

## DEVELOPMENT CONTROL PANEL

25 July 2018

Item:

<b>Application No:</b>	18/00196/FULL
<b>Location:</b>	Smiths Lawn Windsor Great Park Windsor
<b>Proposal:</b>	Realignment of existing road and extensions to existing polo fields with associated levelling works
<b>Applicant:</b>	
<b>Agent:</b>	Mr Paul Dickinson
<b>Parish/Ward:</b>	Old Windsor Parish/Old Windsor Ward

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

### 1. SUMMARY

- 1.1 This application is for the realignment of the existing road (Prince Consort Drive) and extensions to existing polo fields and releveilling works. It is considered that this is appropriate development in the Green Belt and furthermore there would be no harm to the openness of the Green Belt or the purposes of including land in it. The proposal includes levelling of the new polo fields by localised cut and fill operations – with no importation or exportation of material.
- 1.2 The proposals straddle the administrative boundaries of RBWM and Runnymede Borough Council and an application has been submitted to both authorities.

<b>It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.</b>
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### 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 application site is within the grounds of Windsor Great Park which is a registered Historic Park and Garden. The Prince Consort's Statue (Grade II listed), is adjacent to the western boundary of the application site.

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

- 4.1 The application proposes the extension and releveilling of existing Polo fields, the realignment of the existing road (Prince Consort Drive) to provide a total of 4 Polo pitches.

#### History

**16/01256/FULL** - Extension to ground No 3. and construction of replacement access road. Permitted 30<sup>th</sup> August 2016.

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

- 5.1 National Planning Policy Framework Sections 7 (Requiring good design), Section 8 (Protecting Healthy Communities), Section 9 (Protecting the Green Belt), Section 11 (Conserving and enhancing the natural environment).

#### Royal Borough Local Plan

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

Green Belt	Highways and Parking	Trees and landscape	Heritage
GB1, GB2 A)	P4, T5	N6, HG1, N1	CA2, LB2

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
Appropriate Development in Green Belt and acceptable impact on Green Belt	SP1, SP5
Design in keeping with character and appearance of area	SP2, SP3
Historic Environment	HE1
Trees Woodlands and Hedgerows	NR2
Nature Conservation	NR3

5.3 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.

5.4 Significant weight is to be accorded to Borough Local Plan Submission Version policies listed in the table above, 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**

5.5 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape 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](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 Green Belt and Character of the Area.
- ii Impact on the Historic Park
- iii Archaeology
- iv Impact on the SSSI, Trees, Ecology
- v Drainage considerations
- vi Highway and parking considerations

#### **i Impact on the Green Belt and Character of the Area.**

- 6.2 This application proposes the extension of existing polo pitches and realignment of the road (Prince Consorts Drive) and releveling works. The RBWM boundary runs through the site. The eastern end of the polo pitch lies within Runnymede Borough Council.
- 6.3 There would be no change of use of land within RBWM and the engineering works (releveling, new drainage and new access road) would not harm the openness of the Green Belt and would not conflict with the purpose of including land in Green Belt. The development is considered to be appropriate development in the Green Belt and there is no conflict with the NPPF – paragraph 89, or policies GB1, GB2 of the Local Plan.
- 6.4 The proposed releveling involves cut and fill with no importation or exportation of soil, to or from the site. The majority of the work involves minor changes of level between 0-1 metre compared to existing levels. Levels would be raised by up to 1.5 m only in a few isolated locations e.g. in the southwest corner of Ground No 4 and between Grounds Nos 5 and 8. Levels would be reduced between 1.5 to 2 metres along the western edge of Ground 8 and would be less elsewhere. Given the overall area of the site within the context of an open grassed area of Smith's Lawn, it is considered that the changes in level are not visually significant.
- 6.5 The proposal to re-align Prince Consort Drive would involve replacing a 1.23 km section of road with a re-aligned section of road about 1.28km. It is considered that the additional area of road would not have a material impact on the openness and character of the Green Belt within the context of Smith's Lawn. The applicant advises that the re-aligned road would be similar in construction to the existing Prince Consort Drive. It would run along the edges of Smith's Lawn sitting flush to the ground level with no raised kerbs or lighting - this would help to maintain the informal and open character of the area.
- 6.6 The site is within an Area of Special Landscape Interest. It is considered that the proposal would comply with Local Plan Policy N1 in terms of retaining long range views, retention of trees and hedgerows and impact on ecology (with the boundary of RBWM).

#### **ii Impact on the Historic Park**

- 6.7 It is considered that the proposed development would not adversely affect the Historic Park nor affect the setting of the Grade II Listed Prince Consort Statue. The new roadway would be closer to the statue than the existing road (by approximately 60 metres), but no closer to the statue than the existing horse track which is within 10 metres of the statue. The other new roadway between grounds No3 and No4, was partly approved under the previous application 16/01256 and will be extended under this current proposal to meet the new main roadway. The proposal is considered to comply with Local Plan Policy HG1 and LB2. The Council's Conservation Officer has raised no objection. Historic England has advised that it does not wish to offer any comments but suggesting that the LPA seeks the views of the Council's specialist conservation and archaeology advisers.

- 6.8 The Council has, in considering this planning application, had special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, as required under Section 66(1) and 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **iii Archaeology**

- 6.9 The applicants have carried out a geophysical survey of the site. The survey revealed that there is a geophysical anomaly of potential archaeological significance in the north of the site. It seems to pre-date 19th- and 20th-century features and does not correspond to any feature shown on historic mapping. It is therefore potentially of an ancient origin. It is recommended that this anomaly, a possible enclosure, is investigated by exploratory trenching so that its date, origin and significance can be understood.
- 6.10 The Council's Archaeology Consultant has suggested a condition as follows:  
*"No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority."*
- 6.11 This is in accordance with Paragraph 141 of the NPPF which states that local planning authorities should '*require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible*'. The programme of archaeological work should commence with a field evaluation which is likely to take the form of exploratory trial trenching, investigating both the possible enclosure (D1) identified by geophysical survey and other areas of the development where further archaeological features may survive that have not shown up in the survey. The results of this exploratory exercise will enable an appropriate mitigation strategy to be devised and agreed, which may include the preservation of remains *in situ*, further archaeological investigation prior to development and monitoring during earthmoving. The mitigation strategy will also provide for the analysis and reporting of the results and the condition may not be fully discharged until these elements have been fulfilled in accordance with the agreed strategy. Condition 3 is recommended to secure these works.
- 6.12 The Council's Archaeology consultant has pointed out that the written Scheme of Investigation will need to be acceptable to both Berkshire Archaeology and Surrey Heritage Conservation Team.

### **iv Impact on the SSSI, Trees, Ecology**

- 6.13 Part of the site (north west corner) is within an SSSI whilst the remainder of the application site is adjacent to the SSSI. Natural England, has raised no objection suggesting a condition is imposed to secure appropriate mitigation. They advise without appropriate mitigation the application would damage or destroy the interests or features within Windsor Forest and Great Park of Special Scientific interest (SSSI). They advise that in order to mitigate these effects and make the development acceptable, the following mitigation measures are required to avoid impacts such as pollution, dust, disturbance etc.

-No pollution from demolition or construction of the development must adversely affect the SSSI and a Construction Method Statement demonstrating how best practice will be used to minimise dust etc; must be submitted to and approved in writing by the LPA .

-All those involved should be informed of the status and legal obligation attached to the designation and where the boundary of the protected site is;

-No materials, machinery or work shall encroach onto the SSSI either before, during or after demolition, construction or ongoing use.

- 6.14 In line with Natural England suggestions, condition 4 is recommended to be attached to the permission to secure these measures.

- 6.15 The Council's Ecologist has raised no objection to the works within RBWM's boundary, but also advises that a Construction Method Statement is required.
- 6.16 The applicant has submitted an additional plan DS 14091 501.05 (25/4/2018) showing in more detail and at larger scale a section of the new roadway in relation to trees. The Council's Tree Officer has raised no objection to the proposals within the boundary of RBWM. It is noted that no trees within the boundary of RBWM are to be removed. Trees within the Ancient Woodland fall within Runnymede Borough. Condition 5 is recommended if permission is granted to ensure that works do not cause harm to trees.

#### **v Drainage considerations**

- 6.17 The application proposes to install a new drainage under the polo fields, through a series of lateral pipes and drains. The Environment Agency was consulted on the application but advised that they do not need to comment on such applications. The Lead Local Flood Authority was also consulted and raises no objection.

#### **vi Highway and parking considerations**

- 6.18 The Highway Officer has commented on the proposal. The application proposes to realign an internal site road, Princes Consort Drive, in order to accommodate additional polo fields. In addition, an internal link from Princes Consort Drive to an existing parking area is proposed, providing internal site permeability.
- 6.19 Princes Court Drive is a well established internal road and is also located a significant distance from the local highway network. Therefore, any impact to the local highway network is anticipated to be minimal. However, it has been noted that due to the scale of the road and polo field construction, there may be high levels of construction vehicles attending site. Therefore, a construction management plan must be provided.
- 6.20 The application does not include any alterations to existing parking arrangements. Although the additional polo fields are likely to increase parking demand, however the site is located a significant distance from the local highway network. Therefore, the risk of on-street over spill parking is considered to be low.
- 6.21 The proposed additional polo fields are likely to increase the number of vehicle trips generated from the site. However, the numbers of such are not anticipated to be significant. The Highway Officer has recommended that a condition is imposed to secure a construction management plan is submitted prior to the commencement. (See Condition 2 in Section 9 below)
- 6.22 The Council's Rights of Way Officer has raised no objection and advises that there are no public rights of way in the vicinity of the application site.

### **7. Comments from interested parties**

- 7.1 No occupiers were notified directly of the application.
- 7.2 The planning officer posted a notice advertising the application at the site on 31 January 2018.x and the application was advertised in the Maidenhead Advertiser on the 1<sup>st</sup> February 2018.
- 7.3 No letters of objection or support were received.

#### **7.4 Statutory consultees**

Consultee	Comment	Where in the report this is considered
Highway Authority	No objection raised. A condition to secure a construction management plan is recommended.	Paragraph 6.18-6.22 and see

		Condition 2 in Section 9.
Historic England	No comments.	Paragraph 6.7
Natural England	No objection – condition suggested to secure a Construction Method Statement.	Paragraph 6.13-6.14. See Condition 4 in Section 9 below.

## 7.5 Other consultees

Consultee	Comment	Where in the report this is considered
Old Windsor Parish Council	No objection	Noted
Archaeology Consultants	A condition is required to secure the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation.	Noted. Condition to be included see Section 10 below.
Conservation Officer	No objection.	Paragraph 6.7
Councils Ecologist	No objection.	Paragraph 6.15
Tree Officer	No objection	Paragraph 6.16 and see Condition 5 in Section 9 below.

## 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plans and sections

## 9. 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 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.
- 3 No development shall take place until the applicant has secured the implementation of a programme of archaeological work which has been submitted to and approved by the Local Planning Authority. The programme of archaeological work should commence with a field evaluation through exploratory trial trenching of the possible enclosure (D1) identified by

geophysical survey and with the monitoring of earthmoving in other areas of the site. The programme of archaeological work will provide for the further investigation of archaeological remains identified during the field evaluation and monitoring work or their preservation in situ, along with the analysis and reporting of the results. The condition may not be fully discharged until all the required elements have been fulfilled in accordance with the agreed programme.

Reason: This is in accordance with Paragraph 141 of the NPPF which states that local planning authorities should 'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'.

- 4 Prior to the commencement of development, a Construction Method Statement shall be submitted and approved in writing by the Local Planning Authority. The Construction Method Statement shall provide appropriate mitigation measures to avoid and prevent damage and harm to the interests or features for which Windsor Forest and Great Park of Site of Special Scientific interest (SSSI) has been notified, through pollution, dust, disturbance etc. No pollution from demolition or construction of the development must adversely affect the SSSI. All those involved in the works shall be informed of the status and legal obligation attached to the designation and where the boundary of the protected site is. No materials, machinery or work shall encroach onto the SSSI either before, during or after demolition, construction or ongoing use.

Reason: To protect the interests and features of the Site of Special Scientific interest (SSSI).  
Relevant Policies - Local Plan N8.

- 5 The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to 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. 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 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 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.

The case file can be viewed at the Council's Customer Service Centres or on the Council's website at <http://www.rbwm.gov.uk>