

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

WINDSOR RURAL DEVELOPMENT CONTROL PANEL

4 April 2018

Item: 1

Application No.:	17/03365/FULL
Location:	4 Sunninghill Road Sunninghill Ascot SL5 7BU
Proposal:	Construction of two storey side extension. Single storey rear extension with basement and single storey front extension.
Applicant:	Mr Gosling
Agent:	Mr Mark Nicholson
Parish/Ward:	Sunninghill And Ascot Parish/Sunninghill And South Ascot Ward

If you have a question about this report, please contact: Josh McLean on 01628 796044 or at josh.mclean@rbwm.gov.uk

1. SUMMARY

- 1.1 The application seeks consent for the construction of a two storey side extension, single storey rear extension with basement and single storey front extension. This application was deferred by the Panel for one cycle to allow the applicant time to produce further justification as to why the proposal in relation to parking is acceptable. The applicant is in the process of compiling this information and it will be presented to members in the Panel Update.
- 1.2 Members attention is also drawn to a recent appeal decision APP/TO355/W/17/3178453 (Nov 2017) at 48B High Street, Sunninghill which proposed a new one bed dwelling to the rear of 48B High Street. This application proposed no on site car parking. The Inspector when considering lack of on-site car parking stated (paragraph 20) the following, *"I note the concern about the need for the development to provide on-plot parking. However there appeared to me to be sufficient unoccupied space in the surrounding streets to accommodate additional parking from the development. There is no substantive evidence that given the site's central location in the High Street, the parking demand it would generate would exceed the surrounding capacity. I note the Council raises no objection in this regard."* The full decision notice is attached as appendix C as well as a site location plan.
- 1.3 The proposal is considered to have an acceptable impact on the character and appearance of the site and surrounding area. There would be no adverse impacts resulting from the proposed works on the neighbouring residential amenity.
- 1.4 Amended plans have been received to remove 1 of the proposed four bedrooms. However, as the proposal has not be reduced in scale or footprint, there is nothing to stop the fourth bedroom from being added at a later point. As such the proposal has been assessed as a four bedroom dwelling. The existing site has a parking shortfall of 2 spaces and the increase in bedroom would result in a further 1 space being required. However, taking into account the site conditions, it is not considered that enlargement of the dwelling or the increase of shortfall by 1 space would have a detrimental impact on the public highway in terms of parking provision or increased vehicle movements from the site.
- 1.5 There are a number of Tree Preservation Orders (TPOs) at the front of the site, however the proposed works would not result in any adverse impacts to their health or appearance. The proposed basement extension is located away from the trees at the rear of the site.

It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.

2. REASON FOR PANEL DETERMINATION

- As the application has been recommended for approval, it has been referred to Windsor Rural Development Management Panel at the request of Councillor Hilton for the following reason:

"I have been asked by the Sunninghill and Ascot Parish Council to call this application in on their behalf. They state that they object on the grounds of inadequate parking as there was currently no parking provision and parking spaces could not be created. The lack of sufficient information on the possible effect of a basement of adjacent trees was noted and concerns were raised over the construction management."

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located on the eastern side of Sunninghill Road and consists of a semi-detached, two-storey dwelling. Due to the topography of the land, the dwelling sits higher than the adjacent road and can only be accessed by a pedestrian access at the front of the site. There is no off-street parking provision. The front of the site is screened by a number of trees, some of which a number are protected under Tree Preservation Orders (TPO).
- 3.2 The area surrounding the site is predominately residential with the village of Sunninghill to the south.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application seeks consent for a number of extensions including; two storey side extension, single storey rear extension with basement and single storey front extension. The proposed materials would be to match the existing dwelling.
- 4.2 The site has the following planning history:

Planning reference:	Proposal:	Decision
16/01650/CPD	Certificate of lawfulness to determine whether a single storey rear extension is lawful.	Lawful 27.06.2016

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework

Royal Borough Local Plan

- 5.2 The main strategic planning considerations applying to the site and the associated policies are:

Within settlement area	Highways and Parking	Trees	Ascot, Sunninghill & Sunningdale Neighbourhood Plan
DG1, H14	P4, T5	N6	NP/EN2-Trees, NP/DG1 – Respecting the Townscape, NP/DG3-Good Quality Design, NP/T1- Parking and Access NP/SV1 – Sunninghill Village Centre Policy

These policies can be found at

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Makes suitable provision for infrastructure	IF1

- 5.3 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites. Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council intends to formally submit by 31 January 2018. The Borough Local Plan sets out a stepped housing trajectory over the plan period (2013-2033). As detailed in the supporting Housing Land Availability Assessment a five year supply of deliverable housing sites can be demonstrated against this proposed stepped trajectory. This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Other Local Strategies or Publications

- 5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy – view at:

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:

- Character and Appearance
- Impact on Amenity
- Highway Safety and Parking
- Impact on Trees

Character and Appearance

- 6.2 Cumulatively, the proposed extensions would materially increase the footprint and change the overall design and appearance of the existing dwelling. However, as the dwelling sits within a large curtilage, the increase is still considered appropriate and taking into account the landscaping and trees at the front of the site, any views of the dwelling would be very limited. As such, on balance the proposed extensions are not considered to have a detrimental impact on the character and appearance of the existing dwelling, street scene or surrounding area.

Impact on Amenity

- 6.3 It is considered that there would be no significant harm caused to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise. Small single storey extensions are proposed to the front and rear of the dwelling in proximity to the neighbouring boundary but taking into account their scale and design, they are not considered to detrimentally reduce the neighbouring amenity.

Highways Safety and Parking

- 6.4 The site is located to the east of the B3020 Sunninghill Road and is only accessed via a pedestrian path at the front of the site. There is no off-street parking provision which serves the property.
- 6.5 The existing dwelling is a 3 bedroom house which would normally require 2 parking spaces to be provided. With no vehicular access to the site, the property has a parking shortfall of 2 spaces. The scheme proposes various extensions which would involve the increase in the number of bedrooms from 3 to 4. Based on the Borough's Parking Strategy (2004), a 4 bedroom dwelling would generate a demand for a further 1 parking space, which would increase the site's parking requirement to 3 spaces. The agent has submitted amended plans to remove the fourth bedroom from the proposed floorplans and provide a study in its place. However, this does not remove concerns that this room could be converted into a bedroom at a point in the future. The application is therefore assessed on the basis of a four bedroom dwelling.
- 6.6 Given that the site has a parking shortfall of 2 spaces, it is not considered that an increase of the parking shortfall by 1 space would result in a material change to the site or result in significantly increased vehicle movements per day. Neighbourhood Plan policy T1.2 requires that development proposals must, wherever possible, provide adequate parking on site and must not rely on street parking. It is not possible to provide any onsite parking in this instance given the levels on site and the lack of any safe access point being able to be achieved from the site. Furthermore the stretch of the Sunninghill Road directly outside the site is marked with double yellow lines so it is not possible to park on the street. There is however available on street parking in the vicinity of the site in a particular Kingswick Road which lies to the north.
- 6.7 Additionally there is no conflict with NP Policy SV1 because as confirmed by the Highway Officer the proposal would not have a severe effect on parking on the local highway network.
- 6.8 For these reasons, it is considered that the proposal would not result in detrimental material change in terms of highways and would not have a detrimental impact on the highways or pedestrian safety.

Impact on Trees

- 6.9 At the front of the site, there is a row of existing landscaping and trees which lies between Sunninghill Road and the existing dwelling. A number of these trees along the front are protected under Trees Preservation Order (TPO). There are further trees sited along the side and rear boundaries of the site.
- 6.10 The proposed extensions would not involve the loss or alteration of any existing trees on site. The proposed basement is sufficiently located away from the trees at the rear of the site and its construction is not considered to adversely impact their health or appearance.
- 6.11 It is noted that the access to the site is only achievable through a pedestrian access to the front of the site which would involve passing by the TPO trees, any adverse mitigation could be reduced through tree protection barriers being installed prior to commencement of works and remaining throughout the construction period. A condition (see condition 4) will be attached to the planning consent which would seek the details and positioning of these barriers to ensure that no damage is caused during the construction phases.
- 6.12 The proposal is not considered to adversely impact any trees on site and as such is considered compliant with Local Plan N6 and Neighbourhood Plan NP/EN2.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

7 occupiers were notified directly of the application. No objections were received.

The planning officer posted a notice advertising the application at the site on 08.11.2017.

Consultees

Consultee	Comment	Where in the report this is considered
Highway Officer	<p>If the application is assessed as a change from a 3 to a 4 bedroom unit, the proposal would attract a demand for 3 car parking spaces. Please be advised that the Borough's parking strategy is based on a maximum provision, and in March 2015, the Government abolished maximum parking standards and remarked that local planning authorities should only impose local parking standards where there is a clear compelling justification to manage their local highway.</p> <p>As mentioned earlier parking on Sunninghill Road is prohibited and enforced by double yellow lines. Therefore, given that it is managed and enforced by the Borough's Highway/Parking Departments, it would be difficult to sustain a refusal on the grounds that not only would the proposal generate an additional shortfall of 1 parking space, but this would have a detrimental effect on parking on the local highway network.</p> <p>Irrespective of whether the application is for a 3 or a 4 bedroom unit the proposal is unlikely to lead to a significant increase in vehicular activity onto the local highway network.</p>	6.4 – 6.8
Society for the Protection of Ascot & Environs	<p>The proposed dwelling will have four bedrooms, against the present three. There appears to be no formal parking provision at present and therefore there will be a deficit of three spaces, if the development was to proceed.</p> <p>The site is on the busy, parking-constricted Sunninghill Road/High Street, where on road parking is either very limited or proscribed. Pressure for additional on-street parking in this heavily trafficked location must be prevented.</p> <p>SPAE respectfully requests RBWM to refuse this application</p>	6.4 to 6.8
Sunninghill & Ascot Parish Council	<p>Objections on the grounds of inadequate parking as there is currently no parking provision and parking spaces could not be created. The lack of sufficient information on the possible effect of a basement on adjacent trees was noted and concerns were raised over the construction management. The committee requested that the application was called in front of the Windsor Rural Development Management Panel should the Borough be minded to approve it.</p>	<p>6.4 to 6.8</p> <p>6.9 to 6.12</p>

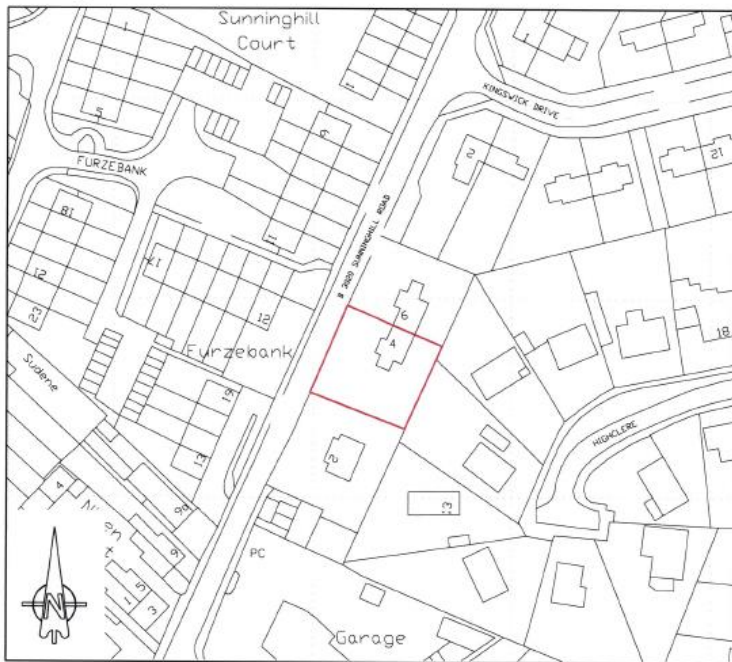
8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawing
- Appendix C – Appeal Decision APP/T0355/W/17/3178453

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 Prior to the commencement of any works of demolition or construction, a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 4 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the existing TPO trees at the front of the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 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 –LOCATION PLAN AND BLOCK PLAN



LOCATION PLAN

SCALE 1:1250

KEY:

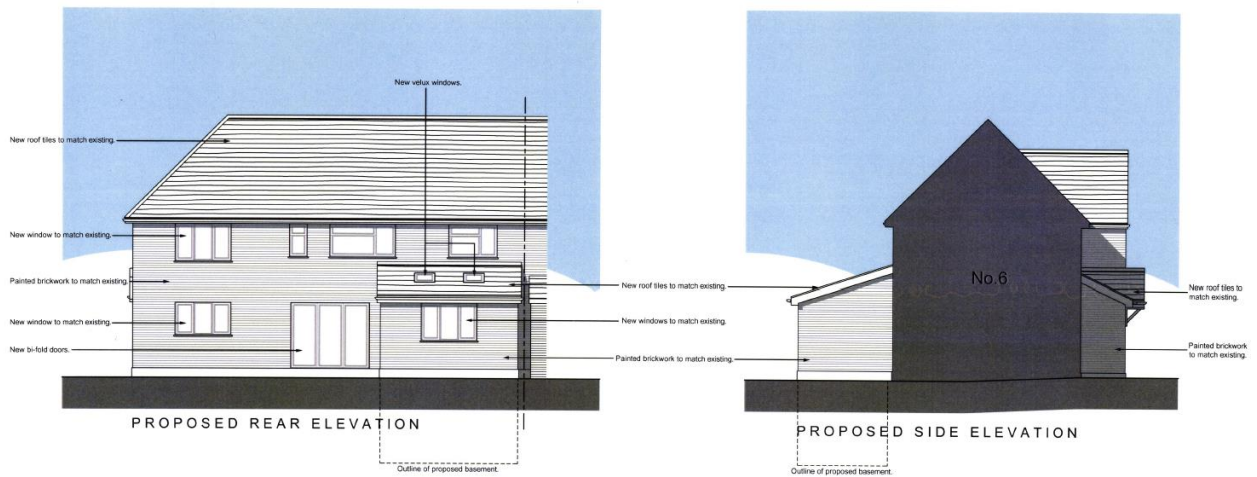
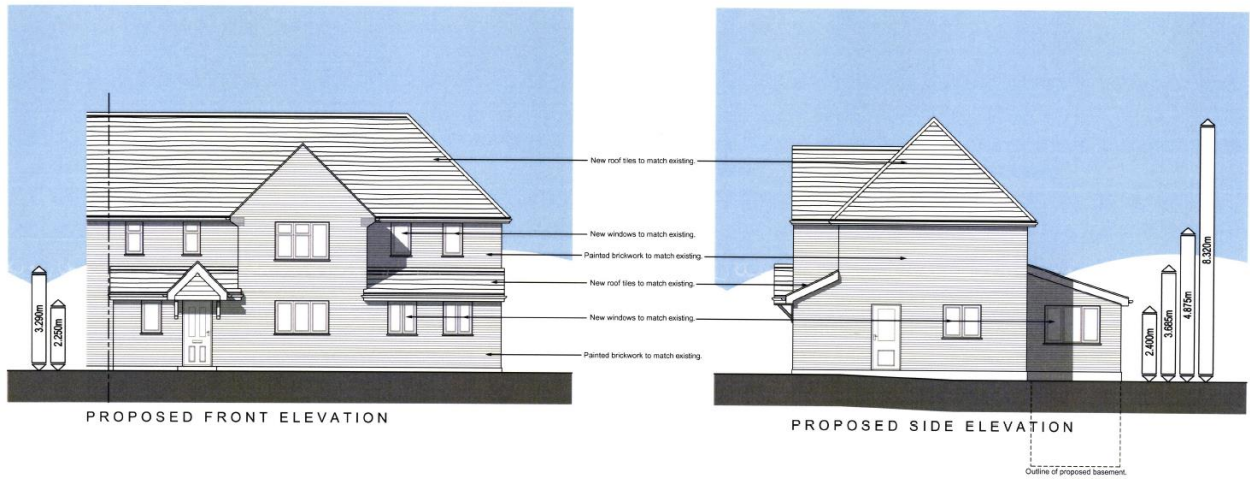
— = Site Boundary

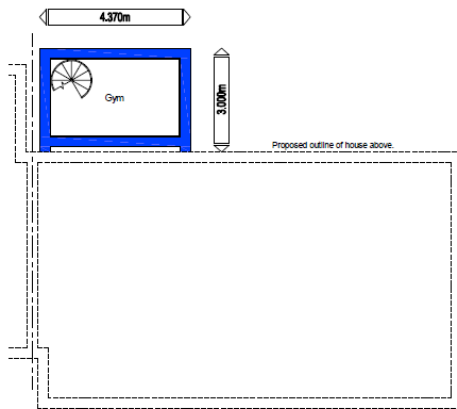


SITE PLAN

SCALE 1:200

APPENDIX B – ELEVATIONS AND FLOOR PLANS

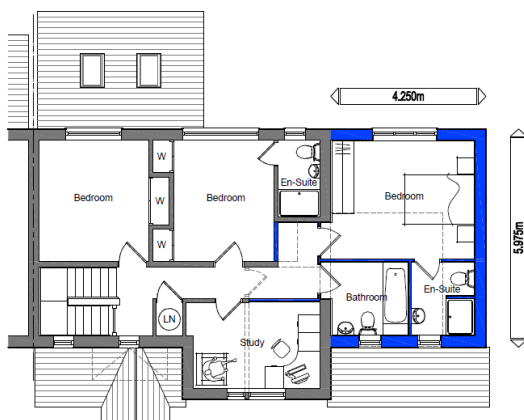




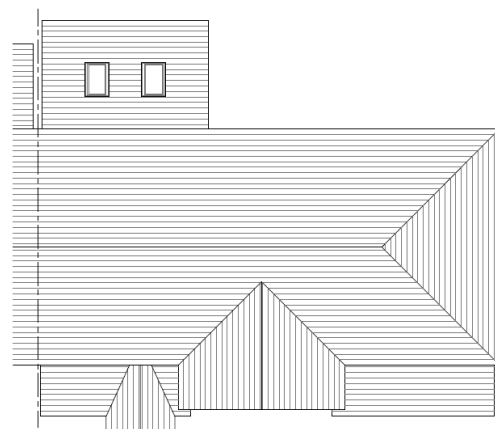
PROPOSED BASEMENT PLAN



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED ROOF PLAN

Appeal Decision

Site visit made on 16 October 2017

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8th November 2017.

Appeal Ref: APP/T0355/W/17/3178453

Central Chambers, 48b High Street, Sunninghill, Ascot SL5 9NF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Winsper, the Winsper Group Ltd, against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 17/00695, dated 24 February 2017, was refused by notice dated 9 June 2017.
 - The development proposed is described in the application form as the demolition of the existing single storey building to be replaced by a double storey building, for residential use, including side extension. This building, classified by the VOA as 'store & premises' under special code stores/268 (attachment a) has planning granted (planning application 12/01096 (attachment B) on 28 May 2012 for a single storey side extension and use as A1- shop. RBWM was made aware of the start of works, by the previous owner, on 17 April 2015 & registered by RBWM on 20 April 2015 (attachment C). Thus please accept this as either a 'variation order' or 'full planning application' for the demolition of the existing single storey building to be replaced by a double storey building, on the same footprint previously granted, roof height to match surrounding structures & materials to match, for personal use. As per drawings 002/001 to 002/008, as submitted. If change of use permission is required, then it is included in the application.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. It appears from file correspondence that the proposed development was amended before the Council determined the planning application. While the planning application form indicates a 2-bedroom dwelling and the appeal form a single storey dwelling, my decision is based on the plans considered by the Council in reaching its decision.

Main Issues

3. The main issues are the effect of the proposed development on:-
 - the character of the surrounding area;
 - the living conditions of the future occupiers of the development, with particular regard to the amount of indoor and outdoor space, outlook and access to natural light;
 - the retail unit at the front of the site; and,
-

- the Thames Basin Heaths Special Protection Area (SPA).

Reasons

The character of the surrounding area

4. While there appeared to me to be flats above the shops along the High Street, the use of the back yards behind them appeared to be commercial. In this context, the proposed use would undermine the distinctive pattern of development in this section of the High Street. It would introduce an isolated residential use surrounded largely by commercial development, at odds with the overall character of development of its commercial and residential neighbours in the wider area. I appreciate that it would not be prominent in views from the High Street. However, it would be conspicuous in views from surrounding buildings and from Chapman's Courtyard.
5. I find no issue with the appearance of the building or its height, scale and density and therefore no conflict with policies DG1, H10 and H11 of the Local Plan 2003 (LP) and policy NP/DG2 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2014 (NP). However, it would conflict with NP policy NP/DG1.4 and NP/DG3 which require development to respect the form and character of the street and the surrounding area, and to enhance the local character and quality of the area and the way it functions.

The living conditions of the future occupiers of the development

6. In terms of space, the floor area of the dwelling, indicated on the floor plan as having 1 bedroom, would be 97m² and its garden area around 16m². On this basis the proposal would provide sufficient indoor space. While the outdoor space would be limited in extent and feel enclosed by the neighbouring buildings, I have no doubt that an effective garden design could provide future occupants with sufficient utility and amenity.
7. Though the outlook from the living space would be limited, it would have views out, albeit restricted, towards Chapman's Courtyard to one side and to its small enclosed garden to the other. Together with the rooflight over the space, there would be ample access to sunlight and daylight in the living space.
8. However, the basement bedroom would have no external openings and no outlook or access to natural light. This would compromise the living conditions of those within to a harmful degree. I appreciate that a bedroom may have less demand for outlook and light than a living space; however, the absolute lack of provision in this proposal would result in unacceptable living conditions for the future occupiers of the development. I have considered whether a planning condition could overcome the harm, however, given the location of the bedroom underground, I am not convinced that a condition could make the development acceptable in this regard. I note the appellant's reference to permitted development, however, no details of a fall-back position have been provided.
9. I conclude therefore that because of the lack of outlook and access to natural light in the bedroom, the proposal would provide unacceptable living conditions for future occupiers. While the Council refers to LP policy H11 and NP policy NP/DG2 these concern scale, density, footprint and separation of development as regards the character and amenity of the area. They have limited relevance to this issue. Notwithstanding this, the proposal would conflict with one of the

core planning principles of the Framework that planning should seek a good standard of amenity for all future occupants of land and buildings.

The retail unit at the front of the site

10. While the building may have previously been ancillary to the shop at the front of the site, the appellant has confirmed that it has since become redundant, and was last used as a changing room. I appreciate that the Council want to secure the viability of retail space, but the building appears to me to have been built for the shop on the High Street as an additional backyard store, rather than as its sole storage space.
11. Without any evidence that the remaining space in the retail unit would be insufficient without it, I am unable to conclude that the proposal would lead to the loss of the retail unit it served, and from which it now appears to have been severed.
12. On the evidence before me, I can identify no conflict with LP policy SNH1 which prevents proposals which would result in the loss of retail units through change of use or redevelopment. There would be no conflict with LP policy SNH1 which seeks to prevent the loss of shops through changes of use or redevelopment and NP policy NP/E3 which concerns A2 uses and changes of use to frontages.

The SPA

13. The appeal site lies over 400m from but within 5km of the SPA, which is protected by the European Birds and Habitats Directives because of its populations of Woodlark, Nightjar and Dartford Warbler. The Habitats Regulations¹ require me to consider whether the proposal, either on its own or in combination with other projects, would be likely to have a significant effect on the SPA and its features of interest.
14. Additional residents in the development would be likely to increase the recreational pressure on the SPA. While one dwelling in isolation is unlikely to add substantially to such pressure, in combination with other new housing within the 5km zone, the effect from this development would be significant. This effect is therefore required to be suitably mitigated. The Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document (Part 1) 2010 sets out its preferred approach to mitigation. It is based on the provision of Suitable Alternative Natural Greenspace (SANG) to draw visitors away from the SPA, and a financial contribution towards Strategic Access, Management and Monitoring (SAMM).
15. There are no details of how the proposed development would provide SANG or otherwise mitigate its impact on the SPA. The appellant has indicated that he is willing to contribute to SAMM, however, I have not received a signed agreement or undertaking which would secure this measure.
16. The appellant suggests that a condition could secure mitigation of any harm to the SPA. However, the Planning Practice Guidance (PPG) advises that in exceptional circumstances, negatively worded conditions requiring a planning obligation or other agreement to be entered into before development can commence may be appropriate in the case of more complex and strategically

¹ Conservation of Habitats and Species Regulations 2010

important development, where there is clear evidence that its delivery would otherwise be at serious risk.

17. The proposal is not identified as being strategically important development, nor is there evidence that the development of a dwelling in this location amounts to exceptional circumstances. The condition would therefore conflict with the PPG and fail the tests set out in paragraph 206 of the Framework.
18. Therefore, on the evidence before me, and in the absence of mitigation, I cannot be satisfied that the proposal would provide adequate measures to avoid and mitigate its potential adverse effects on the integrity of the SPA. This would place the development in conflict with the Framework which indicates that if significant harm resulting from a development cannot be avoided or mitigated then planning permission should be refused.

Other Matters

19. I have considered the views of interested parties and the Society for the Protection of Ascot and Environs. I have also taken into account the representation regarding the benefit of the proposal by its meeting a need for residential accommodation. However, it would not outweigh the harm I have identified.
20. I note the concern about the need for the development to provide on-plot parking. However, there appeared to me to be sufficient unoccupied space in the surrounding streets to accommodate additional parking from the development. There is no substantive evidence that given the site's central location in the High Street, the parking demand it would generate would exceed the surrounding capacity. I note that the Council raises no objection in this regard.
21. While the proposal would introduce new openings, given their distance from neighbouring occupiers and the degree of screening from boundary walls and fences, I can identify no issue of overlooking which may materially harm the living conditions of neighbouring residential occupiers.

Planning Balance

22. The proposed development would bring the social benefits of an additional house to housing supply in the form of a self-build project redeveloping a redundant building, and with it the consequential economic uplift arising from the construction work and the future occupants' spending. However, as the proposal would provide only one dwelling, these benefits in the economic and social dimensions of sustainable development weigh only modestly in favour of the proposal. They would be outweighed by the harm that would be caused to the character of the surrounding area, the living conditions of future occupiers, and the SPA. Taking the Framework as a whole, I consider that the proposal would be an unsustainable form of development.
23. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that I determine this appeal in accordance with the development plan unless material considerations indicate otherwise. I have concluded that the proposal conflicts with the development plan when read as a whole. Given that on the basis of the planning balance it would not be sustainable development, and having regard to paragraph 119 of the Framework which excludes the application of the presumption in favour of sustainable development where

appropriate assessment under the Birds or Habitats Directives is being considered, there are no material considerations warranting a decision other than in accordance with the development plan.

Conclusion

24. For the above reasons and taking into account all other matters raised, the appeal is dismissed.

Patrick Whelan

INSPECTOR

LOCATION OF APPEAL SITE

H.M. LAND REGISTRY – TITLE PLAN – CENTRAL CHAMBERS 48B HIGH STREET

H.M. LAND REGISTRY		TITLE NUMBER	
		BK 180789	
ORDNANCE SURVEY PLAN REFERENCE	SU 9367	SECTION K	Scale 1/1250 Enlarged from 1/2500
ADMINISTRATIVE AREA WINDSOR AND MAIDENHEAD		© Crown copyright 1989	



002/002	Proposed Elevations
002/003	Existing Plan View
002/004	Proposed Plan View
002/005	Site Location Plan
002/006	Block Plan
002/007	Roof Plan
002/008	Roofline Profiles

- NOTES
1. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.
 2. DIMENSIONS ARE TO BE SCALED FROM THIS DRAWING REPRODUCED ON A2 OR GREATER FORMATS ONLY.
 3. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL ASSOCIATED DRAWINGS & THE SPECIFICATION / GENERAL INSTRUCTION.
 4. PROPOSED FRONT SIDE / REAR ELEVATIONS SHOW A DOUBLE STOREY DEVELOPMENT REPLACING EXISTING SINGLE STOREY OUTBUILDING.
 5. PROPOSED FRONT ELEVATIONS SHOW A CONTINUATION OF THE FLAT ROOF TO NEWLY ESTABLISHED SIDE END.
 6. PROPOSED SIDE ELEVATIONS SHOW A DOUBLE STOREY SIDE EXTENSION. THIS SIDE PROJECTION IS 2.9M WITH THE WIDTH RESTRICTED TO 6.6M - THE WIDTH OF THE CURTLAGE.
 7. PROPOSED MATERIALS TO MATCH EXISTING MATERIALS & STREET SCENE.
 8. REAR BUILDING LINE PROJECTED FROM EXISTING BUILDING, WHICH FALLS 0.3M FROM BACK EDGE OF EXISTING REAR WALLFENCE.
 9. RIGHT TO LIGHT PROJECTIONS AT 45 DEGREES SEES LIGHT ANGLE STILL CONTAINED WITHIN THE BOUNDARIES OF 48B HIGH STREET.
 10. EXISTING BUILDING IS 6.63M IN LENGTH BY 4.6M IN WIDTH AND SINGLE SKINNED.
 11. PLANNING APPLICATION 12/01095 GRANTED ON 28 MAY 2012.
 12. BUILDING CONTROL NOTIFIED 17 APRIL 2015.

SER	DESCRIPTION	AUTH	DATE
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AMENDMENTS

Winsper
Property Specialists
01344 206 200
enquiries@winspergroup.com
www.winspergroup.com
Central Chambers
48B High Street, Sunninghill, Berkshire, SL5 9NF

DRAWING No/CAD FILE
TWO/002/006

SCALE
1:1250

SITE LOCATION PLAN
48B HIGH STREET
SL5 9NF

GRID 30 U 663081 569702

CHECKED BY	DATE	SIG
D WINSPE	10/02/17	

DRAWN BY	DATE	SIG
D WINSPE	01/02/17	

SURVEYED	DATE	SIG
D WINSPE	11/01/17	

WINDSOR RURAL DEVELOPMENT CONTROL PANEL

4 April 2018

Item: 2

Application No.:	18/00046/FULL
Location:	Electronic Accordions Ltd Verve House London Road Sunningdale Ascot SL5 0DJ
Proposal:	Replacement three storey building with basement following demolition of existing single storey retail unit.
Applicant:	Mr Lovell
Agent:	Mr David Taylor
Parish/Ward:	Sunningdale Parish/Sunningdale Ward
If you have a question about this report, please contact: Adam Jackson on 01628 796660 or at adam.jackson@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposed development is considered to comply with the intentions of policy SS5 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan which covers the Broomhall Centre, a strategic site in the centre of Sunningdale. Additionally the development would not compromise the ability of the site to be brought forward for comprehensive redevelopment in the future.
- 1.2 The proposed replacement building is considered to be of a suitable scale and design and would not cause harm to the character and appearance of the area.
- 1.3 The proposed development would not cause significant harm to the amenity of nearby residential properties.
- 1.4 The likely additional traffic generated by the larger retail unit can be accommodated by existing public parking facilities.

It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.

2. REASON FOR PANEL DETERMINATION

- The application is contrary to the development plan, however, for the reasons set out in paragraphs 6.2 – 6.4 of this report it is considered that permission should be granted.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located on the North West side of London Road within the commercial centre of Sunningdale. The site is not, however, part of the primary shopping frontage. The existing unit on site is a single storey, flat roof property which is used as a piano/accordion shop. There is a mixture of building styles and sizes on this side of London Road. Apex House which is immediately to the north east of the site appears to be the tallest and is over 10 and half metres in height.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal is to demolish the existing building on site and replace it with a purpose built 3 storey building, with basement. The height, depth and style of the building closely matches that of Apex House to the north east. The proposed building will have an internal floorspace of 220sqm over 4 floors (including the basement), a height of 10.7m and will remain within retail use.
- 4.2 There is no relevant planning history for the site.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections:

- ☐ Section 7 – Requiring good design
- ☐ Section 8 – Promoting healthy communities

Development Plan

5.2 The main strategic planning considerations applying to the site and the associated policies are:

	Within settlement area	Highways and Parking	Residential amenity
Local Plan	DG1	P4, T5	NAP3
Neighbourhood Plan	NP/DG1, NP/DG2, NP/DG3, NP/SS5	NP/T1	

These policies can be found at

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Makes suitable provision for infrastructure	IF1
Environmental protection	EP1, EP3, EP4
Transport	IF2

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time ahead of its examination.

This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy

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
- ii Character and appearance
- iii Residential amenity
- iv Parking

Principle of development

6.2 The application site is on the edge of the Sunningdale Broomhall Centre which is a strategic site set out in the Ascot, Sunninghill and Sunningdale Neighbourhood Plan. Policy SS5 of the Neighbourhood Plan envisages that this area will be redeveloped to provide a large scale mixed retail and residential development together with associated infrastructure improvements. This policy sets out a number of requirements for development proposals on the site summarised below:

- ☐ SS5.1 requires that a development brief encompassing the whole of the Sunningdale Broomhall Centre be submitted in advance of any application for development. It is also a requirement for a statement of community consultation to accompany this.
- ☐ SS5.2 Sets out that development proposals must provide:
 - o Improvements to the A30/Chobham Road junction,
 - o Safe and accessible pedestrian walkways and road crossing links to the A30 and Chobham Road
 - o A public open space
 - o An increase to the parking capacity that is currently available in the RBWM car park

It is clearly either not possible or would be unreasonable to expect such a small scale development to make these sorts of infrastructure improvements. Whilst it is possible for a development brief to be provided with the application it is not considered necessary given the small scale nature of the development and given that the development would not compromise the ability for the whole site to be developed comprehensively in the future. The replacement building occupies the same footprint at ground floor as the existing building, the use of the building is unchanged and the building would not impact negatively on any of the surrounding units.

6.3 In support of the application SS5.3 encourages the development of smaller retail units, typically between 50 and 200sqm. The supporting text of policy SS5 also sets out an intent to deliver a retail offering that enhances and complements the existing retail offering and states that "Increasing the number of smaller independent retailers would promote a more varied and competitive retail offering, which would benefit the local economy and residents". All of this points towards a desire to enhance the existing retail uses in the area which this application would do. The proposed unit would have a floor space of 220sqm and although this is slightly above the size threshold envisaged it is close to the suggested range and would be occupied by an independent retailer, the type of which the Neighbourhood Plan seeks to encourage. The increase in floor space and improvements to the building would also help to ensure the continued success of this retailer and would likely make the unit a more attractive proposition for other similar retailers should the current occupier decide to sell in the future.

6.4 For the reasons set out above it is considered that the development complies with the intent of policy SS5 and would not compromise the ability for the Broomhall Centre site to be redeveloped in the way desired at a later date.

Character and appearance

- 6.5 The application site is within the settlement of Sunningdale and is therefore subject to the Ascot, Sunninghill and Sunningdale Neighbourhood Plan. A key aim of this plan is to ensure that development is of good quality design in keeping with the character of the area and that buildings are of a scale that is compatible with their surroundings. The application site is within an area classified within the Townscape Assessment as a Victorian Village and within this area it is important that development proposals respect the form and character of the street and surrounding area. The application site is also within the Sunningdale Broomhall Centre site which is covered by policy SS5. Policy SS5.4 requires that development proposals deliver design excellence which reflects the local character and quality of the area. The policies within the neighbourhood plan are consistent with local and national policies.
- 6.6 There are a mix of building styles and sizes throughout this part of London Road and the surrounding streets. The proposed building has been designed to blend in with the surrounding buildings and in particular Apex House which is the neighbouring property to the North East; this property has a similar front gable to the proposed building with high levels of glazing. The proposed building is narrower than Apex House and as such the gable takes up a greater proportion of the buildings frontage, however, amended plans have been submitted to address this. The amended plans introduce horizontal rows of brick across the front of the building which break up the mass of the glazed frontage and prevent the building from having an overly vertical emphasis. Stall risers have also been included so the glazing no longer extends all the way down to street level and to provide continuation of this feature along the row of shops/buildings.
- 6.7 The overall height of the building and the pitch of the roof matches that of Apex House, the overall footprint of the building at ground floor is unchanged. Concerns have been raised regarding the introduction of a basement, however, this does not impact on the external appearance of the building and does not therefore cause harm to the character of the area. The scale of the building is therefore considered acceptable.

Residential amenity

- 6.8 The proposed building would be significantly taller than the existing (10.7m compared to 3.7m) and as such would extend above the side facing window of 118 London Road to the South West. This property has been visited as part of the application and this window serves a bathroom and is obscurely glazed. Bathrooms are non-habitable rooms and as such are not given the same level of protection as a bedroom or living room. This room would undoubtedly experience a loss of light, however, this would not have a significant impact on the overall amenity standards of the property. Concerns have been raised from occupiers opposite the site, however, the minimum separation distances to the properties is 18m which is considered sufficient in this case to prevent any significant loss of privacy or a loss of light.

Parking

- 6.9 A retail unit would ordinarily generate a parking requirement of 1 space per 30sqm, however, given the close proximity of a number of public car parking facilities it is not considered necessary for dedicated parking to be provided. The site does not currently benefit from any onsite parking and the number of additional visitors that would likely be generated by the proposal can comfortably be accommodated within the nearby existing public car parks.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

7 occupiers were notified directly of the application and the planning officer posted a notice advertising the application at the site on 18.01.2018

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

Comment		Where in the report this is considered
1.	Concerns have been raised that there are no basements along this stretch of London Road and as such a basement would be out of keeping with the neighbourhood/area.	Paragraphs 6.5 – 6.7
2.	Concerns have been raised that the new building will cause a loss of light and privacy into the flats opposite.	Paragraph 6.8
3.	Concerns have been raised that a 3 storey building would not be in keeping with the street.	Paragraphs 6.5 to 6.7
4.	Concerns have been raised that car parking could be an issue.	Paragraph 6.9

Statutory consultees

Consultee	Comment	Where in the report this is considered
Parish Council	No comments to make.	N/A

Other consultees

Consultee	Comment	Where in the report this is considered
Highways	No objection subject to conditions	Paragraph 6.9
Environmental Protection	No objections	N/A
SPAE	<p>The application site is within the area designated as the Sunningdale Broomhall Centre and is therefore subject to Policy NP/SS5. This policy significantly raises the standard required for development in this area. NP/SS5.4 states that any development proposal on this site must deliver design excellence. We note the similarities between the design of this building and Apex House.</p> <p>A key feature of the design is the provision of a lift capable of conveying a grand piano. Insufficient information is provided on the lift structure. A grand piano can weigh up to half a ton so the lift will need to be suitable for carrying valuable and heavy freight safely. It is usual for a lift to be constructed with a pit below the lower level and an accessible machine room above the highest level.</p>	The principle of development is considered in paragraphs 6.2 – 6.4. The impact on character is considered in paragraphs 6.5 – 6.7. A pit or machine room has not been proposed, however, whether the lift is capable of holding a grand piano is not a material planning consideration.

9. APPENDICES TO THIS REPORT

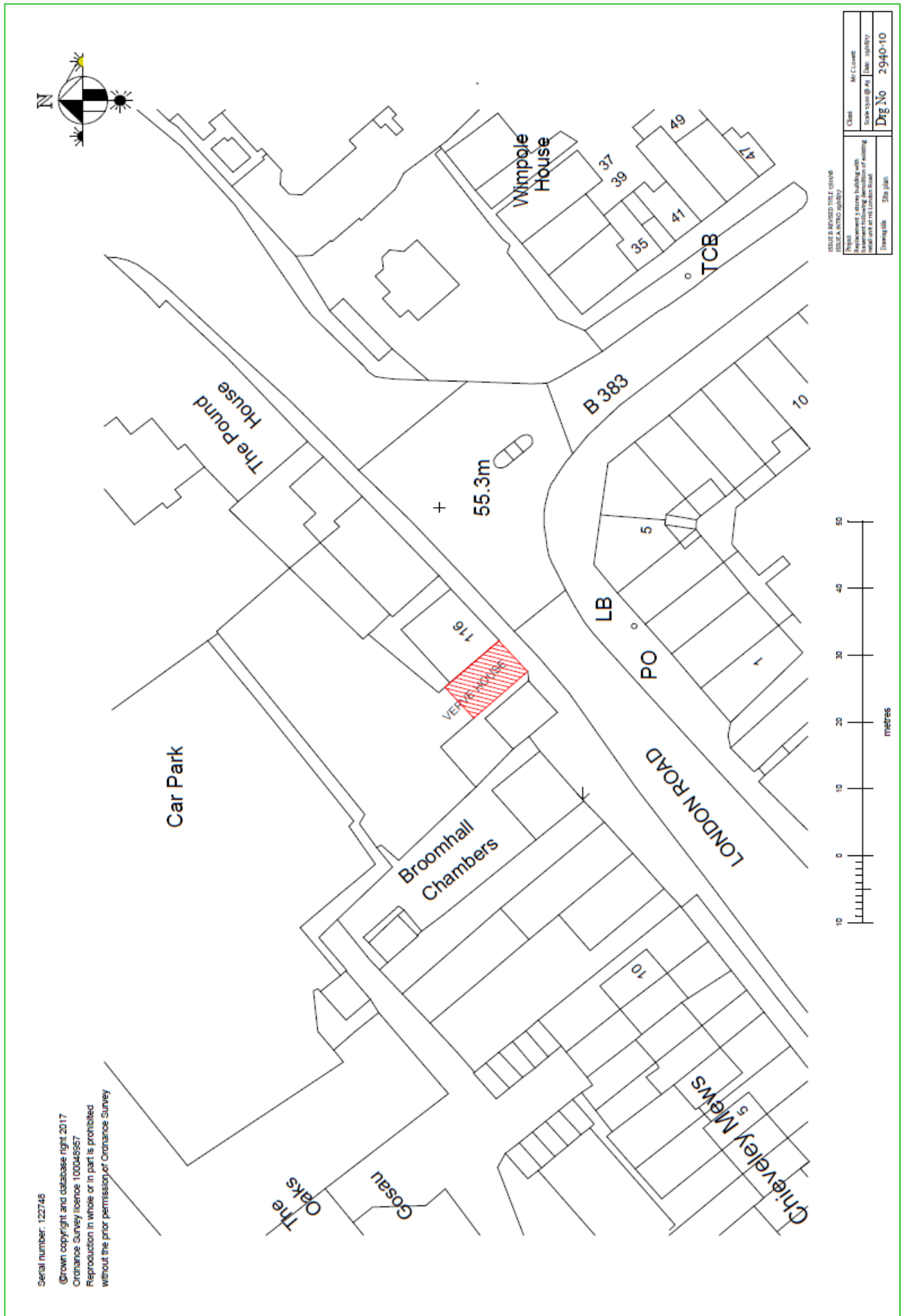
- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

- The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 No development shall take place until details of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Royal Borough of Windsor and Maidenhead Local Plan - DG1, Ascot, Sunninghill and Sunningdale Neighbourhood Plan - NP/DG1, NP/DG3 and NP/SS5 and the National Planning Policy Framework.
- 3 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 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.

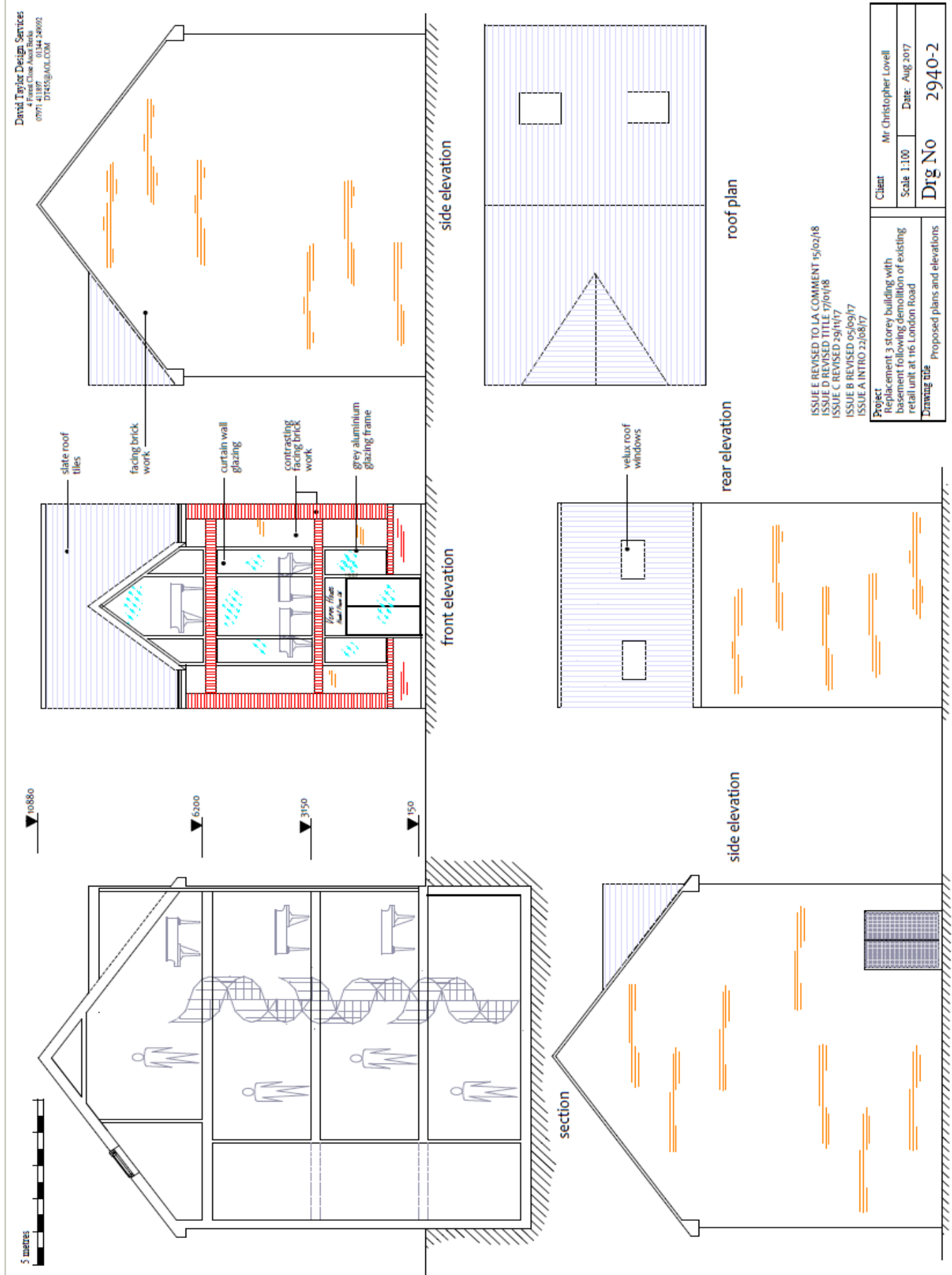
Appendix A—Site location plan and site layout



Existing floor plans and elevations and proposed floor plans



David Taylor Design Services
4 Forest Close Abbot Berks
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Existing and proposed street scene

