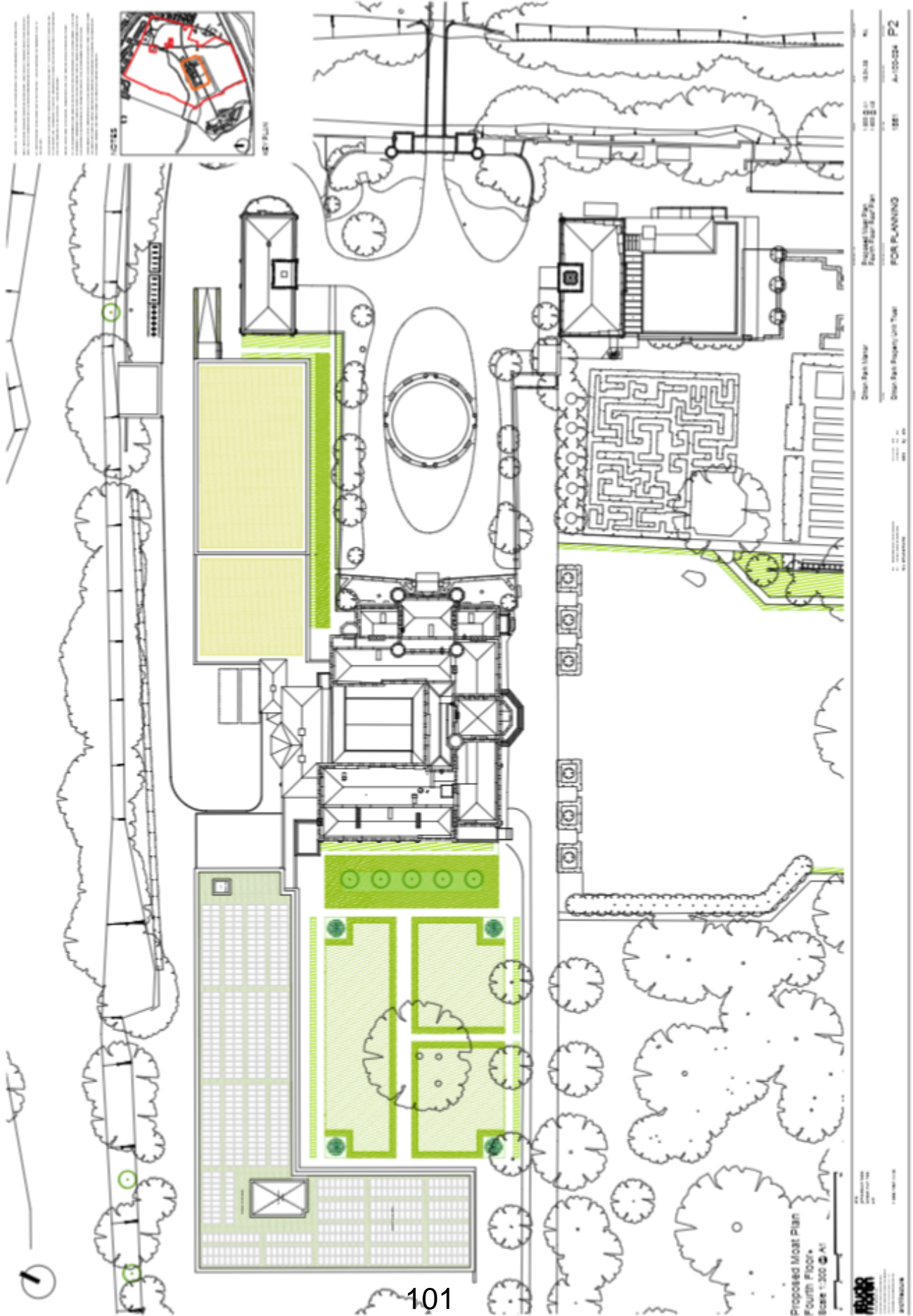
2011.02.06
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2011.02.06
2011.02.06
2011.02.06

Dillon Park Manor
Dillon Park Property Unit Trust

Proposed Site Plan
FOR PLANNING

1:2500 @ A1
1:5000 @ A3
13.04.23
RA
1861
A-100-001
P6

Site layout – moated area

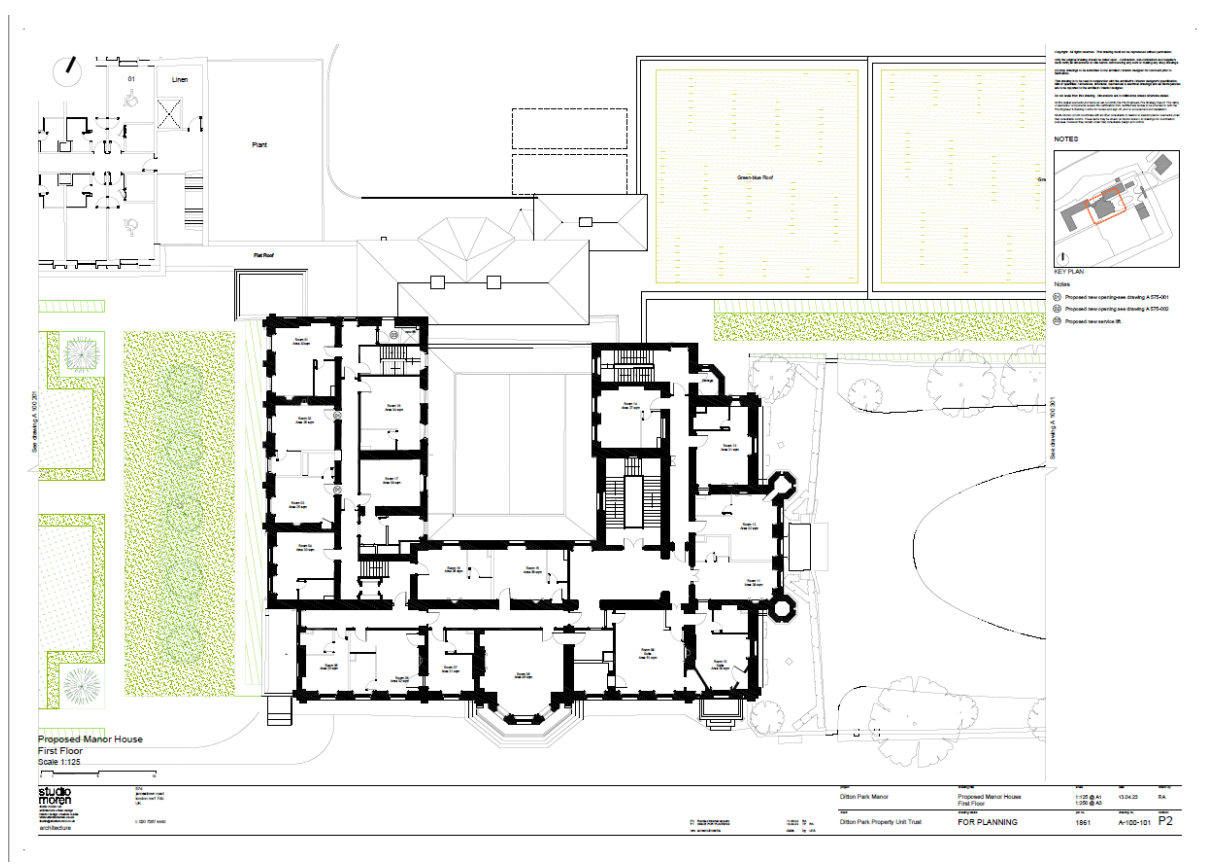
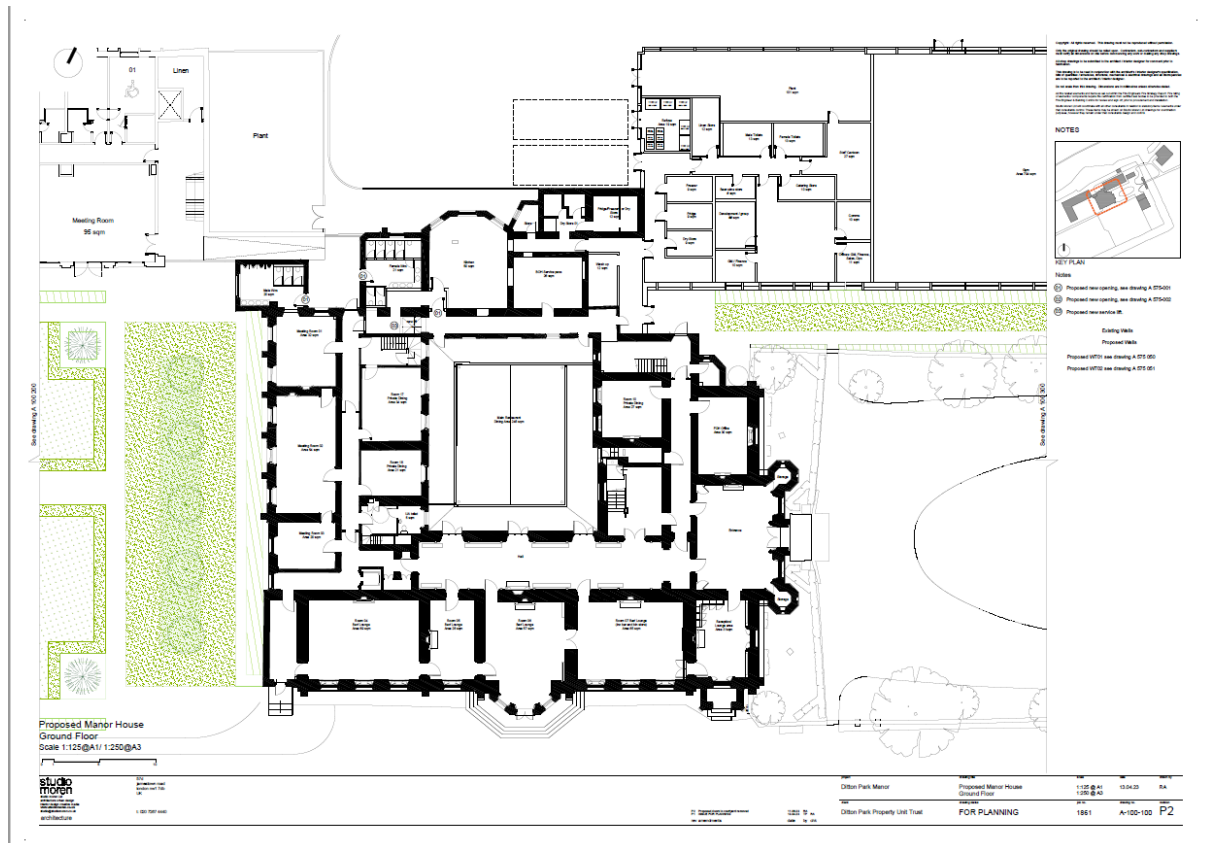


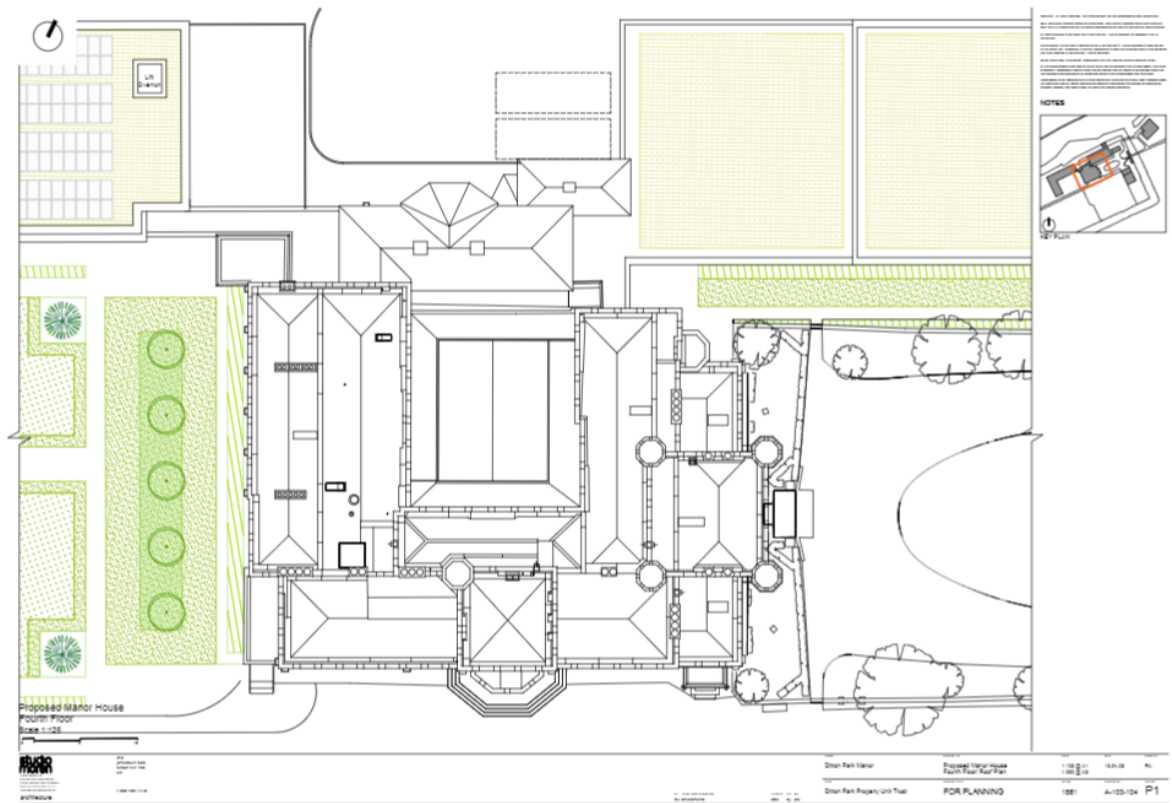
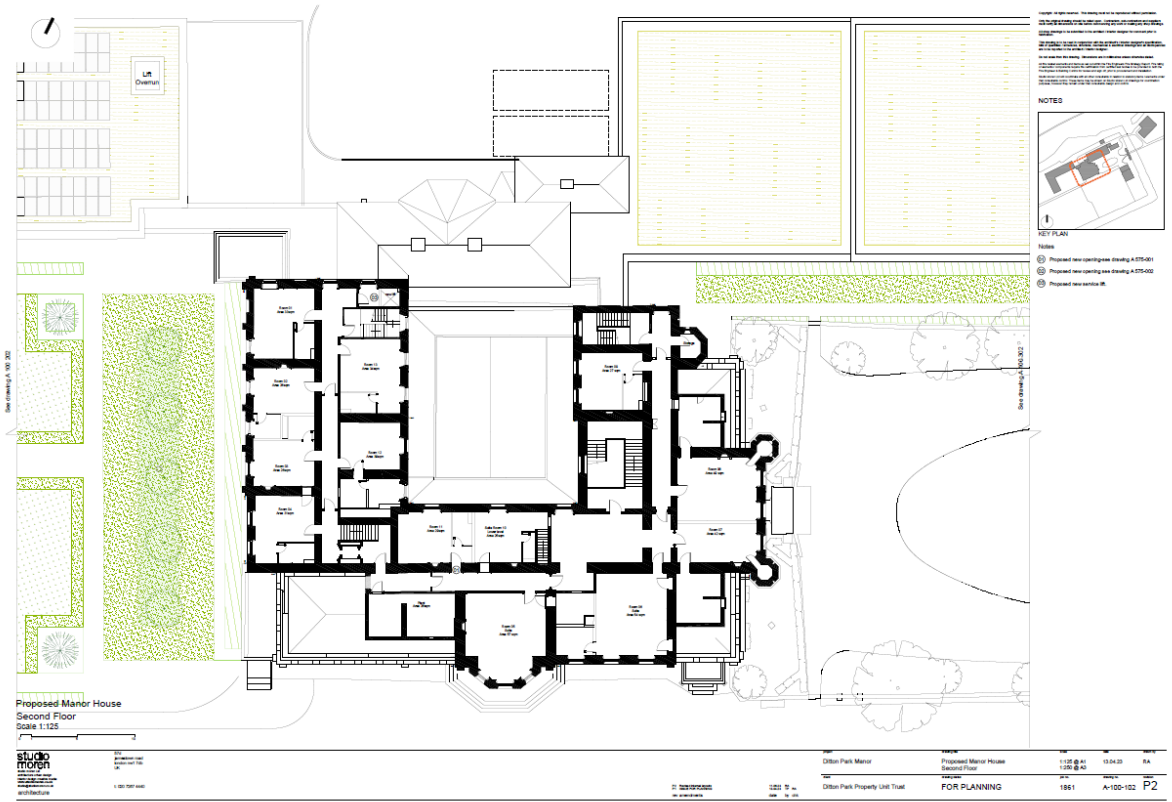
Site layout – outside moated area



Appendix 3 – Plan and elevation drawings

Manor House







01. Proposed North Elevation - Manor House

Notes:
 1. This drawing is a proposed elevation and is not a final elevation.
 2. The drawing is based on the information provided by the client and is not a final elevation.
 3. The drawing is not a final elevation and is not a final elevation.
 4. The drawing is not a final elevation and is not a final elevation.
 5. The drawing is not a final elevation and is not a final elevation.

NOTES



02. Existing South Elevation - Manor House

Scale 1:125 @ A1

studio
 moran

1000
 1000
 1000

Client: Dinton Park Manor

Project: Proposed North & South Elevation
 Manor House

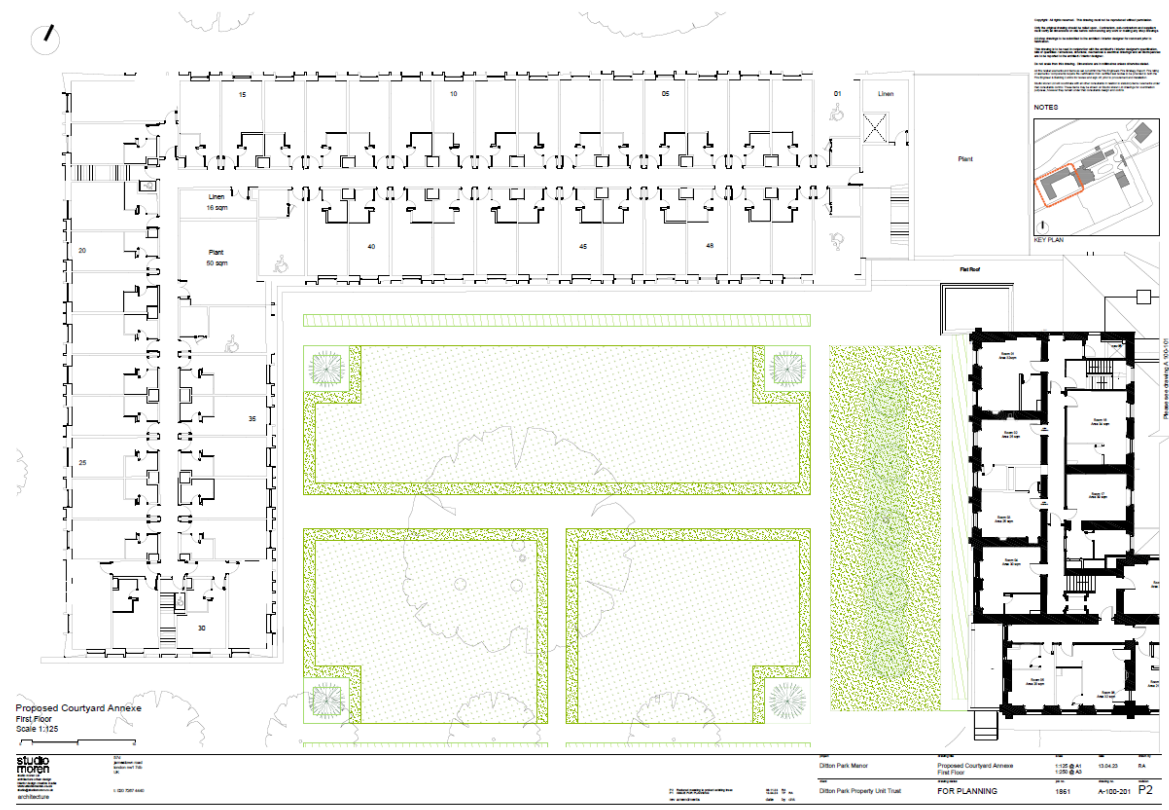
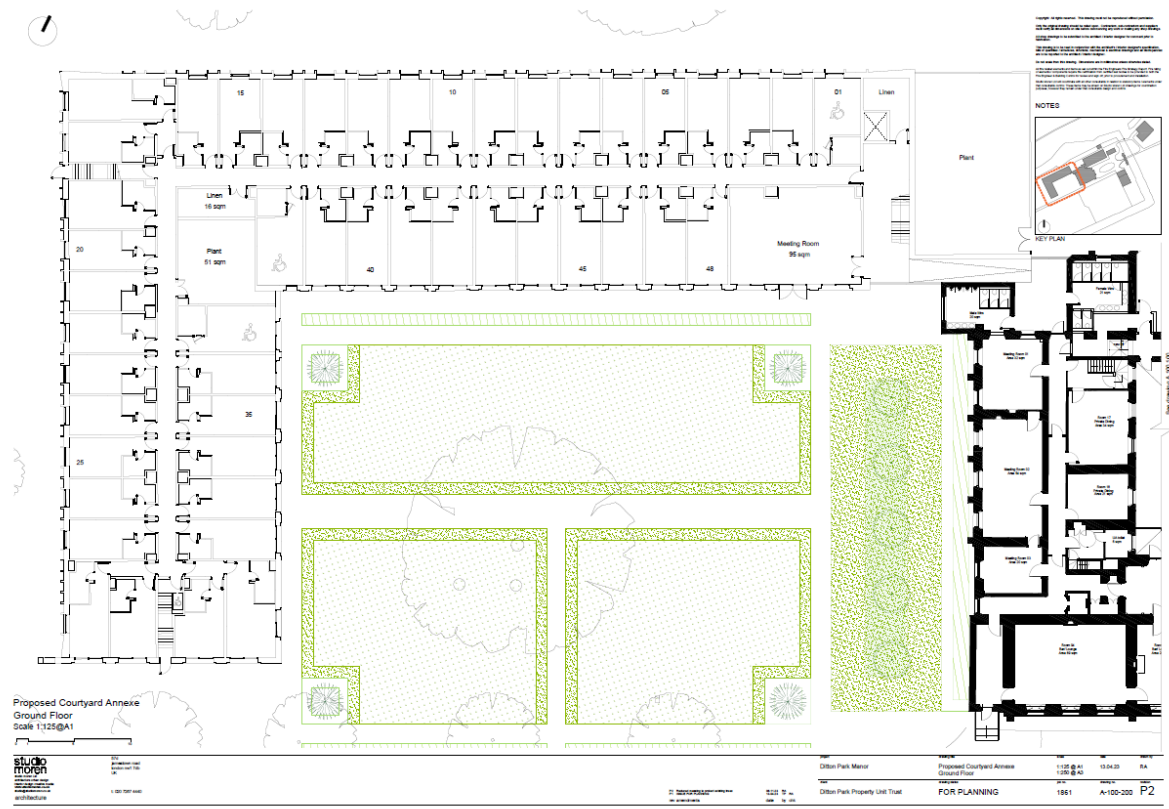
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 11/12/20
 11/12/20

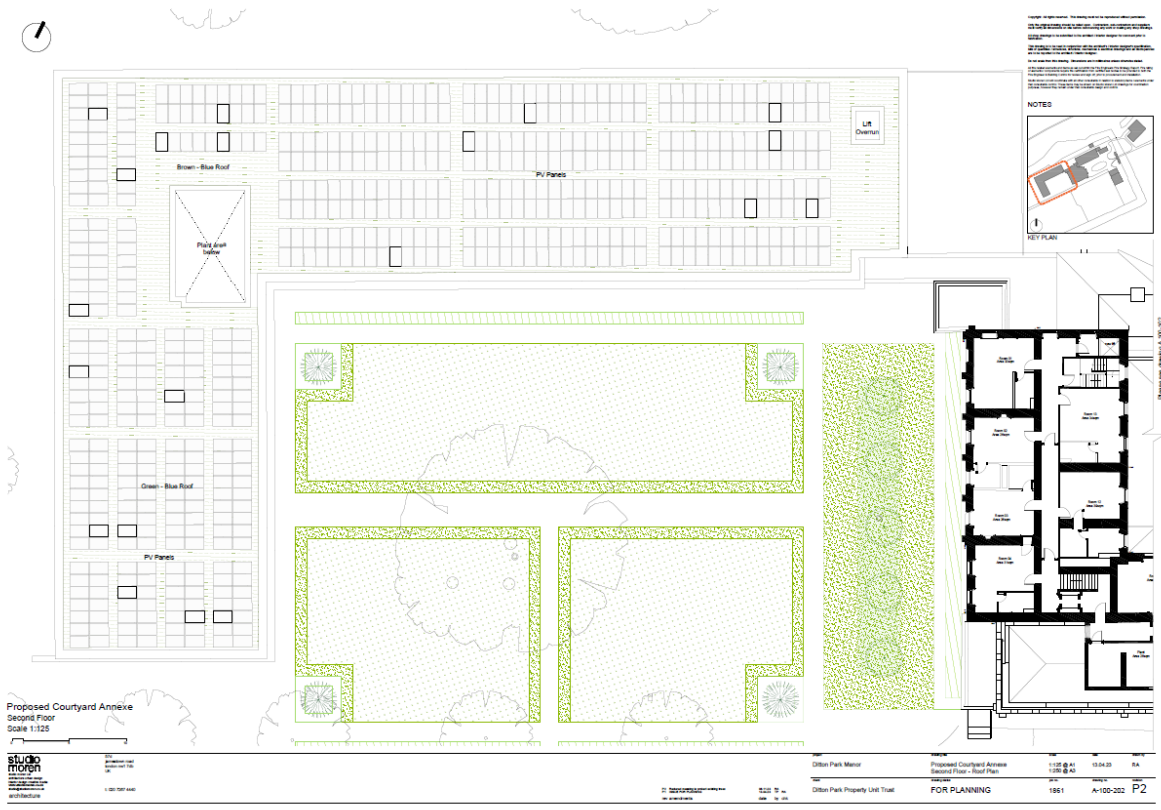
Client: Dinton Park Property Unit Trust

Project: FOR PLANNING

Date: 1881
 A-110-010 P1

Proposed courtyard annex





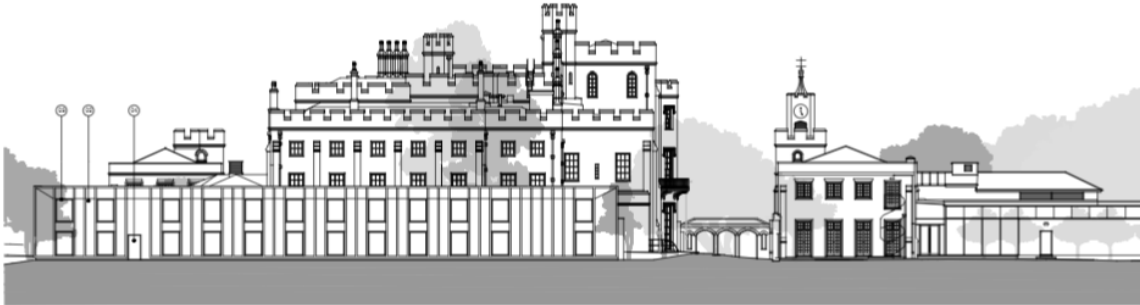


01. Proposed East Elevation
Courtyard Annex

NOTES

PROPOSED MATERIALS KEY

- 01 Red brick
- 02 Stone/brick wall cladding
- 03 Stone/brick wall cladding
- 04 Stone/brick wall cladding
- 05 Glass wall cladding/curtain wall
- 06 Glass door cladding/curtain wall
- 07 Stone/brick wall cladding
- 08 Stone/brick wall cladding
- 09 Stone/brick wall cladding
- 10 Stone/brick wall cladding
- 11 Stone/brick wall cladding
- 12 Stone/brick wall cladding



02. Proposed West Elevation
Courtyard Annex

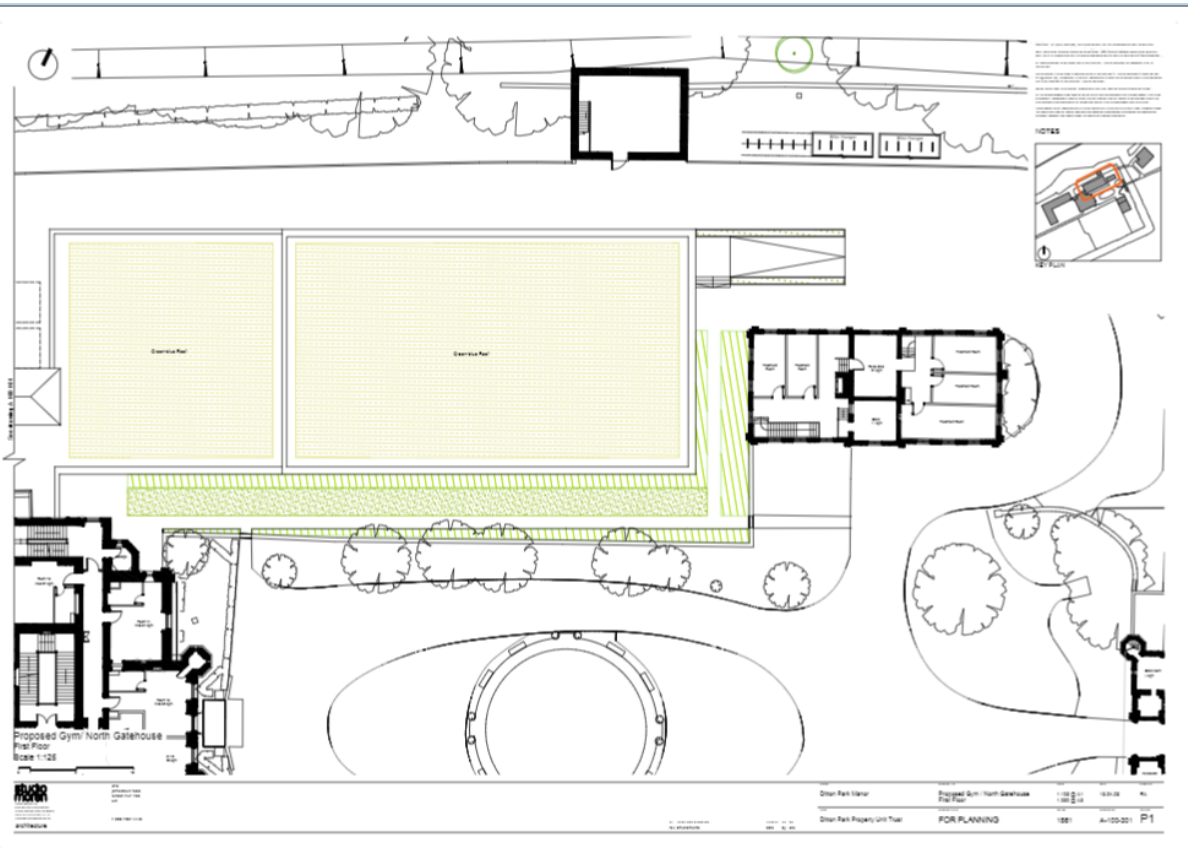
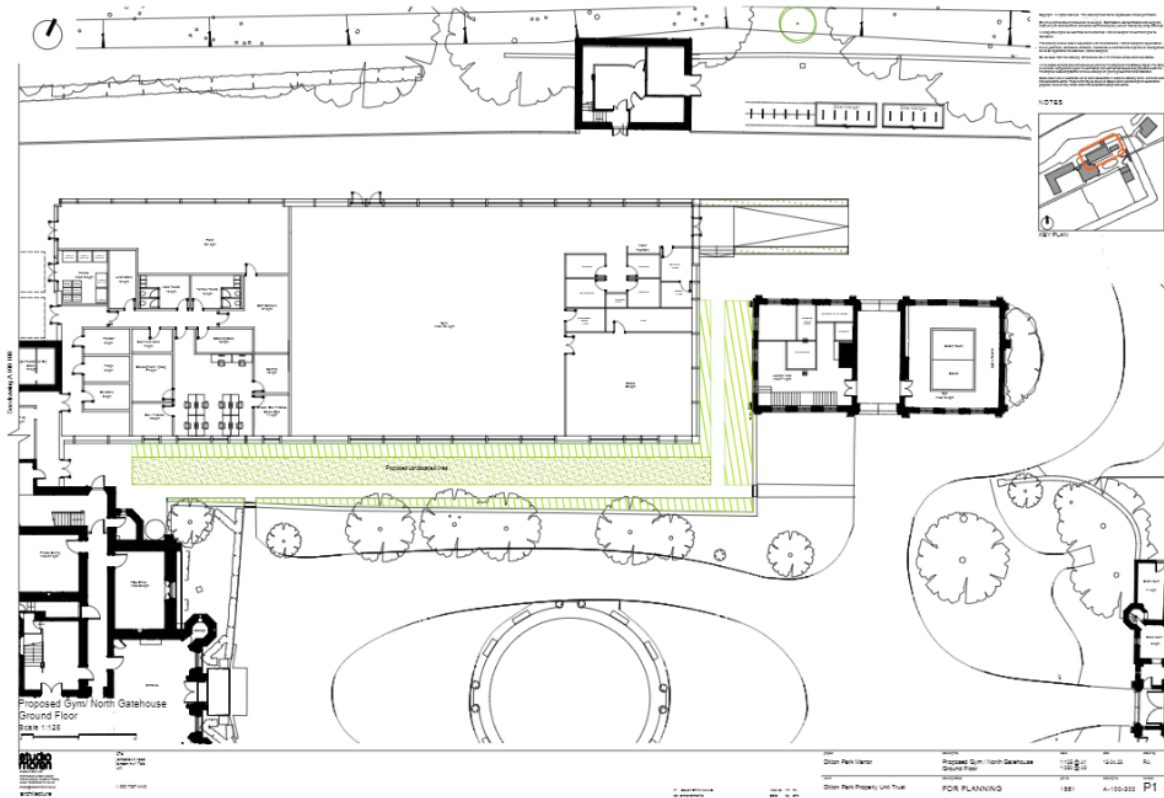
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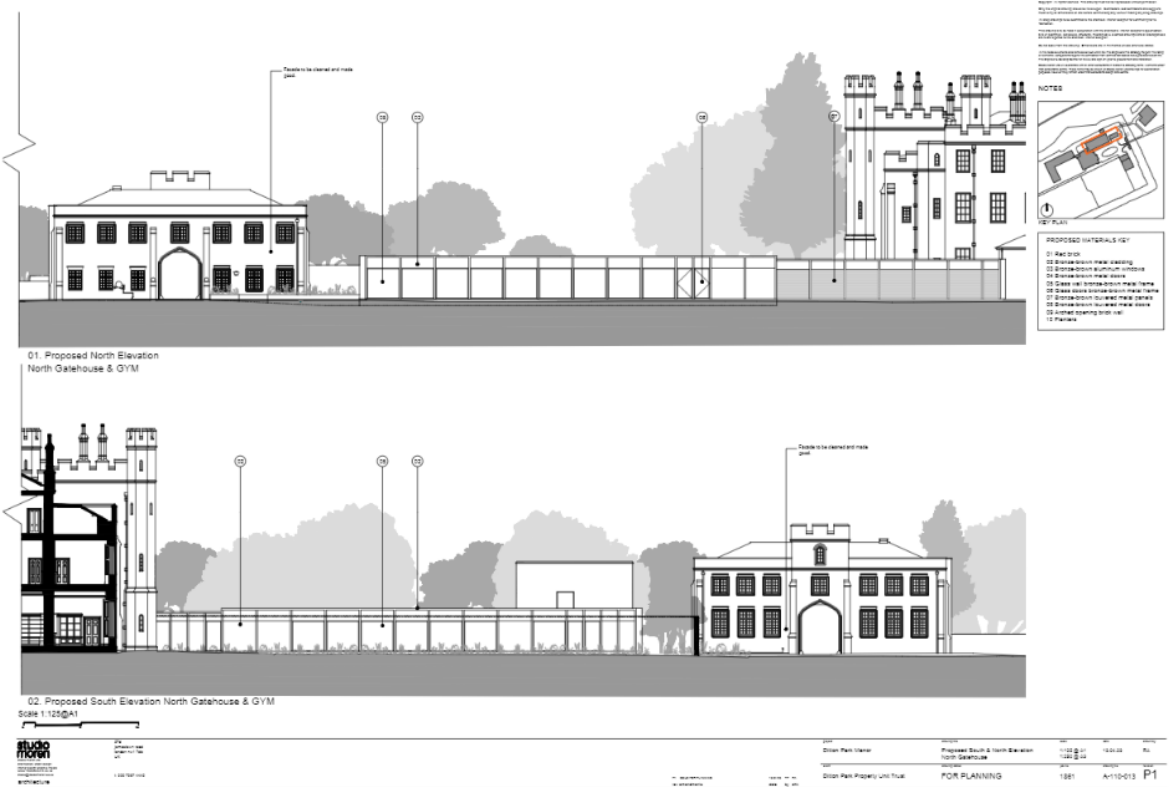
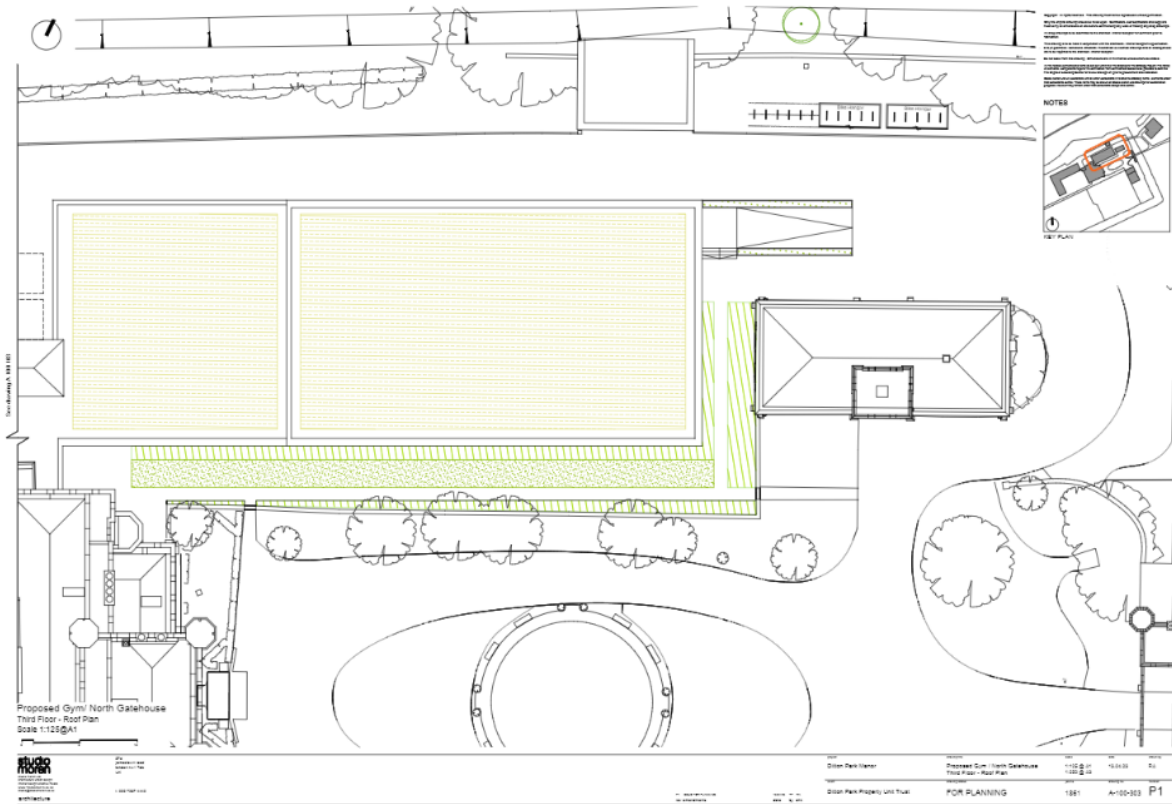


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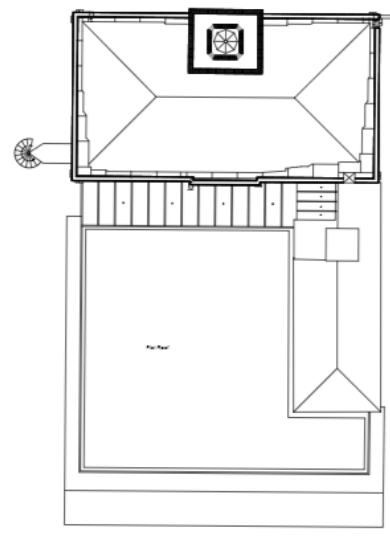
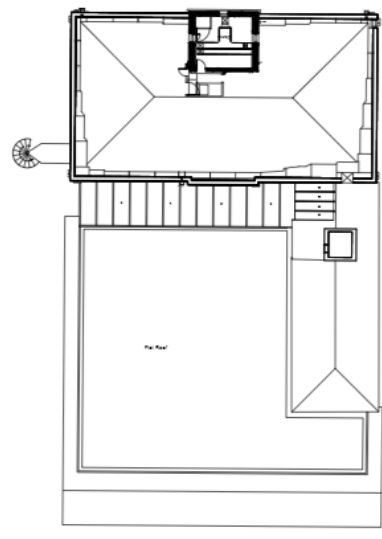
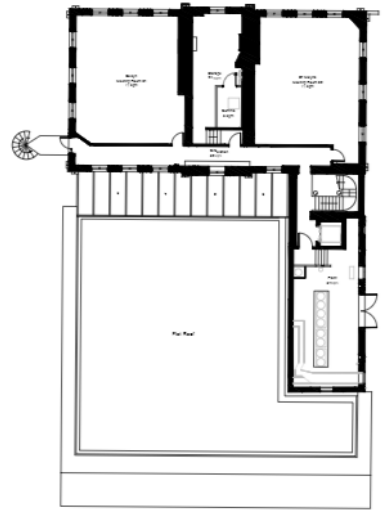
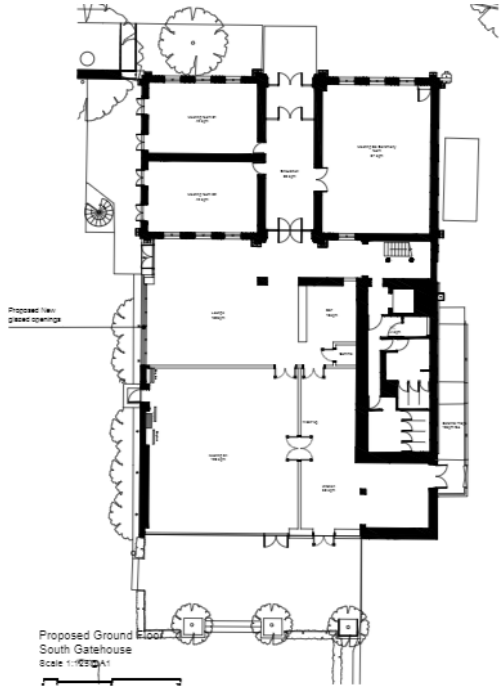
Drawn: Paul Varior	Proposed East & West Elevation Courtyard Annex	1:125 @ A1	14/10/18	11
Drawn: Paul Property Unit Team	FOR PLANNING	1001	14/11/2017	P2

Proposed gym/northern gatehouse

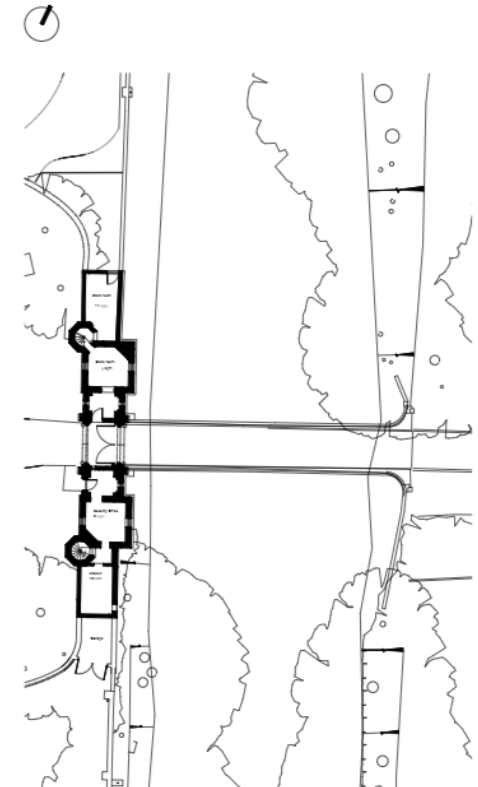




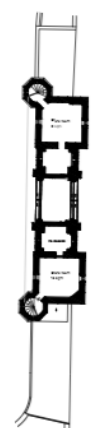
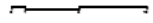
Proposed south gatehouse



Proposed east gatehouse



Proposed East Gatehouse
Ground Floor
Scale 1:125



Proposed East Gatehouse
First Floor



Proposed East Gatehouse
Roof Plan

Proposed marquee

South East Elevation

South West Elevation

North West Elevation

North East Elevation

Proposed Marquee Ground Floor

Proposed Marquee Roof Plan

Scale 1:150 @ A1

studio miron
 1100 15th Ave S
 Suite 100
 Minneapolis, MN 55410
 612.338.8888
 architecture

DATE: 15.04.23
 DRAWN BY: RA
 CHECKED BY: RA
 PROJECT: Proposed Marquee Plans and Elevations
 CLIENT: Dilbin Park Property Unit Trust
 FOR PLANNING
 1951 A-100-623 P2

NOTES

1. All elevations are to be constructed in accordance with the approved plans and specifications.

2. The proposed marquee shall be constructed in accordance with the approved plans and specifications.

3. The proposed marquee shall be constructed in accordance with the approved plans and specifications.

4. The proposed marquee shall be constructed in accordance with the approved plans and specifications.

5. The proposed marquee shall be constructed in accordance with the approved plans and specifications.

KEY PLAN

KEY

01 PVC walls - RAL 100 60 20 Mistland Green
 02 Glass panel walls and doors

Proposed Colour
 RAL 100 60 20 Mistland Green

Fond

Proposed Marquee Site Plan

Scale 1:200 @ A1

studio miron
 1100 15th Ave S
 Suite 100
 Minneapolis, MN 55410
 612.338.8888
 architecture

DATE: 15.04.23
 DRAWN BY: RA
 CHECKED BY: RA
 PROJECT: Proposed Marquee Site Plan
 CLIENT: Dilbin Park Property Unit Trust
 FOR PLANNING
 1951 A-100-623 P3

NOTES

1. All elevations are to be constructed in accordance with the approved plans and specifications.

2. The proposed marquee shall be constructed in accordance with the approved plans and specifications.

3. The proposed marquee shall be constructed in accordance with the approved plans and specifications.

4. The proposed marquee shall be constructed in accordance with the approved plans and specifications.

5. The proposed marquee shall be constructed in accordance with the approved plans and specifications.

KEY PLAN

Proposed chapel

Interior is to be restored to allow the space to be brought back into use.

Section AA

Brickwork and stonework to be made good or restored where necessary.

North Elevation

West Elevation

Windows to be cleaned and made good.

South Elevation

East Elevation

Window security grills to be removed and windows to be cleaned and made good.

NOTES
 Drawings & elevations indicate drawings are for information only.

KEY PLAN

Proposed granary

Ground Floor

First Floor

Elevation 01

Elevation 02

Elevation 03

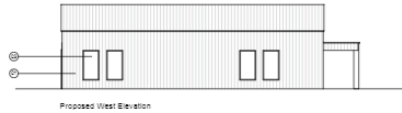
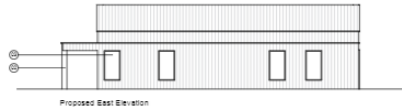
Elevation 04

All existing elevation to be cleaned and made good.

NOTES

KEY PLAN

Proposed scout hut



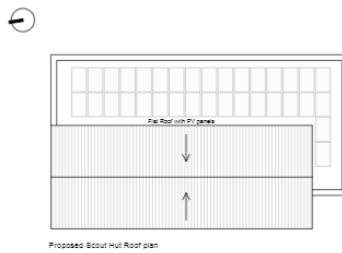
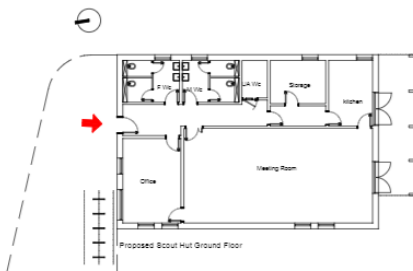
NOTES

1. All materials to be specified by the architect.
2. All materials to be specified by the architect.
3. All materials to be specified by the architect.
4. All materials to be specified by the architect.

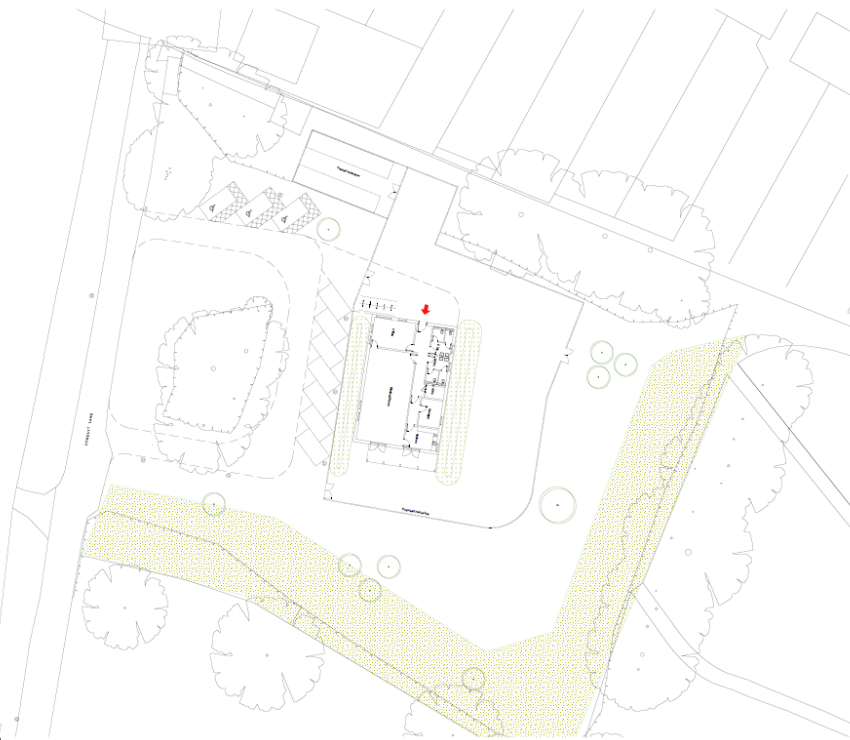


KEY

01	Timber cladding
02	Timber frame
03	Aluminium cladding
04	Aluminium doors



1



NOTES

1. All materials to be specified by the architect.
2. All materials to be specified by the architect.
3. All materials to be specified by the architect.
4. All materials to be specified by the architect.



Note:
The proposed fence design will be defined at a later stage.

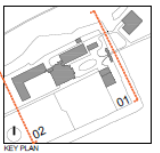
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100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200

Client: Dilton Park Manor	Project: Proposed Scout Hut Site Plan	Scale: 1:200 @ A1	Date: 12/14/23	Sheet: 14
Site: Dilton Park Property Unit Trust	Phase: FOR PLANNING	Year: 1961	Reference: A-100-600	Revision: P4

Contextual elevations and sections

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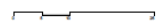


01 Moat - East Elevation
1:300



02 Moat - West Elevation
1:300

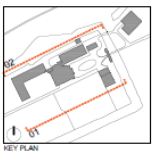
Context Elevations - Proposed
Scale 1:300



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PROJECT: Dilton Park Manor
DRAWING: East & West Elevations
Context Proposed Elevation
SCALE: 1:300 @ A1, 1:600 @ A2
DATE: 13.04.23
RA
Dilton Park Property Unit Trust
FOR PLANNING
1961
A-110-002
P2

NOTES

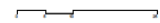


01 Moat - South Elevation
1:300



02 Moat - North Elevation
1:300

Context Elevations - Proposed
Scale 1:300

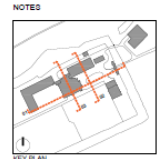


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WWW.STUDIOMORPH.COM

PROJECT: Dilton Park Manor
DRAWING: South & North Elevations
Context Proposed Elevation
SCALE: 1:300 @ A1, 1:600 @ A2
DATE: 13.04.23
RA
Dilton Park Property Unit Trust
FOR PLANNING
1961
A-110-001
P2

NOTES

1. All dimensions are in millimeters unless otherwise stated.
2. All drawings are to be read in conjunction with the project brief and specifications.
3. The architect shall be responsible for ensuring that all drawings comply with the relevant building codes and regulations.
4. The architect shall be responsible for ensuring that all drawings are submitted in a timely manner.
5. The architect shall be responsible for ensuring that all drawings are submitted in a clear and legible format.
6. The architect shall be responsible for ensuring that all drawings are submitted in a professional and polished manner.
7. The architect shall be responsible for ensuring that all drawings are submitted in a format that is suitable for printing and reproduction.
8. The architect shall be responsible for ensuring that all drawings are submitted in a format that is suitable for digital distribution.
9. The architect shall be responsible for ensuring that all drawings are submitted in a format that is suitable for archiving.
10. The architect shall be responsible for ensuring that all drawings are submitted in a format that is suitable for public display.



01 Moat - Section AA
1:300



02 Moat - Section BB
1:300



03 Moat - Section CC
1:300

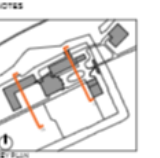
Context Sections - Proposed
Scale 1:300 @A1

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 1000 10th Street
 San Francisco, CA 94103
 Tel: 415.774.4444
 Fax: 415.774.4445
 www.studiomoren.com

NO.	DATE	DESCRIPTION	SCALE	BY	CHKD
01	13.04.20	Proposed Context Sections AA, BB & CC	1:300 @ A1 1:300 @ A2	SM	RA
02	18.01.21	FOR PLANNING	1:300	SM	P2

NOTES

1. All dimensions are in millimeters unless otherwise stated.
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3. The architect shall be responsible for ensuring that all drawings comply with the relevant building codes and regulations.
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6. The architect shall be responsible for ensuring that all drawings are submitted in a professional and polished manner.
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8. The architect shall be responsible for ensuring that all drawings are submitted in a format that is suitable for digital distribution.
9. The architect shall be responsible for ensuring that all drawings are submitted in a format that is suitable for archiving.
10. The architect shall be responsible for ensuring that all drawings are submitted in a format that is suitable for public display.



01 Moat - Section DD
1:300



02 Moat - Section EE
1:300

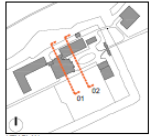
Context Sections - Proposed
Scale 1:300 @A1

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 San Francisco, CA 94103
 Tel: 415.774.4444
 Fax: 415.774.4445
 www.studiomoren.com

NO.	DATE	DESCRIPTION	SCALE	BY	CHKD
01	13.04.20	Proposed Context Sections DD & EE	1:300 @ A1 1:300 @ A2	SM	RA
02	18.01.21	FOR PLANNING	1:300	SM	P1

Project Information: This drawing is for the proposed development of the Manor House at Dilston Park, Newcastle. The drawing is for the proposed development of the Manor House at Dilston Park, Newcastle. The drawing is for the proposed development of the Manor House at Dilston Park, Newcastle.

NOTES

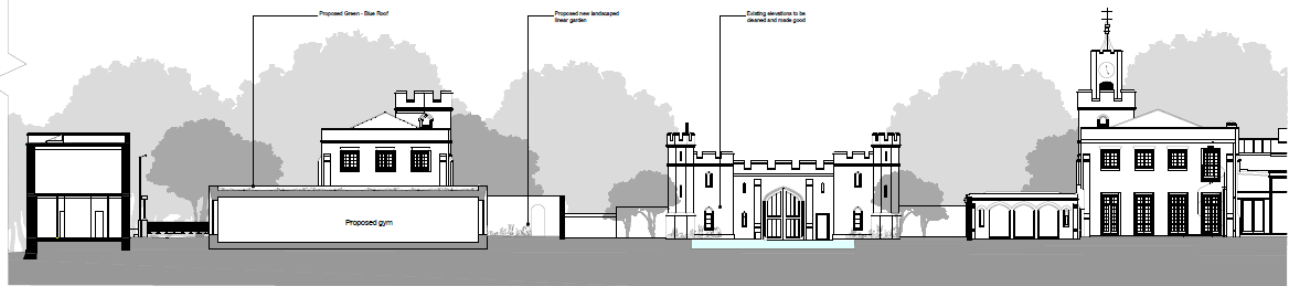


PROPOSED MATERIALS KEY

- 01 Red brick
- 02 Bronze-brown metal cladding
- 03 Bronze-brown aluminium windows
- 04 Bronze-brown metal doors
- 05 Glass wall bronze-brown metal frame
- 06 Glass doors bronze-brown metal frame
- 07 Bronze-brown louvered metal panels
- 08 Bronze-brown louvered metal doors
- 09 Arched opening brick wall
- 10 Planters



01. Proposed Manor House
Section AA



02. Proposed Section BB
Scale 1:125@A1

studio
moran
architects

02
Architectural
Architectural Title
AA
1:125 @ A1

02
Dilston Park Manor

PROJ
Proposed Manor House Section AA
Proposed Gym Section BB
Proposed

NO
1:125 @ A1
1:125 @ A0
1:125
13.04.20
AA
1861
A+110-014
P2

Dilston Park Property Unit Trust
FOR PLANNING

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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

DEVELOPMENT CONTROL PANEL

7 March 2024

Item: 2.

Application No.:	23/01063/LBC
Location:	Ditton Manor Ditton Park Road Datchet Slough SL3 7JB
Proposal:	Consent for Hotel-led development comprising the conversion, extension and alteration of the existing Manor House and associated buildings, including the North Gatehouse, East Gatehouse, South Gatehouse, Chapel and Granary, to a flexible hotel and wedding/conference venue (Use Class C1 and Sui Generis) with associated ancillary facilities including bar, restaurant and gym/spa; additional two storey hotel accommodation block (Use Class C1); erection of a marquee for wedding/conference use (Sui Generis); demolition and erection of a new one storey community building (Use Class F2); car parking; landscaping; and other associated works
Applicant:	Ditton Park Property Unit Trust
Agent:	Mr Harry Spawton
Parish/Ward:	Datchet Parish/Datchet Horton And Wraysbury
If you have a question about this report, please contact: Sarah Chesshyre on or at sarah.chesshyre@rbwm.gov.uk	

1. SUMMARY

- 1.1 This application seeks listed building consent for a hotel-led development comprising the conversion and alteration of the existing Manor House and associated buildings to a hotel, wedding and conference venue with associated ancillary facilities.
- 1.2 The site is the subject of an associated application for planning permission (23/01062/FULL), which was presented to Windsor and Ascot Development Management Committee (WADMC) on 5th October 2023 with an officer recommendation for refusal, for six reasons, which related to harm to the Green Belt; harm to character; harm to designated heritage assets; a lack of information to enable an assessment of the highway impacts of the proposal; arboricultural harm and harm to ancient woodland; and the lack of a S106 legal agreement to secure financial contributions to a Carbon Offset Fund.
- 1.3 Following discussion of the application at WADMC, a motion was put forward to determine the application in line with the officer recommendation to refuse planning permission. This motion did not pass. A further motion was put forward to defer the application in order to allow additional and amended information to be submitted and considered by officers, in order to seek to address technical matters.
- 1.4 Amended plans and technical information was received by the Council on 1 December 2023.
- 1.5 The proposed works to the listed building are considered to be unacceptable because they would be harmful to the significance of the listed buildings.

It is recommended the Committee refuses listed building consent for the following summarised reasons (the full reasons are identified in Section 12 of this report):

- | | |
|-----------|--|
| 1. | The proposed development is harmful to the significance of the listed buildings. Though a number of public benefits can be identified from the proposed development they cannot outweigh the less than substantial harm caused by the harm to the significance of the listed Manor House. The proposed development is therefore contrary to Section 16 of the NPPF and Policy HE1 of the Borough Local Plan 2013-2033. |
|-----------|--|

2. REASON FOR COMMITTEE DETERMINATION

- The Council's Constitution gives the Head of Planning discretion to choose not to exercise their delegated authority where they consider the matter should be referred to the relevant Area Borough Development Management Committee; the Head of Planning considers this application should be referred to committee.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is entirely within Ditton Park, which is a Grade II Registered Park and Garden. The Manor House and its associated courtyard walls, stable and gatehouse blocks are Grade II listed. The Main Gatehouse, the connecting bridge, the Garden Walls and Summerhouse are also Grade II listed.

4. THE PROPOSAL

- 4.1 Listed Building Consent is sought for a hotel-led development with the provision of 130 bedrooms in total and associated facilities. The application can be split into two key areas, namely within the moated area and outside the moated area.
- 4.2 Amended plans and additional information were submitted to the Council on 1st December 2023. The description below is of the amended scheme.

Within the moated area

- 4.3 The proposal comprises the conversion of a number of existing buildings with internal alterations. The existing Manor House will be converted to a hotel to provide 31 bedrooms and associated facilities including bar, restaurant, and meeting rooms. The existing Northern Gatehouse will be converted into a spa facility. The Eastern Gatehouse will be converted into a storage and site security facility. The Southern Gatehouse will be converted to provide conference and wedding venue facilities.

- 4.4 The proposal also includes the removal of an existing (unauthorised) marquee and the introduction of a two-storey L-shaped accommodation block to the west of Manor House, which will provide 99 bedrooms and associated facilities including meeting rooms. With the new accommodation block, it will allow for a new courtyard and garden to be created to the west of Manor House. To the east of the Manor House, a new gym and back to house block will be proposed to provide a gym facility and a new service area to support the operation of the hotel. The proposed block will have a setback from the existing garden wall so a landscaped garden will be created between the wall and the new block. It is understood that the gym/spa facility will also be publicly accessible.

Outside the moated area

- 4.5 The proposal includes the erection of a marquee for wedding/conference use (Sui Generis) at the location of an existing scout hut building. The existing access will be altered to accommodate the provision of a new service area to support the new marquee. The existing parking area within the moated area will be removed and replaced by a woodland parking area to the south of the new marquee. The existing Chapel, which is within the curtilage of Manor House will mainly be used for weddings and events but will also be community use.
- 4.6 The proposal also includes the removal of the existing scout hut building which will be relocated to a parcel of land, which is at the northern part of the site and is surrounded by Ancient Woodland.

5. RELEVANT PLANNING HISTORY

- 5.1 Ditton Park has a lengthy planning history. Most of these cases are related to the adjacent employment site so they are not relevant to these applications.
- 5.2 In 1997, planning permission (97/75585/FULL) was granted for European Headquarters office building of 23,230sqm and change use of Ditton Manor House to D1 for an education/training centre with ancillary offices, access, parking, landscaping/highway works (Class D2). A listed building consent (97/75586/LBC) was also granted for the alteration and refurbishment of Ditton Park Manor House to provide an education and training centre including demolition of ancillary outbuildings.
- 5.3 Based on the Council's record, the existing marquee, which is located to the west of Manor House, is not subject to any planning permission
- 5.4 As noted above, the site is also subject to an application for full planning permission (23/01062/FULL) for the Hotel-led development comprising the conversion, extension and alteration of the existing Manor House and associated buildings, including the North Gatehouse, East Gatehouse, South Gatehouse, Chapel and Granary, to a flexible hotel and wedding/conference venue (Use Class C1 and Sui Generis) with associated ancillary facilities including bar, restaurant and gym/spa; additional two storey hotel accommodation block (Use Class C1); erection of a marquee for wedding/conference use (Sui Generis); demolition and erection of a new one storey community building (Use Class F2); car parking; landscaping; and other associated works.

6. DEVELOPMENT PLAN

- 6.1 The main relevant policies are:

i. Adopted Borough Local Plan

Issue	Policy
Historic Environment	HE1

7. MATERIAL PLANNING CONSIDERATIONS

i. National Planning Policy Framework Sections (NPPF) (2021)

Section 16 – Conserving and enhancing the historic environment

ii. Legislation – Planning (Listed Buildings and Conservation Areas) Act 1990

iii. Other National Guidance

- ▣ Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Making (Historic England)

8. CONSULTATIONS CARRIED OUT

- 8.1 A site notice that was posted on 17.05.2023 and an advertisement that was placed in the local press on 18.05.2023.
- 8.2 9 neighbours were notified directly, and 8 letters and a petition were received in total, 1 letter was received supporting to the application, 7 letters were received objecting to the application including one petition which was signed by 29 local residents. Following the receipt of amended plans and additional information, further notification letters were sent to residents.
- 8.3 A number of concerns raised in the letters received are not relevant to this listed building consent application. However, they will be covered under a full planning application. The following table also summarises the points which are relevant to the current listed building application:

Comment		Where in the report this is considered
1	Concerns over the impacts of the proposed development on the listed buildings	Section 9

8.4 Statutory consultees

Consultees	Comments (first consultation):	Comments (second consultation):	Where in the report this is considered
RBWM Conservation	Objection: the proposed development would lead to less than substantial harm	Objection: the proposed development would lead to less than substantial harm	Section 9
Berkshire Gardens Trust	Objection: The proposal fails to demonstrate how it can preserve or enhance the character of the Registered Park and Garden and the setting of the listed buildings with respect to the significance of the historic environment.	Objection: amendments do not address previous comments	Section 9
The Georgian Group	Objection: The two-storey L-shaped accommodation block is significantly larger than the Grade II listed Manor House and the proposal would result a very high degree of less	Objection: amendments do not address previous comments	Section 9

	than substantial harm to the setting of the Manor House. The proposed gym block would infill the gap between the Manor House and the northern gatehouse. Considering the massing and scale of the proposed block, it would lead to a high degree of less than substantial harm to the setting of the Manor House and the northern gatehouse.		
Historic England	Historic England do not comment on applications affecting Grade II Listed Buildings	Historic England do not comment on applications affecting Grade II Listed Buildings	Noted.

8.5 Consultees

Consultees	Comments (first consultation):	Comments (second consultation):	Where in the report this is considered
Slough Borough Council	No objection subject to the submission of further information related to vehicular movements and the imposition of the recommended conditions.	No further comments received.	This is not relevant to a listed building consent application, but it will be covered under a full planning application.

8.6 Others (Parish and Amenity Groups)

Groups	Comments	Where in the report this is considered
Datchet Council Parish	No objection subject to appropriate conditions should be attached to the consent to be recommended by officers.	Section 8

9. EXPLANATION OF RECOMMENDATION

- 9.1 The Council has, in considering this application, had a special regard for the desirability of preserving the listed building as required under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).
- 9.2 The application is accompanied by a heritage impact assessment, which is prepared by Landgage heritage, on behalf of the applicant to support this application. An updated heritage impact assessment was submitted with the amendments, that reflects the changes made to the proposals. The report summarises that the proposed development would result in a substantial benefit to the significance of the Grade II listed Manor House and the Registered Ditton Park.
- 9.3 The Council's Conservation Officer has been formally consulted on this application and has raised no objection in principle to the proposed use of the existing Manor House as a hotel. However, there are significant concerns in terms of the proposed alterations to the Manor House. Overall, the Conservation Officer concludes that there would be less than substantial harm to the listed building, and objects to the proposals.
- 9.4 In addition, objections have been received from the Georgian Group, who are a statutory consultee, and from Berkshire Gardens Trust. Where an application for listed building consent is recommended for approval contrary to the views of the Georgian Group (National Amenity Society), it must be referred to the Secretary of State.

Grade II Listed Manor House

- 9.5 Ditton Park has a long history, dating back to the early medieval times. Ditton Park was in residential use when the first Manor House was built. In 1917, it was used as the Admiralty Compass Observatory for research and development. It then became the headquarters of the Defence, Evaluation and Research Agency. The site had been used for research and laboratory purpose until 1979. In 1997, the site was subject to a planning permission for an education and training centre. The southwestern part of the wider site was then redeveloped to the office complex in the early 2000s.
- 9.6 The original Manor House has existed on the site since the 15th Century, and it was rebuilt in the 17th Century. The 17th Century House however was destroyed under a fire in 1812. The House was then reconstructed in the 19th Century, which forms the current Manor House. The existing Manor House dates from the mid-19th century and it remains largely unaltered externally and internally particularly in term of its original plan form, with many of its principal rooms intact alongside the principal staircase, with a plastered and painted beamed ceiling and secondary staircases. The ground floor entrance of the House is well preserved with a decorated plaster beamed ceiling and attractive stone floor. The gallery leading from the main entrance is also heavily moulded and both spaces are of high importance to the significance of the House. Historic doors, architraves, some cornicing historic skirting and fireplaces feature throughout the House.
- 9.7 The Manor House is externally rendered and in keeping with its Gothic revival architectural style featuring turrets and crenelations. The main entrance is centrally positioned along the eastern elevation, forming part of the three-storey section of the House and flanked by two-storey wings either side. The House entrance is framed by tall turrets extending beyond the roof level. Whilst the House is predominantly three storeys in height, the southern aspect includes a tower feature extending up to four storeys with a turret providing further access above. This is highlighted by the original bay feature along the southern elevation, with railing at first floor.

- 9.8 Chimneys stacks adorn the roof alongside the crenelated parapets. Label hood moulds feature over window openings and pointed arches are a notable feature of main doors and the windows either side of the entrance door.
- 9.9 It is evident that some features have been lost overtime due to previous uses and occupiers, somewhat eroding its authenticity. However, the architectural and historic interest of the Manor House has been appropriately preserved and in considering its future use there is an opportunity to better reveal its significance going forward.
- 9.10 The once open central courtyard has been covered over with a modern glazed structure. Whilst the roof cover is a notable lightweight solution, the floor level within the courtyard has also been altered, negatively affecting some of the historic openings into the courtyard.

New Lift

- 9.11 The proposal is seeking to install a new lift within the building, adjacent to the kitchen. Due to the creation of a new void within the House, the proposal would significantly alter the existing built fabric. However, it is not clear from the submitted documents what built fabric would be affected. In an absence of this information, the Local Planning Authority is unable to identify how those works would affect the significance of the House. It is in contrary to paragraph 201 of the National Planning Policy Framework (NPPF) and Policy HE1 of the Borough Local Plan 2013-2033 (BLP).
- 9.12 The lift would be located on the upper floors of the House within an existing cupboard. Further details of any structural inventions to support the lift structure and mechanism should be provided. However, such details can be conditioned in this regard.

Upgrade Works

- 9.13 The proposed conversion is supported by some upgrade works such as insulation and fire protection. However, no such details have been provided to support this application. In an absence of this information, the Local Planning Authority is unable to identify how those works would affect the significance of the House.

Ground Floor

- 9.14 The internal ground floor layout of the Manor House is broadly the same as the existing one, except alternations within the north-west and south-west ranges of the House. There is no objection in principle to the removal of the existing toilet areas within the south-west range. Proposals in the original submission, which would have resulted in the loss of the windows facing into the courtyard, including the one along the north-west range, to create a new full-length opening, and which would have resulted in permanent loss of built fabric of interest, have been omitted. This is welcomed.
- 9.15 The Council's Conservation Officer has raised no objection to the proposed removal of the existing partitions within the western corner of the House as it would reinstate the proportions of the room along the north-west elevation and facilitate the relocation of the toilet areas. There are also no objections to the removal of the toilet fittings within the north-east range and the demolition of the existing service yard walls to the north of the Manor House.
- 9.16 The proposal comprises the creation of new openings into the toilet area and the insertion of a small stud partition into the kitchen area. Both works would constitute some loss of existing built fabric, but it is considered to be acceptable in principle.

Upper Floors

- 9.17 There is no objection to the removal of the existing toilet area within the west range at the first floor of the House.
- 9.18 While upper floors are proposed to be converted into bedrooms associated to the proposed hotel use, the Council's Conservation Officer has raised significant concerns about the proposed subdivisions as they have not had sensitive consideration for the existing layout of the House. Amendments to the original submission have addressed previous concerns about the subdivision of some of the larger rooms along the south-east range, and the introduction of 'pod' bathrooms. Concerns regarding the loss of an internal view to a window in the west elevation have been addressed by alterations to the access to room 17.
- 9.19 However, there remain significant concerns about the subdivision of first and second floor rooms along the north-eastern range. There are also concerns about the subdivision of room 5 to form two ensuite bathrooms for adjacent rooms, because the existing fireplace would become an isolated feature within the room and the experience of walking into the space and viewing the gardens to the south would be entirely lost.

Grade II Listed Gatehouses

Eastern Gatehouse

- 9.20 The eastern gatehouse is the original gateway into the courtyard. The building is with the listed bridge leading to a narrow carriageway, featuring timber parallel doors. The building is two-storey in height and is split into two halves, comprising of three spaces at ground floor. The building also features a castellated parapet detail and small historic window openings, positively contributing to its character and a robust building, providing fortification to the moated area.
- 9.21 The proposal is seeking to remove the existing partition associated to the ground floor toilet area. There is no objection in principle to the proposal as there is no significant works to the building internally. It is noted that the building will be converted to storeroom and security office which will support the proposed hotel use.

Northern and Southern Gatehouses

- 9.22 The northern and southern gatehouses are of similar appearance and historically of the same form. They are constructed in a stock brick with stone dressing. The shallow pitched roof form is set behind a parapet save for a tower feature above the carriageway entrance which also include a castellated parapet. The southern gatehouse includes a clock tower with the castellated tower, though it is noted that the building has been internally altered and substantially extended since it was built. The northern gatehouse largely remains in its original built and plan form Timber double doors are located within the arched carriageway which provides access into the two sides of the building.
- 9.23 The proposal is seeking to convert the northern gatehouse to a spa facility. The Council's Conservation Officer has raised no objection in principle to the removal of the existing partitions and the staircase and the insertion of two new staircases as they are of modern construction. The proposed internal subdivision is considered to be acceptable in principle as it would amount to limited harm to the northern gatehouse. The proposal is seeking to introduce a steam room and sauna facility within the building. It is considered that the proposal would create a high moisture environment within the historic building.

Further details of how this high moisture environment can be controlled to prevent any adverse impact to the listed building are required but it can be conditioned in this regard.

- 9.24 The proposal is seeking to insert a glazed opening the west opening of the southern gatehouse. It is also noted that the majority of the works are within the existing rear extension, which is of no historic interest. Therefore, the proposed works are considered to be acceptable in this regard.

Chapel

- 9.25 The chapel building is considered to be within the curtilage of the Manor House. There is no objection in principle to the restoration and reconsecration of the chapel building as it would be a positive enhancement to the chapel building itself and the wider Ditton Park.
- 9.26 The submitted information sets out that chemical based solution would be used to resolve the existing damp issue. It is considered that such solution would not be supported from a conservation perspective. Further details should be provided to demonstrate why other solutions are not considered and the long-term solution to prevent the damp issue.

Public Benefit

- 9.27 Paragraph 20¹ of the Planning Practice Guidance (PPG) sets out that public benefits may follow from many developments and could be anything that delivers economic, social, or environmental objectives as described in the NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits. Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long-term conservation

- 9.28 This listed building consent application is accompanied by an economic headline report, which is prepared by Volterra Partners, on behalf of the applicant. The statement sets out the economic, social and heritage benefits of the proposed development.

Economic Benefit

- 9.29 As part of the amendments, an updated Economic Headline Report has been submitted. However, the reasoning behind the increase in benefits, when compared to the originally submitted report, has not been explained. For completeness, the benefits from the originally submitted report and the amended report are summarised below:

¹ Reference ID: 18a-020-20190723

Economic Headline Report March 2023	Economic Headline Report November 2023
Creation of 305 job opportunities during the construction period	Creation of 380 job opportunities during the construction period
£330,000 local spending by workers during construction period	£515,000 local spending by workers during construction period
Creation of 130 full time job opportunities once operational	Creation of 130 full time job opportunities once operational
£56,000 local spending annually by workers once operational	£56,000 local spending annually by workers once operational
155 additional indirect full time jobs, 60 of which estimated to be taken by residents in the borough	155 additional indirect full time jobs, 60 of which estimated to be taken by residents in the borough
£8.7 million visitor expenditure per annum	£8.6 million visitor expenditure per annum
Additional tax revenues of between £1,400,000 and £1,900,000 , of which business rates payments of approximately £90,000	Additional tax revenues of between £1,100,000 and £1,500,000 , of which business rates payments of approximately £90,000
Other benefits to the local economy from the hosting and operation of events	Other benefits to the local economy from the hosting and operation of events

9.30 Given the proposals have not changed significantly as a result of the amendments, the rationale for the changes in economic benefits is not clear, for example it is not clear why the amendments would result in an increase from 305 to 380 construction jobs.

9.31 In terms of economic benefit, the economic benefit of the creation of 380 construction job opportunities is time limited. The proposed development will result in creating a net 130 full time equivalent additional job opportunities. It will help support the labour market in general. The proposed development will result in a £8.6 million visitor expenditure per annum, which is a considerable amount of income to the local economy. The proposed development will result in additional tax revenues including business rates payment. Though it is a considerable amount of additional tax revenues, it is to comply with the legislation only. The existing site is already operating and hosting events. The proposed development would also lead to a considerable loss of spaces for conferencing (i.e., from 5,123 sqm to 1,193 sqm). Overall, **moderate** weight is afforded to the economic benefits associated with the proposals.

Social Benefit

9.32 The applicant's headline report sets out that the proposed development would provide a new community facility to replace the existing dated scout hut building at the site. The applicant is also engaging with the local cricket club to provide cricket facilities within the site. The proposed development would also open up the site grounds to the public and improve accessibility to the Manor House. The applicant's planning statement also sets out that there is a social benefit in opening the gym and chapel building for community use.

9.33 In terms of social benefit, the provision of the community building is to mitigate for the loss of the existing scout hut that would be displaced by the development. While there is a social benefit in opening the gym and chapel building for community use, how this will operate is not clear as no such details are provided in this application. **Very limited** weight is afforded to this benefit. There is already permissive access through the site,

but it is acknowledged that there would be a social benefit in more extensive public access, and this is afforded **limited weight**.

- 9.34 No details have been provided in this application related to the provision of an onsite cricket facility for the local cricket club and it is not clear what and where the facilities would be provided within the site. It is also considered that such facilities can be separately provided. **No weight** is afforded to this benefit.

Environmental Benefit

- 9.35 The proposed development will provide a biodiversity net gain of 216.14%. The provision is above the 10% national requirement that is mandatory for planning applications submitted after 12th February 2024. **Limited** weight shall be afforded to this benefit in this regard.

Heritage Benefit

- 9.36 Paragraph 6.1.6 of the applicant's heritage impact assessment suggests that there are a number of heritage benefits which can be identified in the proposed development as below:

- the refurbishment of Manor House would result in a low heritage benefit, as the building would be used in a manner consistent with its conservation with the involvement of minimal impacts;
- the physical works to the north stable block would preserve the significance of the building.
- the proposed accommodation block would preserve the setting of Manor House and would result in a small enhancement to the setting of the western elevation of Manor House;
- the proposed gym facility would not harm the significance of the parkland or the listed buildings;
- the introduction of a new marquee and a car parking area would result in a low benefit to the significance of the parkland and the settings of the listed buildings; and
- the proposed community building to the north of the parkland would not harm the significance of the parkland.

- 9.37 The assessment made by officers of the impacts of the development does not result in a conclusion of heritage benefit. Some of the benefits listed relate works considered as part of the application for planning permission. Notwithstanding, for the reasons outlined above and in section 9v. of the committee report addendum (Appendix 2) it is concluded that there would overall be harm to the Grade II Listed Manor House (and to its setting), and to the Grade II Registered Park and Garden.

- 9.38 Consideration has been given to whether the proposed development, and the long-term use that it would secure, could be considered a heritage benefit to which weight should be given. It is understood that the existing use of the site as a conference facility is currently a viable use, without the net additional harm that would result from the proposed development. Furthermore, for the reasons outlined above, the proposed change of use involves elements (both internal changes to the house requiring listed building consent, and external changes requiring planning permission) that are overall harmful to the designated heritage assets, and while it is considered that conversion to a hotel and wedding venue that would result in less harm may be possible, the proposals

as currently presented suggest that the use as proposed would be harmful. Officers therefore do not consider this to be a heritage benefit.

9.39 In addition to the works summarised in the HIA, a Parkland Restoration and Management Plan is proposed, which would be intended to facilitate the restoration of some elements of the landscaped parkland which are currently in a poor condition. However, the PRMP would not cover the whole of the parkland, being limited to the part of the site broadly north of the access road and moated area. Officers afford this **limited weight**.

9.40 The HIA proposes a programme of heritage research and recording work, and the implementation of an interpretation strategy as part of the proposals, which it is suggested could be secured by condition. Aspects of recording would be required where historic fabric would be lost, to mitigate for that loss. Regarding wider research and interpretation, given the lesser known history of the intelligence use of the park by the military, and to the extent that this would not take place without the development, this would be afforded **limited weight**.

10. CONCLUSION

10.1 Insufficient information is submitted to provide details of the upgrade works for the proposed conversion of the Manor House. While the proposed hotel use is acceptable in principle, the proposed subdivision of rooms would result in harm to the listed building.

10.2 The harm is **less than substantial**. While a number of public benefits can be identified from the proposed development, the public benefits **do not** outweigh the less than substantial harm caused by the proposed development. The proposed development therefore is contrary to Section 16 of the National Planning Policy Framework (NPPF) and Policy HE1 of the Borough Local Plan 2013-2033. The development would fail to preserve the listed buildings and so would be contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which is a higher duty.

11. APPENDICES TO THIS REPORT

- Appendix – Plan and elevation drawings

12. RECOMMENDATION

Refuse listed building consent with the following reasons

- 1 The proposed development is harmful to the significance of the listed buildings. Though a number of public benefits can be identified from the proposed development they cannot outweigh the less than substantial harm caused by the harm to the significance of the listed Manor House. The proposed development is therefore contrary to Section 16 of the NPPF and Policy HE1 of the Borough Local Plan 2013-2033, and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

23/01063/LBC - Ditton Manor, Ditton Park Road, Datchet Slough SL3 7JB

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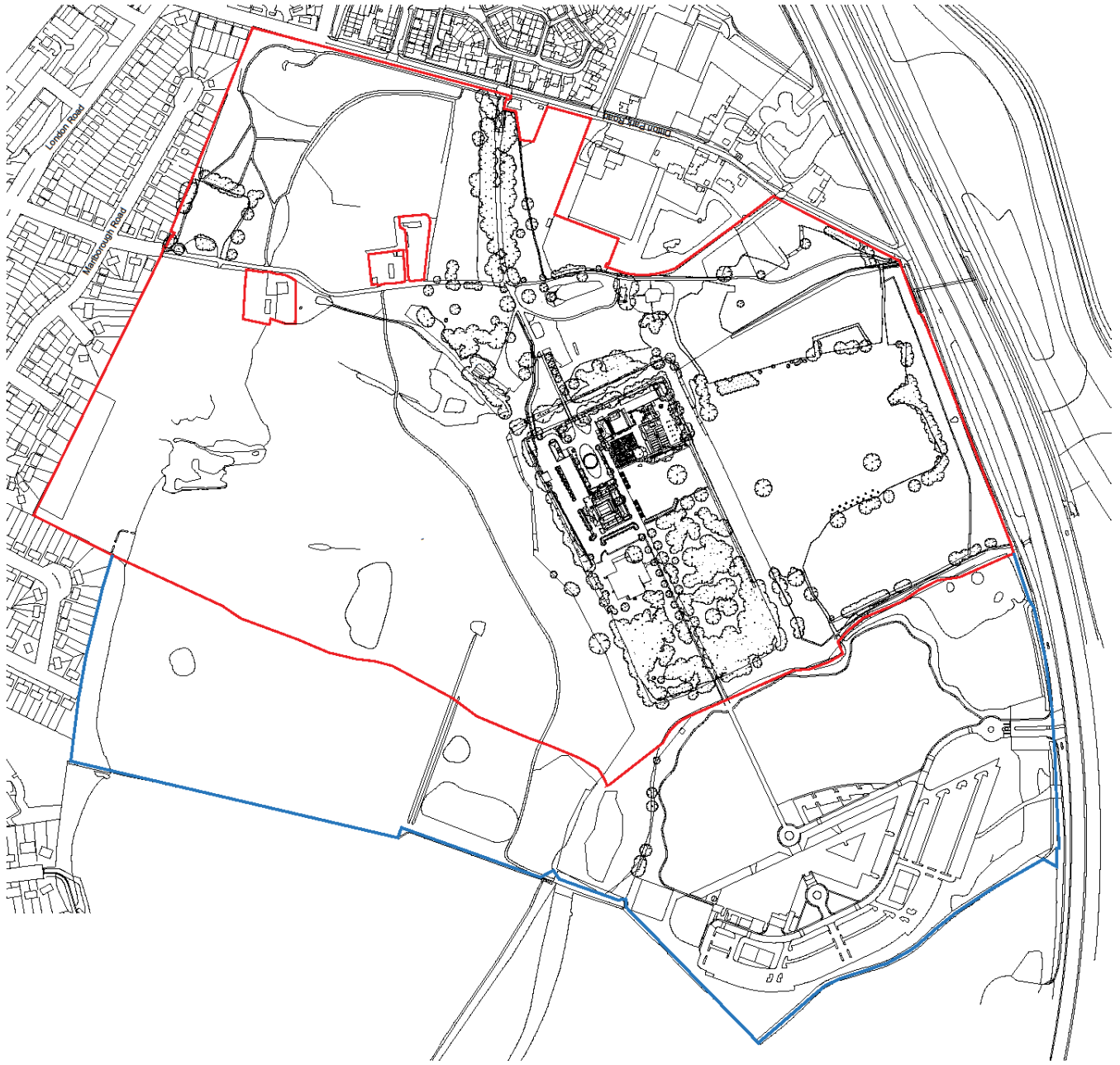
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NOTES

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- Application boundary
- Client Site

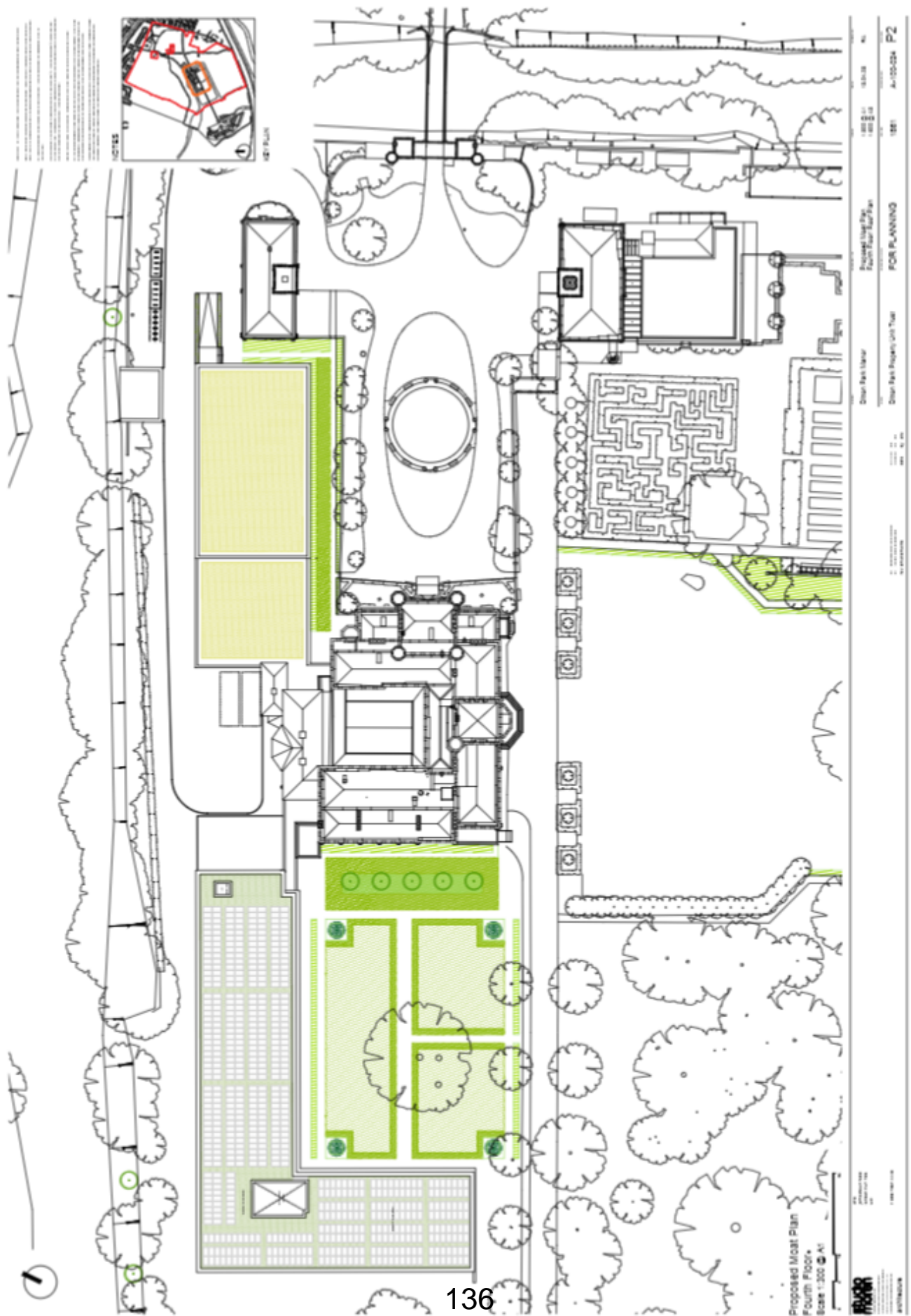


Existing Site Plan
 Scale 1:2500@A1

studio
 moren
 architects
 100 757 4440

PROJECT	Ditton Park Manor	DATE	13.04.23	SCALE	RA
CLIENT	Ditton Park Property Unit Trust	DATE	1861	SCALE	A-025-001
DESIGNER	FOR PLANNING	DATE		SCALE	P1

Site layout – moated area

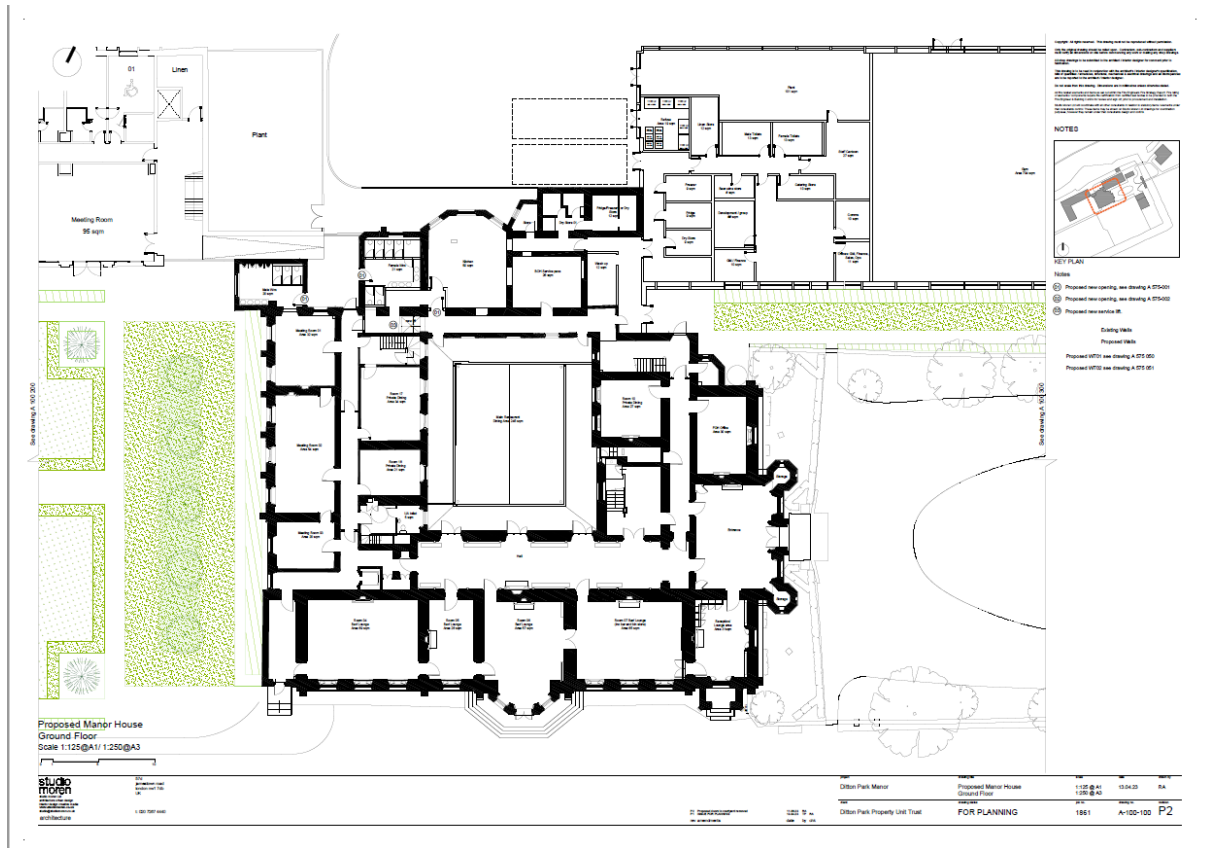


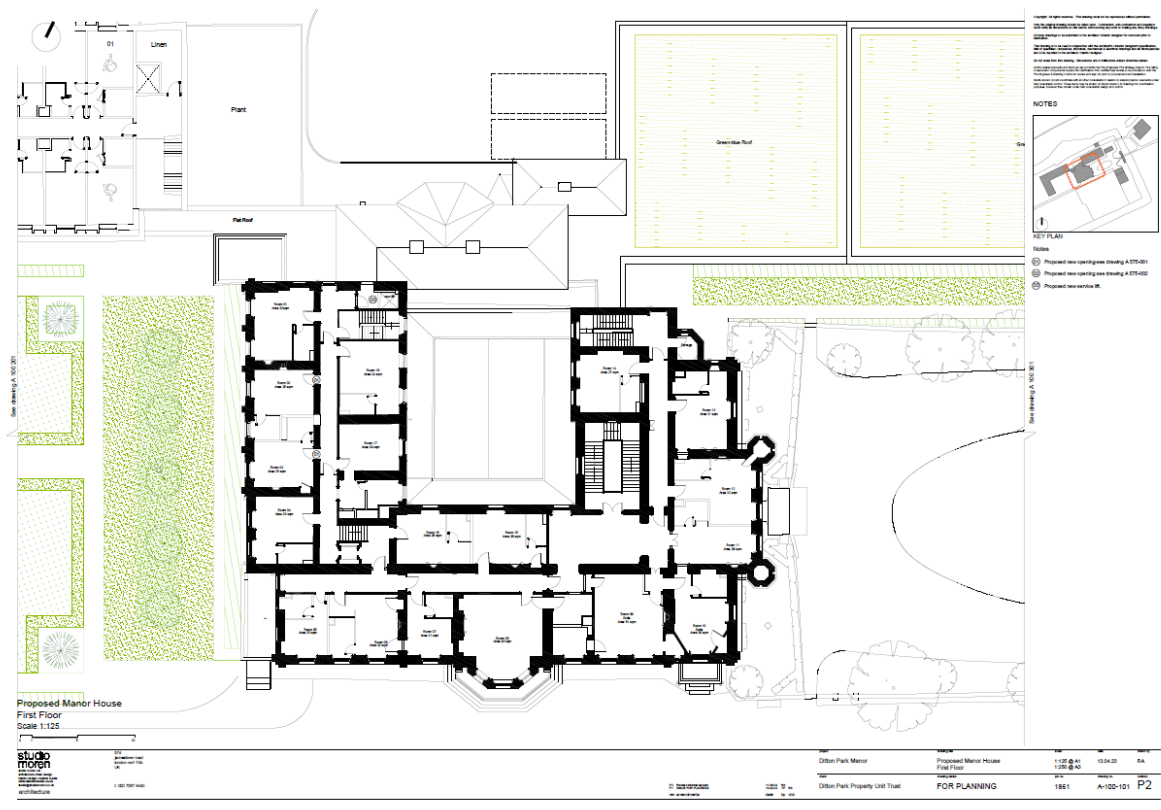
Site layout – outside moated area

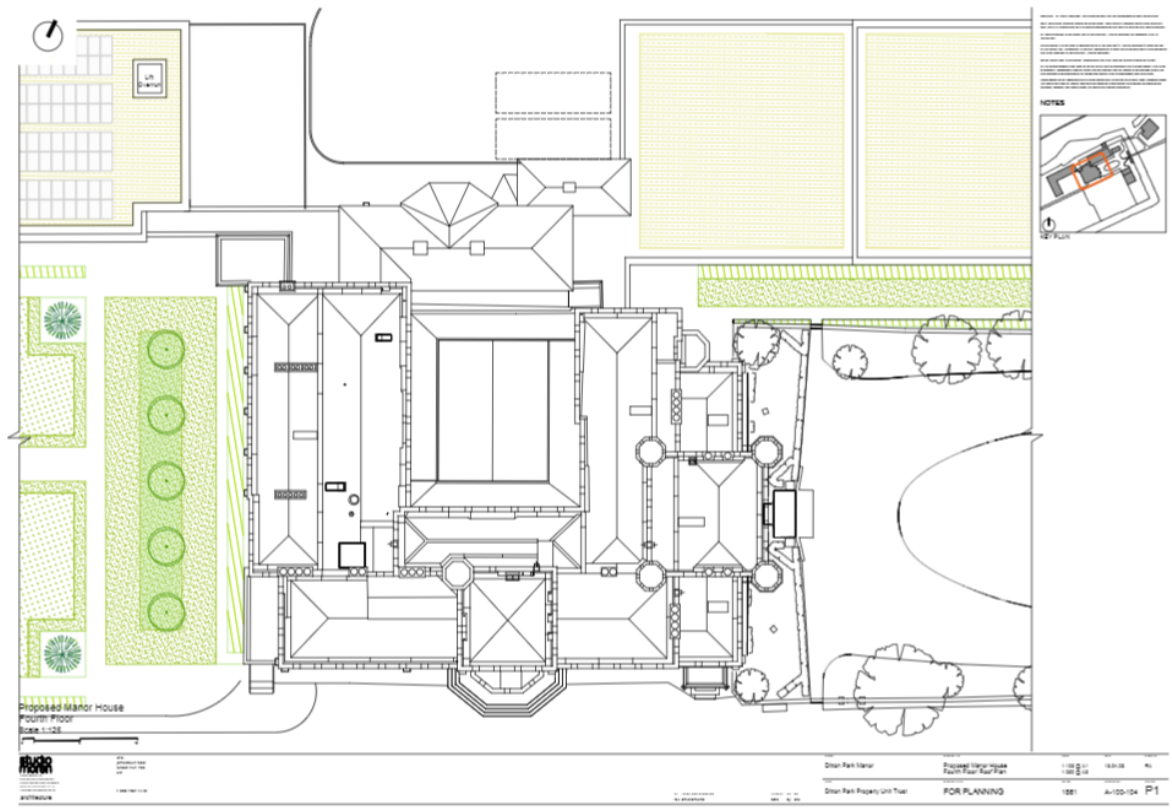
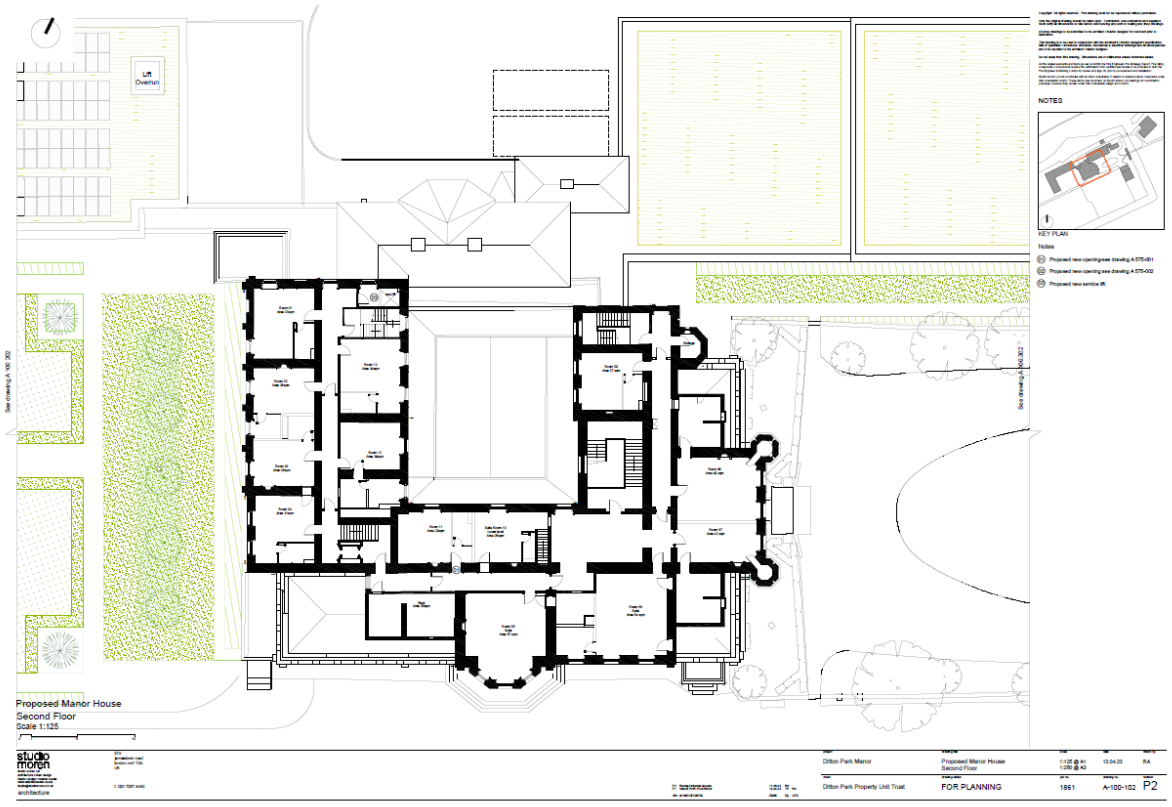


Appendix – Plan and elevation drawings

Manor House









01. Proposed North Elevation - Manor House

Notes: 1. This drawing is a proposed elevation and is not a final elevation. It is subject to change without notice. 2. The drawing is for informational purposes only and does not constitute a contract. 3. The drawing is the property of the architect and is not to be reproduced without written permission. 4. The drawing is not to be used for any other purpose without the written consent of the architect.

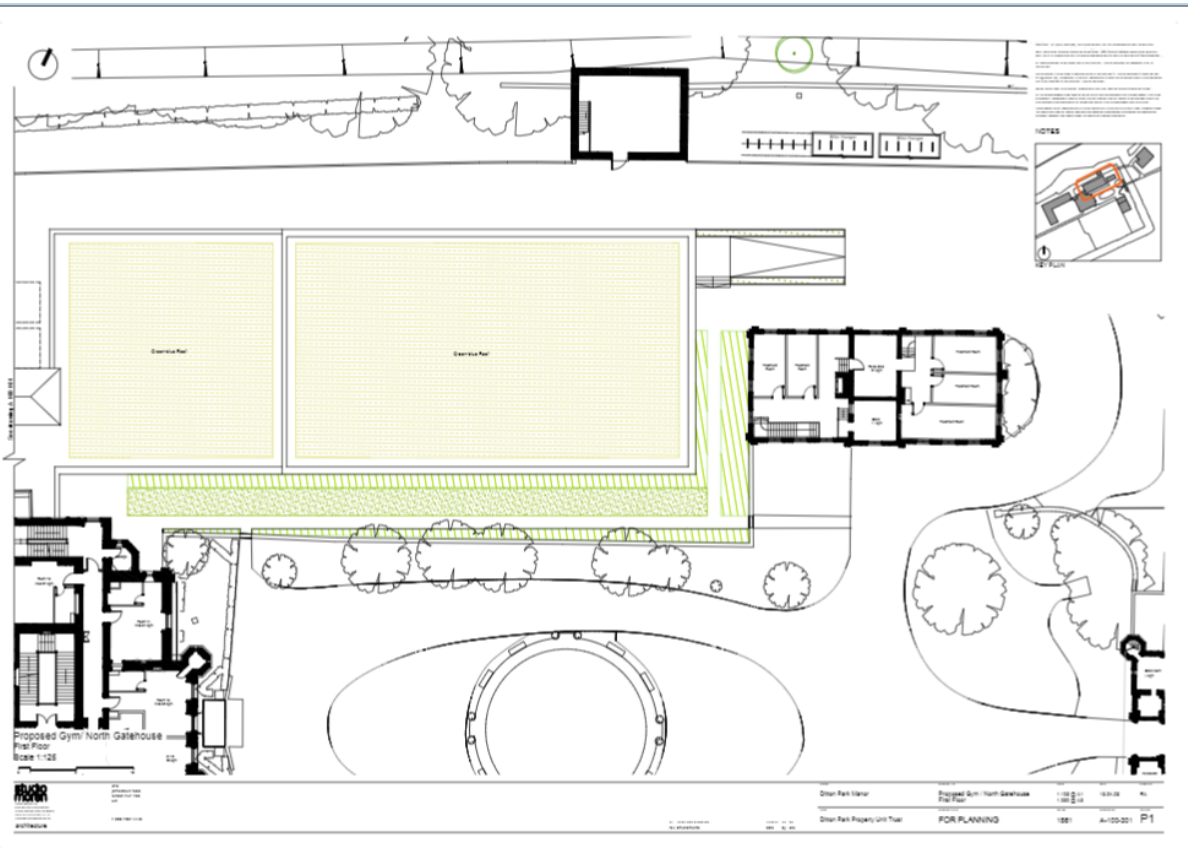
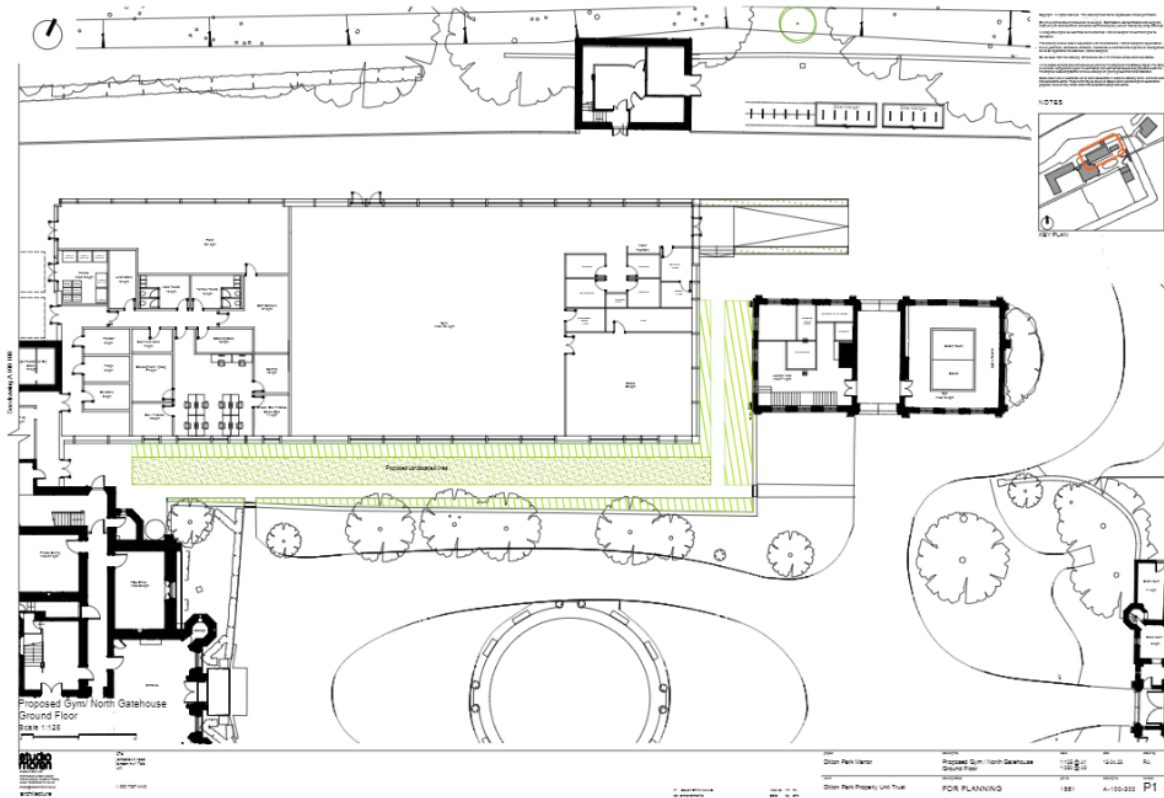


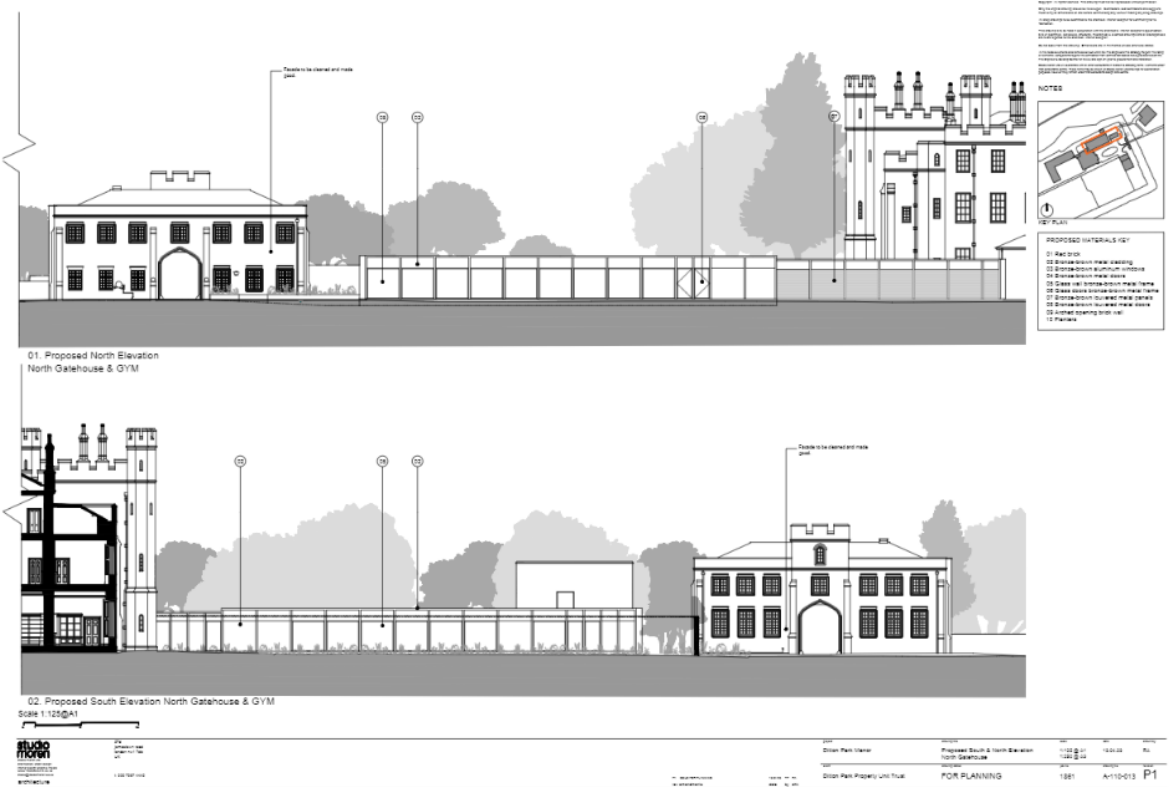
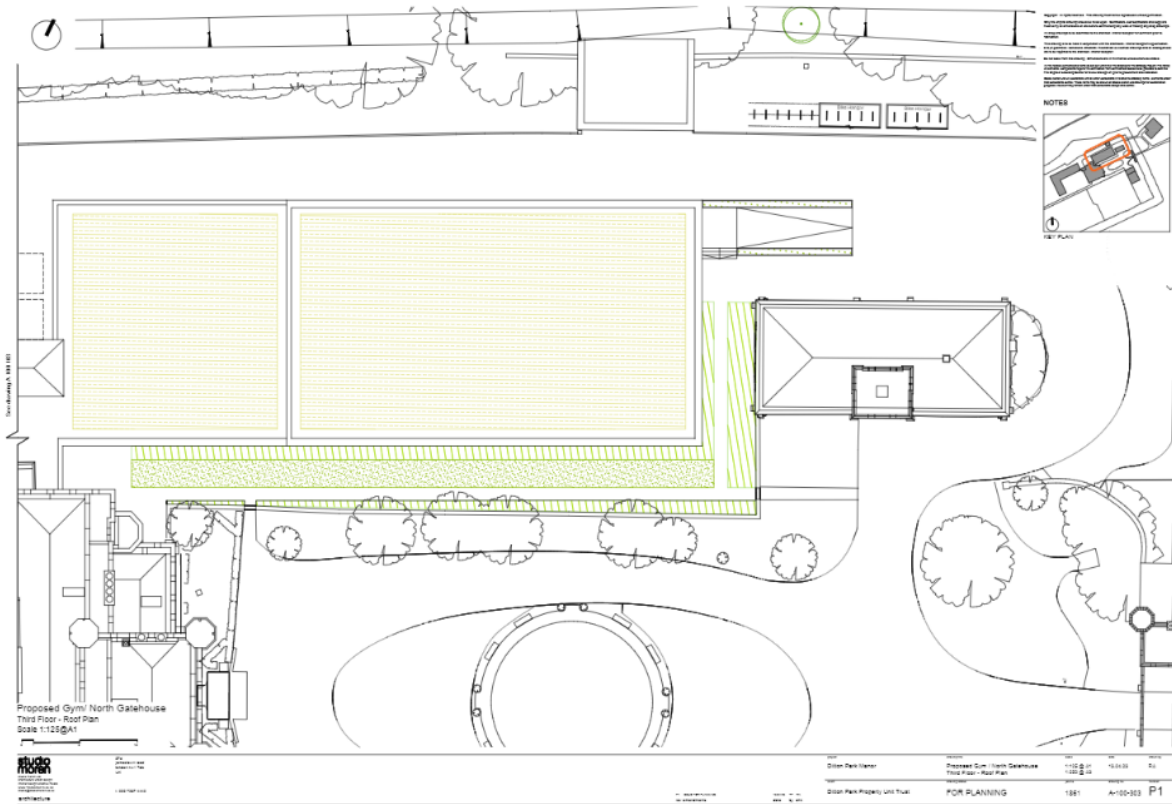
02. Existing South Elevation - Manor House

Scale 1:125 @ A1

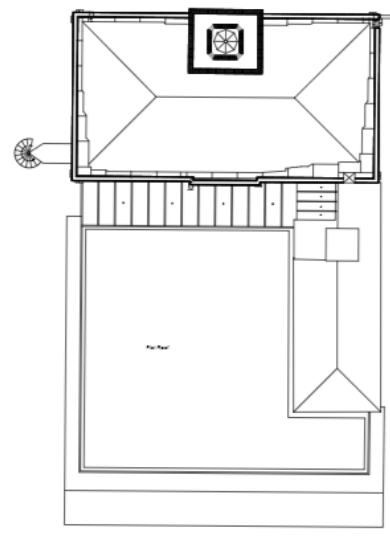
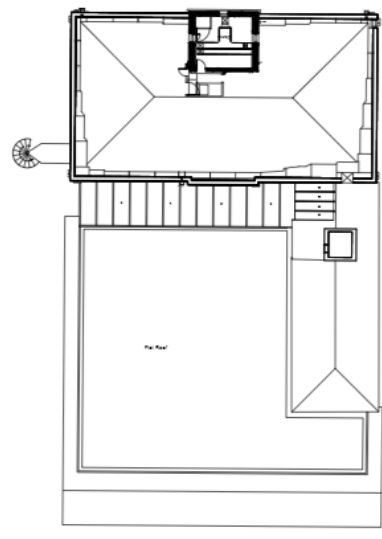
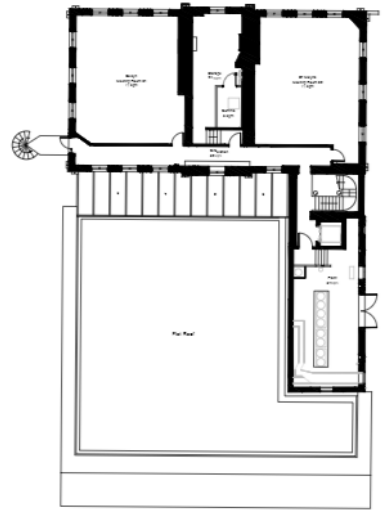
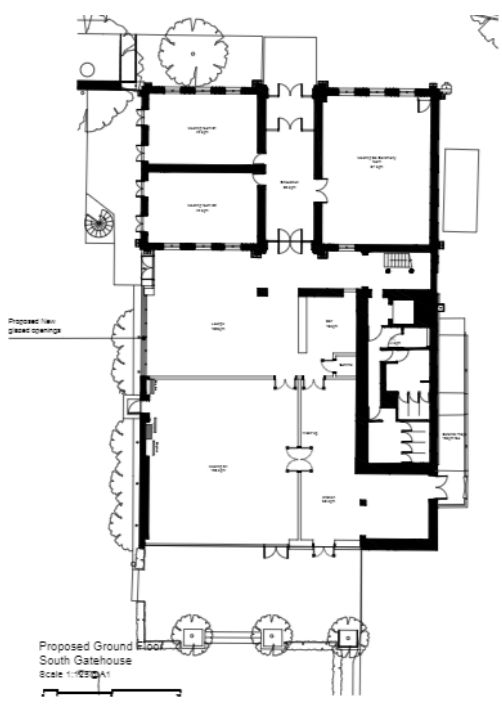
studio moran ARCHITECTS 1000 10th Street San Francisco, CA 94103 415.774.8888 www.studiomoran.com	DATE: 11/12/2014 DRAWN BY: JRM CHECKED BY: JRM	PROJECT: Dilton Park Manor DRAWING: Proposed North & South Elevation MANOR HOUSE	SHEET: 1110-010 TOTAL SHEETS: 01	CLIENT: Dilton Park Property Unit Trust PROJECT: FOR PLANNING YEAR: 1881 DRAWING NO: A-110-010	P1
	ARCHITECT: STUDIO MORAN ARCHITECTS PROJECT NO: 1110-010 DATE: 11/12/2014				

Proposed gym/northern gatehouse

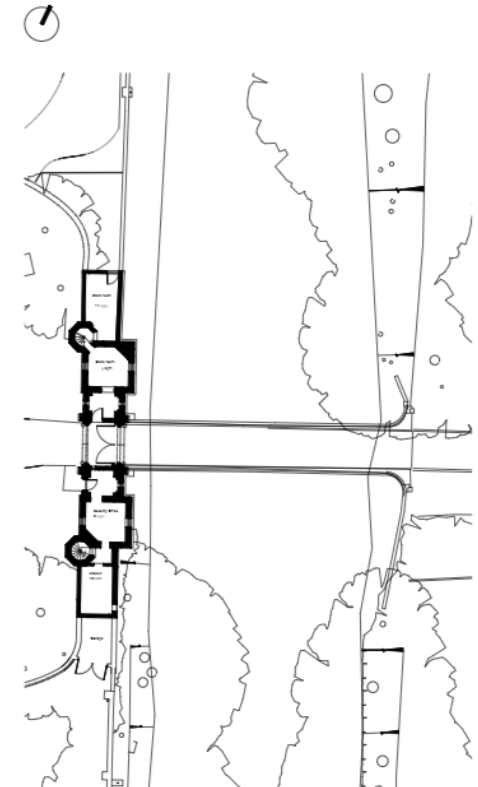




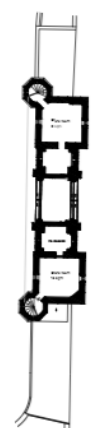
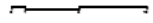
Proposed south gatehouse



Proposed east gatehouse



Proposed East Gatehouse
Ground Floor
Scale 1:125



Proposed East Gatehouse
First Floor



Proposed East Gatehouse
Roof Plan

Proposed chapel

Interior is to be restored to allow the space to be brought back into use.

Section AA

Brickwork and stonework to be made good or restored where necessary.

North Elevation

West Elevation

South Elevation

East Elevation

Windows to be cleaned and made good.

Window security grilles to be removed and windows to be cleaned and made good.

NOTES

Drawings & elevations indicate drawings are for information only.

KEY PLAN

Proposed granary

Ground Floor

First Floor

Elevation 01

Elevation 02

Elevation 03

Elevation 04

All existing elevation to be cleaned and made good.

NOTES

KEY PLAN

DEVELOPMENT CONTROL PANEL

7 March 2024

Item: 3.

Application No.:	23/01996/FULL
Location:	The Lawns Nursery School Imperial Road Windsor SL4 3RU
Proposal:	Installation of 1no. parking spaces to the side of the existing Early Years Pre-Learning Hub.
Applicant:	Mr Smith
Agent:	Ms Ling Lee
Parish/Ward:	Windsor Unparished/Clewer East

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

1. SUMMARY

- 1.1 The application originally proposed 2no. additional parking spaces. Following concerns about encroachment into the tree root protection area, the applicant has submitted an amended plan 220173-1-003 Rev D (dated 7th Feb 2024) which shows just 1no. additional parking space, immediately adjacent to the nursery building and alongside existing carparking spaces. The description of the application has been amended to reflect the provision of 1no. carparking space. The single carparking space is intended to be used for staff parking.
- 1.2 The amended parking scheme is considered to be acceptable.

It is recommended the Committee grants planning permission with the conditions listed in Section 12 of this report.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application for this proposal as it involves an RBWM school site.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site lies on the east side of Imperial Road. The main vehicular entrance to the application site lies immediately to the south of the nursery building (Early Years Pre-Learning Hub) which was formerly the caretaker's bungalow.

4. KEY CONSTRAINTS

- 4.1 The site is not within the Green Belt and not within an area liable to flooding.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposal is for a single parking space immediately adjacent to the nursery building (Early Years Pre-Learning Hub) and near the gates and main entrance to the school site, on Imperial Road. It is understood that the provision of one additional car parking

space, is required to ease pressure on the existing on-site car park. The amended plan Ref. 220173-1-003 Rev D (dated 7th Feb 2024) shows 1no. additional parking space, immediately adjacent to the nursery building and alongside existing carparking spaces

- 5.2 When the previous application 23/00352/FULL was being considered the agent explained that there was a shortage of parking spaces for staff currently employed at the school.

History

23/00352/FULL	Change of use of the existing caretaker's bungalow (C3a) to provide early years pre-learning hub (F1a) with alterations to fenestration, rear terrace, 1no. car parking space and alterations to the existing school entrance with 1no. ramp and the creation of two separate entrances to The Lawn Nursery & Oakfield School	Approved 10 th July 2023
---------------	---	-------------------------------------

6. DEVELOPMENT PLAN

Borough Local Plan: Adopted Feb 2022

Issue	Local Plan Policy
Character and Appearance	QP1, QP3
Sustainable Transport	IF2, IF5
Trees and Ecology	NR2, NR3
Environmental Protection	EP1, EP3, EP4
Trees	NR3
Nature Conservation and Biodiversity	NR2
Climate Change	SP2

Adopted Windsor Neighbourhood Plan – policies DES.01, PAR 02

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2023)

Section 2 – Achieving Sustainable Development
 Section 4 – Decision-making
 Section 6 – Building a Strong, Competitive Economy
 Section 8 -Promoting healthy and safe communities

Section 9 – Promoting Sustainable Transport
 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

Other Local Strategies or Publications

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

8. CONSULTATIONS CARRIED OUT

8.1 A total of 4 neighbouring properties were directly notified. No letters of concern or objection been received.

Consultee	Comment	Where in the report this is considered and officer comment.
Highways	No objection.	The latest amendments show one of the previously proposed space (near the tree) removed. The planning officer has discussed the proposal with the Highway Officer. The proposed single parking space is considered acceptable. See paragraphs 9.7, 9.8
NatureSpace	No objection raised to previous application 23/00352.	Noted.
Environmental Protection	No objection	Noted

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Character, appearance and residential amenity
- ii Parking provision
- iii Biodiversity
- iv Sustainability

i Character of the area and residential amenity

- 9.2 Concerns were raised about the originally submitted scheme which proposed additional hardstanding to provide 2 additional parking spaces, as this would encroach the root protection area of a mature tree adjacent to the site entrance. The tree contributes positively to the visual amenity of the locality. Borough Local Plan Policy NR 3 (Trees, Woodlands and Hedgerows) amongst other things seeks to protect and retain trees, woodlands and hedgerows and extend coverage where possible. Where the amenity value of the trees, woodland and hedgerows outweighs the justification for development, planning permission may be refused.
- 9.3 Following concerns about encroachment into the tree root protection area, the applicant has submitted an amended plan 220173-1-003 Rev D (dated 7th Feb 2024) which shows just 1no. additional parking space, immediately to the nursery building (Early Years Pre-Learning Hub) and alongside existing carparking spaces.
- 9.4 The applicant has not submitted a tree survey or arboricultural method statement, with the current application; however, it is noted that there is existing hardstanding (tarmac) on the site of the proposed new parking space. The application form states that the proposed parking space would be surfaced in permeable block paving. As the proposed new space would be on an area of existing hardstanding, the LPA is satisfied that the one parking space will have an acceptable impact on this tree.
- 9.5 The amended drawing shows a gate in the fence to the nursery garden area. It is understood that this gate would be used only to provide access to the garden area by the school gardener, or for maintenance purposes. Therefore, there is no need for any additional hardstanding to create a path to leading to the gate.
- 9.6 The new parking space is some distance away and separated by a fenced garden area, from the nearest residential property at 39 Imperial Road. As such there would be no adverse impact on the amenities of nearby residents.

ii Parking provision

- 9.7 The Council's Parking Strategy parking requirements for schools and nurseries is 1no. parking space per 1no. full time equivalent staff member. The applicant has previously advised during the determination of the previous application 23/00352, that there were no additional members of staff to be employed at the school/nursery site. It was also noted when application 23/00352 was being determined, that the parking requirement for the former 2/3 bedroom caretaker's house (now nursery building) was 2no. parking spaces and that there were 2 existing parking spaces at the front of the building. Application 23/00352/FULL proposed a total of 3no. parking spaces for the nursery building – with the previously proposed additional/new space being alongside the existing spaces at the front of the bungalow.
- 9.8 The amended plan 220173-1-003 Rev D (dated 7th Feb 2024), showing one additional parking space to the side, alongside and parallel to existing parking spaces is considered to be acceptable in both in terms of impact on the tree root protection area and in terms of parking and highway considerations.

iii Biodiversity

- 9.9 Policy NR 2 (Nature Conservation and Biodiversity) of the Borough Local Plan states that development proposals will be expected to demonstrate how they maintain, protect and enhance the biodiversity of application sites including features of conservation value such as hedgerows, trees, river corridors and other water bodies and the presence of protected species.
- 9.10 Windsor Neighbourhood Plan Policy BIO.01 (Green and Blue Infrastructure Network) states that development proposals should minimise impacts on biodiversity and provide net gains in biodiversity where possible.
- 9.11 Windsor Neighbourhood Plan Policy BIO.02 (Green Routes) identifies Imperial Road as a Green Route. It states that where development fronts these routes the provision of green boundary treatments with trees, vegetation and soft landscaping to sustain and improve air quality and visual amenity, and the safeguarding, provision and/or enhancement of habitats to facilitate the movement of wildlife will be supported.
- 9.12 The frontage of the application site which contains trees and hedgerows falls within the Green Route. The applicant provided details of biodiversity enhancements for application 23/00352/FULL including a new hedgerow planting alongside the site boundary onto Imperial Road. The new hedgerow is shown on the amended drawing 220173-1-003 Rev D (dated 7th Feb 2024), and in addition this drawing shows a new tree (*Tilia Cordata*) to be planted within a grassed area.
- 9.13 NatureSpace has previously raised no objections regarding potential impact on Great Crested Newts (GCN). The current proposal for one new parking space on an area of exiting tarmac, raises no additional concerns with regard to GCN.

iv Sustainability

- 9.14 Adopted Borough Local Plan policy QP3 states that new development will be expected to contribute towards achieving sustainable high quality design in the Borough. A development proposal will be considered high quality design and acceptable where amongst other things it achieves the following design principles:
- a. Is climate change resilient and incorporates sustainable design and construction which: minimises energy demand and water use maximises energy efficiency; and minimises waste.
- 9.15 Policy SP 2 (Climate Change) requires that all developments will demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change. The Council's Interim Sustainability Position Statement (ISPS) requires that all developments (except householder residential extensions and non-residential development with a floorspace of below 100sq.m) should be net-zero carbon unless it is demonstrated this would not be feasible.
- 9.16 The ISPS requires 20% of new parking spaces to be provided with EV charging facilities and passive provision (ducting, cabling and capacity with the Mechanical Engineering Services) for the remaining 80% of spaces provided. Given the only one new parking spaces is now proposed it is considered rather onerous to impose a condition requiring provision of EV charging point/s.

vi Planning balance and conclusion

- 9.17 It is considered that the amended proposal for one parking space would be in compliance with national and local planning policies.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 The Royal Borough of Windsor and Maidenhead implemented its Community Infrastructure Level (CIL) to help deliver the infrastructure needed to support development in the area in September 2016. The proposed development for 1no. parking space would not attract CIL payments.

11. APPENDICES TO THIS REPORT

- ☐ Appendix A - Site location plan
- ☐ Appendix B – Proposed Plans and Elevations

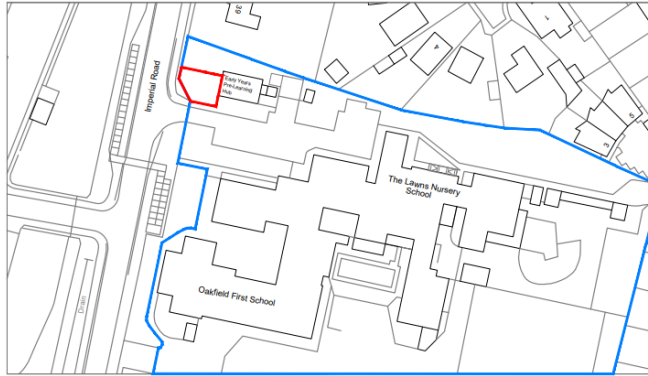
12. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 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 (i.e. permeable block paving) 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, to reduce the risk of flooding and increase the level of sustainability of the developmen Relevant Policies - adopted Borough Local Plan QP3, NR1, SP2.
- 3 The biodiversity enhancement measures i.e. the new hedgerow planting, provision of grass and planting of new tree shall be provided fully in accordance with the approved amended plan Ref. 220173-1-003 Rev D (dated 7th Feb 2024) and within the first planting season following the commencement of the development hereby approved, and shall subsequently be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To provide a biodiversity enhancement at the site. Relevant policies - adopted Borough Local Plan QP3, NR2.
- 4 No additional hard surfacing whatsoever shall be provided beyond the area of the 1no. parking space hereby approved.
Reason: To ensure that there is no additional encroachment into the tree root protection area, in the interests of protecting a mature tree that contributes positively to the street scene and visual amenity of the area.
- 5 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

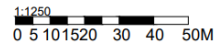
The Lawns Nursery

Application 23/01996/FULL



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Location Plan



— SITE BOUNDARY
 — LAND WITHIN OWNERSHIP BUT NOT PART OF THIS APPLICATION

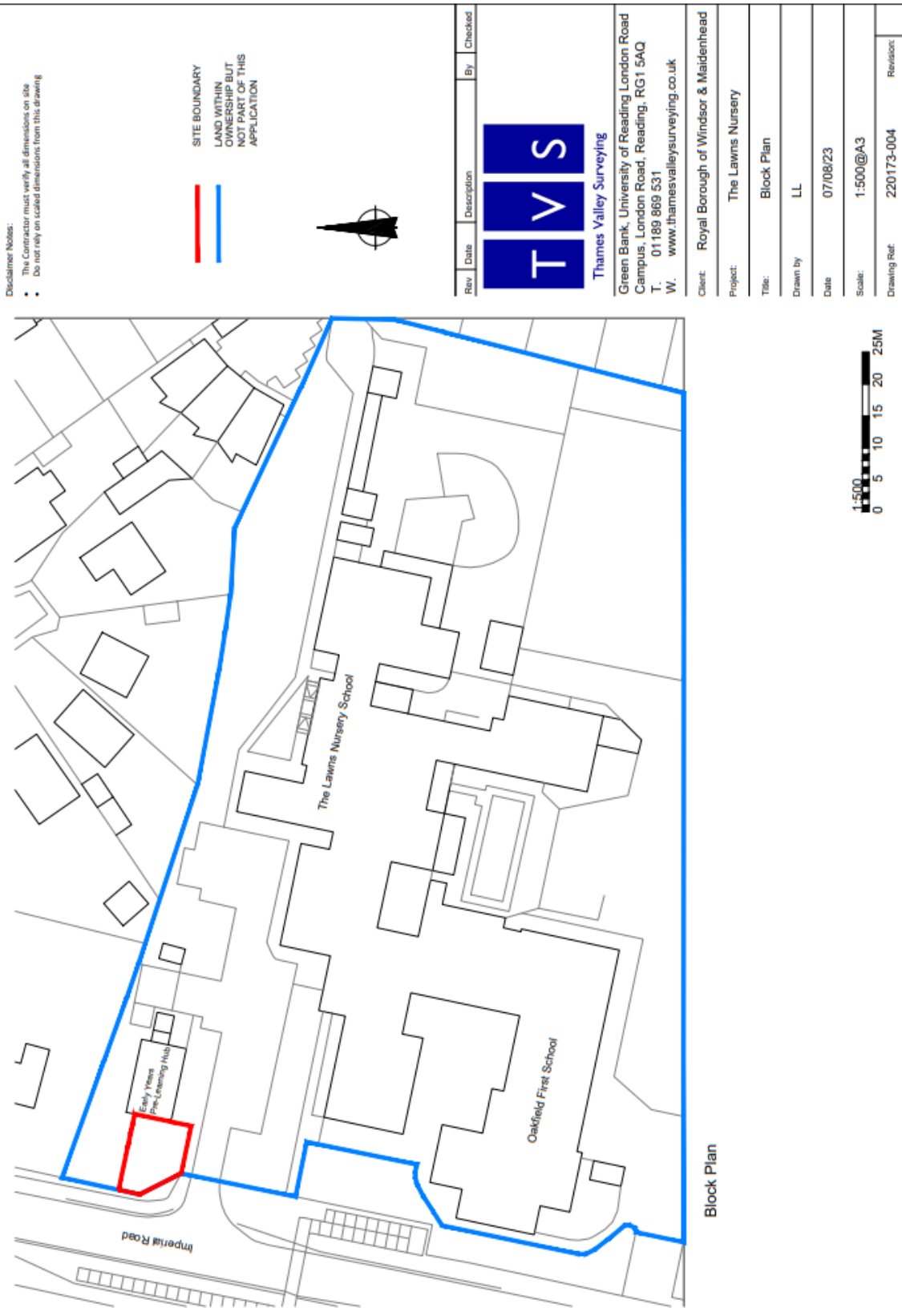


Rev	Date	Description	By	Checked
<p>Thames Valley Surveying</p> <p>Green Bank, University of Reading London Road Campus, London Road, Reading, RG1 5AQ T. 01189 869 531 W. www.thamesvalleysurveying.co.uk</p>				
Client:		Royal Borough of Windsor & Maidenhead		
Project:		The Lawns Nursery		
Title:		Location Plan		
Drawn by:		LL		
Date:		07/08/23		
Scale:		1:1250@A4		
Drawing Ref:		220173-1-001	Revision:	

APPENDIX B

The Lawns Nursery

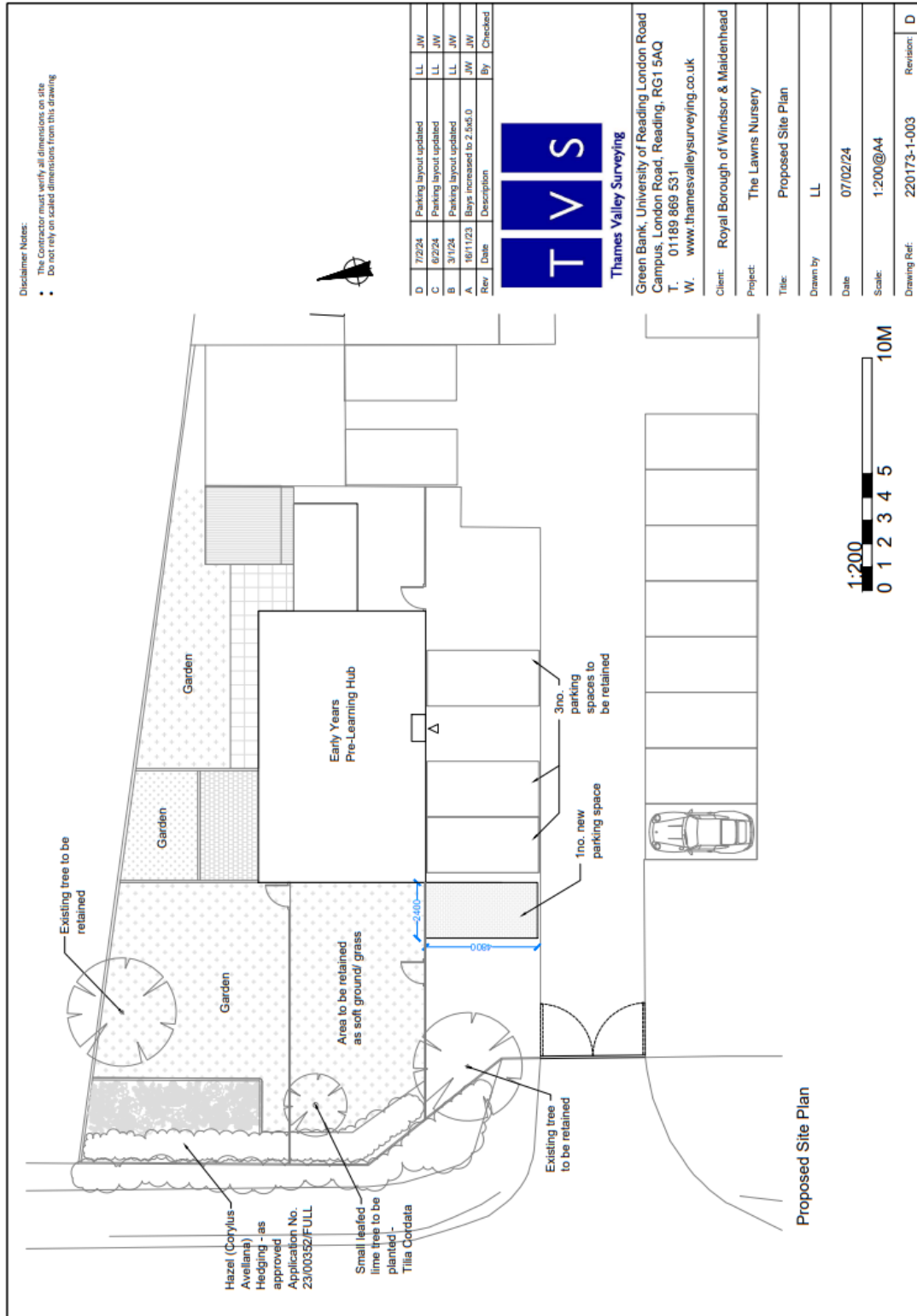
Application 23/01996/FULL



APPENDIX B

The Lawns Nursery

Application 23/01996/FULL



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DEVELOPMENT CONTROL PANEL

7 March 2024

Item: 4.

Application No.:	23/02835/FULL
Location:	Hilltop First School Clewer Hill Road Windsor SL4 4DW
Proposal:	Single storey front extension with raised decking, steps and 2no. canopies, nursery play area, new fence, gates and relocation of the existing gates and 3no. additional parking spaces.
Applicant:	Mr Smith
Agent:	Ms Vicky Kolliopoulou
Parish/Ward:	Windsor Unparished/Clewer And Dedworth East
If you have a question about this report, please contact: Zishan Pervez on 01628 682977 or at zishan.pervez@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposed development is considered an enhancement of the school facilities and provides an improvement to the overall quality of education. The works, comprising of a single storey extension with raised decking, steps, 2no. canopies and new fence and gates including relocation of existing gates are considered, by virtue of its appropriate design, scale and siting to respect the character and appearance of the site and would not be out of keeping with its surroundings. The additional 3no. parking bays do not have a negative impact upon highways. The proposal accordingly is compliant with the NPPF (Dec 2023) and the relevant Adopted Borough Local Plan and Windsor Neighbourhood Plan policies identified in section 6 and 7 of this report.

It is recommended the Committee grants planning permission with the conditions listed in Section 11 of this report.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application for this proposal as it involves an RBWM school site.

3. DESCRIPTION OF THE SITE AND SURROUNDINGS

- 3.1 The application site is a First School situated in Clewer Hill Road in Windsor. The building is mainly single storey with pitched roofs, with a two-storey part to the northern part of the building.

4. DESCRIPTION OF THE PROPOSAL

- 4.1 The application seeks planning permission to erect a single storey front extension with raised decking, steps and 2no. canopies, nursery play area, new fence, gates and relocation of the existing gates and 3no. additional parking spaces.
- 4.2 The proposed works comprise of remodelling the existing playroom to a resource base for existing SEND pupils which include two group rooms, a sensory room, an office and new WC's improving the existing special education needs and disabilities (SEND) facilities. The proposed extension would provide additional space to relocate the original nursery playroom with additional WC's. The new decking along the

extension will provide for external play area. The new gates and fence would set apart the nursery informal soft play area with the remaining school play area.

5. RELEVANT PLANNING HISTORY

5.1 There is extensive planning history for the site, the most relevant being:

Application Reference	Description	Decision and Date
23/00519/FULL	Detached timber structure	Approved / 16.08.2023
14/00988/FULL	Construction of single storey infill extension to rear of school, relocation of existing canopy and installation of new canopy	Approved / 14.05.2014
08/02524/FULL	Two storey extension to provide additional classrooms together with revised car parking access road and bin storage	Approved / 23.01.2009
08/00864/FULL	Single storey front extension with canopy and additional hard surface play area	Approved / 16.05.2008
01/80392/FULL	Erection of a single storey extension	Approved / 06.03.2001

6. DEVELOPMENT PLAN

6.1 The main relevant policies are:

Adopted Borough Local Plan

Issue	Policy
Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Community Facilities	IF6
Sustainable transport	IF2

Windsor Neighbourhood Plan (2011-2026)

Issue	Neighbourhood Plan Policy
Design in keeping with the character and appearance of area	DES.01
Highways/Parking	PAR.01
Residential Amenity	RES.01

7. **MATERIAL PLANNING CONSIDERATIONS**

National Planning Policy Framework Sections (NPPF) (December 2023)

Section 2 – Achieving sustainable development

Section 4 - Decision-making

Section 9- Supporting sustainable transport

Section 8 – Promoting healthy and safe communities

Section 12 - Achieving well-designed places

Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Documents

- Borough Wide Design Guide

Other Local Strategies or Publications

Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy

8. **CONSULTATIONS CARRIED OUT**

Comments from interested parties

Five neighbouring properties were directly notified of the proposal. No comments were received.

Consultees

Comments	Officers Response
<i>Environmental Protection:</i> No objection, conditions and informative recommended.	Noted. Please see section 8.
<i>Highway:</i> No objections	Noted.
<i>Ecology:</i> Subject to condition, no objection.	Noted. Please see section 8.

9. **EXPLANATION OF RECOMMENDATION**

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

- i. Enhancement of school facilities
- ii. Impact on the character of the area and street scene;
- iii. Impact on neighbouring amenities;
- iv. Impact on trees;
- v. Biodiversity
- vi. Impact on parking provision and highway safety.

Enhancement of School Facilities

9.2 Paragraph 99 of the NPPF states: 'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning

authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should

a) give weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.'

- 9.3 Policy IF6 (Community Facilities) of the Adopted Local Plan states:
'1. Proposals for new or improved community facilities which meet the needs or aspirations of local residents and visitors will be supported. Where an assessment identifies specific needs in the local area, proposals to meet that local need will be supported when they are located in areas that are accessible by walking, cycling or public transport.'
- 9.4 The proposed works would improve the overall recreational, learning, and sheltered facilities of the school to cater the requirements of the pupils. The proposed development is considered to accord with paragraph 99 of the NPPF and policy IF6 of the Adopted Local Plan.

Impact on Character

- 9.5 The appearance of a development is a material planning consideration and the National Planning Policy Framework, Section 12 (Achieving Well-Designed Places) and Borough Local Plan Policies QP1 and QP3, advises that all development should seek to achieve a high quality of design that improves the character and quality of an area.
- 9.6 The proposed development includes a single storey extension. The extension is of a proportionate scale and has been suitably designed comprising of a gable feature with eaves and ridge height level with the eaves and ridge of the main roof, appearing in keeping with the character the existing building. The external materials proposed would be similar to that used on the existing build, comprising of matching brickwork, tiles and fenestration to appear visually in keeping and sympathetic.
- 9.7 The new decking would be erected along the side and rear of the extension with one canopy of each side of the decking. The canopies are made from timber and would be in keeping with the setting. Moreover, the fence and gates along the side of the open space along the extension is to split the play area and would be in keeping with the character and appearance of the site.
- 9.8 In summary, the proposed development is considered to respect both, the character and appearance the host building and the wider area.

Impact on Neighbours

- 9.9 The proposed development maintains a distance of circa 29m with School Lodge and 17m with 7c Highfield Road. Due to the scale, nature and separation distance from the neighbouring properties, the proposed development would not result in a material loss of light, privacy or overbearing impact. It is considered that the proposal would not result in material harm to neighbouring properties within the surrounding area with respect amenity and the enjoyment of the rear garden space. As such, the proposal is compliant with the Borough Local Plan policy QP3, paragraph 135(f) of the NPPF, which supports a high standard of amenity for existing and future occupiers.
- 9.10 Environmental Protection were consulted on the application. Following review of the proposal the environmental protection officer offered no objections to the proposal

however recommended a condition requesting a construction environmental management plan to be submitted and approved by the local planning authority, however, it is not considered that it would be necessary to impose such a condition, as the matters that would be covered by this condition is covered by other legislation and guidance outside of planning.

Trees

- 9.11 Adopted Borough Local Plan policy NR3 sets out that development proposals should carefully consider the individual and cumulative impact of proposed development on existing trees, woodlands, hedgerows, including those that make a particular contribution to the appearance of the streetscape and local character/distinctiveness. The policy provides further guidance and states development proposals should, a) protect and retain trees, woodlands and hedgerows, b) where harm to trees, woodland or hedgerows is unavoidable, provide appropriate mitigation measures that will enhance or recreate habitats and new features and c) plant new trees, woodlands and hedgerows and extend existing coverage where possible.
- 9.12 The application site comprises of a number of trees as identified in the tree survey submitted. T2 (sweet gum) and T3 (olive) are identified as category C trees. T1 (category), Olive Gum Tree is scheduled to be felled prior to the proposed extension. There is no objection to the loss of the Olive Gum tree (T1). As the trees in proximity of the proposed extension are not covered by Tree Preservation Order, and are C category trees, it is not considered necessary to impose a planning condition requiring the tree protection measures to be in place during the construction period.

Biodiversity

- 9.13 Paragraph 186(a) of the NPPF states where significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, local planning authorities should refuse planning permission. Local Plan Policy NR2 also states protected species and habitats will be safeguarded from harm or loss and should be enhanced where possible.
- 9.14 The applicant has submitted a Preliminary Ecological Appraisal and a Preliminary Roost Assessment carried out by Arbtech Consulted Ltd dated October 2023. The findings have identified that the buildings affected by the proposals were deemed to have negligible potential to support roosting bats and therefore a further survey is not required. There was no or very limited potential on site to support great crested newt, reptiles, badgers, dormouse, riparian mammals, hedgehog or nesting birds and therefore no further survey or specific mitigation is required.
- 9.15 Ecology were consulted on the application, and in light of the above, the ecologist has raised no objections, but has recommended a pre-commencement condition (should planning permission be granted) requiring details of biodiversity enhancements to be submitted and approved by the local planning authority. The planning officer agrees this condition would be necessary and the applicant has agreed to this condition in writing.

Highways/Parking

- 9.16 Policy IF2 states that prior to the adoption of a Parking SPD, the parking standards in the 2004 Parking Strategy will be used as a guide for determining the appropriate level of parking provision. The proposals would allow an increase of 10 pupils and 3 more members of staff. The existing access would remain as existing, and the

existing parking arrangement is widely unaltered with the inclusion of five additional parking bays which are currently occupied by only two parking bays. Highways were consulted on the proposal and the highway officer has advised the proposal would not impact the highway network and such raises no objections. The planning officer agrees with these comments, the increase in the number of pupils and staff is not considered to exacerbate parking pressures or traffic congestion within the site of the surrounding roads. On this basis, the proposal is considered to comply with policy IF2.

PLANNING BALANCE

- 10.** As set out in the above paragraphs, the proposal is considered to be acceptable, and is broadly in accordance with the aims of National and Local Plan policy. The application is recommended for approval subject to the conditions listed below.

Appendices to this report

- 10.1 Appendix A – Location
Appendix B – Proposed Site Plan
Appendix C – Proposed Floor Plan
Appendix D – Proposed Roof Plan
Appendix E – Proposed Elevations
Appendix F – Proposed Elevations

11. 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 QP3.
- 3 Prior to the commencement of the development above slab level, details of biodiversity enhancements, to include the installation of bird and bat boxes within the site and wildlife friendly planting, and the timescales to implement these, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements shall be installed in accordance with the approved details and timescales and maintained thereafter.
Reason: To incorporate biodiversity in and around developments in accordance with the NPPF and local policy NR2.
- 4 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Informatives

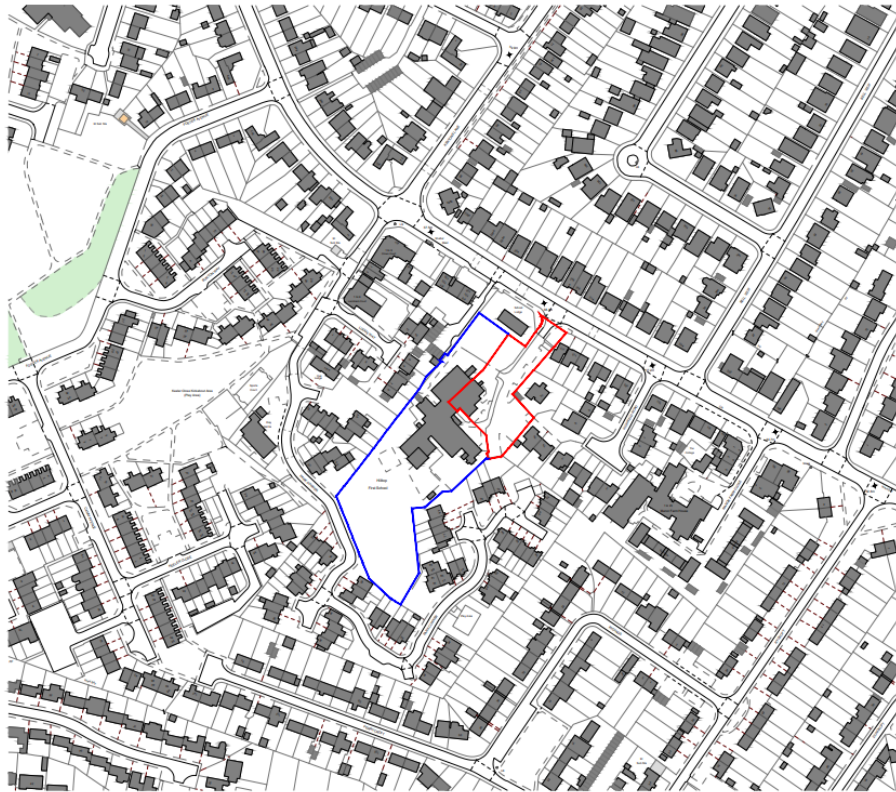
- 1 The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 68 3830 and follow good practice.
- 2 In the event that unexpected soil contamination is found after development has begun, development must be halted. The contamination must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is the subject of the approval in writing of the Local Planning Authority.

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23/02835/FULL - Hilltop First School, Clewer Hill Road, Windsor SL4 4DW

Appendix A – Location Plan

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NOTES
ALL DIMENSIONS MUST BE CHECKED ON SITE AND NOT SCALED FROM DRAWING. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL, STRUCTURAL, MECHANICAL & ELECTRICAL DRAWINGS, SPECIFICATIONS AND CONTRACT DOCUMENTS. ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT. THIS DRAWING IS COPYRIGHT.

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Proposed Refurbishment & Extension
Hilltop First School
Clewer Hill Road, Windsor, SL4 4DW

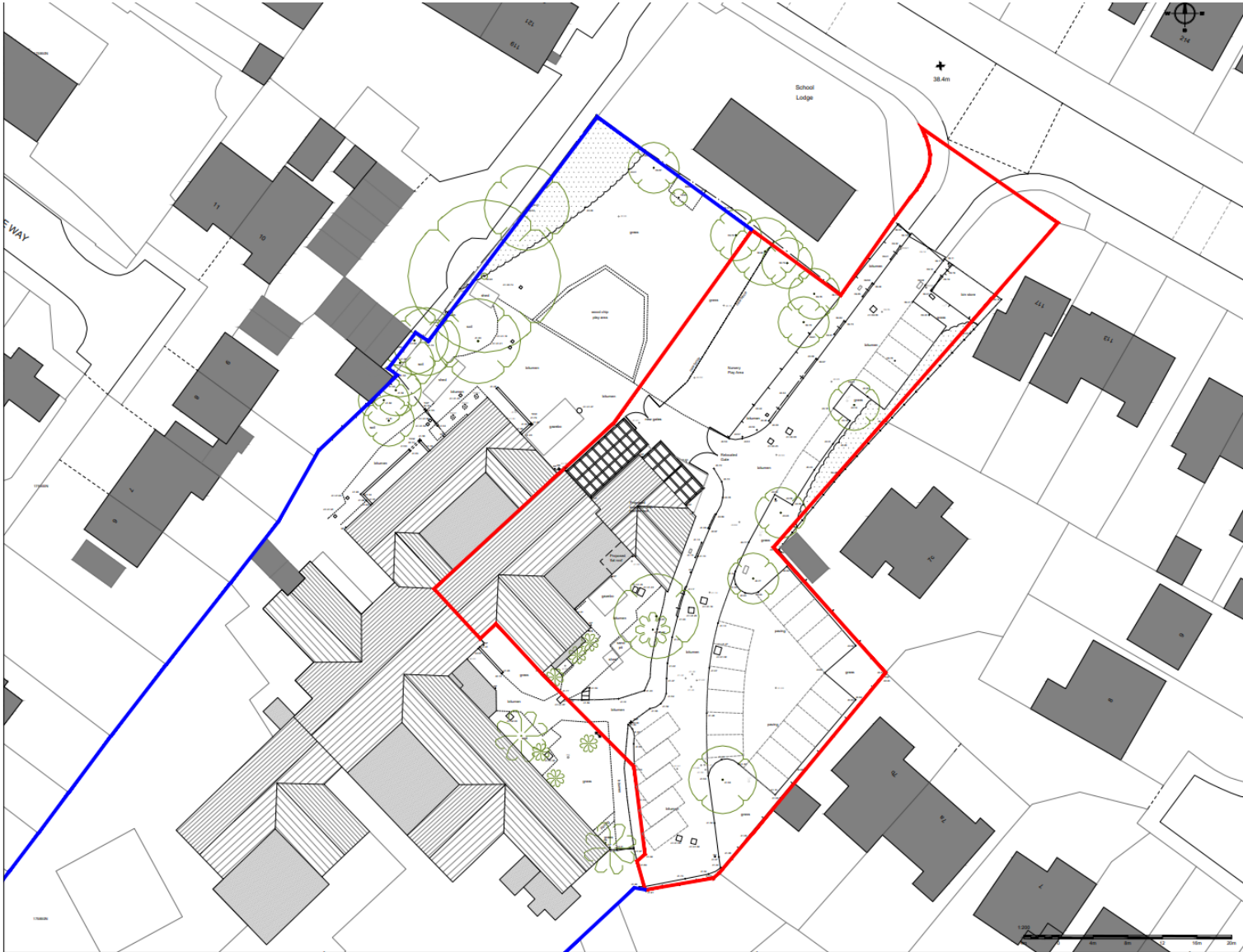
Location Plan

SCALE (M)	1:1250	COORD REF	5973-1100
DATE	Sept 2023	DRAWN	VK
JOB No.	5973	DRG No.	1100
			B

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Appendix B – Proposed Site Plan



C - General Amendments (Meeting with School) 08.11.23

NOTES
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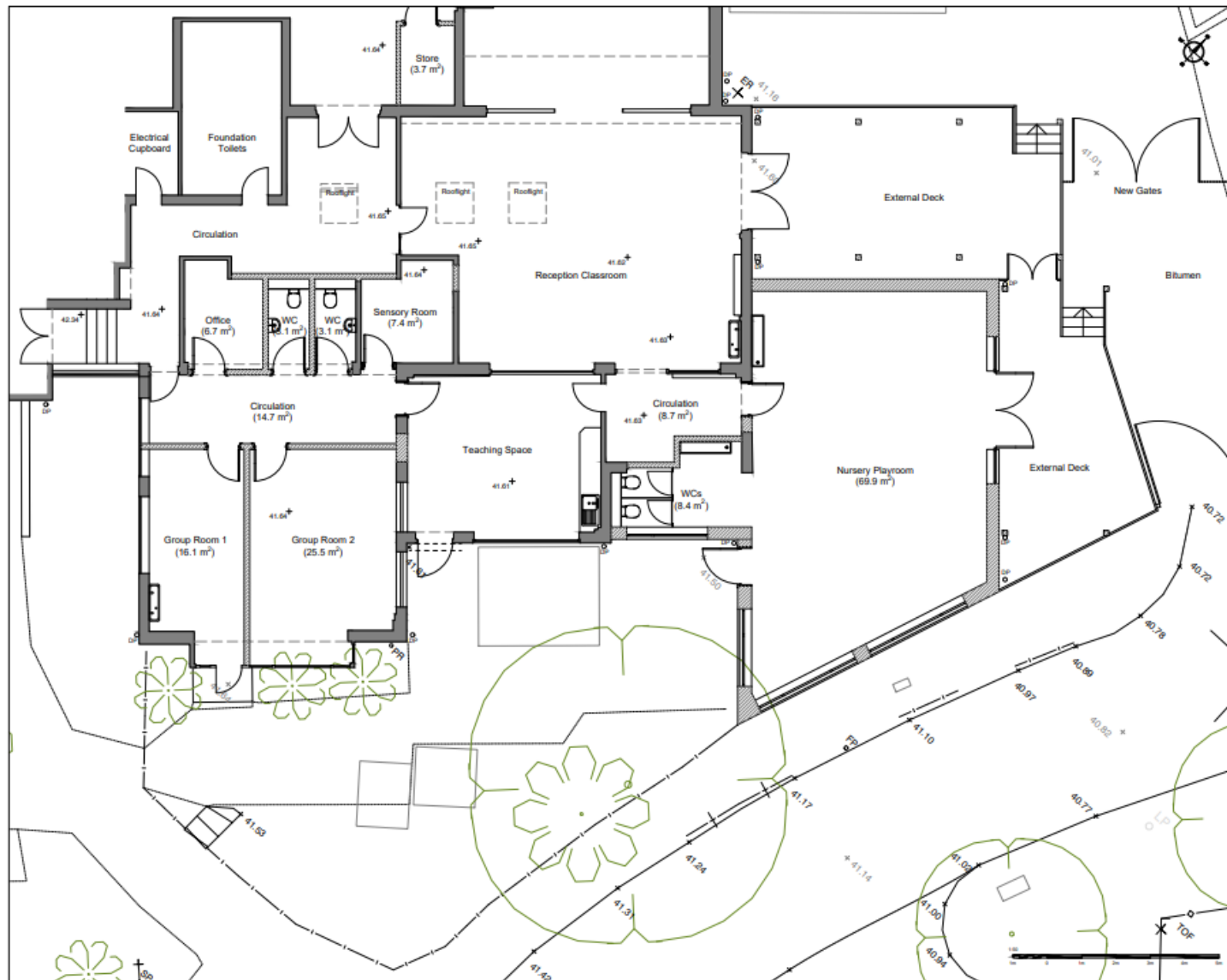
Proposed Refurbishment & Extension
 Hilltop First School
 Clewer Hill Road, Windsor, SL4 4DW

Proposed Site Plan

SCALE (AS)	1:200	COORD REF	5973-1100
DATE	Sept 2023	DRAWN	VK
JOB No.	5973	DWG No.	1103 C

Appendix C – Proposed Floor Plan

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REVISIONS	
A	Minor Amendments 24.11.22
B	General Amendments (Meeting with School) 08.11.22
C	Minor Amendments 13.11.22

NOTES
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LEGEND

EXISTING
 PROPOSED

KEY PLAN
 Scale 1:1000 @ A1

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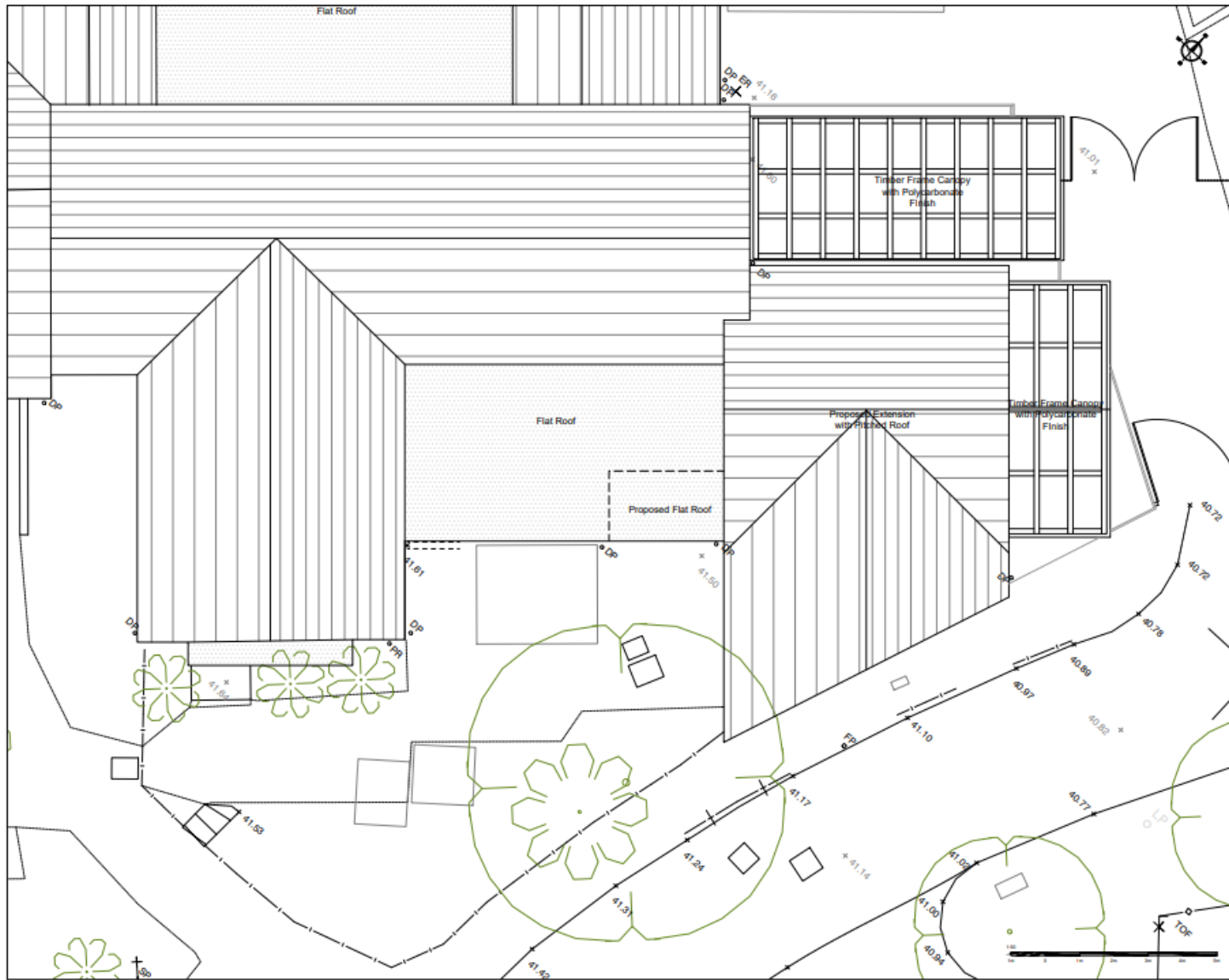
Proposed Refurbishment & Extension
 Hilltop First School
 Cleaver Hill Road, Windsor, SL4 4DW

Proposed Ground Floor Plan

SCALE:	1:50	CADSET:	S973-1200
DATE:	Sept 2023	DESIGN:	VK
DRAWN:	S973	SCALE:	1:200
CHECKED:		DATE:	

Appendix D – Proposed Roof Plan

168

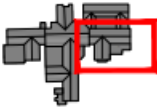


Revisions	
A	Minor Amendments 24.10.23
B	General Amendments (Meeting with School) 08.11.23

NOTES
ALL DIMENSIONS MUST BE CHECKED ON SITE AND NOT SCALE.
IF ANY DIMENSIONS DO NOT MATCH THE DRAWING, THE DRAWING IS TO BE USED IN PREFERENCE TO THE DIMENSIONS.
CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL RELEVANT ARCHITECTURAL, STRUCTURAL, MECHANICAL, & ELECTRICAL DRAWINGS, SPECIFICATIONS AND CONTRACT DOCUMENTS. ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.
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KEY PLAN

Scale 1:1000 @ A1



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Proposed Refurbishment & Extension
Hilltop First School
Cleeve Hill Road, Windsor, SL4 4DW

Proposed Roof Plan

SCALE: 1:50	DATE: 09/23	NO: 5973-1200
DATE: Sept 2023	DESIGN: VK	
NO: 5973	NO: 1204	NO: 0

Appendix E – Proposed Elevations

169



Proposed Elevation 1 - South-East
Scale 1:50 @ A1



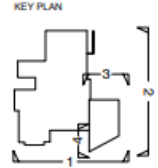
Proposed Elevation 2 - North-East
Scale 1:50 @ A1



Revisions

1	Minor Amendments	24.10.23
2	General Amendments Meeting with School	08.11.23

NOTES
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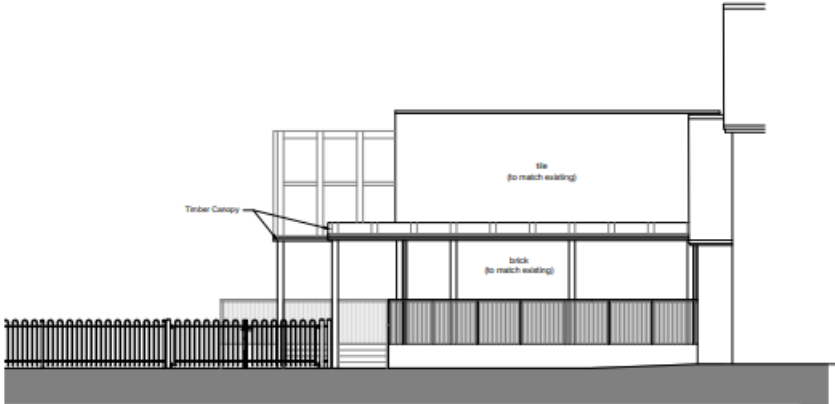
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416.233.8300 www.edgingtons.ca

Proposed Refurbishment & Extension
Hilrop First School
Cleaver Hill Road, Windsor, SL4 4DW

Proposed Elevations

SCALE: 1:50	DATE: 08.07.23	DRAWN: 5873-1300
DATE: Sept 2023	DESIGN: VK	
DATE: 09.23	DESIGN: 1301	

Appendix F – Proposed Elevations



Proposed Elevation 3 - South West
Scale 1:50 @ A1



Proposed Elevation 4 - South-West
Scale 1:50 @ A1



REVISIONS

A	Fence & gate added	20.11.23

NOTE
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Proposed Refurbishment & Extension
Hilltop First School
Crescent Hill Road, Windsor, NSW 1573

Proposed Elevations 3 & 4

SCALE	1:50	DATE	20.11.23	DRAWN BY	5873-1300
DATE	20.11.23	PROJECT	5873-1300	SCALE	1:50
DRAWN BY	5873-1300	DATE	20.11.23	SCALE	1:50

DEVELOPMENT CONTROL PANEL

7 March 2024

Item: 5.

Application No.:	23/03081/FULL
Location:	Fowles Crushed Concrete Hythe End Farm Hythe End Road Wraysbury Staines TW19 5AW
Proposal:	Replacement of hardstanding with concrete surfacing, maintenance access and drainage infrastructure associated with the lawful storage and processing of waste material in the north western area of the existing waste recycling facility.
Applicant:	Mr Fowles
Agent:	Guy Titman
Parish/Ward:	Wraysbury Parish/Datchet Horton And Wraysbury
If you have a question about this report, please contact: Nick Westlake on or at nick.westlake@rbwm.gov.uk	

1. SUMMARY

- 1.1 This application seeks planning permission to construct concrete surfacing over an area of approximately 5,175 square metres (0.5ha) and to install the associated surface water drainage infrastructure for this feature. The proposed concrete surfacing is required to fulfil the requirement of the Environmental Permit, which requires certain waste including dredging waste taken from lakes and rivers and mixed waste derived from construction and demolition which is not hazardous, to be stored and treated on an impermeable surface with a sealed drainage system.
- 1.2 The application is similar to previous application 22/02756/FULL, which was refused for one reason, that being the design of the surface water storage area. The previous design allowed for the stockpiling of waste materials in the area available for surface water to be stored. This design/layout would have reduced the surface water storage area, and as such the development failed to demonstrate that it would not increase the risk of surface water flooding elsewhere. The majority of the resubmission application is identical to the original planning application reference 22/02756/FULL with the exception of an adjusted surface water drainage scheme, an updated flood risk assessment and associated drainage technical note.
- 1.3 This resubmission application seeks to address the single reason for refusal and to aims to cover the three matters specified by the Assistant Director of Planning at the previous committee planning meeting. Namely; to provide more detail about the level of capacity of the concrete slab to accommodate a 100 year plus 40 year climate change event; to provide further details regarding the extent that capacity may be taken up with the storage of materials and the operational machinery; and finally, to hold further discussion with the LLFA to overcome their concerns.
- 1.4 These requests have been undertaken by the applicant and it is considered that the single reason for refusal on the previous application has been overcome in this submission.
- 1.5 Contained within the concreted area, the proposed surface water storage volume has been adjusted to account for a 100-year, 7-day duration rainfall event. The LLFA have confirmed storage for the 7 day event is the longest duration for a particular storm event that the industry considers, and represents the worst case scenario. The design also has an allowance of 40% additional capacity for climate change to provide

resilience to the effects of current and future climate change. The plans indicate no materials are stored within the designated areas for surface water storage. The proposal would continue to support the wider waste recycling operation on site.

- 1.6 On this basis, it is therefore recommended that planning permission be approved.

It is recommended the Committee authorises the Head of Planning:

To grant planning permission with the conditions listed in Section 13 of this report.

2. REASON FOR COMMITTEE 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 a major development; such decisions can only be made by the Committee.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 Hythe End Farm lawfully operates as a waste transfer station and there are a variety of structures and stockpiles that are used in conjunction with the lawful use.

- 3.2 The application site comprises an area of land of approximately 0.52 hectare of the wider Hythe End Farm. The site entrance is located on Hythe End Road which is accessed from the B376 and Feathers Lane to the north of the site. The application site is within the Metropolitan Green Belt and Environment Agency Flood Zone 3B. The wider site has an area of approximately 7.6ha. Therefore, the application site is only some 15% of the total site area.

- 3.3 The site is not within any designated protected sites. However, it is in close proximity to a number of designated protected areas, including South-West London Waterbodies Special Protection Area (SPA), the Wraysbury & Hythe End Gravel Pits Site of Special Scientific Interest (SSSI), Windsor Forest and Great Park SSSI and Special Area of Conservation (SAC), Langham Pond SSSI, Staines Moore SSSI, Wraysbury Reservoir SSSI and Wraysbury No.1 Gravel Pit SSSI. The site is also in close proximity to other non-statutory designated sites, including Wraysbury II Gravel Pits Local Wildlife Site (LWS), Wraysbury I Gravel Pit LWS and Colne Brook LWS.

4. KEY CONSTRAINTS

- Metropolitan Green Belt
- Environment Agency Flood Zone 3B – Functional Floodplain

5. THE PROPOSAL

- 5.1 The application site is subject to an Environmental Permit, which requires certain waste including dredging waste taken from lakes and rivers and mixed waste derived from construction and demolition which is not hazardous, as set out in the Permit, to be stored and treated on an impermeable surface with sealed drainage system.

- 5.2 The application site currently has a permeable surfacing and therefore it does not comply with the permit requirement. In order to allow the storage and treatment of

certain wastes at the application site to fulfil the requirement of the Environmental Permit, this application therefore is seeking to construct an impermeable concrete surfacing and to install the associated surface water drainage infrastructure at the application site.

- 5.3 The concrete surfacing would cover an area of approximately 5,175 square metres (0.5ha). The concrete surface is proposed to be constructed at a level which is at or below the existing ground level of the hardstanding. The applicant intends on storing and processing concrete, bricks, tiles, ceramics, stones, glass and ballast and mixtures thereof within this area. These materials are part of those listed in the 2020 Environmental Permit, which are suitable for processing into secondary aggregates subject to there being a sealed drainage system, so the surface water does not get into the drinking supply.
- 5.4 The concrete surface of the entire developable area will be graded to fall to the southwest with the northern and eastern boundaries of the concrete surface constructed to tie in with surrounding ground levels. The main difference with this application and the previous refusal (ref: 22/02756/FULL) is that the previously proposed containment kerb on the southern and western boundaries is replaced with a vertical double skin concrete blockwork wall to a minimum elevation of 15.8m AOD and the ground level of the deepest part of the concrete surface is lowered slightly to 14.150m AOD.
- 5.5 Similar to the previous application, the surface water will drain to a subsurface pre-cast underground concrete chamber which will be constructed in the south west corner and the lowest level of the area of the concrete surface. The base of the concrete chamber will be at a level of approximately 12.613m AOD and the chamber will be 1.5m wide x 1.5m deep and 3.0m long. The chamber will be covered with a steel grill.
- 5.6 This water shall not be drained on site to the local river network. The stored water will be used for dust suppression on the site. In the event that the storage chamber is full the water will be removed from the site and safely disposed of. This is a requirement of the Environmental Permit.
- 5.7 Identical to the previous refusal the area to store surface water has been designed for a 1 in 100 year plus 40% climate change, 7 days duration, rainfall event. The difference with this application is due to the depths achieved in the south eastern sections of the concrete overground storage area, the size of the area generated for surface water storage during(extreme events would be smaller, but deeper. Therefore, more space is available to the north of the site for stockpiling.
- 5.8 Within this application the plans also make it clear no waste processing operations or stockpiling would be carried out in the area designated to capture the extreme rainfall events. This area is indicated in light and dark blue within the 'Surface Water Containment Scheme, General Arrangement' drawing, Ref: 2016s4837-501, found within Appendix C of the Flood Risk Assessment (December 2023) by JBA, submitted with this application. The exception to this would be when transporting the discharge from the conveyor out of the area. The submitted details stipulate that the discharge from the conveyor would be cleared continually throughout the day and at the end of each working day. (The applicant has confirmed there is an existing conveyor which discharges into the blue hatched area on the Flood Risk Plan. This contains waste from processing facilities further south. The applicant advises that it is not practicable to relocate this discharge point. Therefore, the waste discharged from this conveyor will continually be removed (from the blue hatched area) by mobile plant (a vehicle with

a rear loading shovel) during the working day rather than being allowed to stockpile and left overnight.)

- 5.9 The concrete surface and the surface water drainage infrastructure has been designed to be resilient to the large quantity of silt that may be generated by the waste types managed. This shall be subject to maintenance and management plan for ongoing quality assurance checks.

6. RELEVANT PLANNING HISTORY

- 6.1 Hythe End Farm has a long planning history of sand and gravel extraction and waste operations through a series of planning permissions and certificate of lawfulness granted since 1998.
- 6.2 A certificate of lawfulness (97/75746) was granted in September 1998 for an existing use for the storage and processing of excavated/dredged/builders materials, timber and associated plant and machinery.
- 6.3 In 2005, planning permission (02/82412) was granted for the erection of 2.4m high compound fencing and retention of existing earth bund. Planning application (02/82413) for the erection of new gates and fence, wheel wash and weighbridge with widening of existing gateway and alterations to concrete hard surfacing (retrospective) was refused but was allowed on appeal.
- 6.4 In 2013, certificate of lawfulness (13/00828) to determine whether the existing use of parking and overnight parking of no more than ten 32 Tonne Heavy Goods Vehicles which are road going and taxed vehicles. Used only in connection with the site as set out under Certificate of Lawfulness 97/75746 [Certificate of Lawfulness 97/75746 is for storage before and after processing and processing of excavated/dredged/builders materials, timber with associated plant and machinery on land east of Hythe End Road] was refused.
- 6.5 In 2019, planning permission (16/01725/FULL) was granted for the replacement concrete surfacing associated with the lawful storage and processing of waste material, with associated drainage infrastructure and access ramps (part retrospective)
- 6.6 In 2021, planning permission (16/02366/FULL) was granted for the detached building for the maintenance of plant and machinery associated with the storage before and after processing and processing of waste materials which is subject of a certificate of lawfulness dated 09 September 1998 (retrospective). The permission was subject to an appeal against the condition requiring the facility to be completely removed from the application site when it is no longer required for such purposes. The appeal was allowed, and the condition was varied to allow the use of the building in conjunction with the lawful use of the site as a waste processing facility or any other lawful use of the site. The Inspector reasoned that enforcement action requiring the removal of the building, as operational development, could not be taken due to the passage of more than 4 years since the building's construction. Therefore, the inclusion of a clause in condition 1 requiring the building to "be completely removed from the application site" when no longer required for specified purposes would fail the test of being enforceable.
- 6.7 In March 2023, a Section 96A non-material amendment application to planning permission 16/01725/FULL to amend the current Surface Water Drainage Scheme submitted under 19/03545/CONDIT was approved.

6.8 In July 2023 an application similar to the current application (Ref: 22/02756/FULL) was submitted, this was refused for the following reason:

‘The designated surface water storage area will be used for materials stockpiling which reduces the area available for surface water to be stored. In the absence of an acceptable surface water storage strategy, the proposed development fails to demonstrate that it will not increase the risk of surface water flooding and is contrary to Policy DM10 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.’

6.9 The applicant has appealed this reason for refusal and that case is awaiting its hearing date in April 2024.

7. DEVELOPMENT PLAN

7.1 The main relevant policies are:

Adopted Borough Local Plan 2013-2033

Issue	Policy
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
Development in Rural Areas and the Green Belt	QP5
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Air Pollution	EP2
Artificial Light Pollution	EP3
Noise	EP4
Sustainable Transport	IF2
Rights of Way and Access to the Countryside	IF5

Adopted Central and Eastern Berkshire Joint Minerals and Waste Plan 2021-2036

Issue	Policy
Sustainable Development	DM1
Climate Change – Mitigation and Adaptation	DM2
Protection of Habitats and Species	DM3
Protection of the Countryside	DM5

Green Belt	DM6
Protecting Health, Safety and Amenity	DM9
Flood Risk	DM10
Water Resources	DM11
Sustainable Transport Movements	DM12
High-Quality Design of Minerals and Waste Development	DM13
Ancillary Development	DM14
Site History	DM15
Sustainable waste development strategy	W1
Safeguarding waste management facilities	W2
Locations and sites for waste management	W4

Adopted Horton and Wraysbury Neighbourhood Plan 2018-2033

Issue	Policy
The presumption in favour of sustainable development	NP/SUSTDEV01
Management of the Water Environment	NP/SUSTDEV02
Landscape	NP/OE1
Ecology	NP/OE2
Public Rights of Way	NP/OE3

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2023)

Section 2 – Achieving sustainable development
Section 4- Decision-making
Section 6 – Building a strong, competitive economy
Section 9- Promoting Sustainable Transport
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

National Planning Policy for Waste (October 2014)

- 8.1 The document can be found at: <https://www.gov.uk/government/publications/national-planning-policy-for-waste>.

Supplementary Planning Documents

- i. Borough Wide Design Guide
- ii. Planning Obligation and Developer Contributions SPD

iii. Sustainable Design and Construction SPD

Other Strategies or Publications

Other Strategies or publications material for the proposal are:

- iv. DEFRA Waste Management Plan for England 2021
- v. RBWM Townscape Assessment
- vi. RBWM Landscape Assessment
- vii. RBWM Parking Strategy
- viii. Interim Sustainability Position Statement
- ix. Corporate Strategy
- x. Environment and Climate Strategy

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 9.1 The planning officer posted a notice advertising the application at the site on 31.01.2024 and the application was advertised in the Local Press on 26.01.2024.
- 9.2 5 occupiers were notified directly of the application and 37 letters were received all objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Concerns over the flood risk of the proposed development as it is within a flood plain classified as Flood Zone 3	10.21 – 10.34
2.	Concerns over highway safety, the area become an industrialised zone, with 40 ton articulated lorries and skip lorries impacting residential safety and amenity	10.41 – 10.45
3.	Concerns over the proposed development which is an inappropriate development within the Green Belt as the development would have an impact to the character of the surrounding countryside.	10.6 – 10.12
4.	Concerns over the existing bunds with no planning permission.	This application is for the replacement of surfacing and the lawfulness of the existing bunds is not considered to be relevant in this application.
5.	Concerns include noise, pollution, and potential damage from flooding and increased industrial activity	10.35 – 10.40
6.	The FRA strategy does not consider prolonged flooding.	10.21 – 10.34
7.	Visual and Noise Impact, the existing site modifications have already affected the local area negatively	10.6 – 10.12 and 10.35 – 10.40
8.	The Certificate of Lawful Use was obtained	Comments noted.

	on the site under very suspicious circumstances and was granted despite objections from local residents	
9.	There has been a systematic increase to the amount of impervious concrete that has been allowed on this site this application which can only worsen the situation for the 75 households directly impacted.	10.21 – 10.34
10.	A few centimetres of additional flood water is the difference between a property flooding or not. The RBWM's withdrawal from the Thames flood relief channel and with no alternative proposed, further development affecting the flood plain should not be permitted.	10.21 – 10.34
11.	Large amounts of impermeable concrete will affect ground water storage and compensation for this should be proposed	10.21 – 10.34
12.	The FRA fails to provide the capacity of the chamber intended for surface water collection.	10.21 – 10.34
13.	There is a severe risk of damage to the containment walls proposed around the concrete hardstanding with the movement of heavy waste site machinery. The plan does not detail the operation, number, and capacity of the wheeler tanker/s responsible for transporting collected rainfall offsite, including its operational feasibility 365 days including on weekends and holidays.	10.21 – 10.34 and 10.41 – 10.45 The other elements can be covered via Planning Condition or the Environmental Permit
14.	Previous applications that were approved have impacted the area and as a result we are facing flooding. RBWM have no solution to the flooding issues, either short or long term.	Noted.
15.	Surface water collection volume calcs need defining: - Chamber capacity currently not defined as a system or volume - Inclusion of existing chambers underground in the rain water calculations - Specifics regarding environmental impact and offsite tank capacity - Operations concerning capacity, numbers and timing of required wheeler tankers to remove rainfall offsite - Dust suppression water needs when suppression executed as directed.	10.21 – 10.34 and 10.41 – 10.45 and 10.55 – 10.56
16.	The application does not contain sufficient drainage to accommodate water created from rainfall and flood water. With the intended raising of the land level there will be a negative impact on flood conveyancing raising flood levels upstream, and residential properties.	10.21 – 10.34
17.	Comprehensive environmental impact assessment should be conducted	10.46 – 10.52
18.	Previous concerns over the existence of Japanese Knotweed at the site.	The existence of Japanese Knotweed is not a material consideration of a planning application and is addressed by

		other legislation. The suggestion is strongly denied by the applicant.
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Statutory Consultees

Consultees	Comments	Where in the report this is considered
Environment Agency	No objection to the proposed development subject to conditions.	10.35 – 10.40 and 10.46 – 10.52
Natural England	No response – Previously via 22/02756/FULL. Natural England had no objection subject to appropriate mitigation being secured.	10.46 – 10.52
RBWM Lead Local Flood Authority	No objection to the proposed development subject to conditions	10.21 – 10.34

Consultees

Consultees	Comments	Where in the report this is considered
RBWM Ecology	No objection subject to conditions requiring the submission of a construction environmental management plan (CEMP) and if required, an external lighting scheme.	10.46 – 10.52
RBWM Highways	No highways objection but the CMP stated within the planning statement has not been provided to support this application.	10.41 – 10.45
RBWM Environmental Protection	No objection subject to a condition related to construction working hours. Also, a full land contamination condition.	10.35 – 10.40

Others (e.g. Parish and Amenity Groups)

Groups	Comments	Where in the report this is considered
Wraysbury Parish Council	Objecting on the grounds of over development in flood plain	10.21 – 10.34

10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i) Principle of Development
- ii) Green Belt
- iii) Climate Change and Sustainability

- iv) Flood Risk
- v) Environmental Protection
- vi) Highway and Parking
- vii) Ecology and Biodiversity
- viii) Other Matters

i. Principle of Development

- 10.2 As was previously accepted in the recently refused application 22/02756/FULL, there is no objection to the principle of the development/proposed use, subject to the wider adherence to the relevant development management criteria set out in this report.
- 10.3 Policy DM14 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that proposals for buildings and/or structures ancillary to minerals processing or manufacturing, or for structures ancillary to the existing minerals or waste operation, will be supported where they are appropriate and located within the development footprint of the existing site. Proposals will need to demonstrate how the ancillary development will benefit the site and ensure a sustainable operation. Development permitted in accordance with this policy will be subject to a requirement that:
- a) it is used only as ancillary to the primary permission of the site; and
 - b) it will only be permitted for the life of the primary permission.
- 10.4 The types of wastes to be handled are regulated by the Environment Agency under the Environmental Permitting regime. The site is within the remit of an extant certificate of lawfulness (97/75746), which allows the processing of certain waste set out in the certificate, including excavated/dredged/builders materials and timber. The certificate was granted prior to the issue of an Environmental Permit (formerly known as Waste Manage Licence WML) before 2008. The definition of wastes set out in the certificate is not consistent with the definition of wastes set out under the current EWC (European Waste Code). Nevertheless, it is considered that the site can process the waste type EWC – 17 09 04 (mixed waste derived from construction and demolition which is not hazardous). Subject to compliance with the Environmental Permit that requires this waste to be stored and treated on an impermeable surface with a sealed drainage system.
- 10.5 This application is seeking to construct that impermeable concrete surfacing and to install the associated surface water drainage infrastructure, as the current surface is a permeable surfacing. It is considered that the proposed surfacing will allow certain waste to be processed at the application site, which is currently restricted by the Environmental Permit, to ensure a sustainable waste operation of the wider site. There is no in principle objection to the development proposal.

ii. Green Belt

- 10.6 As was previously accepted in application 22/02756/FULL, there is no objection to the development in terms of impact on the Green Belt.
- 10.7 The application site lies within the designated Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- 10.8 Paragraph 154 of the National Planning Policy Framework (NPPF) sets out that the construction of new buildings is inappropriate in the Green Belt unless it falls into one of the specified exceptions. Paragraph 155 also sets out that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, including (b) engineering operations.
- 10.9 The proposed development is seeking to construct an impermeable concrete surfacing and to install the associated surface water drainage infrastructure. The formation of surfacing and its associated drainage facility is considered to be an engineering operation in this regard.
- 10.10 Regarding whether the proposed development would preserve the openness of the Green Belt. The proposed development entails the formation of a new hard surface at ground level with only level changes being those required to facilitate the drainage of surface water as part of the required sealed drainage infrastructure. The construction of the new hard surfacing and the associated drainage infrastructure will have some impacts on the openness of the Green Belt, but those works will only be temporary. As the application site already comprises an area of surfacing, it is not considered that the proposed new hard surfacing will have any further impact to the openness of the Green Belt. The proposed double skinned retaining wall will be at or below ground level, therefore not noticeable from wider views. The features would therefore have no discernible impact on the openness of the Green Belt.
- 10.11 Regarding whether the proposed development would conflict with the purposes of including of land within it, the proposed concrete surfacing and the associated drainage infrastructure is within the existing operational waste site. The proposed development does not involve the construction of any new buildings/structures outside of the existing waste site and it is not considered that the proposed development would result in the sprawl of built-up areas.
- 10.12 In summary, the proposed concrete surfacing and the associated drainage infrastructure is considered to be an engineering operation which preserves the openness of the Green Belt and does not conflict with the purposes of including land within it, and is therefore appropriate development within the Green Belt.

iii. Climate Change and Sustainability

- 10.13 As was previously accepted in application 22/02756/FULL, there is no objection to the development on matters relating to climate change or sustainability.
- 10.14 Paragraph 157 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, minimising vulnerability and improving resistance, and supporting renewable and low carbon energy and associated infrastructure.
- 10.15 The Council has adopted an Interim Sustainability Position Statement (ISPS) to clarify the Council's approach to these matters. According to the ISPS, it sets out that all development except householder residential extensions and non-residential development with a floor space of below 100 square metres should be net-zero carbon.
- 10.17 Policy SP2 requires all development to demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change. Policy DM2 of the

Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that waste development proposals will be supported by a Climate Change Assessment. The Assessment should include how the development proposal encourages the wider sustainable use of resources and how the development itself makes efficient use of resources.

- 10.18 In this case, the proposed development is seeking to construct an impermeable concrete surfacing and to install the associated surface water drainage infrastructure. The proposal is not seeking to introduce any buildings containing floorspace; therefore, it is not considered that the proposed development would fall within the parameters of the ISPS.
- 10.19 No climate change assessment has been provided as set out in Policy DM2 of the Central and Eastern Berkshire Joint Minerals & Waste Plan to support this application. Notwithstanding, the wider existing site is for waste recycling, which is a preferable form of waste management as it is higher up the waste hierarchy than recovery or landfill. The proposed development would help support the wider waste site the sustainable use of resources and has a positive contribution towards the aims of Policy DM2.
- 10.20 Therefore, the proposed development complies with aims and objectives of Policy SP2 of the Borough Local Plan 2013-2033 and Policy DM2 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.

iv. Flood Risk

- 10.21 Paragraph 165 of the NPPF sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 10.22 Policy NR1 of the Borough Local Plan sets out that development will only be supported within designated Flood Zones 2 and 3, where an appropriate flood risk assessment has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms. Development proposals should include an assessment of the impact of climate change using appropriate climate change allowances over the lifetime of the development so that future flood risk is needed to be considered.
- 10.23 Policy DM10 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that waste developments should not result in an increased flood risk overall and the development is safe from flooding for its lifetime including an assessment of climate change impacts. This includes a drainage system that is designed to manage storm events up to and including the 1% Annual Exceedance Probability (1:100 year) storm event with an appropriate allowance for climate change.
- 10.24 Policy NP/SUSTDEV02 of the Horton and Wraysbury Neighbourhood Plan 2018-2033 sets out that development proposals for residential or non-residential development within the areas shown within Flood Zones 2 and 3 as shown on the Environment Agency's Flood Maps will not be supported apart from for replacement of houses and extensions to existing houses up to the limit allowable under the permitted development rights granted by Parts A and E of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 2015 or such secondary legislation that replaces it. The design and construction of new buildings should have regard to

national flood resilience guidance and other relevant policies in the development plan. Additionally, action should be taken where appropriate to improve and reduce the overall flood risk.

- 10.25 This application is accompanied by an updated Flood Risk Assessment (FRA) December 2023, which is prepared by JBA Consulting, on behalf of the applicant in order to address the previous reason for refusal of application, (Ref: 22/02756/FULL). This related to the previous scheme having an unacceptable surface water storage strategy, contrary to Policy DM10 of the Central and Eastern Berkshire Joint Minerals & Waste Plan. The previous scheme was said to fail to demonstrate that it will not increase the risk of surface water flooding from the site.

Fluvial flooding

- 10.26 According to paragraph 078 of the Planning Practice Guidance (PPG)¹, functional floodplain comprises land where water from rivers or the sea has to flow or be stored in times of flood. The identification of functional floodplain should take account of local circumstances and not be defined solely on rigid probability parameters. Functional floodplain will normally comprise:
- land having a 3.3% or greater annual probability of flooding, with any existing flood risk management infrastructure operating effectively; or
 - land that is designed to flood (such as a flood attenuation scheme), even if it would only flood in more extreme events (such as 0.1% annual probability of flooding).
- 10.27 The proposed development is for waste treatment, which is considered to be less vulnerable under the flood risk vulnerability classification. Less vulnerable development should normally not be permitted under Zone 3b. However, the application site is subject to a certificate of lawfulness for various waste storage and processing activities. Furthermore, the existing lawful waste operation would not fundamentally alter the functional floodplain designation of the application site. Therefore, no objection in principle is raised.
- 10.28 The Environment Agency has been formally consulted on this application and has raised no objection to the proposed development in terms of fluvial flood risk. The Environment Agency considers that there will be no loss in fluvial floodplain capacity and the proposed scheme will not impede flood flows. This conclusion is agreed with by Officers. The Environment Agency have asked for a planning condition ensuring that the development shall be carried out in accordance with the details of the drainage strategy within the submitted flood risk assessment. This is to ensure there will be no impact on flood storage and flood flow routes.. The EA also ask that all the planning conditions listed in their letter of 31 May 2023 are attached to any planning permission granted for the proposed development. In total there were two conditions raised in that letter, one related to the now updated FRA, the other in relation to ground contamination. The ground contamination planning condition has been adapted and is discussed in the Environmental Protection section below.
- 10.29 The EA also requested all the advice provided in their letter of 31 May 2023 (via the previous application 22/02756/FULL) relating to 'Land use planning and Regulation/Permitting' is included as an informative. An informative has been with included within the recommendations a series of informatives.

¹ Paragraph: 078 Reference ID: 7-078-20220825

Sequential Test

- 10.30 A sequential test is required for development in Flood Zone 2 or 3 and no sequential test is provided to support this application. The application site is subject to an extant certificate of lawfulness which allows the site to be operated as a waste processing and storage site. The proposed surfacing with sealed drainage infrastructure is required in conjunction with the lawful use of the wider site to fulfil the requirement of the Environmental Permit. Therefore, it is not reasonable to consider that the proposed surfacing can be located elsewhere, as it is not feasible to seek an alternative location as it is linked to the planning unit in this regard.

Sustainable Drainage

- 10.31 The Council's Lead Local Flood Authority (LLFA) has concluded that the proposed storage volume will be sufficiently sized for the 1 in 100 years plus 40% climate change event. The hydraulic modelling demonstrates the worst case scenario of surface water drainage would require 910m³ of water storage. Table 4-10 in the FRA states 1010m³ is provided. However, this does not include 20m³ in the underground storage tank, circa 1m³ for the pipework and circa 1 m³ for the inspection chamber. Therefore, the maximum area for Flood Risk storage in the blue hatched area is circa 1,0342m³. The capacity of surface water drainage allows for a 1 in 100 year plus 40% climate change, 7 days duration, rainfall event. This is greater than the 1 in 100 year plus climate change rainfall event as detailed in the Central and Eastern Berkshire Joint Minerals & Waste Plan, Policy DM10 (or the 1 in 10-year, plus 40% Climate change, 24hr rainfall event, as suggested in the CIRIA736 guidance). The area for the storage of this surface water has been designated to be free from the storage of materials during the day to day operations. Given there is a noticeable gradient to this area (from the predicted plans) it is considered realistic that this area shall be kept free of stockpiling. This shall be further reinforced via the surface water drainage condition recommended via the LLFA.
- 10.32 The LLFA caution that although the surface water drainage strategy is acceptable in theory, there are concerns around the effectiveness of the strategy over time, especially in relation to the ongoing maintenance of the site and the frequency with which tankering occurs. The LLFA therefore recommend a surface water drainage condition detailing the working of the system (including the demarcation of the drainage area) and a second condition overseeing the management and maintenance of these features. With such conditions in place, the LLFA have no objections. The traffic movements aspect is covered via the Highways section below.
- 10.33 Policy DM10 of the Central and Eastern Berkshire Joint Minerals & Waste Plan requires waste development in areas at risk of flooding should include site drainage systems designed to manage storm events up to and including the 1% Annual Exceedance Probability (1:100 year) storm with an appropriate allowance for climate change. The development is designed to accommodate these requirements.
- 10.34 The Environment Agency sets out that a reasonable timeframe for installation of the associated surface water drainage infrastructure that forms part of this application should be set out and this should be secured by a planning condition. A pre-operation condition shall be used to ensure that the associated sealed surface water drainage infrastructure is installed prior to the operation of the proposed concrete surfacing.

v. Environmental Protection

- 10.35 Policy EP1 of the Borough Local Plan sets out that new development will only be supported where it would not have an unacceptable effect on environmental quality both during the construction phase and when completed. The policy requires details of remedial or preventative measures and any supporting environmental assessments required, will be secured by planning conditions to ensure that the development will be acceptable. Policy DM9 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that waste development should not cause unacceptable noise, dust, lighting, vibration, or odour.

Unexpected Contamination

- 10.36 The Environment Agency welcomes the proposed development to extend the impermeable surfacing within the north-western section of the site to allow the storage and processing of imported mixed construction and demolition wastes in an area that benefits from impermeable surfacing and dedicated drainage. The previous use of the site as a landfill and for secondary aggregate processing means that soils and groundwater may be contaminated and contamination could be mobilised during construction, potentially polluting controlled waters. Officers consider the full standard contaminated land planning condition should be used in this instance to mitigate against that eventuality.

Landfill Gas

- 10.37 The Environment Agency sets out that the proposed development is on top of a historic landfill and the proposed changes could result in the nearby community being exposed to odour and landfill gas, where the gas can be toxic and can give rise to long- and short-term health risks. The Agency considers that the changes to the site surfacing will block surface emissions and any landfill gas will migrate towards the perimeter of the new concrete area.
- 10.38 The Environmental Protection Team are also concerned about this possibility. The standard land contamination condition shall ensure that landfill gas assessments will be carried out to identify any potential risks. Furthermore, the relevant mitigation measures will be fully implemented to address the identified risks. The final part of the standard land contamination condition ensures appropriate long term monitoring of such risks.

Noise

- 10.39 This application is accompanied by a Technical Note, which is prepared by Walker Beak Mason Limited, on behalf of the applicant. The Note identifies that there will be a short-term noise impact during the resurfacing works, but the level of noise generated would be at an acceptable level.
- 10.40 The Council's Environmental Protection Officer has been consulted in this application and raised no objection to the proposed development. They have recommended an hours use planning condition for the construction process and the full contaminated land condition mentioned above. Both have been included with the recommendation.

vi. Highways and Parking

- 10.41 Policy DM12 of the Central and Eastern Berkshire Joint Minerals & Waste Plan sets out that waste development will be permitted where good connectivity for the

movement of waste can be demonstrated. A transport assessment will be required to support the application. The application should be consider the following matters:

- The acceptability of routing to the site and the impacts on the surrounding road network in relation to capacity and demand, with consideration of committed developments and cumulative impact
- Road safety
- Sustainability accessibility
- Appropriate hours of working
- Mitigation as appropriate

10.42 When the applicant was asked about the predicted increase in vehicle movements to tank away the contaminated water when the storage chamber is full, the applicant said this shall vary due to the actual rainfall conditions as might apply. The applicant has said, as the storage capacity available is substantial (very much exceeding minimum requirements) and the need to remove water from site would only arise during a very severe rainfall event it is probable that in most years there will be no vehicle movements required for tankering surface water.

10.43 The LLFA have said that the surface water modelling does not allow for any runoff losses, ie through evaporation, these can typically be between 16% and 25%. This is likely especially via the dust suppression uses proposed. Therefore, is it not unrealistic that very few additional vehicle movements will be required per year. Officers would not agree that zero movements per year are likely, however, given the volume of traffic the site currently receives, it is considered that any additional vehicle movements as a result of the surface water drainage strategy would be quite negligible in current context. There is a dedicated 5m wide access to access the drainage chamber if the site needs to be drained. Otherwise during normal operations vehicles shall cross from the eastern site into the application site with no obstructions.

10.45 The Council's Highways Authority has been formally consulted in this application. The Highways Authority has raised no objection to the proposed development subject to a Construction Management Plan being provided to support the construction process. Whilst construction management plans are not always considered to be reasonably necessary, given the specific nature of the proposal officers agree that such a condition is required in this instance.

vii. Ecology and Biodiversity

10.46 As was previously accepted in application 22/02756/FULL, there is no objection to the proposal on grounds relating to the impact of the development on ecology or biodiversity.

10.47 Policy NR2 of the Borough Local Plan sets out that development proposals shall be accompanied by ecological reports in accordance with BS42020 to aid the assessment of the proposal. Neighbourhood Plan Policy NP/OE2 of the Horton and Wraysbury Neighbourhood Plan 2018-2033 sets out that development proposals that conserve and enhance biodiversity and comply with other relevant policies will be supported.

10.48 The application site is in close proximity to a number of designated protected areas, including South-West London Waterbodies Special Protection Area (SPA), the Wraysbury & Hythe End Gravel Pits Site of Special Scientific Interest (SSSI), Windsor Forest and Great Park SSSI and Special Area of Conservation (SAC), Langham Pond SSSI, Staines Moore SSSI, Wraysbury Reservoir SSSI and Wraysbury No.1 Gravel

Pit SSSI. The site is also in close proximity to other non-statutory designated sites, including Wraysbury II Gravel Pits Local Wildlife Site (LWS), Wraysbury I Gravel Pit LWS and Colne Brook LWS.

- 10.49 The application site consists of a plot of surfacing with piles of crushed concrete set within a wider waste management site which, according to the ecology report (ESL Ecological Services, October 2022), contains a variety of habitats including woodland (a priority habitat), including standing and fallen deadwood (partly on the lower slopes of screening bunds), scrub (wholly on screening bunds), ruderal (wasteland-type) vegetation, a wet ditch, a small area of rough grassland and strips of bare earth/surfacing (within the active works area). It is surrounded by woodland (including wet woodland), the River Thames (on the western boundary), grassland, and residential properties.
- 10.50 Otter, bats, birds, and stag beetle have all been previously recorded within close proximity to the site. The wider waste management site contains habitats considered to be suitable for use by stag beetle (and other invertebrates), nesting birds, roosting, foraging, and commuting bats, and European eel. There were also signs of use by rabbit, brown rat, fox and muntjac deer (though these are not of conservation concern). The application site itself (within the red line boundary) has negligible ecological value and, as such, it is considered highly unlikely that the proposals would result in any direct impacts to protected or priority species, priority and/or sensitive habitats, or designated areas.
- 10.51 Both Natural England and the Council's Ecology Officer have been consulted on this application. The Council's Ecology Officer has raised no objection to the proposed development subject to conditions securing the submission of a construction environmental management plan (CEMP: Ecology) and an external lighting scheme in the event the latter is proposed. Natural England at the time of writing has not responded to the consultation. However, they have previously via application 22/02756/FULL where no objection to the proposed development was raised. This was subject to mitigation measures as detailed by RBWM Ecologist in the Ecology Memorandum dated 28 November 2022. The LPA's Ecologist has raised similar comments within this application's response so no objections are raised on these grounds.
- 10.52 The LPA are in agreement with the Natural England's initial comments that due to the distance from the SPA/RAMSAR areas, the nature of the proposed works, and the limited impact on traffic movements once constructed. A likely significant effect on the SPA/RAMSAR areas can be ruled out. As the development is in existence as waste processing plant and the red line area does not create 'new' space for such features, but changes the layout and ground conditions for the continuation of an existing use. The development does not require assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

viii. Other Matters

- 10.53 The Environment Agency originally raised concerns about the viability of operating the proposed concrete surfacing. The Agency considers that there is no information provided in this application to clarify why the proposed surfacing is limited to the red-line boundary instead of the whole north-western area of the site, which is consistent with the Environmental Permit. The Environment Agency sets out that further restrictions may be required to account for the design, the practicality and maintenance that will need to be in place before it can operate within the currently proposed area.

However, it is considered that the viability of operating the proposed surfacing is not a material consideration in the Council's determination of this planning application.

- 10.54 The Environment Agency originally stated it will also be challenging to demonstrate compliance with the requirement for certain waste types to be stored and treated on specified site surfacing. However, again, it is considered that the proposed development is regulated under the Environmental Permitting regime. The efficiency of the engineering solutions and the compliance to the Environmental Permit are not material considerations of this planning application. Ultimately the Environment Agency has offered no objections to the proposals as submitted.
- 10.55 With regards to some of the points raised by members of the public. The agent has confirmed the underground chamber will be a proprietary product so precise capacity and size will depend on the manufacturer. As drawn, the chamber has internal dimensions of 1.5m x 1.5m x 8.9m which would yield 20m³ capacity. In terms of the capacity of the vehicle taking water away from the site. The agent has confirmed there are a range of different tanker sizes available for use but typically the capacity of these is in the range of 13-27m³. Although given the explanation in section 10.43 above, such removals are expected very infrequently. This was also not a reason of refusal of the previously refused application for a similar scheme.
- 10.56 With regards to the dust suppression. The operations at the site, are the subject of a detailed Dust Management Plan which is referred to as an operating technique in the Environmental Permit for the site (reference EPR/PB3038RM). In addition, within the Environmental Permit it is specified in Condition 3.1.1 for the site that '*Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution.*' The planning application is concerned with the construction of the concrete surfacing, maintenance access and drainage infrastructure. The specifics of the Dust Management Plan that include fixed and mobile water sprays, mobile water bowsers, site surfacing and good housekeeping are not for assessment within this planning application.

11. PLANNING BALANCE AND CONCLUSION

- 11.1 The application site is within Flood Zone 3b the functional floodplain, which is designed to store water from rivers or the sea in times of flood. This shall not be affected by the proposals as the development shall take place at or below the existing ground level. With regards to surface water drainage, the proposed development accounts for sufficient water storage for the 1 in 100 years plus 40% climate change event.
- 11.2 The previous reason for refusal stated the designated surface water storage area would be used for materials stockpiling which reduces the area available for surface water to be stored. This resulted in the proposed development failing to demonstrate that it would not increase the risk of surface water flooding and was considered contrary to Policy DM10 of the Central and Eastern Berkshire Joint Minerals & Waste Plan. The updated design demonstrates that the surface water drainage area can operate with no waste processing operations or stockpiling carried out in the area designated to capture the extreme rainfall events. Furthermore, due to the improved surface water drainage design, using a deeper concrete apron for such storage, the storage area is reduced in size from the previous refusal, creating a wider area for stockpiling to the north of the site. There are no statutory objections from the internal or external consultees subject to the use of planning conditions. As such, it is considered the development would not increase the risk of surface water flooding

either on site or off site and is in accordance with Policy DM10 of the Central and Eastern Berkshire Joint Minerals & Waste Plan.

- 11.3 To conclude, the proposed development is seeking to introduce an impermeable concrete surfacing with sealed drainage infrastructure to comply with the requirement of the Environmental Permit to handle and store certain waste. The proposed development will continue to support the wider site, which is for waste recycling and is a preferable form of waste management as it is higher up the waste hierarchy than recovery or landfill. The weight attributed to these benefits collectively are sufficient to more than outweigh the limited impacts associated with the additional vehicle movements and general disturbance during the construction process. There is not considered to be any harm with regard surface water or fluvial flood risk.

12. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout

13. RECOMMENDED CONDITIONS

- 1 Prior to commencement (excluding demolition) a surface water drainage scheme for the development, based on the submitted sustainable drainage strategy, shall be submitted to, and approved in writing by, the Local Planning Authority. Details shall include:
- Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details (both for the surface water storage area and the wider site).
 - Supporting calculations confirming compliance with the Non-statutory Technical Standards for Sustainable Drainage Systems, and the attenuation volumes to be provided.
 - Details on how the proposed surface water drainage storage area will be demarked to ensure no encroachment of waste material during the developments lifetime. The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.
- Reason: To ensure compliance with DM10 (Flood Risk) of the Adopted Central and Eastern Berkshire Joint Minerals and Waste Plan 2021-2036. Also, the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere.
- 2 Prior to the first use of the hereby agreed surface water drainage system. Full details of the proposed arrangements for future management and maintenance of the drainage features shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
- Timetable and description of daily, weekly, monthly and yearly maintenance undertakings (or any other time frame that the operators deem appropriate)
 - Procedure to deal with failing infrastructure
 - Confirmation that a log book shall be kept of the maintenance schedule and this shall be made available to the Local Planning Authority on request. The development shall thereafter be maintained in accordance with the approved details for the lifetime of the development.
- Reason: To ensure compliance with DM10 (Flood Risk) of the Adopted Central and Eastern Berkshire Joint Minerals and Waste Plan 2021-2036. Also, the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere.
- 3 No plant machinery associated with the construction of the concrete surfacing,

maintenance access and drainage infrastructure shall be operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties.

- 4 No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:
- a. 24 hour emergency contact number;
 - b. Hours of operation;
 - c. Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - d. Routes for construction traffic;
 - e. Locations for loading/unloading and storage of plant, waste and construction materials;
 - f. Method of preventing mud being carried onto the highway;
 - g. Measures to protect vulnerable road users (cyclists and pedestrians)
 - h. Any necessary temporary traffic management measures;
 - i. Arrangements for turning vehicles;
 - j. Arrangements to receive abnormal loads or unusually large vehicles;
 - k. Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

- 5 No external lighting associated with the construction of the concrete surfacing, maintenance access and drainage infrastructure is to be installed without the prior written permission of the local planning authority.

Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with paragraph 191 of the NPPF and local policy EP3. To protect the amenity of the neighbouring residential dwellings.

- 6 Prior to the commencement of the development (including any groundworks or vegetation clearance), a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

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

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

Reason: To minimise impacts on priority habitat, ecological corridors, protected

species, and biodiversity in accordance with paragraphs 180 and 185 of the NPPF.

- 7 The development shall be carried out in accordance with the submitted flood risk assessment (ref Hythe End Road Flood Risk Assessment by JBA Consulting dated December 2023 with associated drawing) and the following mitigation measures it details. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure compliance with DM10 (Flood Risk) of the Adopted Central and Eastern Berkshire Joint Minerals and Waste Plan 2021-2036. Also, the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere.

- 8 The sealed surface water drainage infrastructure is to be installed prior to the first operations of the proposed concrete surfacing.

Reason: To ensure compliance with DM10 (Flood Risk) of the Adopted Central and Eastern Berkshire Joint Minerals and Waste Plan 2021-2036. Also, the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere.

- 9 Unless otherwise agreed by the Local Planning Authority in writing, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

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

- a survey of the extent, scale and nature of contamination;
- as assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, adjoining land,
 - groundwater and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments:

an appraisal of remedial options, and proposal of preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's Land Contamination Risk Management (LCRM). How to assess and manage the risks from land contamination

2. Submission of Remediation Scheme.

A detailed remediation scheme to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property

and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification/ validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work must stop and it must be reported immediately by telephone and in writing to the Local Planning Authority within 2 working days. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is the subject of the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.5. Long Term Monitoring and Maintenance

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

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

This must be conducted in accordance with DEFRA and the Environment Agency's Land Contamination Risk Management (LCRM). How to assess and manage the risks from land contamination

Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informatives

1. Waste Management Permit Variation
 1. It is the responsibility of the applicant/site operator to ensure that if the replacement of hardstanding with impermeable surfacing and an independent sealed drainage system in the north-western section of the site requires a variation to the existing Environmental Permit held by the operator under the Environmental Permitting (England and Wales) Regulations 2016, Regulation 12,

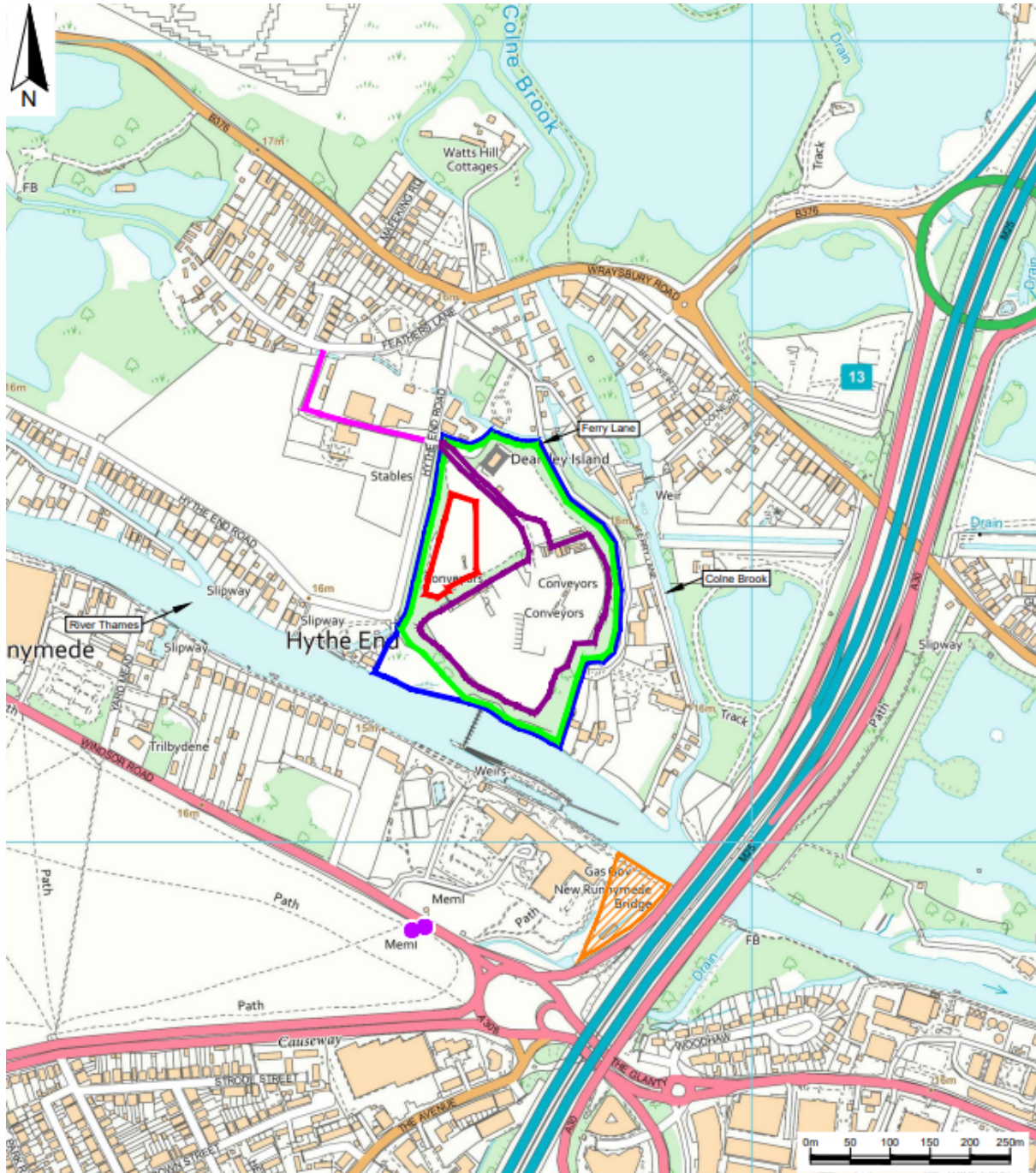
that it is applied for. If the applicant/site operator is unsure they are advised to use the Environment Agency's permit pre-application advice service available at: <https://www.gov.uk/guidance/get-advice-before-you-apply-for-an-environmental-permit>. Extant Permit- EPR/PB3038RM/V004

2. The Environment Agency are conscious that the extant permit which has improvement conditions from the 2020 Environmental Permit variation are outstanding. This has a direct link to the northwestern area (where the installation of the impermeable site surface will be) of the entire site as there is currently no containment of the stored wastes. The proposals submitted include a high containment kerb only along the western and southern boundaries of the area to be sealed. This would be a missed opportunity to enable the proposed engineering to have a dual purpose of containment of materials during times of flood as well as the day-to-day surface water management. If the whole northern section were included in this development, it could help the operator to satisfy the requirements of the flood plan as well as the site surface issues that were both considered in previous appeal proceedings. Excavated wastes
3. The proposed construction of the impermeable sealed drainage system will require the excavation of the current site surface, especially to provide a storage tank with sufficient capacity to operate this site. As this site is located on landfill, the excavated material will be controlled waste from a landfill therefore must be handled, treated and disposed accordingly. This material cannot be reused on site. Additionally, it cannot be treated on site as the site is not authorised to accept the relevant waste code (EWC191211 or EWC191212). This waste would need to be sent off site for treatment, recovery, or disposal. Surface Water Infrastructure
4. Table S2.1 of the 2020 Environmental Permit - EPR/PB3038RM/V004 specifies waste types that need to be stored on an impermeable surface with sealed drainage system. Having examined the cross sections submitted with this planning application, some of the engineering solutions identified are insufficiently robust or durable for the anticipated design life, to provide an impermeable sealed drainage system and may need to be altered. The Environment Agency are concerned that over time the impermeable sealed drainage will become continuous with surrounding areas of hardstanding and this will need to be addressed through the design and operating techniques. If only a section of the northwestern area is installed with an impermeable surface and sealed drainage system, it will be challenging to demonstrate compliance with the requirement for certain waste types to be stored and treated on specified site surfacing. The drainage system may need to be altered to avoid overloading its storage capacity and this may require further permit variation applications and changes to the agreed drainage system to be agreed with the Environment Agency. As part of the regulation of the Environmental Permit, we will require an updated Surface Water Management Plan to confirm what maintenance checks will be undertaken and on what frequency this will occur to ensure the infrastructure performs as intended. This will need to confirm the trigger for water to be tankered out of the system. At this time, we look to the lead local flood authority - LLFA to advise on whether the capacity within the tanks are adequate for the surface area identified. We would welcome joined up design of how the proposals link to the flood response plan and invite the operator to discuss with us at this stage and consider any amendments to these proposals that could have dual benefit. Noise
5. Technical Note: Works in North-Western Crushing Area of Site, dated 4 October 2022 states; 'The operations to take place in this area will not change significantly from those already assessed and permitted. The operational noise has therefore not been re-assessed as part of this application'. This assessment and associated control and mitigation will continue to be regulated under the Environmental Permit.

6. Landfill Gas risks Environmental Permitting Regulations require operators to demonstrate that they have taken all reasonable precautions to mitigate impacts (potential risk to the development from landfill gas) of their operations. Where this is unlikely to eliminate all emissions there may be residual impacts. In some cases, these residual impacts may cause residents' concern. There are limits to the measures that the operator can take to prevent impacts to residents. As stated previously, where impacts arise from historic landfills this must be controlled by the Local Authority through planning permission as these falls outside the scope Environment Agency regulation through environmental permits. Flood Risk Activity Permit - Informative
7. Please note the Environmental Permitting (England and Wales) Regulations 2016 require a Flood Risk Activity Permit (FRAP) to be obtained for any activities which will take place: - on or within 8 metres of a main river (16 metres if tidal) - on or within 8 metres of a flood defence structure or culvert (16 metres if tidal) - on or within 16 metres of a sea defence - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission. For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

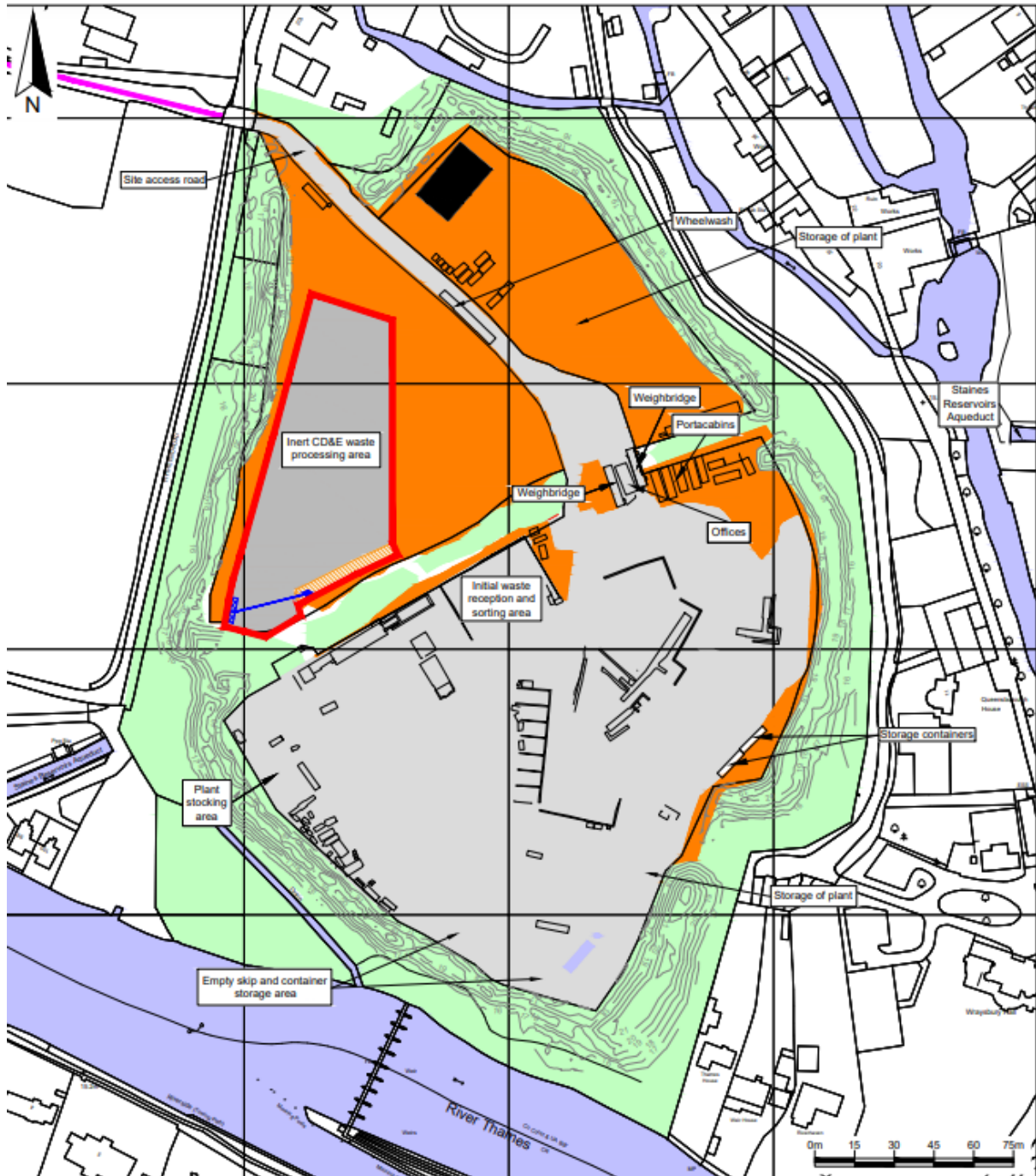
- Appendix A

Site Location Plan

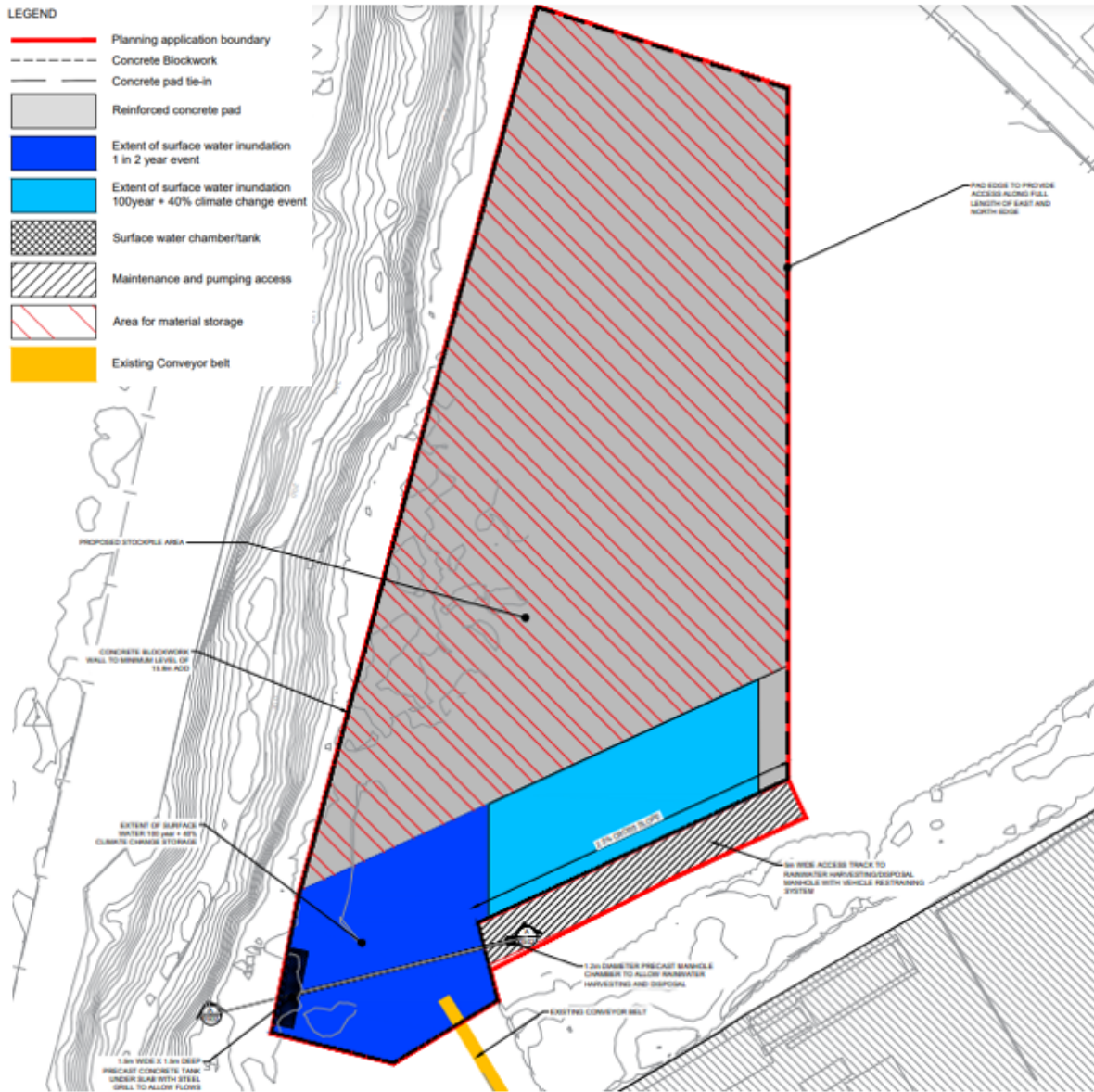


- **Appendix B**

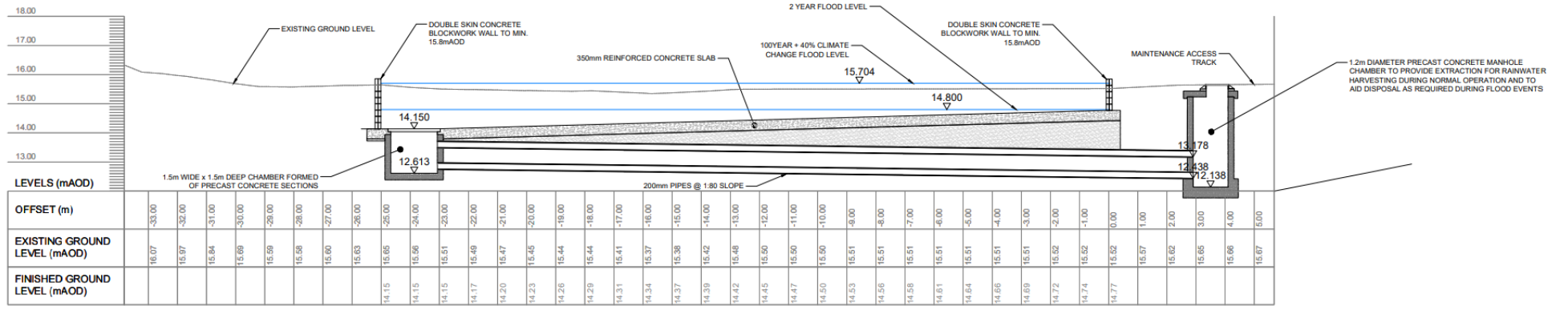
Site Layout Plan



Surface Water Containment Scheme



Typical Sections



SECTION A-A

Planning Appeals Received

26 January 2024 - 27 February 2024

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 PIns reference number. If you do not have access to the Internet please write to the relevant address, shown below.

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

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

Ward:
Parish: Wraysbury Parish
Appeal Ref.: 24/60005/REF **Planning Ref.:** 22/02756/FULL **PIns Ref.:** APP/T0355/W/23/3335866
Date Received: 24 January 2024 **Comments Due:** 1 March 2024
Type: Refusal **Appeal Type:** Hearing
Description: Replacement of hardstanding with concrete surfacing, maintenance access and drainage infrastructure associated with the lawful storage and processing of waste material in the north western area of the existing waste recycling facility.
Location: **Fowles Crushed Concrete Hythe End Farm Hythe End Road Wraysbury Staines TW19 5AW**
Appellant: Mr William Fowles **c/o Agent:** Mr Michael Krantz Gunnercooke LLP 1 Cornhill London EC3V 3ND

Ward:
Parish: Datchet Parish
Appeal Ref.: 24/60010/REF **Planning Ref.:** 23/02278/FULL **PIns Ref.:** APP/T0355/D/23/3335909
Date Received: 9 February 2024 **Comments Due:** N/A
Type: Refusal **Appeal Type:** Householder Appeal
Description: New front porch, single storey side/rear extension and alterations to the external finish, following demolition of the existing single storey element.
Location: **14 Eton Road Datchet Slough SL3 9AY**
Appellant: Mr Vikas Kakar **c/o Agent:** Mr David Howells 72 Cedar Avenue Hazlemere HP15 7EE

Ward:
Parish: Wraysbury Parish
Appeal Ref.: 24/60012/REF **Planning Ref.:** 23/01474/FULL **PIns Ref.:** APP/T0355/W/23/3329552
Date Received: 19 February 2024 **Comments Due:** 25 March 2024
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of a external swimming pool and associated basement plant room.
Location: **63 Welley Road Wraysbury Staines TW19 5ER**
Appellant: Mr Elson Bajrakurtaj **c/o Agent:** Mr Ramon Jose Elysium Construction Spaces Kensington Village Avon House Avonmore Road London W14 8TS

Ward:
Parish: Windsor Unparished
Appeal Ref.: 24/60013/REF **Planning Ref.:** 22/01643/FULL **Plns Ref.:** APP/T0355/W/23/3330536
Date Received: 20 February 2024 **Comments Due:** 26 March 2024
Type: Refusal **Appeal Type:** Written Representation
Description: New detached dwelling with bin storage, following demolition of the existing garage and outbuilding.
Location: **Land At 5 And 5 Marbeck Close Windsor**
Appellant: Mr Noctor c/o **Agent:** Mr Stuart Keen SKD Design Ltd Unit 2 Howe Lane Farm Howe Lane Maidenhead SL6 3JP

Ward:
Parish: Sunninghill And Ascot Parish
Appeal Ref.: 24/60015/REF **Planning Ref.:** 23/01868/CLAM **Plns Ref.:** APP/T0355/W/23/3334933
Date Received: 21 February 2024 **Comments Due:** 27 March 2024
Type: Refusal **Appeal Type:** Written Representation
Description: Prior approval to change the use from Class E (f) day nursery to Class C3 dwellinghouse.
Location: **The Ascot Private Nursery School 1 Arundel Cottage High Street Ascot SL5 7JJ**
Appellant: Ascot Racecourse Limited c/o **Agent:** Alexandria Cooper Turnberry Consulting Limited 41-43 Maddox Street London W1S 2DP

Ward:
Parish: Datchet Parish
Appeal Ref.: 24/60016/REF **Planning Ref.:** 23/02113/ADV **Plns Ref.:** APP/T0355/H/23/3332990
Date Received: 21 February 2024 **Comments Due:** 3 April 2024
Type: Refusal **Appeal Type:** Written Representation
Description: Consent to retain 2no. externally illuminated fascia signs.
Location: **Hardware House The Green Datchet Slough SL3 9BJ**
Appellant: Mr Memik Gilgil c/o **Agent:** Mr Ian Benbow Ian Benbow, RIBA Chartered Architect 12 Meadow Close Old Windsor Slough SL4 2PB

Appeal Decision Report

26 January 2024 - 27 February 2024

Windsor and Ascot

Appeal Ref.: 23/60079/REF **Planning Ref.:** 22/02060/FULL **Plns Ref.:** APP/T0355/W/23/3324640
Appellant: Altiora Investments Limited Sunnybrook George Green Road George Green Slough SL3 6BG
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: First floor infill extension with x2 dormers above to create accommodation in the roof space and the creation of x6 apartments.
Location: Flat At 96 Dedworth Road Windsor SL4 5AY
Appeal Decision: Dismissed **Decision Date:** 13 February 2024

Main Issue:

Appeal Ref.: 23/60100/REF **Planning Ref.:** 23/01358/FULL **Plns Ref.:** APP/T0355/D/23/3333199
Appellant: Mr Isaac 39 Green Lane Windsor SL4 3RZ
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Hip to gable and raising of the ridge to accommodate habitable accommodation within the roofspace, 1no. rear dormer, new mono pitch roof to west elevation and alterations to fenestration.
Location: 39 Green Lane Windsor SL4 3RZ
Appeal Decision: Dismissed **Decision Date:** 5 February 2024

Main Issue:

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