

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

**WINDSOR RURAL DEVELOPMENT CONTROL PANEL**

25 July 2018

Item: 1

<b>Application No.:</b>	18/00480/FULL
<b>Location:</b>	Land At 5 Vicarage Gardens Ascot
<b>Proposal:</b>	Detached dwelling with integral garage.
<b>Applicant:</b>	Mr Beroskin
<b>Agent:</b>	Mr Warren Joseph
<b>Parish/Ward:</b>	Sunninghill And Ascot Parish/Sunninghill And South Ascot 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 dwelling would be sited adjacent to no.3 Vicarage Gardens and would reflect the design of this property resulting in them being read as a pair. The property would respect the building line of no. 3 and whilst it would not have its own frontage in line with nos. 6 and 7 the dwelling would not be in a prominent location and would not cause harm to the character and appearance of the cul-de-sac. Furthermore the spacing around the proposed property would be very similar to other properties, with the existing host site no. 5 having an unusually large plot when viewed in the immediate context of the site. The proposal complies with policies DG1, H10 and H11 of the RBWM Local Plan, policies NP/DG1, NP/DG2, NP/DG3 and NP/EN3 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan and policies SP2 and SP3 of the submission version of the emerging Borough Local Plan.
- 1.2 The dwelling would have an acceptable impact on the amenities of existing properties and the future occupiers will be provided with sufficient outdoor amenity space. 2 fruit trees would be lost as a result of the development, these trees are not protected by a tree preservation order and are not of significant amenity value. The tree officer raises no objection.
- 1.3 Sufficient onsite parking will be provided and any additional parking from visitors will not cause highway safety concerns.

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

## 2. REASON FOR PANEL DETERMINATION

- The Head of Planning considers it appropriate that the Panel determines the application in the public interest.

## 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 5 Vicarage Gardens comprises of 6 dwellings, most of which are detached. No. 5 Vicarage Gardens sits on the largest plot at the end of the cul-de-sac and is set significantly back from the road compared to the other dwellings. The other properties form 2 fairly uniform rows with consistent building lines and front gardens and driveways forward of this. Properties are of simple design with pitched roofs and matching materials. Where extensions have been permitted these tend to be subservient. The entire cul-de-sac is within an area classified as 'post war suburbs' in the Royal Borough of Windsor and Maidenhead (RBWM) Townscape Assessment

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

- 4.1 The proposed development is for a new 3/4 bedroom dwelling within the front garden of no.5 Vicarage Gardens. The proposed dwelling would be 7.9m tall with a gable roof. A small garden will be provided to the rear and a driveway and garage would provide parking sufficient for 2 cars whilst retaining a front garden area.
- 4.2 15/01607/FUL - Part single storey side and first floor side extension and garage conversion into habitable accommodation (part retrospective). Approved (extension not implemented).
- 17/02534/FUL – Detached dwelling with integral garage. Withdrawn 31 October 2017.

#### 5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

##### 5.1 National Planning Policy Framework Sections

National Planning Policy Framework Sections 6 (Delivering a wide choice of high quality homes), 7 (Requiring Good Design) and 8 (Promoting Healthy Communities).

##### Royal Borough Adopted Local Plan

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

Issue	Local Plan Policy	Compliance	
Design in keeping with character of area	DG1	Yes	
Acceptable impact on appearance of area	DG1, H10, H11	Yes	
Acceptable impact on highway safety	T5	Yes	
Sufficient parking space available	P4	Yes	
Acceptable impact on trees important to the area	N6	Yes	

##### Ascot, Sunninghill & Sunningdale Neighbourhood Plan 2011-2026

Issue	Neighbourhood Plan Policy	Compliance	
Good Quality Design	NP/DG3	Yes	
Respecting the Townscape	NP/DG1	Yes	
Density, Footprint, Separation Scale, Bulk	NP/DG2	Yes	
Parking and Access	NP/T1	Yes	
Trees	NP/EN2	Yes	
Biodiversity	NP/EN4	Yes	

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](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
Provision of high quality housing	HO2, HO5
Natural Environment	NR2, EP2, EP4
Makes suitable provision for infrastructure	IF1
Transport and parking	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. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more details in the assessment below.

Significant weight is to be accorded to these Borough Local Plan Submission Version policies in this case. The above application is considered to comply with the relevant policies listed within the Development Plan and those Borough Local Plan Submission Version policies to which significant weight is to be accorded.

This document can be found at:

[https://www3.rbwm.gov.uk/info/201026/borough\\_local\\_plan/1351/submission/1](https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1)

### Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- 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](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 Impact on the character and appearance of the area
- iii Impact on residential amenity
- iv Impact on parking and highway safety
- v Impact on trees
- vi Impact on the Thames Basin Heath Special Protection Area

## **Principle of Development**

- 6.2 The application site lies within the settlement of South Ascot and therefore the principle of development is considered acceptable. Additionally the site lies within 650m of Ascot train station, is close to an area of public open space, a primary school and local shops. The site has good accessibility and is sited within a sustainable location.

## **Impact on the character and appearance of the area**

- 6.3 The dwelling would be located within an existing gap near the end of the cul-de-sac and within the front garden of no. 5 Vicarage Gardens. The design and scale of the dwelling is similar to others within the street and the development would assimilate well in this respect. The plot size also means that there would be an adequate level of space around the dwelling, similar with other properties on this side of the cul-de-sac. The proposed dwelling would also follow the building line set by nos. 1, 2 and 3 and would generally respect the pattern of development within the area. Whilst the proposed property's frontage would not face onto the cul-de-sac in line with nos. 6 and 7, on balance this is not considered harmful given that it would not be sited in a prominent location.
- 6.4 The construction of the new dwelling would result in the loss of part of no. 5's front garden. This space is not considered to be of high amenity value given its siting tucked within the corner of the cul-de-sac and its loss would not have a significantly harmful effect on the appearance of the cul-de-sac. The remaining plot size at no. 5 would have an adequate level of spaciousness surrounding the dwelling to prevent the plot from appearing cramped or overdeveloped.

## **Impact on residential amenity**

- 6.5 The side (north) wall of the dwelling would be directly adjacent to no. 5's front garden which is their main amenity space on account of the rear garden being largely hard surfaced and overshadowed by mature trees. No. 5 would be left with sufficient garden even taking into account the extension approved under application 15/01607/FUL, with a useable area 22 metres wide and 7 metres deep (154m<sup>2</sup>). There is also a small area to the side of the property which at the time of visiting the site housed patio furniture. There would also be sufficient separation between the new dwelling and no. 5's garden to prevent the dwelling from appearing overbearing or causing a significant loss of light; with the proposed dwelling being set at least 2 metres from the boundary, set at an angle and with this part of the proposed house closest to the boundary being set down and back from the main part of the dwelling.
- 6.6 On the opposite side is no. 3 Vicarage Gardens which runs parallel. The position of the new dwelling and neighbouring windows means that there would be no significant impact on light into the neighbouring dwelling. First floor rear windows in the new dwelling would provide views into the garden of no. 3, however, only at very acute angles. Concerns have been raised by the neighbour at no. 6 that the new dwelling will directly overlook their front garden, however, views of this area would be at a distance of 10 metres and areas of front garden are not given the same level of protection as rear gardens given there is already a lack of privacy at street level.
- 6.7 Equally there is a sufficient separation to the rear boundary to prevent overlooking to the property to the west with a back to back separation distance between properties of 28 metres. In an urban setting a back to back distance of 21 metres is normally considered acceptable. Furthermore any loss of privacy to the property to the rear of the site is limited due to the large size and layout of this neighbouring property's garden area. A planning officer has visited this neighbouring property to assess the impact.
- 6.8 The new dwelling would be provided with a rear garden of approximately 110sqm (excluding space to the side of the house) which is sufficient to provide the future occupiers with an acceptable standard of outdoor amenity space. This area of space is only just sufficient and therefore a condition removing permitted development rights is recommended (see condition 9).

## **Impact on parking and highway safety**

- 6.9 The dwelling would be provided with 2 parking spaces, one on the front driveway and one within an integral garage; this is sufficient to serve a 3/4 bedroom dwelling given that the site is within an area of good accessibility. Concerns have been raised by local residents that there isn't the space for visitors to park, however, there is on road parking available within the cul-de-sac and the amount of roadside parking likely to be generated by the new dwelling will not result in any material highway safety concerns.
- 6.10 Sufficient space on site is available for cycle parking and refuse and recycling storage.

## **Impact on Trees**

- 6.11 Two fruit trees would be felled to make way for the development and the tree officer raises no significant objection to this given their limited amenity value. There is an important backdrop of trees framing the rear of the site and it is important that these surrounding trees are not harmed. A condition is recommended to secure a tree protection plan and to ensure that no grounds levels are altered within the root protection area (see condition 5).
- 6.12 A landscaping condition is also recommended (see condition 4). This condition is important to safeguard the character of the area and to provide ecological, environmental and biodiversity benefits to maximise the quality and usability of the open spaces within the development.

## **Impact on the Thames Basin Heath Special Protection Area**

- 6.13 The Thames Basin Heaths Special Protection Area (the SPA) was designated in 2005 to protect and manage the ecological structure and function of the area to sustain the nationally important breeding populations of three threatened bird species. The Council's Thames Basin Heaths SPD sets out the preferred approach to ensuring that new residential development provides adequate mitigation, which for residential developments of between one and 9 additional housing units on sites located over 400 metres and up to 5 kilometres from the SPA is based on a combination of Strategic Access Management and Monitoring (SAMM) and the provision of Suitable Alternative Natural Greenspace (SANG). The application site is within this 0.4 - 5km buffer zone around the SPA. The applicant has entered into a legal agreement to provide this mitigation with the contributions already having been secured given that the mortgagee is not a signed party. Should permission be refused then there are standard mechanisms in place to return the contribution.

## **Other Material Considerations**

### Housing Land Supply

- 6.14 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 formally submitted in 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.

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

- 7.1 In line with the Council's charging schedule the proposed development would be CIL liable. The applicant has submitted the required forms including the assumption of liability for payment on the net increase in gross internal floor space. The proposed development would generate a CIL payment of £32,496.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

7 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 22<sup>nd</sup> March 2018

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

Comment		Where in the report this is considered
1.	The new house will cause significant overlooking to the front and rear gardens of number 6 Vicarage Gardens.	6.5 – 6.8
2.	The new dwelling will overlook the rear of number 3 Vicarage Gardens.	6.5 – 6.8
3.	Due to the close proximity of the proposed new build it will feel oppressive to the occupants of number 3.	6.5 – 6.8
4.	The new property in combination with the already approved large two storey side extension at number 5 Vicarage Gardens will significantly degrade the residential visual amenity currently established.	6.5
5.	Another property will exacerbate parking problems, traffic and noise.	6.9
6.	The proposal is overdevelopment and will vastly reduce the green space. The application represents a clear case of 'garden-grabbing'	6.3 – 6.4
7.	The property does not respect the established building lines and arrangements of front gardens.	6.3 – 6.4
8.	The garden space for the new dwelling is insufficient for a 3 bedroom property.	6.8
9.	The amenity space of number 5 will be compromised and will not be in keeping with the scale of this property.	6.5
10.	The new dwelling would be overbearing and not in keeping in terms of design, appearance and materials with the other houses in the street.	6.3 – 6.4

### Consultees

Consultee	Comment	Where in the report this is considered
Parish Council	No objections subject to the garage being used for parking.	6.9 and 6.10
Highways Officer	No objections subject to conditions relating to vehicle access/driveway and construction management	6.9 and 6.10
Tree Officer	No objections subject to conditions relating to landscaping and tree protection.	6.11 and 6.12
Environmental Protection	No objection subject to conditions relating to working hours/hours of construction.	These issues are dealt with under separate legislation.

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – Street Scene
- Appendix C – Plan and elevation drawings
- Appendix D - Extension already approved to 5 Vicarage Gardens

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

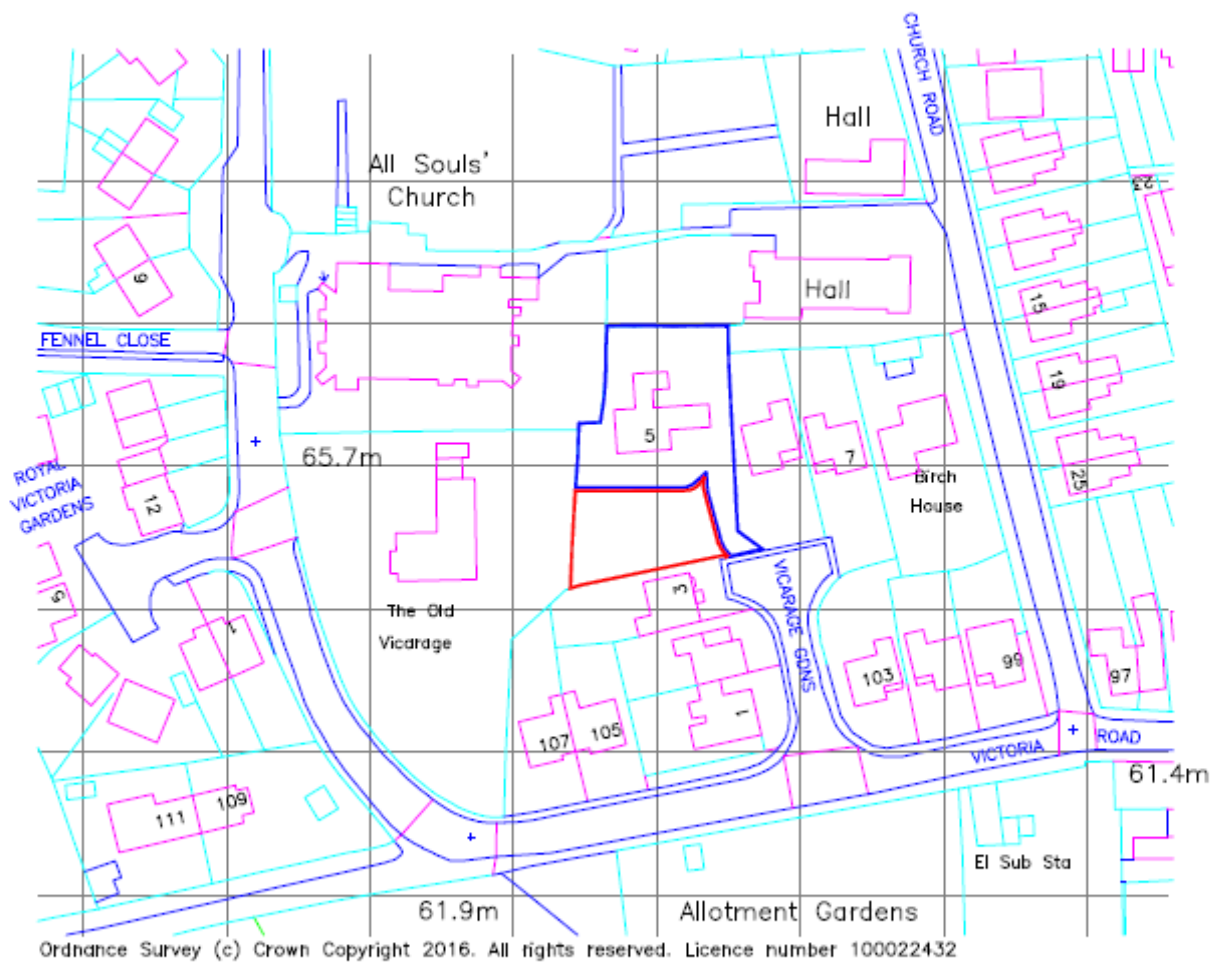
- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place until details of the materials to be used on the 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 Policy: Local Plan DG1 and Neighbourhood Plan DG1 and DG3
- 3 No windows shall be inserted at first floor level in the side (north) elevation of the dwelling at first floor level without the prior written approval of the Local Planning Authority.  
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H11.
- 4 No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.  
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 5 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing 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 prior written approval 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.
- 6 No other part of the development shall commence until the access has been constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be retained.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 7 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.

- 8 No development shall commence until details of all finished slab levels in relation to ground level (against OD Newlyn) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.  
Reason: In the interest of the visual amenities of the area. Relevant Policy Local Plan DG1.
- 9 Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwelling house the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.  
Reason: The nature of the sites size and layout requires strict control over the form of any additional development which may be proposed. Relevant Policies - Local Plan H11, DG1.
- 10 Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no fence, gate, wall or other means of enclosure shall be erected on the site without planning permission having first been obtained from the Local Planning Authority.  
Reason: To ensure the location, form, design and materials are appropriate for the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 11 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

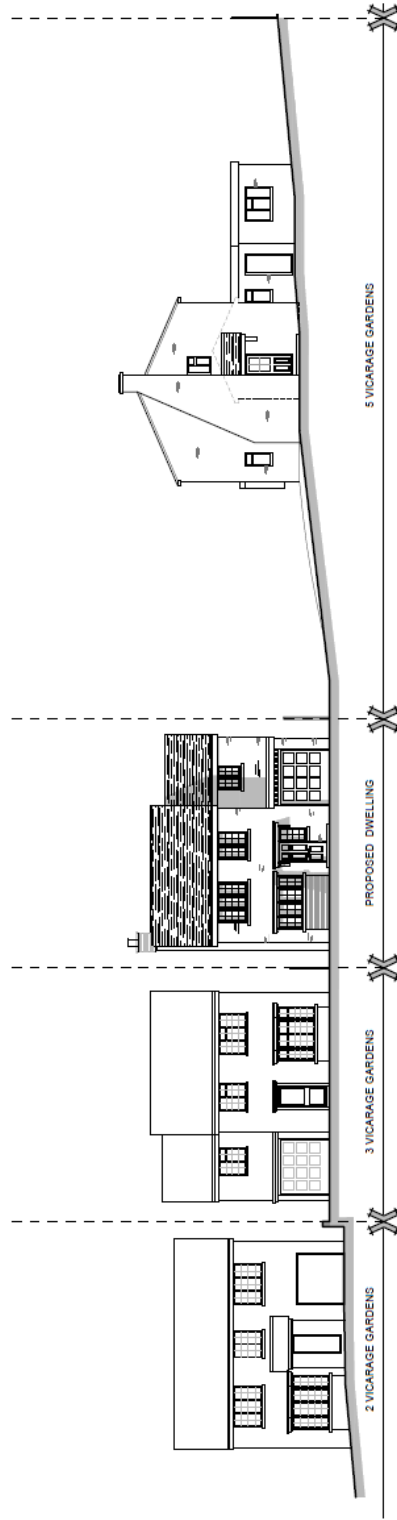
## Site location plan



Proposed site layout



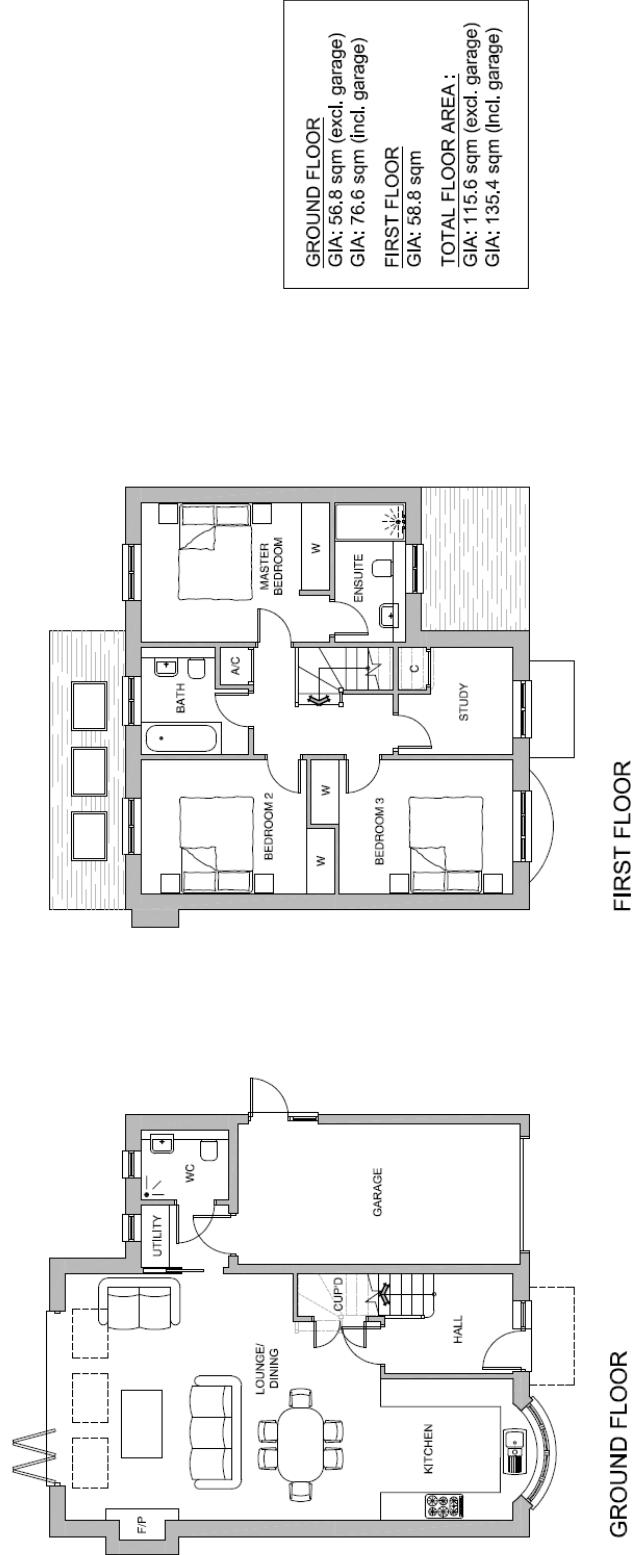
# Appendix B—Street Scene



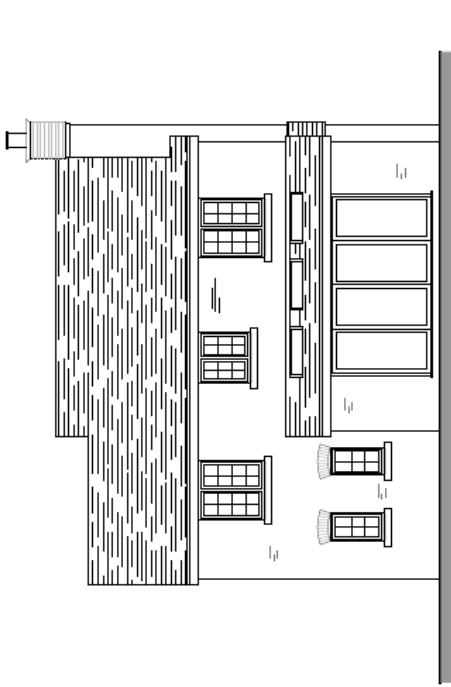
STREET SCENE (SOUTH ELEVATION)

# Appendix C—Plan and Elevation Drawings

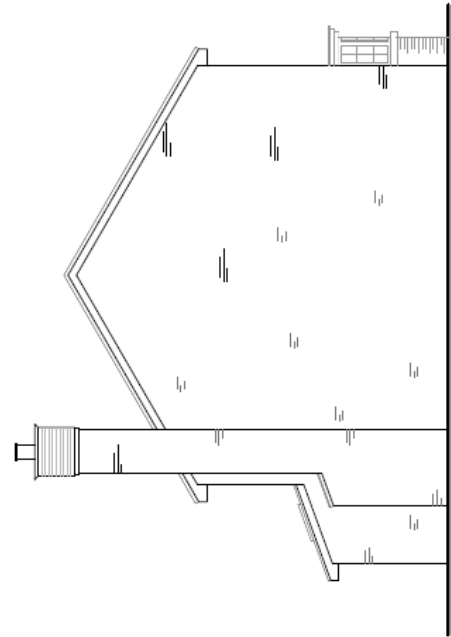
## Proposed floor plans



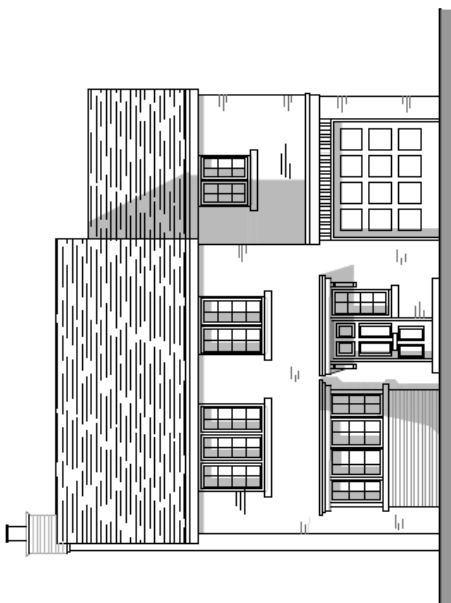
Proposed elevations



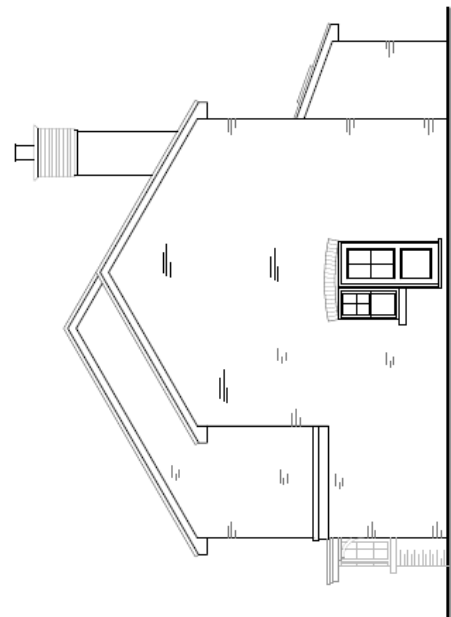
REAR ELEVATION



FLANK ELEVATION



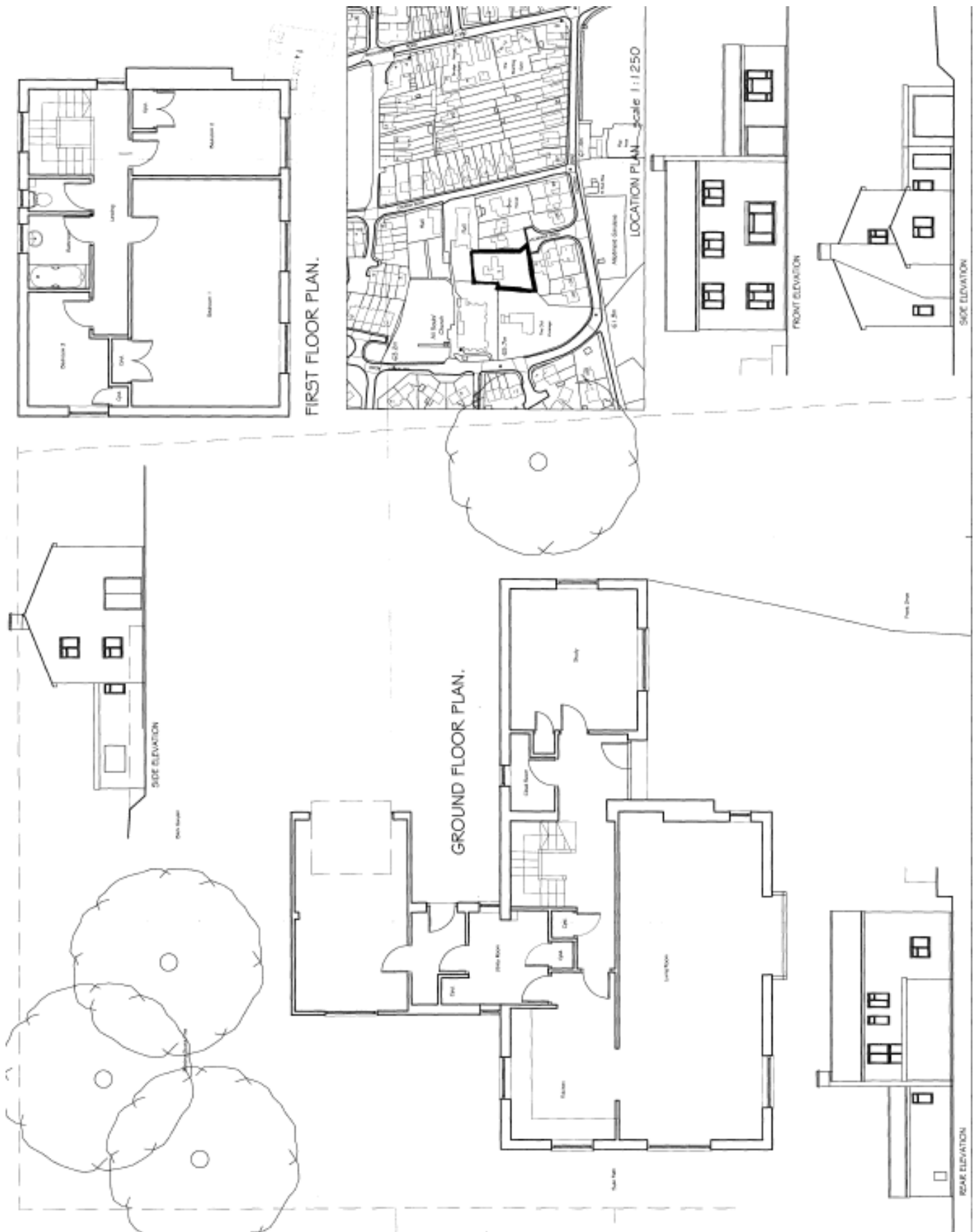
FRONT ELEVATION



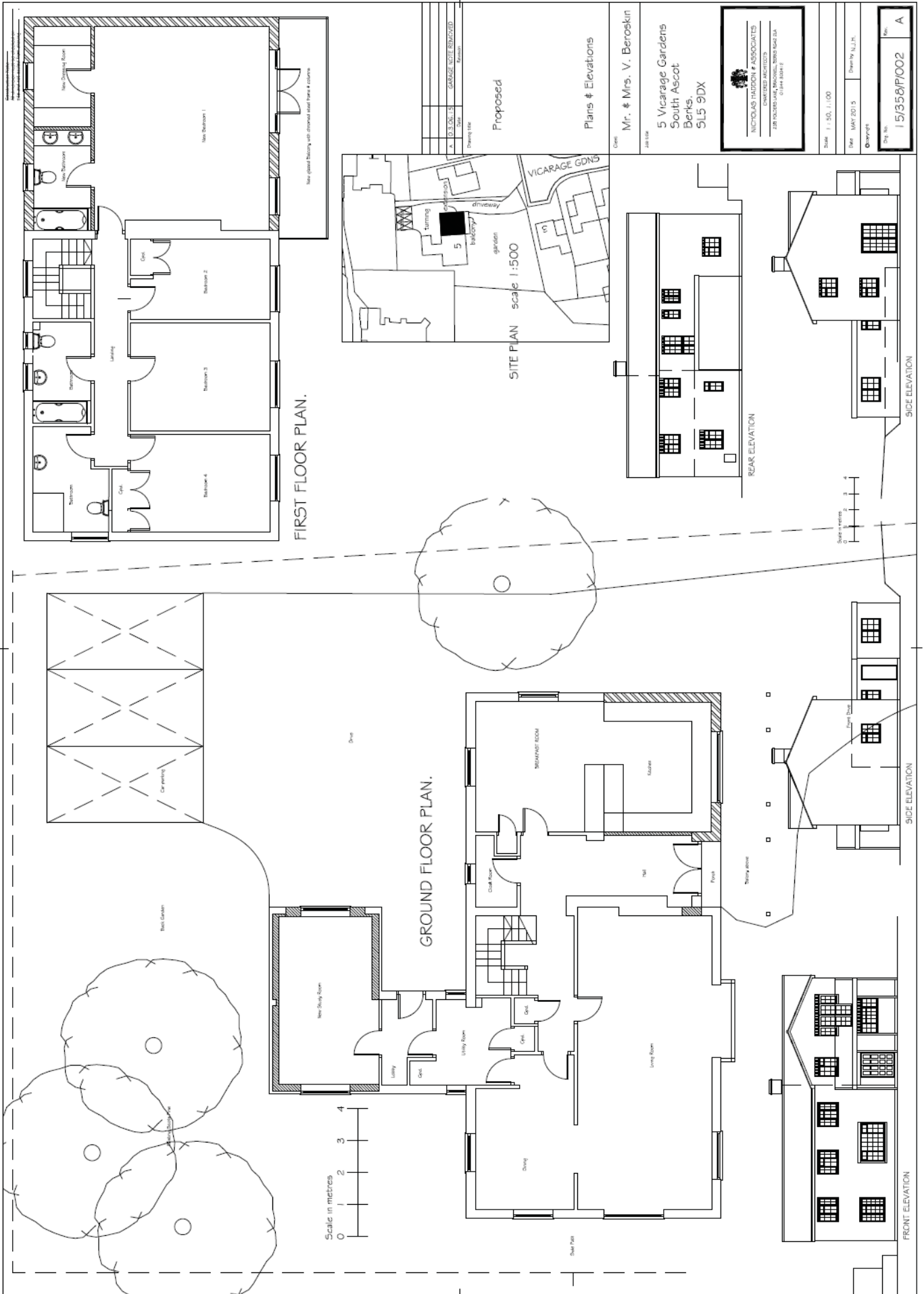
SIDE ELEVATION

# Appendix D—Extension already approved to 5 Vicarage Gardens

Existing plans and elevations



Proposed plans and elevations



## WINDSOR RURAL DEVELOPMENT CONTROL PANEL

25 July 2018

Item: 2

<b>Application No.:</b>	18/01116/VAR
<b>Location:</b>	Former Brockenhurst Hotel Brockenhurst Road Ascot
<b>Proposal:</b>	Redevelopment to provide a building comprising 12 apartments with basement parking and caretaker's accommodation following demolition of existing hotel as approved under 17/02712/VAR to planning permission 13/01995/FULL to vary condition 20 to substitute plans.
<b>Applicant:</b>	Mr Gosling
<b>Agent:</b>	Mr Gregory Davidson
<b>Parish/Ward:</b>	Sunninghill And Ascot Parish/Sunninghill And South Ascot Ward
<b>If you have a question about this report, please contact:</b> Jo Richards on 01628 682955 or at <a href="mailto:jo.richards@rbwm.gov.uk">jo.richards@rbwm.gov.uk</a>	

### 1. SUMMARY

- 1.1 Section 73 of the Town and Country Planning Act (as amended) excludes the reconsideration of issues other than those covered by the condition that is the subject of this application. There have been no significant changes in planning policy or other material considerations that require matters such as the principle of development to be re-considered.
- 1.2 The proposed variation is to condition 20 of planning permission 17/02712/VAR which list the approved drawings. Specifically, the amendments relates to the addition of roof lanterns, the enlargement of approved roof lanterns and the addition of a roof conservatory over the rear roof terrace. Amended plans have been secured during the course of the application lowering the height of the roof conservatory from 2.1m above the highest point of the main roof to 1.5m.
- 1.3 The proposed amendments do not result in undue harm to highway safety or on or off site parking provision or character and appearance, and the proposed changes are not considered to conflict with the decisions made by the LPA on early proposals.
- 1.4 An extension of time until 27<sup>th</sup> July 2018 has been agreed with the applicant in order to proactively address issues raised in the assessment of the application

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

### 2. REASON FOR PANEL DETERMINATION

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

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

- 3.1 The site is located on Brockenhurst Road, Ascot and formerly comprised a medium sized, privately owned hotel. Works are underway on site for the approved apartment building – at the time of the officer site visit the outer shell of the building was nearing completion.
- 3.2 The site is a large sylvan plot well screened from the road, within which the trees are subject to Tree Protection Order (TPO) no. 30 of 1998. The site lies within a 5km linear distance of Chobham Common, part of the Thames Basin Heaths Special Protection Area (SPA).
- 3.3 The surrounding area comprises of predominantly residential properties of a variety of different size and form, including large detached properties and apartments, such as the adjacent Former Brockenhurst House and Birch Common development to the south east of the site.



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

- 4.1 Planning consent was originally granted for the 12 apartments and caretaker's accommodation under planning application ref: 13/01995/FULL. The table below shows that this original consent has been amended several times through non-material amendment applications (Section 96A) and variation of condition applications (Section 73). The latest Section 73 application, ref: 17/02712/VAR, which was granted, is effectively the extant planning permission which is being built out on site and which is to be varied under the current application.
- 4.2 The current application seeks to vary condition 20 of this latest permission which lists the approved drawings. The current application proposes to substitute the approved drawings for new ones which show changes to the roof of the building and namely the addition of 2 square shaped roof lanterns, the enlargement of 3 roof lanterns and the addition of a roof conservatory over the rear roof terraces. No other changes are proposed to the scale of the building, number of apartments, access arrangements, parking or landscaping.
- 4.3 The table below summarises the relevant planning history associated with the application site.

Reference	Description of Development	Decision & Date
18/00970/NMA	Non material amendment to planning permission (17/02712/VAR) to substitute approved plan to retain the bin store collection point in same location as when the site was a hotel.	Refused 16 <sup>th</sup> April 2018
18/00669/NMA	Non-material amendments to planning permission 17/02712/VAR to substitute plans	Refused 29 <sup>th</sup> March 2018
17/02712/VAR	Redevelopment to provide a building comprising 12 apartments with basement parking and caretakers accommodation following demolition of existing hotel as approved under 17/02411/NMA to planning permission 13/01995/FULL to vary condition 1 to substitute plans Condition Number(s): This application is to amend the condition of the approved plans as set out in the non-material amendment 17/02411 to the planning application 13/01995/FUL as amended by 16/03958/VAR Conditions(s) Removal: The existing approved plans are to be superseded by the latest set of plans to reflect changes carried out on site to meet market demands.	Permitted 12 <sup>th</sup> January 2018
17/02411/NMA	Non material amendment to planning permission 13/01995/FULL to add a condition for the approved plan numbers as approved under 13/01995/FULL and varied by 16/03958/VAR	Permitted 4 <sup>th</sup> Aug 2017
17/01787/NMA	Non material amendments to planning permission 13/01995/FULL for amendments to the site plan to reflect the removed trees and revised landscaping approved under Appn No: 16/03958; porters flat and bike store removed and space incorporated as part of Flat 3 (now becoming a Duplex unit); New bike stores now provided as individual stores in	Refused 13 <sup>th</sup> June 2017

	basement; New toilet facilities in basement for maintenance personnel; Additional obscure glazed windows to bathrooms (clouded on drawings); Flat 8 French door moved to side and window to rear and new velux windows and roof-lights added to second floor.	
16/03958/VAR	Redevelopment to provide a building comprising 12 apartments with basement parking and caretakers accommodation following demolition of existing hotel as approved under planning permission 13/01995/FULL without complying with conditions 17 (Landscaping), 18 (Tree Replacement) and condition 19 (Arboricultural Method Statement) to remove existing trees and replace with native broadleaved trees.	Permitted 2 <sup>nd</sup> May 2017
15/02562/CONDIT	Details required by condition 3 (finishing materials), 4 (finished slab levels), 5 (archaeological evaluation), 6 (code for sustainable homes), 7 (code for sustainable homes), 8 (sustainability measures), 9 (ageing population), 10 (boundary details), 11(management plan), 17 (hard and soft landscaping), 19 (arboricultural method statement), 20 (sustainable urban drainage system), and Informative 5 (construction of highway improvement works) of planning permission 13/01995 for the redevelopment to provide a building comprising 12 apartments with basement parking and caretakers accommodation following demolition of existing hotel	Discharged 23 <sup>rd</sup> Feb 2016
15/00875/CONDIT	Details required by condition 2 (material) of planning permission 13/01995 redevelopment to provide a building comprising 12 apartments with basement parking and caretakers accommodation following demolition of existing hotel	Discharged 10 <sup>th</sup> April 2015
13/01995/FULL	Redevelopment to provide a building comprising 12 apartments with basement parking and caretakers accommodation following demolition of existing hotel	Permitted 9 <sup>th</sup> Oct 2013
09/00621/FULL	Garage in hotel car park	Withdrawn
06/01066/FULL	Construction of a two storey side extension with access to second floor plus first floor side/rear extension	Permitted 28 <sup>th</sup> June 2006
98/76636/FULL	Demolition of existing boiler room and erection of a two storey side and first floor rear extension to provide a new fire exit, offices and stores	Permitted 13 <sup>th</sup> May 1998
97/76207/OUT	Erection of hotel extension and increased car parking	Refused 4 <sup>th</sup> Dec 1997 Appeal Dismissed
97/75485/FULL	Siting of a mobile office/storage unit as ancillary facility to existing hotel (retrospective)	Refused 14 <sup>th</sup> July 1997
94/01375/FULL	Variation of condition numbers 2, 5 and 10 of	Permitted 31 <sup>st</sup> May 1995

	consent 469400 (allowed on appeal)	
91/01310/FULL	Change of use of first floor from residential to hotel use and provision of additional car parking facilities	Refused 6 <sup>th</sup> June 1991
90/01406/FULL	Single storey extension to and change of use of Little Brockenhurst and of the first floor of Brockenhurst Hotel from residential to form an eleven-bedroom hotel	Refused 22 <sup>nd</sup> Nov 1990 Appeal Allowed
89/01646/FULL	Change of use and single storey extension to Little Brockenhurst for annexation to attached Brockenhurst Hotel	Refused 11 <sup>th</sup> Jan 1990
89/01645/FULL	Change of use and single storey extension to Little Brockenhurst for annexation to attached Brockenhurst hotel	Refused 11 <sup>th</sup> Jan 1990
89/01644/FULL	Single storey rear extension to provide toilet accommodation	Approved 23 <sup>rd</sup> Oct 1989

## 5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

### 5.1 National Planning Policy Framework Sections

- 6. Delivering a wide choice of high quality home
- 7. Requiring good design
- 8. Promoting healthy communities

### Royal Borough Local Plan

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

Issue	Local Plan Policy	Compliance
Design in keeping with character of area	DG1	Yes
Acceptable impact on appearance of area	DG1, H10 H11	Yes
Acceptable impact when viewed from nearby occupiers	H11	Yes
Maintains acceptable level of privacy for nearby residents	H11	Yes
Maintains acceptable level of daylight and sunlight for nearby occupiers	H11	Yes
Sufficient parking space available	P4	Yes
Complies with relevant policies of the Ascot, Sunninghill & Sunningdale Neighbourhood Plan.	NP/EN2 NP/EN3, NP/EN4, NP/DG1, NP/DG2, NP/DG3, NP/DG4, NP/DG5, NP/H2, NP/T1	Yes

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](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
Provision of high quality housing	HO2, HO5
Natural Environment	NR2, EP2, EP3, EP4
Makes suitable provision for infrastructure	IF1
Transport and parking	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. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more details in the assessment below.

Significant weight is to be accorded to Borough Local Plan Submission Version policies listed above. The above application is considered to comply with the relevant policies listed within the Development Plan and those Borough Local Plan Submission Version policies to which significant weight is to be accorded.

This document can be found at:

[https://www3.rbwm.gov.uk/info/201026/borough\\_local\\_plan/1351/submission/1](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 – view at:
- 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](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 Preamble
- ii Impact on the Character of the Area
- iii Impact on neighbours
- iv Parking/Highways
- v Other considerations

## **Preamble**

- 6.2 It should be noted that the proposal was firstly submitted as a Section 96A application for a non-material amendment to extant permission under application ref: 18/00669/NMA. This application was refused because the Local Planning Authority considered that the addition/enlargement of the roof lanterns and a roof conservatory would be too great to be dealt with as a non-material amendment and that the impact arising from the additions to the roof, needing to be formerly assessed.
- 6.3 The proposal has therefore been submitted as a Section 73 application, which allows for larger amendments. The National Planning Policy Guidance (NPPG) states that there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved. As stated above, the assessment will focus on the proposed changes to the permission.
- 6.4 The only change to planning policy is that the Borough Local Plan submission version policies now carry significant weight in the decision making process. The relevant policies cited above, are considered to be consistent with the NPPF and the adopted Neighbourhood Plan on the matter of character, appearance and amenity.

## **Impact on the character of the area**

- 6.5 The proposed additional roof lanterns and enlarged roof lanterns to be positioned on the main crown roof of the development, would project only marginally above the crown roof and are therefore considered to be minor additions to the development. Indeed the section plan shows that they would not project any higher than the outer ridge line of the roof. They would therefore only be partially visible from the street scene of Brockenhurst Road, however given the scale of the building as a whole and the set back of the development from the front boundary of the site (closest roof lantern approx. 28m away), they would not appear prominent in the street scene to the detriment of the character of the building or to the street scene.
- 6.6 The proposed roof conservatory would be designed as a large roof lantern projecting approximately 1.5m above the highest point of the main roof. Whilst this seems like a sizable addition to the building, given its location on the rear central part of the building, it would be a significant distance away from all boundaries of the site and a distance of approximately 44m from the front boundary. Indeed when looking up at the building from the road, the roof conservatory is likely to be blocked from view by the main body of the apartment building. The roof conservatory would be more apparent from further away from the site but due to its glazed design and the fact that it would be subordinate in scale to the size of the main roof, the roof conservatory would not appear prominent in the street scene or wider locality. The site is heavily screened on the flank and rear boundaries by trees covered by a TPO, such the development as a whole would be softened and screened.
- 6.7 The application site is within an urban area of development outside the Green Belt, where street lighting and lighting of residential properties is present. Notwithstanding, any emission of light from the roof lanterns is likely to be minimal given their small scale, and not materially greater than the light spillage created by the windows on the approved development. The roof conservatory is to serve the approved terrace areas which are unlikely to be used at night and thus the light spillage from this part of the proposal would also be minimal. The proposal is therefore not considered to fall foul of emerging policy EP3.

## **Impact on neighbours**

- 6.8 The enlargement of the existing roof lanterns and proposed additional roof lanterns are to provide light to the second floor apartments. The proposed roof conservatory would be positioned over an approved terrace area. The proposed amendments would therefore not allow for any additional overlooking to neighbouring properties. Due to the distance from the boundaries of the site, the structures would not appear prominent or overbearing when viewed from neighbouring gardens.

- 6.9 The proposed changes would have no effect on the parking layout, access or impact on the highway. The proposal would not result in any additional impact to trees, ecology or the Thames Heath Basin.

## Conclusion

- 6.10 In summary there has been no material change in planning policy that would warrant a different decision being taken. Given the scale of the proposed roof lanterns/enlarged roof lanterns and roof conservatory compared to the overall scale of the building which is set spaciouly in the plot, it is considered that the proposed alterations can be deemed as minor-material amendments to the extant permission. The assessment above has shown that the proposed amendments would not lead to any harm over and above the approved scheme that would warrant the refusal of this application. All impacts are either acceptable or can be controlled by the conditions listed in section 10 of this report.

## 7. SECTION 106

The original 2013 consent was subject to infrastructure and affordable housing contributions. To ensure that these are secured a deed of variation to the S106 Agreement that was attached to planning application reference 13/01995/FULL and subsequently to the later planning permissions has been secured and therefore planning permission can be granted.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

17 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 9<sup>th</sup> May 2018 and the application was advertised in the Maidenhead & Windsor Advertiser on 26<sup>th</sup> April 2018.

No letters have been received from neighbouring occupiers either objecting to or supporting the application. One letter of objection has been received from SPAE (Society for Protection for Ascot and Environs) which is set out below:

Comment	Where in the report this is considered
<p>SPAE respectfully requests RBWM to refuse this application to vary Condition 20.</p> <p>The proposed changes are material in that they significantly raise and alter the roof line with the addition of large lantern units on the roof line, which will be widely visible in the surrounding area and out of character. Their effect would be worsened with any emission of artificial light during hours of darkness. As such there is likely to be a contravention of Policy EP3 of the emerging RBWM Local Borough Plan.</p>	<p>Amended plans have been received during the course of the application reducing the scale of the roof conservatory, the impact of which is now considered acceptable as outlined above.</p>

### Other consultees

Consultee	Comment	Where in the report this is considered
Parish Council	Objections to the inclusion of roof lanterns as these would be visible from the road. Therefore the committee requested	See section 6.5 -6.7

	that Condition 1 should not be varied.	
Trees	The variation does not appear to affect either retained trees or trees to be planted, and therefore I have no objections to the proposal.	Noted
Archaeology	The buried archaeological heritage aspects of this site have previously been addressed in relation to application 13/01995/FULL. As a result no further archaeological work is required at this site and therefore no further action is required as regards the buried archaeological heritage in relation to this Variation.	Noted
Highways	No objections subject to conditions	Noted
LLFA	No objections	Noted

## 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

- 1 The development shall be constructed in accordance with the external materials approved under permission reference 15/00875. (Previously condition 2 of permission 13/01995).  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 2 The development shall be constructed in accordance with the slab levels approved under permission 15/02562 The development shall be carried out and maintained in accordance with the approved details (previously condition 4 of permission 13/01995).  
Reason: In the interest of the visual amenities of the area. Relevant Policy Local Plan DG1.
- 3 The development shall be undertaken in accordance with the programme of archaeological work approved under permission reference 15/02562 (previously condition 5 of permission 13/01995).  
Reason: The site is within an area of unknown archaeological potential. Assessed Relevant Policies - Local Plan ARCH2, ARCH4.
- 4 The development shall be undertaken in accordance with the details for the code for sustainable homes as approved under permission 15/02562. (Previously condition 6 of permission 13/01995).  
Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with Requirement 1 of the Royal Borough of Windsor and Maidenhead Sustainable Design and Construction Supplementary Planning Document.
- 5 The development shall be undertaken in accordance with the details for the code for sustainable homes as approved under permission 15/02562 (previously condition 7 of permission 13/01995).  
Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with Requirement 1 of the Royal Borough of Windsor and Maidenhead Sustainable Design and Construction Supplementary Planning Document.
- 6 The development shall be undertaken in accordance with the sustainability measures approved under permission 15/02562 (previously condition 8 of permission 13/01995).  
Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development and to comply with the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document
- 7 The development shall be undertaken in accordance with the ageing population details approved under permission 15/02562 (previously conditions 8 and 9 of permission 13/01995).  
Reason: To ensure that the development complies with the Royal Borough of Windsor & Maidenhead Planning for an Ageing Population Supplementary Planning Document.

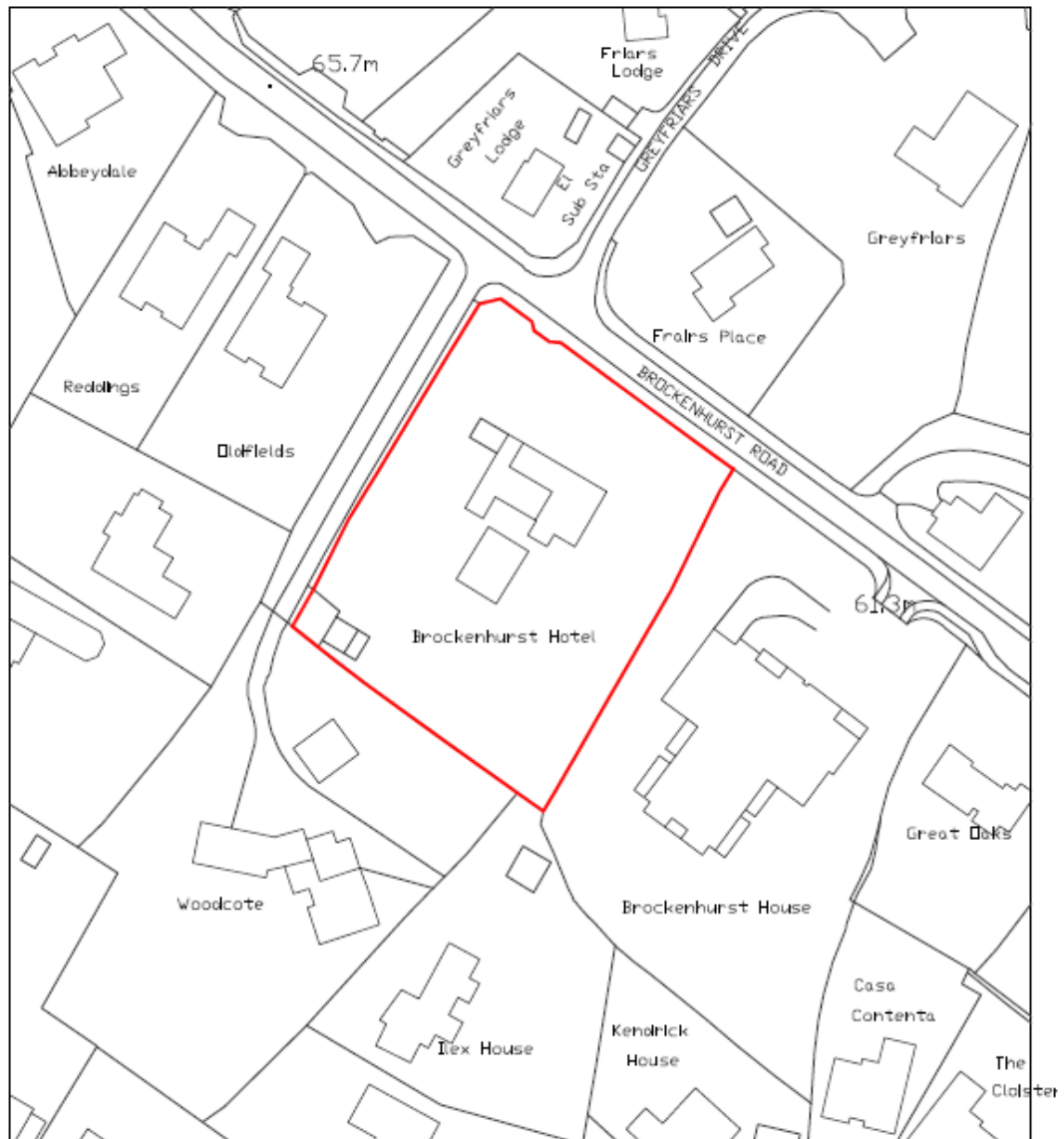
- 8 The development shall be undertaken in accordance with the boundary treatment approved under permission 15/02562 (previously condition 10 of permission 13/01995).  
Reason: To ensure the satisfactory resultant appearance and standard of amenity of the site and the surrounding area. Relevant Policy - Local Plan DG1.
- 9 The development shall be undertaken in accordance with the details set out in the Construction Management Plan approved under permission 15/02562 (previously condition 11 of permission 13/01995).  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 10 No part of the development shall be occupied until the surface vehicle parking and turning space have been provided with adequate manoeuvrability space, in accordance with a layout that has first been submitted to and approved in writing by the Local Planning Authority. The space approved shall be kept available for parking and turning in association with the development. (Previously condition 12 of permission 13/01995).  
Reason: To ensure that the development is provided with adequate parking and turning facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.
- 11 No part of the development shall be occupied until the visibility splays shown on the approved drawings have been provided. The areas within these splays shall be kept free of all obstructions to visibility above a height of 0.6 metres from the surface of the carriageway. (Previously condition 13 of permission 13/01995).  
Reason: In the interests of highway safety. Relevant Policies - Local Plan T5.
- 12 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times. (Previously condition 14 of permission 13/01995)  
Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.
- 13 No part of the development shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing. These facilities shall be kept available for use in association with the development at all times. (Previously condition 15 of permission 13/01995)  
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.
- 14 No part of the development shall be occupied until the access ramp has been constructed in accordance with the approved drawings. The access arrangements shall therefore be retained. (Previously condition 16 of permission 13/01995)  
Reason: In the interests of highway safety.
- 15 The hard and soft landscaping shall be undertaken with the details shown on drawing L1 revision C and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation. (Previously condition 17 of permission 13/01995)  
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.



- 16 Notwithstanding the trees shown to be removed on drawing TMC-14066-L Revision A, no other tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or without the prior written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the same size and species unless the Local Planning Authority give its prior written consent to any variation. (Previously condition 18 of permission 13/01995)  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.
- 17 The development shall be undertaken in accordance with the Tree Protection Plan TMC-140-66-L Revision A and the arboriculture method statement approved under reference 15/02562/CONDIT.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.
- 18 The development shall be undertaken in accordance with the Sustainable Drainage system approved under permission 15/02562. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the approved details (previously condition 20 of permission 13/01995).  
Reason: In order to reduce the amount of surface water run-off, in compliance with the Adopted Sustainable Design and Construction Supplementary Planning Document.
- 19 The trees shown for removal in the plan hereby approved shall be soft felled in accordance with the details set out in the follow-up survey of trees report (AA Environmental Limited, April 2017).  
Reason: To ensure that any protected species present on site are adequately protected during the construction period, in accordance with the requirements of the National Planning Policy Framework and the Ascot, Sunninghill and Sunningdale Neighbourhood Plan
- 20 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 Site plan

### Location plan



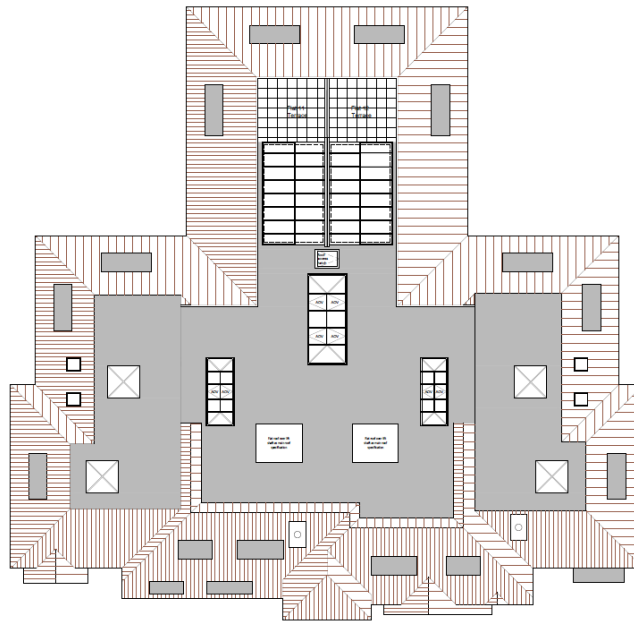
Ordnance Survey, (c) Crown Copyright 2012. All rights reserved. Licence number 100020449

# Site Plan



Appendix B – plan and elevation drawings

Proposed roof plan



**Roof Plan**

# Proposed Elevations



SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION

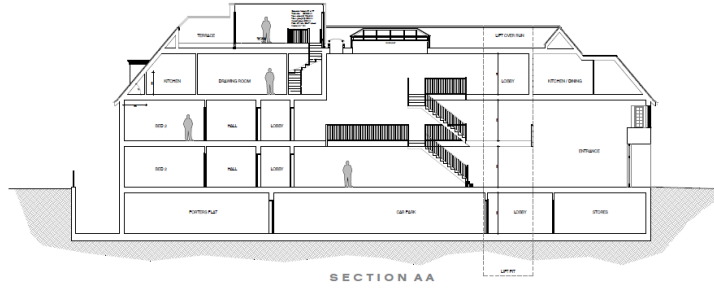


EAST ELEVATION

**PLANNING**  
 Brockenhurst Hotel, Brockenhurst Road, Ascot  
 Proposed Apartment Development  
 Proposed Elevations  
 Brockenhurst Building

11.200  
 14.06.12  
 1/100 @ A1  
 J&J

# Section



1. This drawing is the property of the architect and shall remain his/her property. It is to be used only for the project and site for which it is prepared. It is not to be reproduced, copied, or used for any other project without the written consent of the architect.

NO.	DATE	DESCRIPTION	BY	CHECKED
1	12.22.12	PROPOSED DEVELOPMENT PLAN	...	...
2	14.02.13	PROPOSED DEVELOPMENT PLAN	...	...
3	17.02.13	PROPOSED DEVELOPMENT PLAN	...	...
4	20.02.13	PROPOSED DEVELOPMENT PLAN	...	...

PLANNING		DATE	
Brockenhurst Hotel, Brockenhurst Road, Ascot	12.22.12	14.02.13	17.02.13
Proposed Development	14.02.13	17.02.13	20.02.13
Proposed Section	20.02.13		
Brockenhurst Hotel			

## WINDSOR RURAL DEVELOPMENT CONTROL PANEL

25 July 2018

Item: 3

<b>Application No.:</b>	18/01159/FULL
<b>Location:</b>	85 Upper Village Road Ascot SL5 7AJ
<b>Proposal:</b>	Construction of new four bedroom detached dwelling with associated parking, additional new vehicular access and 2 no. drop kerbs to provide exit and entrance driveway following demolition of existing dwelling and outbuildings. (Part retrospective as outbuildings have been demolished).
<b>Applicant:</b>	Mr Hayhurst
<b>Agent:</b>	Mr Roger Scully
<b>Parish/Ward:</b>	Sunninghill And Ascot Parish/Sunninghill And South Ascot Ward
<b>If you have a question about this report, please contact:</b> Adam Jackson on 01628 796660 or at adam.jackson@rbwm.gov.uk	

### 1. SUMMARY

- 1.1 The proposed dwelling is considered to be of a design and scale that is in keeping with the character and appearance of the area. Subject to securing the use of suitable materials the proposal is considered acceptable in design terms.
- 1.2 The proposed dwelling would not cause material harm to the amenity of neighbouring properties and would provide its future occupiers with an adequate standard of amenity.
- 1.3 The application complies with the Borough's standards with regards to the level of parking provided and the new in and out access subject to the required visibility splays being provided would improve highway safety.
- 1.4 An extension of time until 27<sup>th</sup> July 2018 has been agreed with the applicant in order to proactively address issues raised in the assessment of the application

<b>It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.</b>
--

### 2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Hilton at the request of the Parish Council on the grounds of overdevelopment, inadequate amenity space and the lack of viable parking.

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

- 3.1 The application site is located on the south western end of Upper Village Road in Ascot. The site comprises a two storey detached dwelling, and until recently a garage and outbuilding which have been demolished.
- 3.2 Upper Village Road is characterised by small terrace blocks and two storey semi-detached dwellings, with typical finishes of brick and render. Many of the semi-detached properties within the area are slightly set back from the road, with open front boundaries and onsite parking.

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

4.1 The application is for the construction of a 4 bedroom detached dwelling following the demolition of the existing 2 bedroom detached dwelling. The height of the proposed dwelling varies due to the difference in ground levels, however, it has a maximum height of around 7m and when taken against street level is approximately 6.5m. The proposed dwelling is also 10.2 metres deep with the final 2.6m being single storey only. A garden space of approximately 80sqm will be provided to the rear and a parking area, large enough for 3 cars, together with a new in out access will be provided to the front.

4.2

Ref.	Description	Decision and date
17/01914/FULL	Erection of part two/part single storey rear and side extensions following demolition of existing rear ground floor extension, garage and outbuilding. Conversion of roof space including alterations to the roof. Dropped kerbs to facilitate new vehicular access to accommodate off-street parking.	Refused - 15.08.2017

#### 5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

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

5.1 The relevant sections of the NPPF are:

- The core planning principles; and
- Section 7 – Requiring good design

##### The Development Plan

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

	Within settlement area	Highways and Parking	Trees and Biodiversity
Adopted Local Plan	DG1, H10, H11	P4, T5	N6
Neighbourhood Plan	NP/DG1, NP/DG2, NP/DG3	NP/T1	NP/EN2 NP/EN4

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

##### Borough Local Plan: Submission Version

5.3

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Provision of high quality housing	HO2, HO5
Natural Environment	N22, EP2, EP4
Makes suitable provision for infrastructure	IF1
Transport and Parking	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. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more details in the assessment below.

Significant weight is to be accorded to the relevant Borough Local Plan Submission Version policies in this case. The above application is considered to comply with the relevant policies listed within the Development Plan and those Borough Local Plan Submission Version policies to which significant weight is to be accorded.

This document can be found at:

[https://www3.rbwm.gov.uk/info/201026/borough\\_local\\_plan/1351/submission/1](https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1)

### **Other Local Strategies or Publications**

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- 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](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 Impact on the character and appearance of the area
- ii Impact on residential amenity
- iii Impact on parking

### **Impact on the character and appearance of the area**

6.2 The appearance of a development is material planning consideration and the National Planning Policy Framework Section 7 (requiring Good Design) and Local Plan Policy DG1 as well as policy DG3 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan advises that all development should seek to achieve a high quality of design that improves the character and quality of an area. Policy DG2 of the neighbourhood plan advises that development should be similar in density, footprint, separation, scale and bulk to the buildings in the surrounding area and of neighbouring properties in particular.

- 6.3 There is recent planning history at the site for extensions to the existing dwelling. The application for these extensions was refused as the extensions would have added considerable bulk to the existing dwelling. The scale, form and appearance of the extensions were not considered to be respectful of the character and appearance of the existing dwelling and were considered to be of poor design. The proposal was also considered to constitute over development of the site which would be harmful to the character of the surrounding area. The application was subsequently appealed and the inspector concurred with the council that the extensions would be harmful to both the character and appearance of the original property, neighbouring properties and the surrounding area, however, this related largely to the scale and design of the proposed extensions in relation to the existing dwelling rather than an overdevelopment of the site in general.
- 6.4 In response to this the applicant is now proposing to demolish and rebuild the dwelling in a style which is in keeping with the character of the area. The overall scale and bulk of the dwelling will also be less than that proposed under the previous application due to the removal of accommodation in the roof space and a simplification of the design. The property has been moved inwards from the west boundary adjoining the railway line which addresses any potential issues of overdevelopment by increasing spaciousness.
- 6.5 The dormers on the rear of the proposed dwelling are shown to be finished using lead cladding. This is not considered to be in keeping with the character of the area and would be contrary to policy DG3 of the neighbourhood plan which requires the use of good quality materials that complement the existing palette of materials within the area. The applicant has confirmed that he is happy to finish the dormers in a more traditional material, however, at the time of writing amended plans have not been received and as such it is suggested that details of materials are secured by condition (See condition 2 in section 10 of this report).

#### **Impact on residential amenity**

- 6.6 The National Planning Policy Framework within its core principles tasks planning with ensuring a good standard of amenity is secured for all existing and future occupiers of land and buildings. The application site has one direct neighbour (83 Upper Village Road) and this property has been extended in the past, including a two storey side extension. This extension increased the size of the kitchen and dining room at ground floor and increased the number of bedrooms at first floor as well as adding a new bathroom. All of these rooms have side windows which face toward number 85. The proposed new dwelling at number 85 would be sited 200mm closer to this neighbouring property and would extend further back into the site and as such will be adjacent to these windows, however, all of the rooms with the exception of the bathroom also have front or rear facing windows. This will ensure that these rooms will continue to benefit from good levels of light and outlook. The bathroom is a non-habitable room and as such a loss of light to this room is not afforded the same level of weight. There will be one first floor side facing window in the proposed new dwelling and this serves a bathroom. As such this can be obscurely glazed to ensure that there is no loss of privacy to number 83 (see condition 5).
- 6.7 The proposed dwelling will be provided with a rear garden of approximately 80sqm. This is considered sufficient for a dwelling of this size in this location. However a condition is recommended removing permitted development rights for extensions and outbuildings given the tight layout of this plot (see condition 8). Additionally, the level of proposed amenity space is an increase from approximately 65sqm proposed under the previous application.

## Impact on parking

- 6.8 Policy P4 of the Local Plan as well as policy T1 of the neighbourhood plan requires development proposals to provide adequate space for onsite parking. The current property until recently when the garage was demolished had a single parking space. This was a shortfall of 1 space from the required 2 spaces. A 4 bedroom property in an unsustainable location would ordinarily under the Borough's parking strategy require 3 parking spaces, however, given the existing shortfall it is only reasonable in this instance to require 2 on site spaces. This is an approach considered to be acceptable by the Highways Officer when commenting on the previous application (17/01914/FULL). The application proposes 3 car parking spaces to the front of the site so is in excess of the required number.
- 6.9 A new vehicle access point is proposed to enable an in/out arrangement at the front of the site. This will assist in allowing vehicles to both enter and exit the site in a forward gear, thereby improving highway safety. The new access has better visibility than the existing access and could be implemented under permitted development. A license will be necessary from Street Care to undertake works to the highway. Concerns have been raised by the Parish Council with regards to viability of the parking spaces due to the difference in levels on site compared to the street and the difficulty therefore in accessing them. The plans, however, show that the site levels to the front of the site would be the same as the street level with the levels on site only dropping away further back. Only the parking space to the side of the dwelling would be affected therefore and as set out above only 2 spaces are required which would be provided to the front of the site. Notwithstanding this it does not appear from the submitted plans that the level differences are so severe that they would prevent a car being parked to the side of the dwelling. If there are concerns in this regard and it is considered that all 3 spaces are required then a condition could secure details of the gradient across this parking space to ensure it is viable.
- 6.10 There is sufficient space on site for cycle storage facilities for a property of this size and refuse storage will remain as existing.

## 7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The application does not increase the floor space on site by more than 100sqm and as such the proposal is not liable for a CIL contribution.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

5 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 23<sup>rd</sup> May 2018

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

Comment		Where in the report this is considered
1.	Concerns that the site would be overdeveloped contrary to neighbourhood plan policy NP/DG3.	Paragraphs 6.2 to 6.5
2.	Concerns that the new dwelling would negatively impact the amenity of neighbouring properties.	Paragraphs 6.6 and 6.7
3.	Concerns that the development would exacerbate existing parking issues within the area.	Paragraphs 6.8 to 6.10

## Statutory consultees

Consultee	Comment	Where in the report this is considered
Parish Council	Objects on the following grounds: <ul style="list-style-type: none"> <li><input type="checkbox"/> Overdevelopment of the site</li> <li><input type="checkbox"/> Inadequate amenity space</li> <li><input type="checkbox"/> The viability of the proposed on-site parking (ground levels make access/egress difficult)</li> <li><input type="checkbox"/> The lack of parking spaces</li> </ul>	<input type="checkbox"/> Paragraphs 6.2 to 6.5 <input type="checkbox"/> Paragraphs 6.6 to 6.7 <input type="checkbox"/> Paragraphs 6.8 to 6.10 <input type="checkbox"/> Paragraphs 6.8 to 6.10

## Other consultees

Consultee	Comment	Where in the report this is considered
SPAЕ	Concerns that the proposal does not provide sufficient car parking space as the space provided does not appear viable and the provision of a dropped kerb will reduce available on street parking.	Paragraphs 6.8 to 6.10

## 9. APPENDICES TO THIS REPORT

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

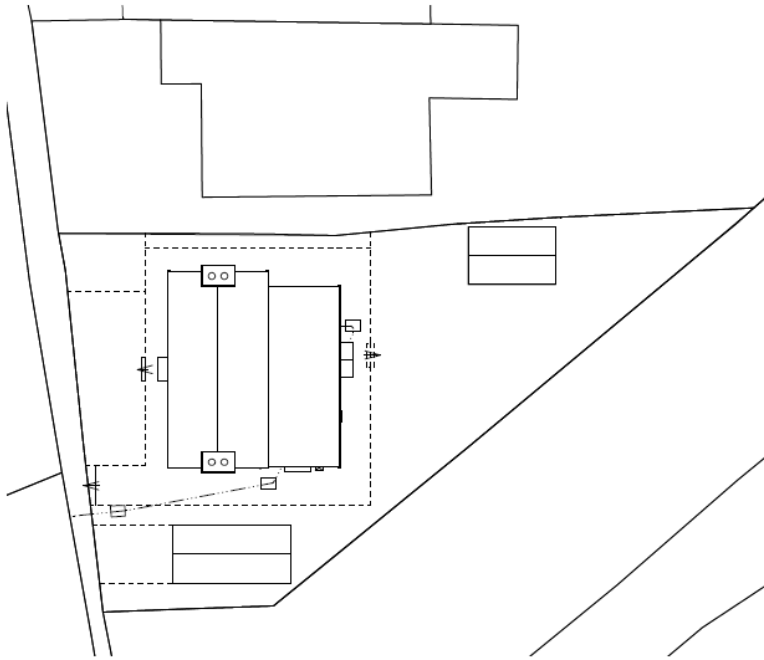
## 10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

- 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 Notwithstanding the details shown on the approved plans 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 Policy: Local Plan DG1 and Neighbourhood Plan DG3
- 3 No part of the development shall be occupied until the access has been constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be retained.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1 and Neighbourhood Plan T1
- 4 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.  
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1 and Neighbourhood Plan T1.
- 5 The first floor window in the east elevation of the dwelling shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the window shall not be altered without the prior written approval of the Local Planning Authority.  
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies

- Local Plan H11 and paragraph 17 (core principles) of the National Planning Policy Framework.

- 6 No further window(s) shall be inserted at first floor level in the east elevation of the dwelling without the prior written approval of the Local Planning Authority.  
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H11 and paragraph 17 (core principles) of the National Planning Policy Framework.
- 7 No development shall commence until details of all finished slab levels in relation to ground level (against OD Newlyn) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.  
Reason: In the interest of the visual amenities of the area. Relevant Policy Local Plan DG1 and Neighbourhood Plan DG1 and DG3
- 8 Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwelling house the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.  
Reason: The prominence of the site requires strict control over the form of any additional development which may be proposed. Relevant Policies - Local Plan H11, DG1.
- 9 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.

**Site location plan and existing site plan**



SITE PLAN 1:200



These details are subject to all relevant statutory approvals. If in doubt, check.  
 All dimensions are in meters.  
 Areas where quoted are approximate.  
 Any discrepancies with other related information is to be reported to Offgrid Architecture prior to construction.  
 Figured dimensions only are to be taken from this drawing.  
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LOCATION PLAN 1:1250



Scale : Varies @ A3

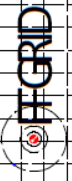
Date : May / 2017

Drawing: 1705 / 01\_001

Project : 85 Upper Village Road  
 Sunninghill

Contents : Location & Site Plan

OFFGRID Architecture  
 M: 07759 482619  
 offgridarchitecture@gmail.com



# Proposed site plan



**SITE DENSITY ANALYSIS**

Site Area = 286m<sup>2</sup>  
 Existing building footprint including out buildings = 75.5m<sup>2</sup>  
 Existing density = 26.4%  
 Proposed building footprint = 99m<sup>2</sup>  
 Proposed density = 35%

SITE PLAN 1:200



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Scale : 1:200 @ A3

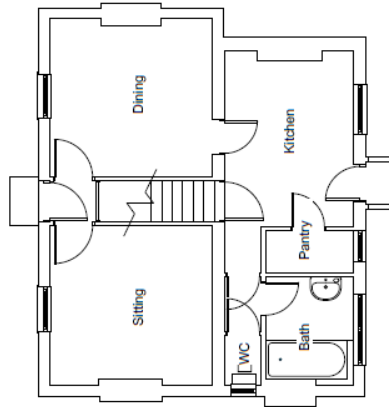
Date : April / 2018

Drawing: 1705 / 01\_004 -

Contents : Proposed Site & Roof Plan

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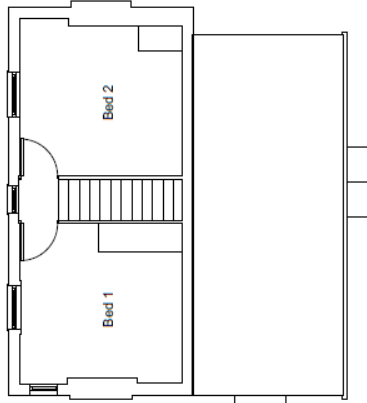
**Existing floor plans**



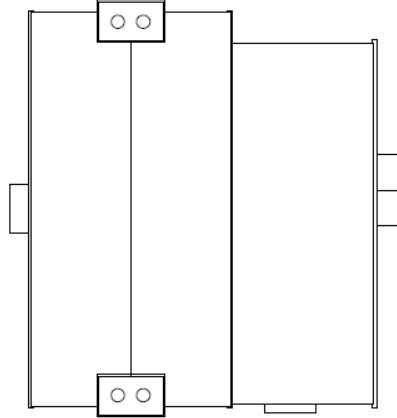
GROUND FLOOR PLAN 1:100



1:100



FIRST FLOOR PLAN 1:100



ROOF PLAN 1:100

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Contents : Existing Floor Plans

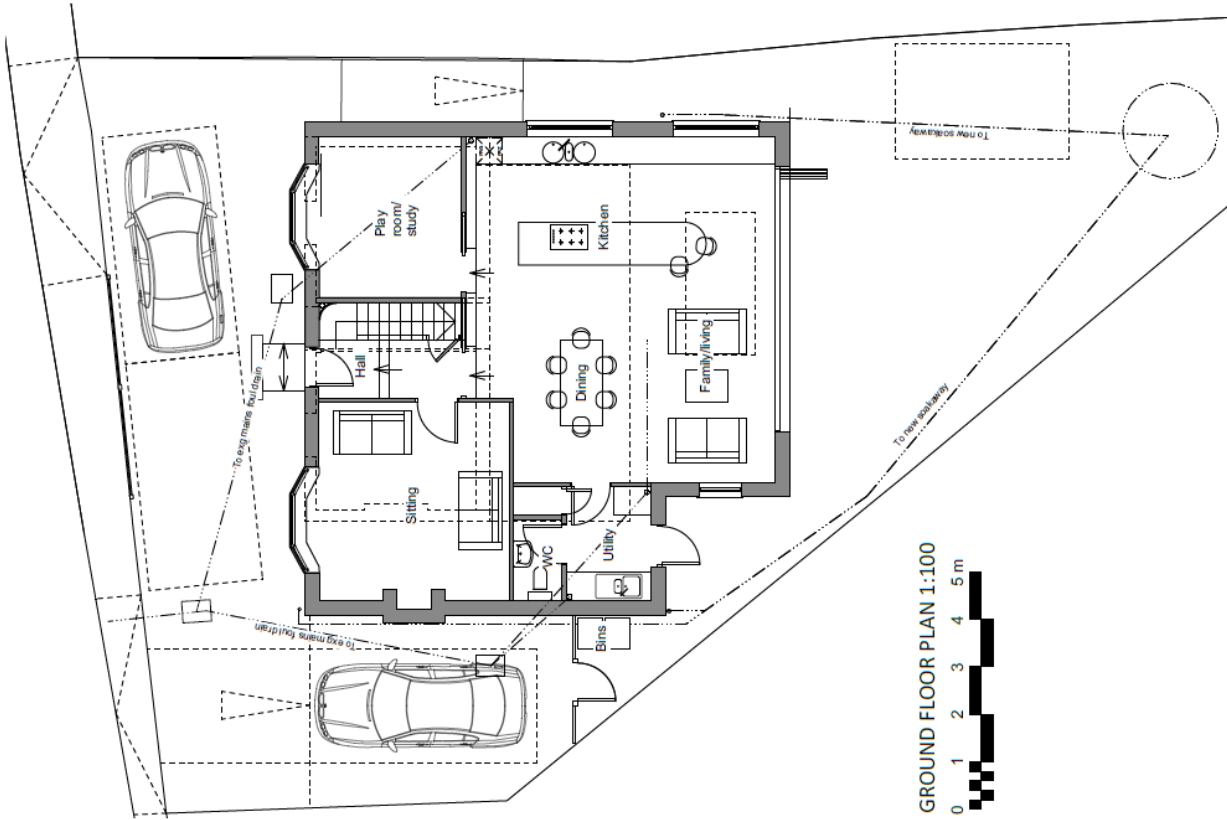
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Drawing: 1705 / 01\_002 -

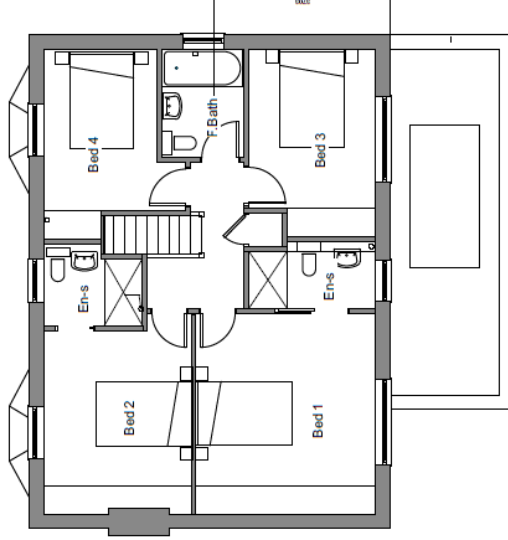


# Proposed floor plans



GROUND FLOOR PLAN 1:100

1:100



FIRST FLOOR PLAN 1:100

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Sunninghill

Scale 1:100 @ A3

Date April / 2018

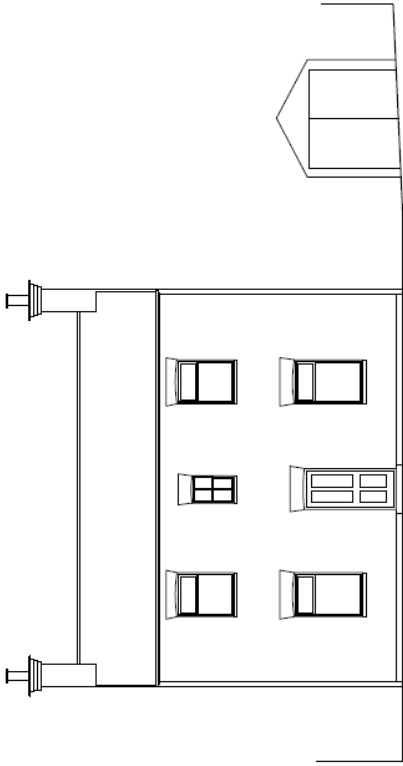
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Contents : Proposed Floor Plans

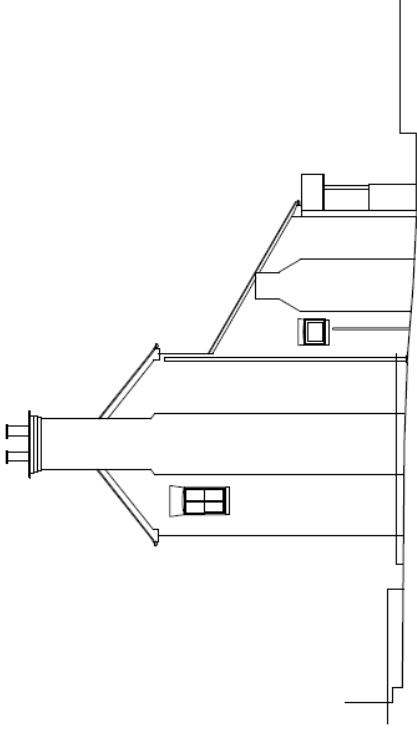
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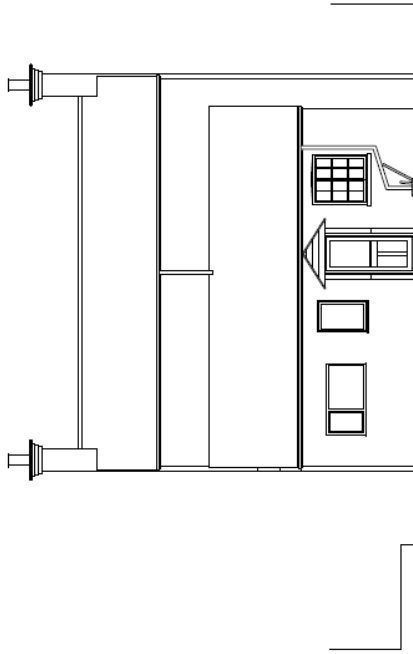
# Existing elevations



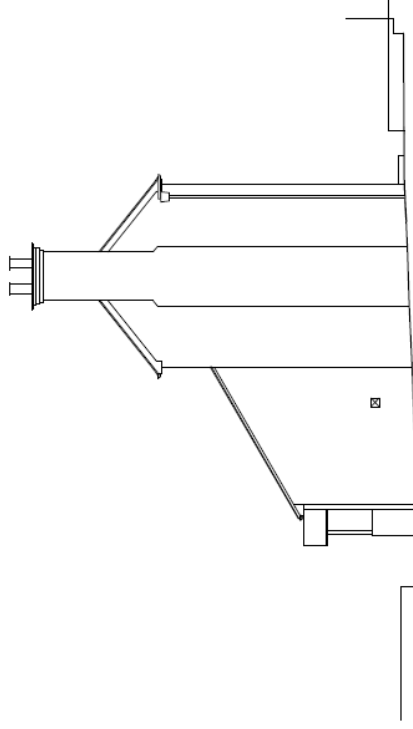
EXISTING NORTH ELEVATION 1:100  
1:100  
0 1 2 3 4 5 m



EXISTING WEST ELEVATION 1:100

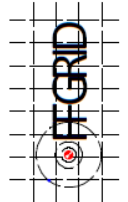


EXISTING SOUTH ELEVATION 1:100



EXISTING EAST ELEVATION 1:100

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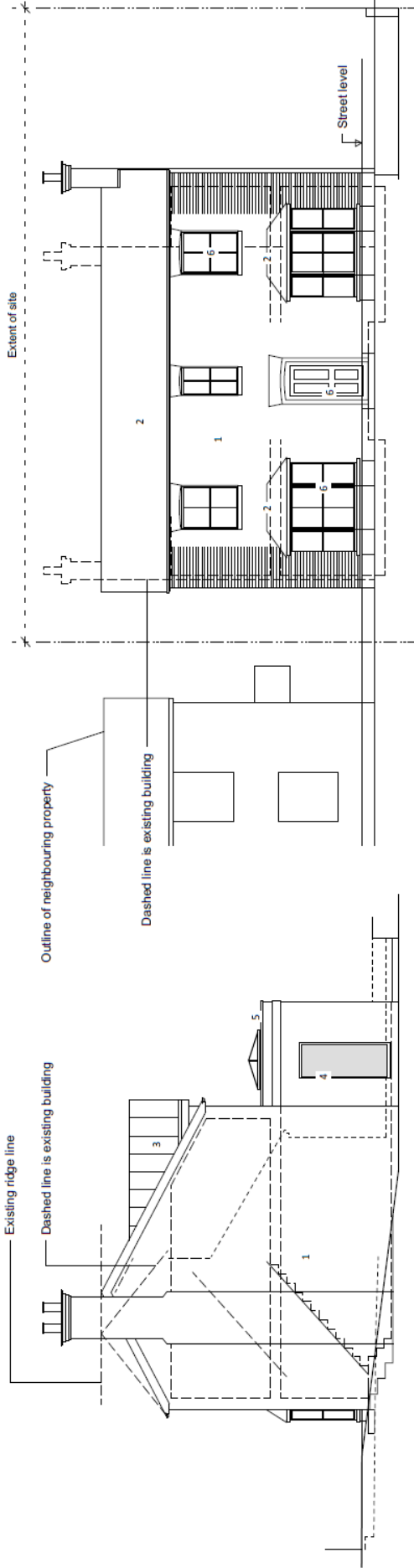
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Scale : Varies @ A3

Date : May / 2017

Drawing: 1705 / 01\_003 -

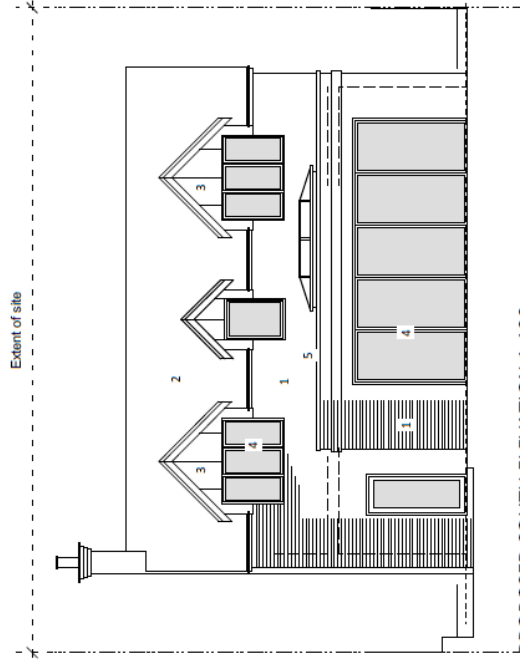
# Proposed elevations



PROPOSED WEST ELEVATION 1:100

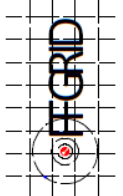
1:100  
0 1 2 3 4 5 m

PROPOSED NORTH ELEVATION 1:100 - STREET SCENE



PROPOSED EAST ELEVATION 1:100

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Scale 1:100 @ A3

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Drawing : 1705 / 01\_008 A