

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

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

13 September 2017

Item: 1

Application No.:	16/03035/FULL
Location:	Windsor Racecourse Co Ltd Maidenhead Road Windsor SL4 5JJ
Proposal:	Construction of a 150-bedroom hotel with ancillary facilities and new parking following demolition of the existing Silver Ring and associated buildings.
Applicant:	
Agent:	Mr Simon Chadwick
Parish/Ward:	Windsor Unparished/Clewer North Ward

If you have a question about this report, please contact: April Waterman on 01628 682905 or at april.waterman@rbwm.gov.uk

1. SUMMARY

- 1.1 The proposed development is defined as inappropriate by Green Belt policy and guidance and is harmful by virtue of its inappropriateness, the loss of openness and the intensification of built development in this predominantly countryside location. This harm should be accorded **substantial weight** in the decision-making process for this application. The development should only be accepted if Very Special Circumstances can be demonstrated that outweigh the harm to the Green Belt and any other harm associated with the development. It is considered that the Very Special Circumstances case put forward by the applicant shows that while the harm to the Green Belt may be adequately mitigated, and that the economic benefits of the scheme outweigh the harm to the Green Belt, other harm that would be caused by the proposed development, in the form of risk to an increased number of people of the dangers of flooding, cannot also be set aside. Consequently, the proposal does not demonstrate that the VSC outweighs both the harm to the Green Belt and other harm, so the application should not be approved.
- 1.2 The applicant has set out a case for Very Special Circumstances which is that there is an existing and growing demand for hotel accommodation in the Windsor area, and that the location of a hotel in the already developed land area of the Windsor Racecourse complex would be of benefit to the Borough in meeting this demand, and would support the significant contribution that the racecourse makes to the visitor and business economy of the area.
- 1.3 The proposed building footprint lies partially within Flood Zone 3b (functional flood plain where flood water must flow or be stored) and where national guidance contained within the NPPF states that more vulnerable development, of the kind proposed in this application for a hotel, should not be permitted.
- 1.4 It is considered that the proposal has passed the flooding sequential test, in that it has been demonstrated that no alternative site, suitable for this scale and nature of development, is available on land at lower risk of flooding than is the application site. If the application site were to be wholly within Flood Zone 3a, then the scheme could go on to be assessed against the exceptions test, to see whether wider benefits to the community ensuing from sustainable development on the site outweigh the flood risk, whether the scheme can be considered to be safe for its lifetime, and whether it would cause increased flood risk elsewhere. However, as the proposal would fall partly within Flood Zone 3b, the development is inappropriate in principle, and is not considered to be sustainable.
- 1.5 The development proposal comprises a town centre use to be sited in an out-of-town location. The applicant has demonstrated, by carrying out a sequential test, that no alternative site, suitable for this scale and nature of development, is reasonably available on land within the town

centre, nor in an edge-of-centre location. It is considered that the applicant has demonstrated that the proposal would have no harmful effect on the vitality of the economy of the Town Centre.

- 1.6 The scheme proposes insufficient car parking space for the number of bedrooms comprised in the hotel, and for other non-residential uses of hotel facilities such as the bar, café and restaurant (which would be open to non-residents). However, land within the site and under the control of the applicant is available to provide additional car parking which could, with careful siting, surfacing and landscaping, have no harmful effect on the openness of the Green Belt.
- 1.7 The architecture of the new building is considered to be attractive and of high quality, and would be of marginal benefit to the operation of the flood plain by the removal of a current solid obstructive building and its replacement with another of a design to enable the flow of water beneath it. Mitigatory flood water storage is also proposed through the excavation of land to allow additional capacity in the flood plain close to the proposed building.
- 1.8 Further aspects of the proposal, relating to the impact of the development on the character and appearance of the open countryside, and on the setting of the Thames, and on the opportunities that the development would provide to enhance the appreciation of both, are also considered to have either a neutral or marginally beneficial weight in the balancing of factors for this case. Similarly although the scheme may disturb an area identified as of moderate to high potential in archaeological terms, the proposed development offers the chance to increase knowledge of the below ground heritage resource of the area, and to preserve this by record.
- 1.9 Notwithstanding that the matters identified by the applicant are capable of providing Very Special Circumstances, to weigh against the substantial harm caused to the Green Belt by dint of the inappropriateness of the proposed development, it is considered that the benefits described do not outweigh the harm associated with the development in relation to flood risk. It is therefore recommended that planning permission is refused for the proposed development.

It is recommended the Panel refuses planning permission for the following summarised reasons:

- i) The scheme comprises development of a more vulnerable nature on land identified as being partially in Flood Zone 3b (functional flood plain of the River Thames, where flood water *has* to flow) and as a consequence planning permission should not be permitted.**
- ii) The development would lie within the Green Belt, and is not of a type that may be considered to be exempt from causing substantial harm to the Green Belt as a result of its inappropriateness. The scheme cannot demonstrate Very Special Circumstances which outweigh *both* the substantial harm to the Green Belt (because of this inappropriateness) *and* other harm (flood risk to affect an increased number of people).**

2. REASON FOR PANEL DETERMINATION

The Council's Constitution includes in its Scheme of Delegation that if, in the opinion of the Head of Planning and the Lead Member of Planning, it would not be appropriate to use delegated authority, a planning application may be brought before the appropriate Panel for determination. By reason of the scale and nature of the development, and the variety of planning issues to be addressed in the assessment of its application, it is considered that the case should be determined at the appropriate Area Development Management Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises 1.19 ha of land set well back from and to the north of the A308, within the larger grouping of the Royal Windsor Racecourse buildings, south and west of the River Thames. The plot is currently occupied in part by the single storey Silver Ring Canteen,

together with a number of other low-key buildings, including stable staff accommodation, hardstanding and some amenity grassland. In past years the site hosted a grandstand. The main drive into the complex, lined by mature Limes, is to the immediate south of the proposed hotel site, and serves the collection of grandstand, hospitality, stabling and other functional buildings which are clustered on the southern side of the course. The larger site of the racecourse spreads across relatively flat land bounded to the north and east by a long sweep of the Thames, with the Clewer Mill Stream to the south effectively creating an island of the site. A landing stage on the closest part of the Thames to the east of the site enables water-borne passage to the racecourse from Windsor Town, and other locations along the river. Other tree groups circle the Parade Ring and screen areas of car parking, and provide a stately edge to the racecourse on the river bank to the east of the complex. The nearest housing to the proposal site lies in Clewer, stretching towards the river to the south east of the site. More housing fronts onto the Maidenhead Road close to its junction with the Avenue serving the site.

- 3.2 The whole of the racecourse lies within the Green Belt, and is designated either Flood Zone 2 or 3. Local wildlife sites are identified on the eastern bank of the Thames and a Local Nature Reserve is designated further to the west, beyond the Marina.

4. DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

4.1

Application Reference	Description	Decision and Date
17/02363/CPU	Certificate of lawfulness for use of the existing hardstanding to erect temporary stalls for a weekly Thursday market.	Pending consideration
13/02923/FULL	Provision of a 400 car Park and Ride facility with associated infrastructure and landscaping. Renewal of permission 10/02090/FULL	Returned (no decision)
13/1236/FULL	Creation of a slipway for use by amphibious vehicle to provide a sightseeing tour	Withdrawn 01.07.2013
11/02894/VAR	Use of Windsor Racecourse as a temporary transport hub for the Olympic Games, comprising the erection of temporary facilities as approved under planning permission 10/02670 without complying with condition 2 relating to the Local Area Traffic Management & Parking	Refused 02.02.2012
10/02671/FULL	Construction of temporary pedestrian river crossing for access to Eton Dorney for the Olympic Games	Permitted 21.01.2017
10/02670/FULL	Use of Racecourse as temporary transport hub for Olympic Games, comprising fencing, screening area, spectator facilities, trackway and temporary infrastructure works	Permitted 21.01.2011
10/02090/FULL	Provision of a 400 car Park and Ride facility with associated infrastructure and landscaping	Permitted 29.11.2010
10/01200/FULL	Construction of a two storey office reception building following demolition of existing turnstile and stores buildings	Permitted 22.07.2010
09/02339/FULL	2 storey office reception building following demolition of existing turnstile and stores building	Withdrawn 21.12.2009
07/00853/FULL	Erection of two additional fabric structures to provide catering area and toilet facilities for the riverside pavilion	Refused 21.05.2007
07/00852/FULL	Resurfacing of existing stone parking area with tarmac and new 2m palisade fence	Permitted 26.07.2007
02/82030/FULL	Erection of 7 temporary structures including 4 tents 1 storage unit and 2 refrigeration units	Withdrawn 08.12.2003
01/81369/FULL	Amend existing access junction, realign existing access road with associated resurfacing of roads (amended description)	Permitted 20.02.2002
01/80566/FULL	Renewal of consent 00/78987 for retention of single storey timber building for three years	Permitted 30.04.2001
00/79859/FULL	Erection of replacement bridge	Permitted 06.12.2000
00/78987/FULL	Renewal of consent 470703 for retention of single storey timber building for one year	Permitted 24.05.2000
99/78476/FULL	Erection of a replacement marquee	Permitted 19.01.2000
98/77580/FULL	New permeable finish to existing service track with macadam	Permitted 17.02.1999

	extension and fibre sand course crossing	
97/76216/FULL	Erection of new entrances to Balloon meadow Car park and renewal of 1992 consent	Permitted 22.07.1998
97/76212/RLAX	Removal of temporary planning consent (given in condition 1, application No. 471034) to allow the stable ladies hostel to become a permanent building	Permitted 15.07.1998
97/75419/FULL	Construction of bridge over mill stream	Permitted 23.03.1998
95/01848/FULL	Erection of a single storey prefabricated building to provide replacement stable office and canteen with link to adjacent stable lads hostel	Permitted 04.12.1995
95/01847/FULL	Erection of new groundsman's building to provide secure covered area for racecourse vehicles plus staff facilities and hurdle-mending room with adjacent secure compound enclosed by 2.4m high chain-link fence	Permitted 30.11.1995
95/01845/TEMP	Renewal of consent 470703 for retention of single storey timber building	Permitted 07.06.1995
94/01737/FULL	Erection of single storey tote building, toilet, turnstiles building & badge kiosk + enlargement of electrical switch room & new 2.4m high boundary wall (following demolition of silver ring tote/toilets/badge building)	Permitted 23.12.1994
94/01735/FULL	Erection of a new three-storey grandstand comprising betting hall, bars, tote, accommodation, dining area & executive boxes, (following demolition of tattersall stand, silver ring stand, tote building & shed)	Permitted 06.07.1994
93/01685/FULL	Erection of a replacement 3 storey grandstand comprising betting hall, bar/dining area & executive boxes, extension & refurbishment of existing silver ring stand to provide new bar & tote accommodation and toilet block	Permitted 18.01.1994
92/01524/FULL	Demolition of existing and erection of a replacement single storey eight-bedroom hostel for stable lads	Permitted 21.12.1992
92/01523/FULL	Enclosure of existing covered walkway between restaurants and members grandstand	Permitted 21.12.1992
92/01522/TEMP	Renewal of consent 465972 for retention of single storey building to provide dormitory/toilets for lady grooms	Permitted 21.12.1992
92/01519/TEMP	Retention of single storey timber building	Permitted 19.06.1992
92/01512/TEMP	Temporary use of land for storage of motor vehicles	Refused 12.01.1993
91/01628/FULL	Erection of a 2 storey building to provide 12 hospitality suites	Permitted 05.03.1992
89/02015/FULL	Erection of a 2 storey building comprising hospitality rooms and boxes	Withdrawn 03.07.1990
89/02014/FULL	Renewal of consent 462544 for a single storey building for administrative facilities for the institute of groundmanship	Permitted 13.06.1989

- 4.2 The planning application proposes the development of a four storey 150 bedroomed hotel, with reception, dining and bar facilities, and plant, service and staff rooms on the ground floor, and a fitness suite on the third floor, with guest rooms on all four levels. 20 of the guest rooms are proposed to be set aside for stable staff on race days.
- 4.3 Hard and soft landscaping indicated for the development would frame the T-plan shaped building with its principal approach through a plaza within the south western elbow of the structure, and car parking adjoining it served by a spur road from the avenue of retained Limes. This route would also bring taxis and pedestrians to the main entrance point on this side of the building. The longest stretch of the hotel would face onto the racecourse itself, continuing the alignment (and mirroring the purpose) of the grandstand to its east. Service and plant functions would be grouped on the western side of the southern wing.
- 4.4 Of four storeys, the building would have a modern rectilinear style, with a horizontal emphasis picked out in white painted steel framing on its mainly glazed racecourse frontage. The ground floor is shown to be slightly elevated and also recessed (to form a generous, partly sheltered terrace), with voids making up a large proportion of its base. First and second floors are cantilevered out over the ground floor restaurant and bar areas on the course frontage. On other

elevations the building is articulated in a variety of more solid materials, such as sections of buff brick and Portland stone walling. Accommodation on the third floor is inset again from the vertical, and alternates full depth glazing with zinc metal cladding to produce a darker appearance for the walls of this top layer. Photovoltaic panels are shown covering the flat roof.

- 4.5 Hard-surfaced car parking is indicated to the south west, on land between the hotel and the Avenue. It is suggested that further informal parking areas (used on race days) provide sufficient capacity to meet the parking standards of the Council, although the applicant asserts that the experience of the Hotel operator chosen (Hilton) is that a lesser number of parking spaces will be adequate for this size and type of hotel.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 According to the requirements of relevant planning legislation planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 The National Planning Policy Framework is such a material consideration. It sets out the Government's planning objectives for England and indicates how these are expected to be applied. At its heart is a presumption in favour of sustainable development. NPPF guidance of relevance to this application is contained within paragraphs 6 and 7 (detailing the presumption in favour of sustainable development, incorporating its three aspects: economic, social and environmental) together with the core planning principles set out in paragraph 17. The proposal is also assessed against the thematic guidance in sections 1 (Building a strong, competitive economy), 2 (ensuring the vitality of town centres), 4 (Promoting sustainable transport), 7 (Requiring good design), 9 (Protecting Green Belt land), 10 (Meeting the challenge of climate change, flooding and coastal change), 11 (Conserving and enhancing the natural environment) and 12 (Conserving and enhancing the historic environment),

Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003

- 5.3 Relevant policies of the Local Plan are:
- | | |
|-------|--|
| GB 1 | Acceptable uses and development in the Green Belt |
| GB 2 | Unacceptable development |
| N 2 | Setting of the Thames |
| N 6 | Trees and development |
| N 9 | Wildlife heritage sites |
| DG1 | Design guidelines |
| ARCH3 | Sites of archaeological importance and development proposals |
| ARCH4 | Sites of archaeological importance and development proposals |
| F 1 | Development within areas liable to flood |
| E1 | Location of development |
| E10 | Design and development guidelines |
| S1 | Location of shopping development |
| T7 | Provision for cyclists |
| P4 | Parking |
| IMP1 | Infrastructure provision |
| WTC1 | Town Centre Strategy |

The policies above have been assessed and found to be in compliance with the NPPF and are therefore given substantial weight in the determination of this planning application. These policies can be found at:

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan: Submission Version 2017

- 5.4 The policies contained within this emerging plan that are relevant to the evaluation of the proposal are:

SP 1 Spatial strategy
SP 2 Sustainability and placemaking
SP 3 Character and design of new development
SP 4 River Thames corridor
SP5 Development in the Green Belt
ED 3 Other sites and loss of floorspace in economic use
TR 1 Hierarchy of centres
TR 2 Windsor Town Centre
TR 6 Strengthening the role of centres
VT 1 Visitor development
HE 1 Historic Environment
NR 1 Managing flood risk and waterways
NR 2 Trees, woodlands and hedgerows
NR 3 Nature conservation
NR 5 Renewable energy generation schemes
EP 1 Environmental protection
EP 3 Artificial light pollution
EP 4 Noise
IF 2 Sustainable transport
IF 5 Rights of way and access to the countryside
IF 8 Utilities

- 5.5 The NPPF states that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 27 September 2017 with the intention to submit the Plan to the Planning Inspectorate thereafter. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/594/emerging_plans_and_policies/2

Supplementary planning documents and other publications

- ☐ Parking Strategy 2004
- ☐ The Interpretation of Policy F1 (Area Liable to Flooding) 2004
- ☐ Royal Borough of Windsor and Maidenhead Strategic Flood Risk Assessment 2014
- ☐ Townscape assessment 2010

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

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- i Principle of development – Green Belt
- ii Flood risk
- iii Town centre impact
- iv Design

- v Countryside and Thames
- vi Highways and transport considerations
- vii Impact on heritage (Archaeo)
- viii Ecology
- ix Light and noise pollution
- x Any other material considerations - trees
- xi The planning balance

Principle of development in the Green Belt.

- 6.2 Section 9 of the NPPF set out the Government's approach to development in the Green Belt. It states 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. The NPPF apports five purposes to the Green Belt:
1. To check the unrestricted sprawl of large built-up areas;
 2. To prevent neighbouring towns merging into one another;
 3. To assist in safeguarding the countryside from encroachment;
 4. To preserve the setting and special character of historic towns; and
 5. To assist in urban regeneration by encouraging the recycling of derelict and other urban land
- 6.3 Green Belt Boundaries can only be altered in exceptional circumstances through the preparation or review of a Local Plan. In the emerging draft Borough Local Plan, currently at Regulation 19 stage, there is no proposal to alter the Green Belt boundary to exclude any part of the racecourse complex.
- 6.4 Paragraph 87 of the NPPF explains that inappropriate development in the Green Belt is harmful and that it should only be approved in Very Special Circumstances. Paragraph 88 continues by stating that when considering planning applications, substantial weight should be given to any harm to the Green Belt. "Very Special Circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 6.5 The NPPF explains that the construction of new buildings should be regarded as inappropriate in the Green Belt although in paragraph 89 it sets out a limited list of exceptions, including " *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development*". Although the proposed development would be located on previously developed land, the proposed four storey development would clearly have a greater impact on the openness of the Green Belt than does the existing single storey Silver Ring Canteen and the surrounding hard surfacing areas; the proposed development does not fall within the list of exceptions. In policy terms, therefore, the development is inappropriate and by definition harmful to the Green Belt. Planning permission should only be granted for the scheme if Very Special Circumstances (VSC) can be demonstrated that would clearly outweigh this substantial harm and any other harm that the development would trigger.

6.6 The applicant has set out a case for VSC which is largely based on the public benefits of providing a hotel in Windsor to meet the need for tourist accommodation and the need identified for conferencing facilities; this position is supported by the emerging Borough Local Plan. The case is also made by the applicant that there is public benefit arising from the scheme in terms of supporting crucial business in Windsor, creating additional jobs in the area and therefore generally supporting the local economy. A third strand to the case is the benefit to the ongoing success and operation of the racecourse to introduce further diversification; this has a locational element clearly as the proposal would need to be located at the racecourse to deliver this benefit. Through consideration of the application it is clear that benefits would also accrue in giving opportunity for a greater appreciation of the river Thames setting, enhancements to ecology and knowledge of the archaeology of the area would be expanded. Taken together it is considered that these factors amount to Very Special Circumstances and can be afforded significant weight in the planning balance. This is addressed further at the end of the report.

Flood risk

6.7 The application was accompanied by a Flood Risk Assessment and the Environment Agency has been consulted on the proposal. The application site is located partially in flood zone 3a but also within the functional flood plan, flood zone 3b; [this is confirmed by the Council's own Strategic Flood Risk Assessment completed in 2017 to support the emerging Borough Local Plan](#). In relation to the original submission the Environment Agency, as statutory consultee, took issue with the use of particular node to calculate the 1% and climate change levels in FRA but this has now been conceded (3rd consult reply). However, the position is clear that the development proposed is located within flood zone 3b where policy makes clear that permission should only be granted for essential infrastructure that cannot be located elsewhere. As such, harm would be caused by locating a more vulnerable use in the floodplain contrary to policy which should be weighed in the planning balance set out later in the report.

Town Centre impact

6.8 It is the view of officers that the case has been made that the hotel is necessary to serve racecourse economically, and not just to satisfy general tourist accommodation needs of the area. A sequential test has been conducted in terms of locating a main town centre use (hotel) in an out of centre location; this makes clear the other sites which have been considered and why these have been discounted as not being suitable or available for the use proposed. It is considered that the sequential test is passed.

6.9 Retail impact has also been considered and addressed in the applicant's submission. Whilst there would be some impact on the Town Centre in Windsor it is limited and would not undermine the role of Town Centre by taking business out of centre. As such the proposal would be introducing further competition which is healthy and it would not be ruinous to choice. Any comments from the Visitor Manager will be reported in the Panel update.

Design

6.10 The NPPF places great importance on development being high quality in terms of design. In Section 7 the NPPF explains that, in determining planning applications, local planning authorities should ensure development:

- Will function well and add to the overall quality of the area
- Establishes a strong sense of place
- Optimises the potential of the site to accommodate development
- Responds to local character
- Reflects the identity of local surroundings including material
- Is visually attractive as a result of good architecture and appropriate landscaping

- 6.11 It is considered that the racecourse has developed its own context in terms of giving consideration to design: this is not akin to local vernacular or even national period, the character is of a large, social, spectator sport, with elements of hospitality /entertainment - this is a more cultural than historic identity which has been influenced by the setting of the river too.
- 6.12 The proposed location of hotel is considered to be appropriate in design terms given the range of choices within the whole racecourse holding. The physical alignment of the proposed building with the existing grandstand is considered appropriate and the scale of the building is also comparable to that existing grandstand. The proposal would form a cluster with other facilities and buildings at the site. The approach from the avenue creates a welcome form of building, the presentation onto racecourse of many rooms but mostly of restaurant and bar is appropriate both in terms of spectators using the building but also as a design response to the riverside setting.
- 6.13 It is considered that the proposed design is contemporary, it incorporates a palette of materials that would give an attractive appearance and good performance; PV panels are to be located on the flat roof. As such the proposed building is considered to be fit for it's proposed purpose and adaptable for the future.

Countryside and Thames

- 6.14 It has been set out in the consideration of the proposal under Green Belt policy that there would be an impact on openness of the Green Belt. Whilst the proposal is on previously developed land the scale of what is now proposed is significantly greater than the existing buildings; the impact on openness would be harmful in Green Belt terms. A Landscape and Visual Impact Assessment has been submitted with the application; this provides a number of views of the proposal and an assessment of the impact of the building on those views and the landscape in which it would sit. It is clear that there would be a visual impact, particularly at night. This needs to be balanced against the opportunities that the scheme would offer for a greater appreciation of the river Thames (as a backdrop to events) alongside the ability for those visiting to make the trip to the site along the River using existing boat operators. Having assessed the scheme and considered the submitted LVIA it is considered that the proposal complies with the Setting of the Thames Policy contained in the Local Plan.

Highways and transport

- 6.15 The racecourse is located to the north of the A308 Maidenhead Road and benefits from two vehicular accesses. The main access is situated to the east of the junction with the A308 and the B3055 Vale Road and currently serves the racecourse; the second access is primarily used by the racecourse Marina. The application proposes no change to the existing access arrangements; this is considered to be acceptable. It is noted that the baseline assessment in the Transport Assessment does not include the range of various activities hosted by the racecourse which do attract a number of visitors. Whilst it would not be reasonable to expect this application to rectify existing issues on the network it should consider it within the submission; it is not therefore evident whether mitigation on the network might be required. If the scheme were to be considered acceptable in all other regards this is an area on which Officers would have required further work and information.
- 6.16 The application site is located 1.8km from Windsor Town Centre, and the stations, and about 8.6km from Maidenhead Station. Based on the adopted parking strategy the site is deemed to be within an area of 'poor accessibility' and the maximum standard for parking is considered to be appropriate. As such the scheme would require 150 parking spaces; the proposal contains 85 standards which is some way off the Borough's standards. The submission is unclear as to whether the ancillary facilities are provided for guests only or for visitors and/or the general public; this could increase the demand for parking. Whilst the Highway Authority consider that the scheme is not acceptable on this basis, it is the view of planning officers that this has to be balanced with other planning considerations. The site is located in the Green Belt and more car parking may have a further adverse impact. The applicant has indicated a willingness to provide further car parking aligned to further consideration of the Travel Plan objectives; the applicant is

also currently working with an identified hotel operator who has knowledge of how other similar hotels operate and has based this application on that information. If the application were acceptable in other regards then this matter would be capable of being covered through a condition requiring overflow or additional car parking to be delivered; it is not considered to be the grounds for refusal of the application.

- 6.17 A Travel plan has been lodged with the application which has been considered in terms of its scope and objectives. It is noted that the travel plan does not provide details on staff and guest parking; no staff survey has been provided but there is a commitment to undertake a baseline survey within 2 months of the hotel being operational and to provide a final travel plan within a further month. The objectives set out in the draft Travel Plan are appropriate for the development and it contains elements aimed at staff and guests. Additional measures might be required to achieve the targets, the plan commits to monitoring both staff and guests travel patterns. If the application were to be considered favourably then a Travel Plan would be secured through section 106 agreement and the matters raised in the consultation response from the Highway Authority would be capable to being addressed.

Archaeology

- 6.18 In accordance with paragraph 128 of the NPPF the applicant has submitted an assessment in relation to archaeology. There are no known heritage assets within or immediately adjacent to the application site. There are important prehistoric monuments and landscapes recorded on the north bank of the river, immediately north of the application site, at Eton Wick. In assessing the archaeological potential the report concludes that the site has high potential; the Council's Archaeologist concurs with the submitted report in terms of the potential for remains within the site. As this is not a large site and there has been some previous development within it is considered that further investigation can be undertaken post consent should the scheme be permitted; this could be covered by condition. It is noted that surviving elements of the historic racecourse have not been overlooked, given the importance of horse racing and its heritage to Windsor and Berkshire and the royal patronage of horse racing from at least the 16th century, with this racecourse founded in 1866. It is considered that the proposal would provide a chance to increase knowledge and understanding of the development of the area in the past, this is of very limited weight in terms of the planning balance.

Ecology

- 6.19 The submitted ecology report sets out that there are no protected species on the site and no known ecological value which would be impacted by the proposal. The scheme is acceptable in this regard and would offer the potential for enhancement to ecology and biodiversity which could be secured by condition; if the scheme were to be permitted.

Light and noise pollution

- 6.20 The application makes it clear that the proposal would essentially introduce year-round 24/7 operation on site, this would mean that illumination levels from lighting within the site would be likely to be high. The design of the building with large glazed areas, without overlooking from other buildings, would mean that there would be no need to draw blinds/curtains for privacy so there is a likely significant night-time light spill. There would be a consequent impact on an area that is currently dark landscape. There could also be a daytime impact from reflective glazing (although the main façade is north-facing); south-facing glazed areas will be of some prominence. If the scheme were to be approved then these matters would be covered by appropriate conditions.
- 6.21 In terms of noise generation, due to the location of the application site, it is not considered that there would be an adverse effect. The development itself is noise sensitive development in terms of aircraft noise in Windsor and would need mitigation to be provided which would ordinarily be secured through condition, if the scheme were permitted.

Trees

- 6.22 The applicant has lodged details of the impact of the proposal on trees; following amendments it is considered that this could be satisfactorily addressed by conditions requiring a method statement, should permission be granted.

Planning balance

- 6.23 In terms of the planning balance it has been set out above that the proposal is inappropriate development, by definition this is harmful; there would also be harm to the openness of the Green Belt. This harm is afforded **substantial weight**. Whilst a case has been made for Very Special Circumstances to overcome the harm to the Green Belt and any other harm, the weight of the harm to overcome is significant. This is because the proposal is for development within flood zone 3b which is functional flood plain where this vulnerable use should not be permitted; this harm should be afforded **significant weight**. The VSC as set out in the report, taken cumulatively is considered to represent **substantial weight** in the balance of benefit but this is not considered to outweigh the harm to GB and the flooding harm of developing in the functional flood plain contrary to an absolute policy requirement not to do so. As such Very Special Circumstances do not exist and the development fails to accord with policy and should be refused.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

2 occupiers were notified directly of the application. A total of 2 responses were received.

The planning officer posted a statutory notice advertising the application at the site in the week beginning 10th October 2016 and the application was advertised in the Maidenhead & Windsor Advertiser on 20th October 2016.

2 letters were received commenting on the application, raising the following summarised points:.

Comment		Where in the report this is considered
1.	In general the construction of the hotel is supported because of the jobs it will bring to Windsor.	Noted.
2.	Staff should be recruited locally.	Noted.
3.	Siting away from Maidenhead Road is supported.	Noted.
4.	Traffic will increase along Maidenhead Road	6.15
5.	Leisure facilities will not be open to the public.	Noted – this is not a planning consideration.
6.	Guest shuttle bus is welcomed, but must be frequent enough to relieve pressure on town centre parking	Noted – this would be covered in a Travel Plan.
7.	Staff shuttle bus also welcomed, but must operate early and late enough when public transport is scarce.	Noted – this would be covered in a Travel Plan.
8.	No acknowledgement of the congestion caused by the racecourse	6.15
9.	Leisure facilities should be available to local residents (recently lost facilities at Windsor Rackets)	Noted – this is not a planning consideration.
10.	Roads in the area are at full capacity, and traffic jams are commonplace on race days or during events.	6.15
11.	Traffic regularly backs up in the area, and onto the Motorway and the large roundabout (Royal Windsor Way).	6.15

Statutory and other consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	Two-fold objection to the scheme on grounds of 1) a more vulnerable use being proposed within Flood Zone 3b (functional flood plain) and 2) that the climate change allowances, flood plain compensation and finished floor level calculations, predicated on hydraulic modelling, in the submitted FRA are based on the use of the wrong node. <u>First FRA revision:</u> Maintains both grounds for objection <u>Second FRA revision:</u> Maintains objection 1) above only.	6.7
Highways	Recommends that the application is refused, principally because of the under provision of parking: the scheme shows only 85 spaces when the appropriate provision on this site of “poor accessibility” would be 1 per bedroom, i.e.150. The Transport Assessment appears not to take account of the conference, restaurant and other operations that would be carried out in the proposed building, nor how this would affect the level of traffic activity at the site, and its requirements for parking. <u>Additional information:</u> comments awaited.	6.15
Transport Policy	The draft Travel Plan meets most of the Council’s requirements, but the shortage of parking noted above needs to be addressed. Furthermore the Travel Plan needs to include an estimation of staff numbers and shift patterns, and should commit to annual monitoring for at least 5 years. <u>Amended Interim Travel Plan:</u> comments awaited	6.17
Environmental Protection	Recommends the imposition of conditions on any planning permission granted, to restrict working hours, to control noise emissions, to negate the need for noisy reversing alarms and to prohibit operations that would cause dust emissions.	6.20
Tree Officer	Initial concerns raised and amendments suggested related to the extent of retained hard surfacing, whether the vehicular use of access routes would require better ground protection measures, whether new service runs would impact on existing trees, tree protection measures to reflect root protection areas and species details for proposed landscaping to be supplied. <u>Additional information:</u> matters can be covered by appropriate conditions, requiring amended AMS and other documents to be submitted and approved.	6.22
Lead Local Flood Authority	No objections to the scheme subject to a condition on any planning permission granted to require the implementation of the submitted surface water drainage system.	Noted.
Berkshire Archaeology	BA considers that the Historic Environment Assessment prepared by the Museum of London Archaeology	6.18

	(MOLA) that has been submitted with the application is a thorough and authoritative account of the archaeological potential within and in the vicinity of the application boundary, and concurs that, given the impact of the development on below ground deposits (should the scheme be permitted) further archaeological investigation is merited. A condition is recommended, to secure an appropriate scheme of field evaluation, which will then inform the preparation of a mitigation strategy for the site before, during and after construction works.	
Visitor Centre Manager	Comments awaited	
Bray Parish Council	Concerns and points are expressed relating to the impact of the proposed hotel on the transport infrastructure of the area, as 150 bedrooms are proposed; this would be a 365 and 24/7 use; the A308 is the main route between Windsor and Maidenhead; the road is very busy with air quality management issues; around 1,415 new homes are proposed in the emerging BLP to use the A308; there is already a 118 bed-hotel on this road, and the submitted information is considered to underestimate the flow of traffic westwards from the site. Bray PC ask that RBW&M carry out a full traffic survey before considering the application, and take account of the size of the right-turn central lane, and the backing-up effects of (mini) roundabouts at Hatch Lane, Braywick and Holyport Road.	6.15-6.17

8. APPENDICES TO THIS REPORT

- Appendix A –Proposed Site Plan
- Appendix B – Floor Plans
- Appendix C – Elevations

9. RECOMMENDED REASONS FOR REFUSAL

- 1 The scheme comprises development of a more vulnerable nature on land identified as being partially in Flood Zone 3b (functional flood plain of the River Thames, where flood water has to flow). The proposed development would conflict with clear guidance in the NPPG that such development should not be permitted, as it would increase the number of persons endangered by the risks of fluvial flooding. The proposal does not accord with local and national planning policy and guidance, as set out in Policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003, and in the NPPF 2012
- 2 The development would lie within the Green Belt, and is not of a type that may be considered to be exempt from causing substantial harm to the Green Belt as a result of its inappropriateness. The scheme cannot demonstrate Very Special Circumstances which outweigh both the substantial harm to the Green Belt (because of this inappropriateness) and other harm (in particular flood risk to affect an increased number of people). The proposed development does not accord with national and local planning policy and guidance, as set out in Policies GB1, GB2 and F1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003, and in the NPPF 2012.