

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

WINDSOR RURAL DEVELOPMENT CONTROL PANEL

9 January 2019

Item: 1

Application No.:	18/02653/FULL
Location:	Annexe Kingswick House Kingswick Drive Ascot SL5 7BH
Proposal:	Change of use/conversion and extension of existing mixed use office/residential building to provide 7 self contained flats with associated parking to include electronic gates.
Applicant:	Mr McDermott
Agent:	Mrs Philippa Jarvis
Parish/Ward:	Sunninghill And Ascot Parish/Sunninghill And South Ascot Ward
If you have a question about this report, please contact: Jo Richards on 01628 682955 or at jo.richards@rbwm.gov.uk	

1. SUMMARY

- 1.1 Permission is sought for the conversion and extension of the application building, Kingswick Annexe, to provide a mix of 7 one, two and three-bed apartments. The principle of a flatted development in this location is considered acceptable, giving significant weight to the realistic and lawful fallback position which would result in the loss of the existing office use on site. The development has been reduced in scale and density such that it is now considered to be acceptable with regard to the impact on the character of the area and the impact upon residential amenity.

It is recommended the Panel authorises the Head of Planning:	
1.	To grant planning permission on the satisfactory completion of a section 111 agreement being secured for SAMM/SANG payments and with the conditions listed in Section 14 of this report.
2.	To refuse planning permission if an undertaking to secure the required section 111 agreement is not satisfactorily progressed as the proposed development would not provide mitigation for the likely impacts on the Thames Basin Heaths Special Protection Area.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Hilton irrespective of the recommendation of the Head of Planning, because of concerns raised by the Parish Council regarding, impact on character of the area, impact on neighbours, over-development of the site, inadequate parking, inadequate amenity space and concerns that part of the site is not owned by the applicant.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located on Kingswick Drive, which is a predominantly residential road, to the north of the High Street in Sunninghill. The site comprises the former annexe building to Kingswick House (the neighbouring office building). Both properties share an access with the main parking area for the site being to the rear of Kingswick House. The annexe was most recently in use as an office at ground floor with residential accommodation above; however, it is understood to have been vacant for around 1.5 years. The annexe is two storeys tall and has previously been extended to the front. To the rear of the annexe is a small garden area which backs onto the garden of No.19 Kingswick Drive. The surrounding area is entirely residential other than Kingswick House which is in use as an office.

4. KEY CONSTRAINTS

4.1 5km buffer zone of Thames Basin Heaths SPA

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

5.1 The proposal is for the extension and conversion of the existing annexe to create 7 self-contained residential apartments. The building would be extended to the eastern side by way of a two storey extension, to the front by way of a first floor extension and to the rear by way of a two-storey projecting gable along the north-west boundary. The maximum height of the existing building would not be increased but the roof would be enlarged to create space for one unit within the second floor. Parking for the development would be within the site frontage and a small amenity area would be created to the rear.

5.2 There is limited planning history for this site as follows:

Reference	Description	Decision
18/00648/FULL	Change of use/conversion & extension of existing mixed use office/residential building to provide 9 self-contained flats	Withdrawn

5.3 The applicant has also entered into pre-application discussions with the Council in 2017 and earlier this year. The scale and design of the resultant building has been amended since the previous application and during the course of the current application in an attempt to reduce the impact on the neighbouring occupiers and the character of the area.

6 DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

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

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1, H10,H11
Highways	P4 and T5
Trees	N6
Mitigation for Thames Basin Heaths SPA	T6, R3 and IMP1

These policies can be found at

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

Adopted Ascot Sunninghill and Sunningdale Neighbourhood Plan (2011-2026)

Issue	Neighbourhood Plan Policy
Design in keeping with character and appearance of area	DG1, DG2, DG3 and H2
Highways	T1
Trees	EN2
Economy	E1

These policies can be found at

https://www3.rbwm.gov.uk/info/200209/planning_policy/477/neighbourhood_plans/2

Adopted The South East Plan – Regional Spatial Strategy

Issue	Plan Policy
Thames Basin Heaths Special Protection Area	NRM6

7. **MATERIAL PLANNING CONSIDERATIONS**

National Planning Policy Framework Sections (NPPF) (2018)

Section 4- Decision-making
Section 5 – Delivering a sufficient supply of homes
Section 6 – Building a strong competitive economy
Section 9- Promoting Sustainable Transport
Section 11 – Making an effective use of land
Section 12- Achieving well-designed places

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

7.1 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 detail in the assessment below.

7.2 This document can be found at:
https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Supplementary Planning Documents

- RBWM Thames Basin Health's SPA

Other Local Strategies or Publications

7.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy

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

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 26th September 2018.

Letters were received from 7 separate sources objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Overdevelopment of the site	Section 9.13 – 9.18
2.	Traffic generation/impact on highway safety	Section 9.24-9.26
3.	Inadequate parking	Section 9.24-9.26
4.	Out of scale and character with surrounding townscape	Section 9.13 – 9.18
5.	Scale and bulk larger than surrounding properties	Section 9.13 – 9.18
6	As an annexe it should remain subservient to Kingswick House	Section 9.13 – 9.18
7.	Impact on neighbouring amenity in terms of loss of light and overdominance	Section 9.19 - 9.25
8	Overlooking from balconies	Section 9.19 - 9.25
9.	3 parking spaces are shown outside the application site	Section 9.24-9.26
10.	Health and safety issues due to incorporation of electricity substation into development	Section 9.19 - 9.25
11.	The headroom in the second floor is limited.	Section 9.19 - 9.25
12.	Noise and disturbance to neighbouring occupiers due to increased no. of units at the site	Section 9.19 - 9.25
13.	Overlooking to 19 Kingswick Drive from habitable windows facing garden and loss of outlook.	Section 9.19 - 9.25
14.	Contrary to Neighbourhood plan and local plan policies	Section 9.13 – 9.18
15.	Unacceptable living accommodation and amenity space for future occupants	Section 9.19 - 9.25
16.	The proposal would result in the loss of employment generating floorspace	Section 9.2 – 9.12
17.	The 3 parking spaces outside the site would impact on light provision to side facing windows which they are positioned alongside	Section 9.24-9.26
18.	Part of the proposed development would be built outside the boundary of the site	Section 10.2
19.	Inadequate amenity space	Section 9.19 - 9.25
20.	There is no designated area for recycling bins and food waste. How will the communal bins be taken to the location point?	Section 9.24-9.26
21.	In adequate cycle provision	Section 9.24-9.26

Consultees

Consultee	Comment	Where in the report this is considered
Parish Council	<p>Objections (summarised as follows):</p> <ul style="list-style-type: none"> - The application is very similar to the previous one - Out of scale and character with the neighbouring properties and surrounding area - Not compatible with Kingswick House - Impact on neighbouring property in terms of loss of light and privacy - Inadequate parking - Inadequate amenity space - Health and safety concerns over building around the substation - Over-development of the site - The flats are too small - No boundary separation between building and Kingswick House - A 2m high wall would be too close to neighbouring property - Insufficient information relating to change of use of the building - Some of the site is not owned by the applicant 	These matters are considered in the main body of the report (Section 9)
Environmental Protection	No objection. Recommend informatives relating to working hours, smoke and dust	Noted
Highways	No objection with regard to parking, traffic generation and visibility. Minor concerns raised with regard to size of parking spaces and cycle and refuse provision.	Section 9.24-9.26
Trees	Further information required	

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Principle of the change of use
- ii Character and appearance
- iii Residential amenity
- iv Parking
- v Thames Basin Heaths SPA

Principle of change of use

9.2 The proposal is to change the use of the property from a mixed B1 (office)/C3 (residential use) to a building to be used solely for residential purposes comprising 7 apartments. (The planning statement advises that the first floor of the existing building contains 2 residential units – one flat and one bedsit, this is confirmed by the officer site visit and the submission of existing plans which reflect the current layout). Given the site is surrounded entirely by residential development (apart from Kingswick House) the principle of a purely residential use at the site is not considered to be out of character with surrounding land uses. The assessment therefore needs to focus on whether the loss of an employment generating use would be acceptable in this instance rather than whether the introduction of a residential use is appropriate.

- 9.3 The site is outside a recognised industrial area as identified within Local Plan policy E2. The relevant Local Plan policy is therefore E6 (Other sites in Business and Industrial Uses). Policy E6 states that proposals for redevelopment or change of use of premises not covered by policy E5, to other uses will be supported in appropriate circumstances. The explanation to this policy states that outside of identified employment areas, the Borough Council will generally support proposals for the redevelopment of sites in existing business/industrial use to alternative uses such as housing, recreation, social or community development.
- 9.4 On the other hand the Ascot, Sunninghill and Sunningdale Neighbourhood plan policy NP/E1 seeks to retain any site which is in employment generating use and advises that proposals for the redevelopment or change of use will only be permitted if the applicant demonstrates that all appropriate alternative job providing options have been considered and actively marketed.
- 9.5 In terms of national policy guidance, the 2012 NPPF stated (at para 22) that where there is no reasonable prospect of a site being used for allocated employment use, applications for alternative uses of land or buildings should be treated in their own merits having regard to market signals and the relative need for different land uses to support sustainable local communities (in other words changes of use can be appropriate dependant on marketing), however the revised NPPF seems to promote an even more flexible approach stating at para 81d that planning policies should be flexible enough to enable a rapid response to changes in economic circumstances and at para 118 that planning policies and decisions should give substantial weight to the value of using brownfield land within settlements for homes and other identified needs and to promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained. Finally para 121 states that LPAs should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans where this would help meet identified development needs. In particular they should support proposals to use retail and employment land for homes in areas of high housing demand provided this would not undermine key economic sectors or sites. Based on the foregoing it is considered that national guidance encourages LPAs to be flexible when considering change of use applications.
- 9.6 The Borough Local Plan (submitted 31st January) does not list the site as a recognised employment site. Policy ED3 refers to other employment sites and loss of employment floorspace and advises that in order for the Council to support proposals for changes of use of employment sites, marketing evidence should be provided that the land and the premises have been widely advertised and marketed for a range of economic uses for at least one continuous year immediately prior to submission of the relevant planning application. The policy then goes on to explain further steps to be taken in the marketing exercise. The Local Planning Authority has reviewed the objections to BLP SV Policy ED3 and does not consider that there is extensive unresolved objections, and on this basis consider that substantial weight should be attributed to this policy in the determination of this application.
- 9.7 The latest Economic Development Needs Assessments (EDNAs) (2016), the evidence base which identifies economic development need for RBWM, has identified a continued demand for office, industrial and warehousing floor space in general. The Supplementary Market Analysis Employment Land Review (2018), which updates market signals and trends of economic development, confirms that there is continued demand.
- 9.8 The foregoing outlines that there is a range of policy advice and evidence relevant to a proposed change of use from employment land such as this and it is clear that some policy advice is more stringent than others. However, it is considered that the policy requirements of the adopted neighbourhood plan, which is the most up-to-date part of the development plan, should be afforded significant weight in the assessment of this matter. Furthermore, emerging policy ED3 and the recent evidence in the EDNA indicates that there is a need to retain sites in employment generating use. Therefore it is considered that unless material considerations indicate otherwise, the proposal must demonstrate that there is no reasonable prospect of the site being used for employment generating use before alternative uses can be considered.

- 9.9 In terms of marketing information, the submissions suggest that the building has been vacant for almost 18 months and prior to this time, only occupied partly. A letter from the previous owner suggests that any occupants tended to move from the Annexe into the main building, Kingswick House, as soon as space became available – this being the more attractive premises for offices. The documentation provided with the application also suggests that Kingswick House is under occupied at present and that being the more attractive office space, it would be difficult to let out the Annexe building if any interest were to arise. Only one advert has been submitted for Kingswick Annexe, as well as several adverts for other premises in an attempt to indicate that there is a variety of vacant office space in the locality. Furthermore, there is nothing to suggest that the price of the premises has been altered to reflect market conditions, or that the premises has been refurbished to bring it up to modern day standards. Whilst on the face of it, the information submitted appears to suggest that there has been difficulty letting out the premises, the marketing information as a whole cannot be said to constitute robust evidence. As such, the marketing information is given limited weight in the assessment of this matter.
- 9.10 It is a material consideration that a change of use from office to residential can be made under Class O of Part 3, Schedule 2 of the General Permitted Development Order 2015, subject to prior approval being granted by the Local Planning Authority and subject to the conditions within that class. It is considered that the proposal meets all the criteria is Class O.1. For these rights to be exercised, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to O.2 a) transport and highways impacts of the development, b) contamination risks on the site, c) flooding risks on the site, and d) impacts of noise from commercial premises on the intended occupiers of the development. Given the site does not lie in a flood zone or area of contamination and the planning application has received no objection in regards to highways or noise, prior approval would be forthcoming for these matters. This legislation allows for the change of use only and as such any extensions or other external alterations would need to be applied for under a separate planning application. Indeed the applicant has submitted plans to show that the existing building could be converted to size flats without any external alteration to the building.
- 9.11 Therefore, notwithstanding the above policy considerations and limited marketing evidence that has been submitted, the case has been made that the building could be converted into residential units (thus losing the B1 use entirely) without express planning permission. A High Court decision has been submitted in support of the proposal which explores the matter of ‘fallback positions’, ref: C1/2016/4488. In this case, a planning authority granted express planning permission for the redevelopment of the site of a large agricultural barn and bungalow to provide four dwellings. The development was contrary to the development plan but the planning officer in this case gave significant weight to what he considered to be a realistic fallback position which was that the majority of the barn could be converted to residential use under Class Q, Part 3, Schedule 2 of the GPDO without the need for express planning permission. Whilst the appellant stated that permitted development rights under the GPDO should not be relied upon when there was no real evidence that the landowner or developer would in fact resort to such development, the judge ruled that it would be wholly unrealistic to imagine that were all proposals for planning permission to be turned down, the owner of the site would not take advantage of the permitted development rights available to him. As such, it was considered entirely appropriate for the LPA to consider this as a realistic fallback position, in fact not to do so would be an error in law. In the current case, the information submitted shows that the site has been vacant/partly vacant for some time. Furthermore, the fact that an application for planning permission for a residential use is before us demonstrates that there is a clear intention to develop the site. It is therefore considered that in this case, should planning permission be turned down, then it would be entirely realistic for the owner to convert the building to residential under permitted development. In light of this, substantial weight is given to this fallback position, which if implemented in the event of a refusal of planning permission would result in the loss of any employment generating use at this site.
- 9.12 To summarise this section of the report, it is considered there is strong restraint placed upon changes of use from employment land by the adopted neighbourhood plan policy which is backed up with current evidence from the EDNA and emerging policy ED3. So, whilst the revised NPPF advises LPAs to be flexible with regard to land use particularly for brownfield sites where the proposal would deliver housing, it is not considered that this should outweigh the requirements of the development plan, particularly in the face of limited marketing.

Notwithstanding this, a matter to which substantial weight should be afforded, is that the existing property could be converted to residential use without the need for express planning permission. As such, in light of the foregoing there is no objection to the loss of employment use at this site.

Character and appearance

- 9.13 The application site lies within a 'Leafy Residential suburb' area as defined by the Council's Townscape Character Assessment, the qualities of which generally include low density development, of detached houses. Neighbourhood Plan policy NP/DG1 advises that new development must retain and enhance the sylvan, leafy nature of the area. Residential intensification in such areas is not unacceptable in principle, however new development should adhere to the recommendations of the Townscape Character Assessment and neighbourhood plan policies to ensure there is an acceptable impact on the character of the area.
- 9.14 Neighbourhood Plan Policy NP/H2.2 (Mix of Housing Types) advises that development proposals for new dwellings will be expected to contribute to the aim of ensuring a balanced mix of housing in the Plan area. Dwellings should be in size and type, in keeping with the size and type of dwellings already prevalent in the surrounding area except where there is a demonstrable need for alternative type or size of home. One of the material considerations in this case is that the proposal is for a flatted development of 1-bed, 2-bed and 3-bed apartments whereas those residential sites immediately surrounding the application site contain semi-detached and terraced dwellings.
- 9.15 It is considered that the principle of a flatted development in this location is acceptable, particularly given that the site is already occupied by a building which is not typical of other dwelling types in the immediate locality and adjacent to a larger office building. Indeed it could be said that the presence of a moderately sized flatted development on this plot would provide an appropriate transition from the larger development of Kingswick House to the more modestly scaled semi-detached and terraced dwellinghouses elsewhere within Kingswick Drive.
- 9.16 The proposed number of units is only one more than that presented in the fallback scheme and therefore is considered a reasonable amount for the site.
- 9.17 In terms of its scale and layout, the proposed extensions would result in a building with an increased ground floor footprint to the side and rear and a greater mass of development at first and second floor level. In terms of site coverage, whilst the enlarged building would fill the width of the plot, the section next to the south-east (flank) boundary has been designed to appear significantly more subordinate in scale than the main body of the building, appearing single storey with accommodation within the roofspace and of a reduced depth compared to the main body of the building. The extensions to the rear have been reduced to one two-storey projecting gable which would be largely obscured from the street scene behind the existing building. Due to the reduction in ground floor coverage throughout the course of negotiations, a larger amenity space has been created. The reduction in scale and ground floor coverage of the building is now considered to be appropriate in relation to the size of the plot, remaining subordinate to the adjacent building Kingswick House and remaining set further back from the street scene. Furthermore, the number of second floor windows has been reduced thereby lessening the prominence of the building within the street scene. The proposed railings are considered acceptable given their low height and open design.
- 9.18 With regard to external appearance, the amendments are considered to have reduced the overall prominence of the building, omitting unnecessary design features that made the building appear fussy. Subject to a detailed review of materials which can be controlled by condition (condition 2), the appearance of the development is considered to be sympathetic to the character of the surrounding area and therefore no objections are raised in this regard.

Residential Amenity

Existing occupants

- 9.19 The proposed extensions to the building would bring it closer to the rear boundary of the site, common to the neighbouring property 19 Kingswick Drive. The assessment of the scheme has to take into account the existing building which results in a certain amount of impact on these neighbouring occupiers, however it needs to be ascertained whether the enlarged building would result in an unacceptable loss of amenity for these neighbouring residents.
- 9.20 In terms of overdominance, the existing rear elevation of the building measures 16m in length and is positioned 6.5m from the boundary with 19 Kingswick Drive. In comparison, the enlarged building would have a main rear elevation of 20.7m in length with one rearward projecting gable feature. This rearward projecting gable is approximately 16.5 from the rear elevation of 19 Kingswick Drive at its closest point and is therefore not considered to be over-bearing. The extensions to the south-east side would not bring the main rear elevation any closer to this neighbouring dwellinghouse than the existing building and are therefore not considered to have an overdominating impact. It should also be noted that there is no increase in height of the building and the rear roof plane has not been extended any further back.
- 9.21 With regard to overlooking, the first floor (which has a lawful residential use) contains windows directly overlooking the neighbouring garden. Three of these existing windows are clear glazed and serve habitable rooms. Whilst the first floor is not currently utilised, this is its lawful use and layout which would result in a certain amount of overlooking to the neighbouring occupants if occupied. In comparison, the proposed rear elevation of the enlarged building would also contain 3 first floor windows but only two of them serving habitable rooms, thus resulting in a better situation in terms of over-looking to the neighbouring occupiers. The proposed second floor roof lights are small in scale and of high level type and therefore would not result in any views into the neighbouring gardens. Overall, the fenestrations on the rear elevation are considered to be sympathetic to neighbouring occupants and would not result in any adverse levels of overlooking.
- 9.22 Finally with regard to overall intensification of the site and potential activity, given that the proposal is for only one unit more than the permitted development fallback scheme and that there is already a lawful use of mixed offices and residential on site, it would be difficult to resist the application on grounds of disturbance to these neighbouring occupiers. Noise from vehicular movements are unlikely to be significantly worse from the existing situation as the parking area remains to the front and side of the building.
- 9.23 It is considered that whilst the enlarged building would be apparent from neighbouring occupiers 17 Kingswick Drive, it would not be close enough to result in a material loss of residential amenity for these occupiers.

Future occupants

- 9.24 Concerns have been raised that the size of the proposed units do not meet the nationally described space standards, however the amended plans have addressed this concern.
- 9.25 The proposed amenity area has been increased in size and several of the apartments contain balconies. Furthermore a large area of open space lies directly opposite the site which could be utilised by future occupants. It is therefore considered it would be difficult to refuse the application on grounds of lack of amenity space.

Parking and Highways

- 9.26 The application site is located within an area of poor accessibility and as such the Borough's parking standards dictate that 1 bed apartments should be provided with 1 parking space and 2 and 3 bed apartments should be provided with 2 parking spaces. On this basis the scheme would generate a requirement for 12 parking spaces. The plans show that 9 spaces would be provided within the site frontage and 3 spaces to the side of the building, outside the application site but inside the land ownership of the application. The Council would still be able to control

activity/development on this land and therefore the requisite number of parking bays can be provided.

- 9.27 No objections are raised with regard to impact on the highway in terms of traffic generation and the requisite visibility splays have now been demonstrated.
- 9.28 The amendments to the scheme now show that the site contains sufficient space for refuse and cycling storage provision for a development of this scale.

Trees/Landscaping

- 9.29 The Tree Officer originally requested further arboricultural information to support the application however, the one tree within the application site has been felled and the conifer in the garden of No. 19 is of little merit. Other important trees outside the application site would not be affected by the proposed works.
- 9.30 Regarding landscaping it is noted that amended plans would allow for slightly more space for planting. A landscaping scheme can be secured via condition (condition 8).

Thames Basin Heaths SPA

- 9.31 The application site is within a 5km zone of the Thames Basin Heath Special Protection Area (SPA) which is an area designated to protect a network of important bird conservation sites; the proposed development would have a harmful effect on the Chobham Common, which is a part of the SPA due to increased visitor and recreation pressure, it would be necessary therefore for mitigation to be secured in the form of SANG (Suitable Alternative Natural Green Space) and SAMM (Strategic Access Management and Monitoring). The Borough has its own SANG (Allens Field) which applicants can make a financial contribution to as an alternative to providing their own SANG. There is a limit on the number of units which can rely on the Borough's SANG, however, at the time of writing there is still capacity for sites of this scale.
- 9.32 At this stage a legal agreement is being worked upon in conjunction with the Council's legal team and therefore the recommendation reflects this.

10. Other Material Considerations

Housing Land Supply

- 10.1 Paragraphs 10 and 11 of the NPPF (2018) set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

Footnote 7 of the NPPF (2018) clarifies that policies which are most important for determining the application are out-of-date includes include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer).

Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council formally submitted in January 2018. The Borough Local Plan Submissions Version 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. However as the BLPSV is not yet

adopted planning policy, due regard also needs to be given regarding the NPPF (2018) standard method in national planning guidance to determine the minimum number of homes needed for the borough. At the time of writing, based on this methodology the Council is able to demonstrate a five year rolling housing land supply based on the current national guidance.

Land ownership

- 10.2 The issue of 3 of the parking bays being sited outside the application site has been commented on above. Other concerns are raised with regard to land to the east of the annexe building not being within the applicant's ownership. The onus is on the applicant to certify that any land owners within the red line have been notified of the application. The applicant has filled out the relevant certificate to show this has been done.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 11.1 The development is CIL liable and the relevant CIL forms have been submitted.

12. CONCLUSION

- 12.1 The proposal would bring about the re-use of a currently vacant building and provide new homes within the area. The loss of the employment generating use is not objected to given the realistic lawful fallback position which would result in the loss of employment floorspace on the site.
- 12.2 The amended proposal has been the result of negotiations with the applicant to bring about a development which would ensure the amenities of neighbouring occupants would not be unduly harmed and which would be sympathetic to the character of the area.
- 12.3 Finally, a financial contribution to secure mitigation against the harm to the SPA as a result of the proposed development has been drafted and it is recommended that permission be granted upon securing this legal agreement.

13. APPENDICES TO THIS REPORT

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

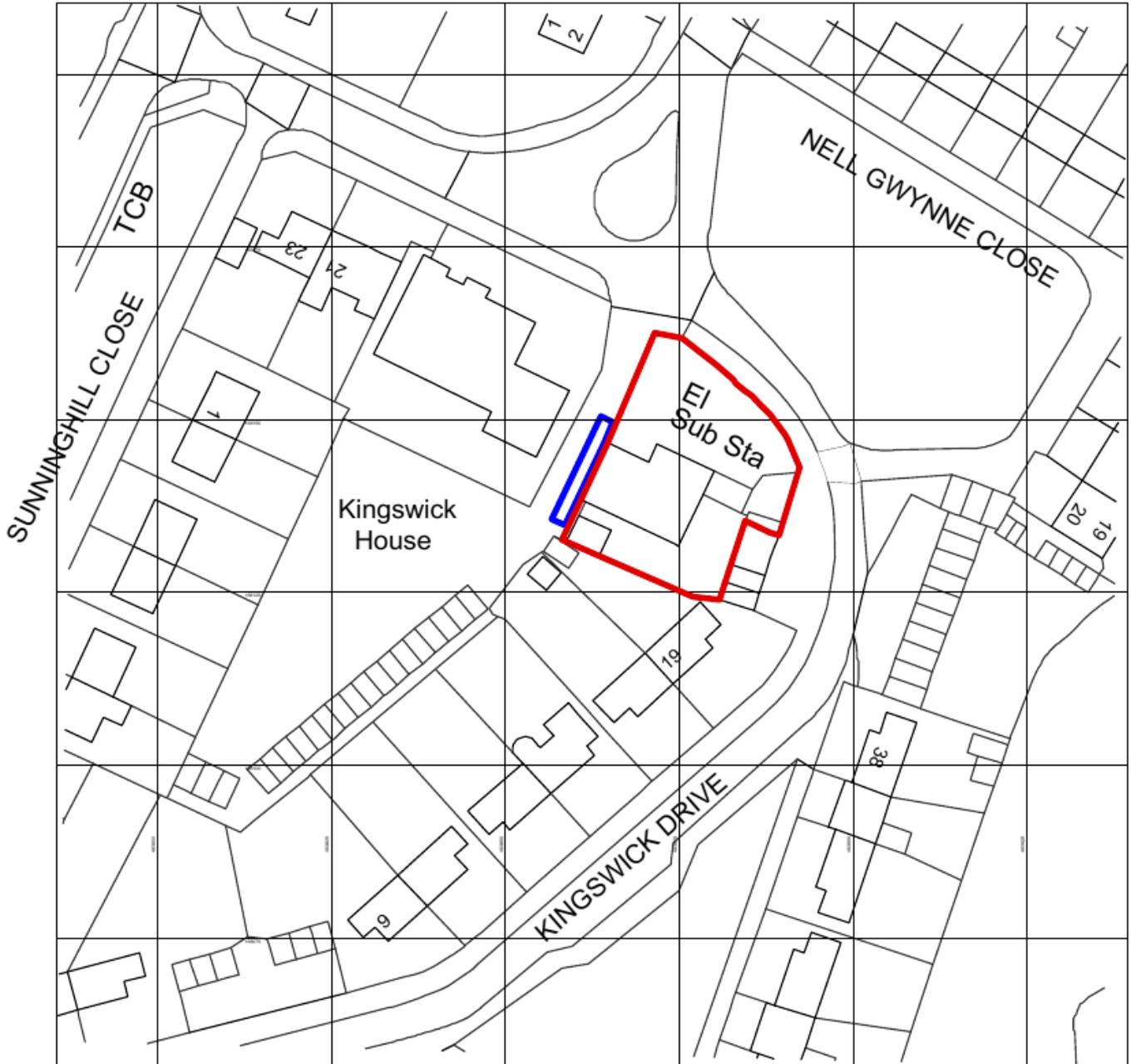
14. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 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 above slab level shall take place until details of the materials to be used on the external surfaces of the development have first 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 DG1
- 3 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.
- 4 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.

Reason: In the interests of highway safety. Relevant Policies - Local Plan T5.

- 5 The first floor rear window serving the bathroom of flat 5 hereby permitted 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 - NPPF.
- 6 The second floor roof lights in the rear roof slope of the building shall be of high level type with a cill level that is a minimum of 1.7m above the finished internal floor level. The windows 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 - NPPF
- 7 No further window(s) shall be inserted at first floor level or above in the south-west or south-east elevation(s) of the dwellinghouse hereby permitted without the prior written approval of the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - NPPF.
- 8 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.
- 9 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.
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.
- 10 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times. Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1
- 11 Any gates provided shall open away from the highway and be set back a distance of at least 5 metres from the highway boundary or at least 7 meters from the nearside edge of the carriageway of the adjoining highway.
Reason: To ensure that vehicles can be driven off the highway before the gates are opened, in the interests of highway safety. Relevant Policies - Local Plan T5
- 12 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 1—Location Plan

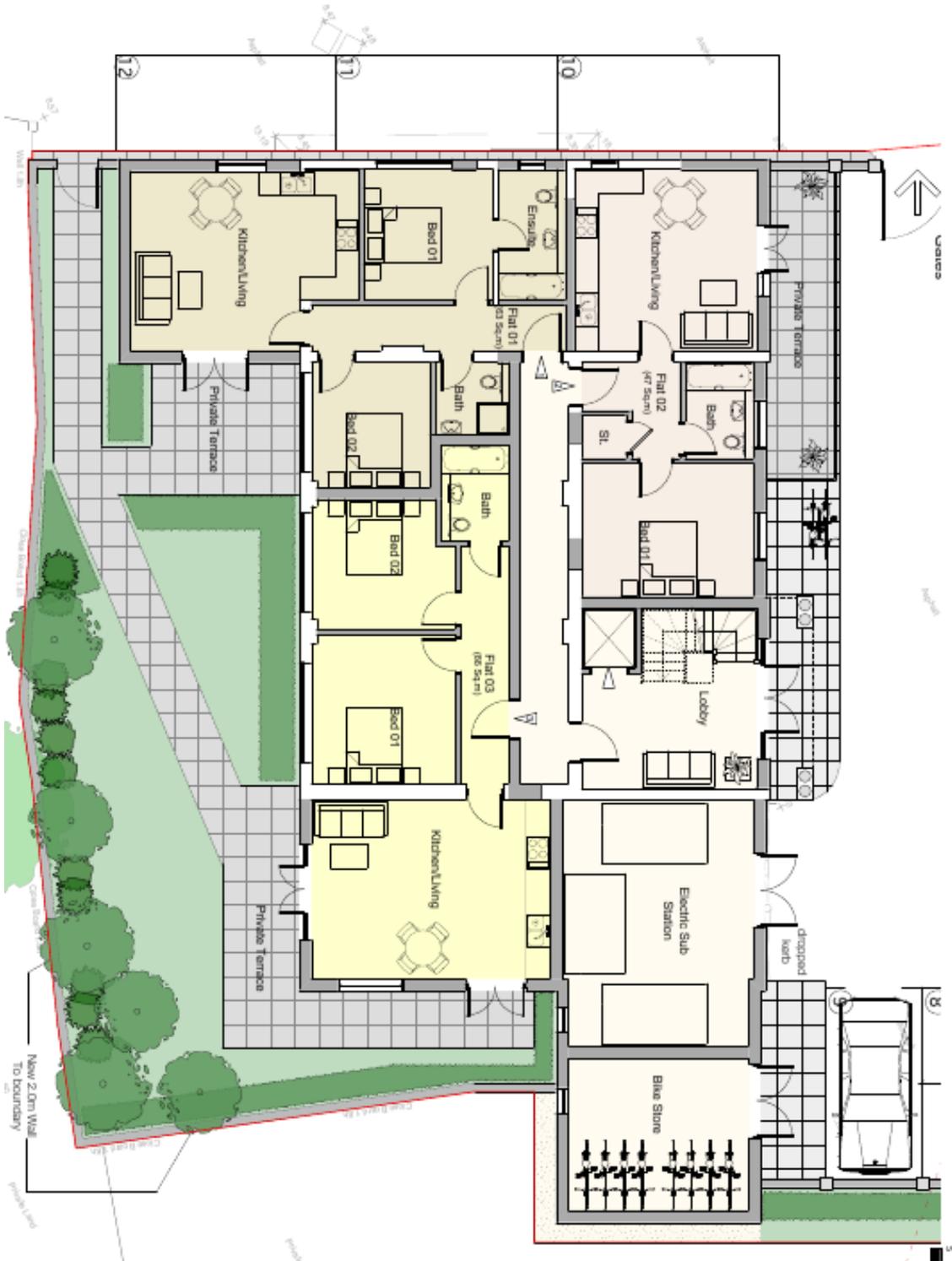


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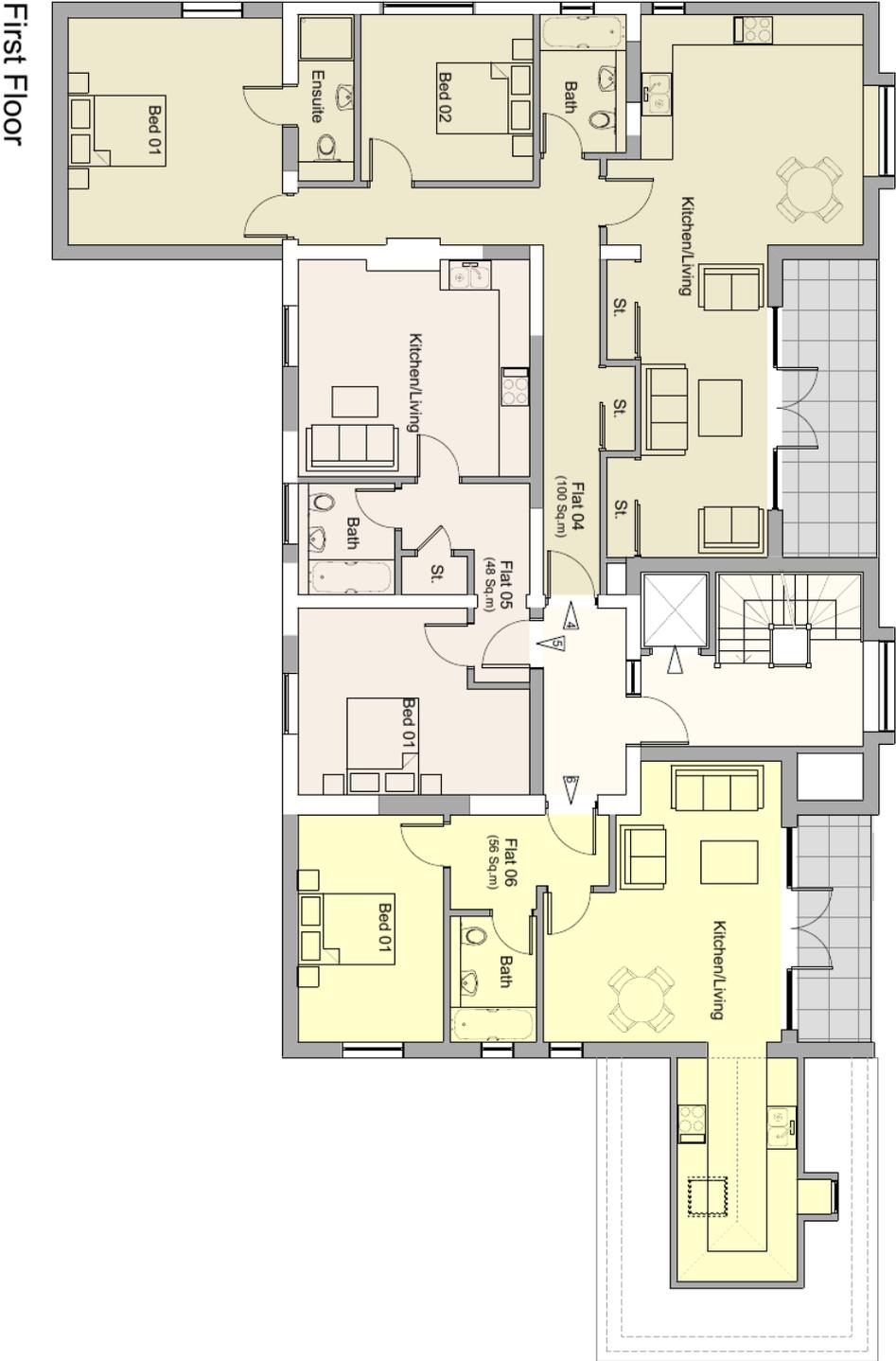


Appendix 2—Plans and elevations

Ground floor plan

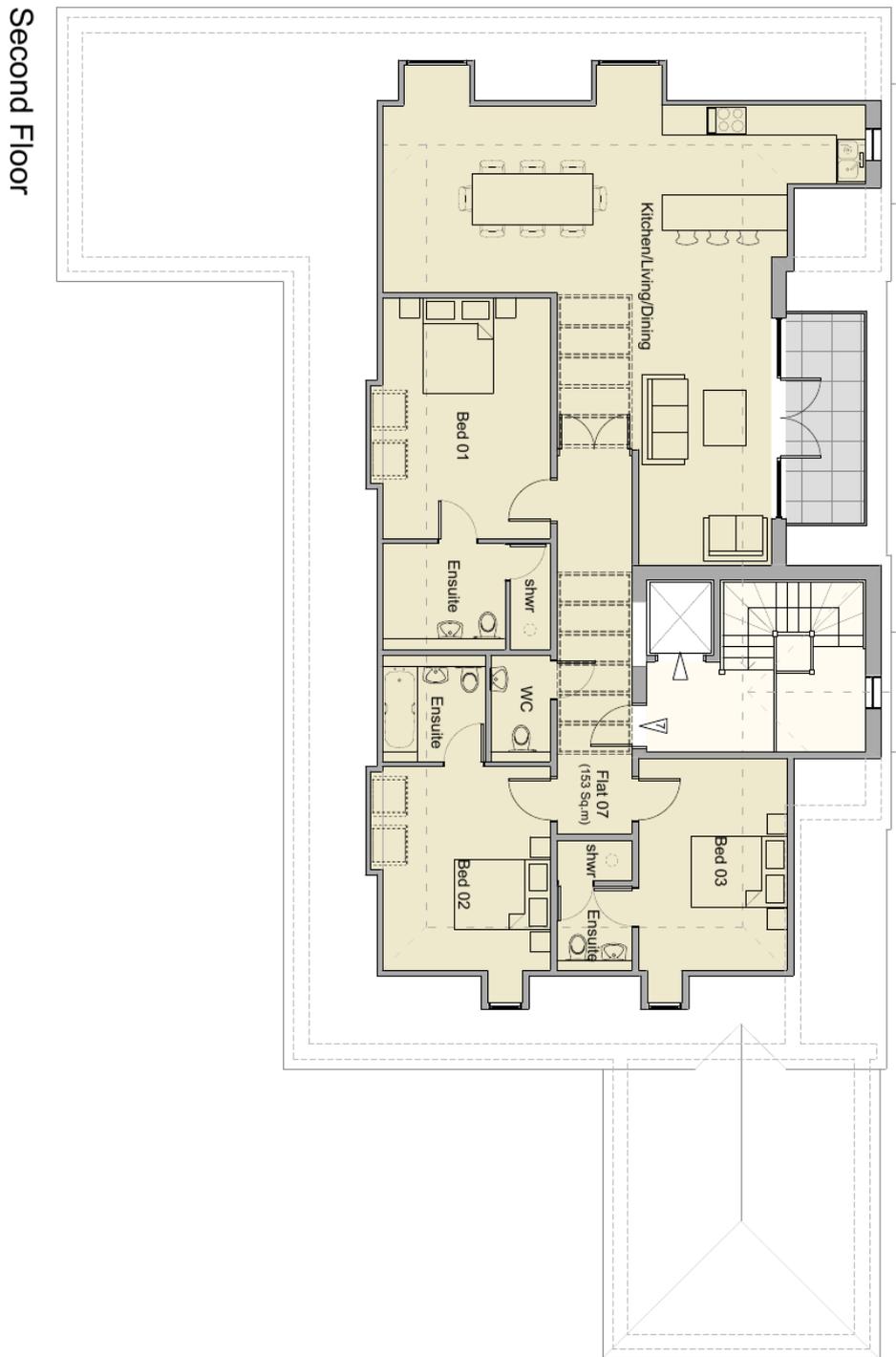


First floor plan

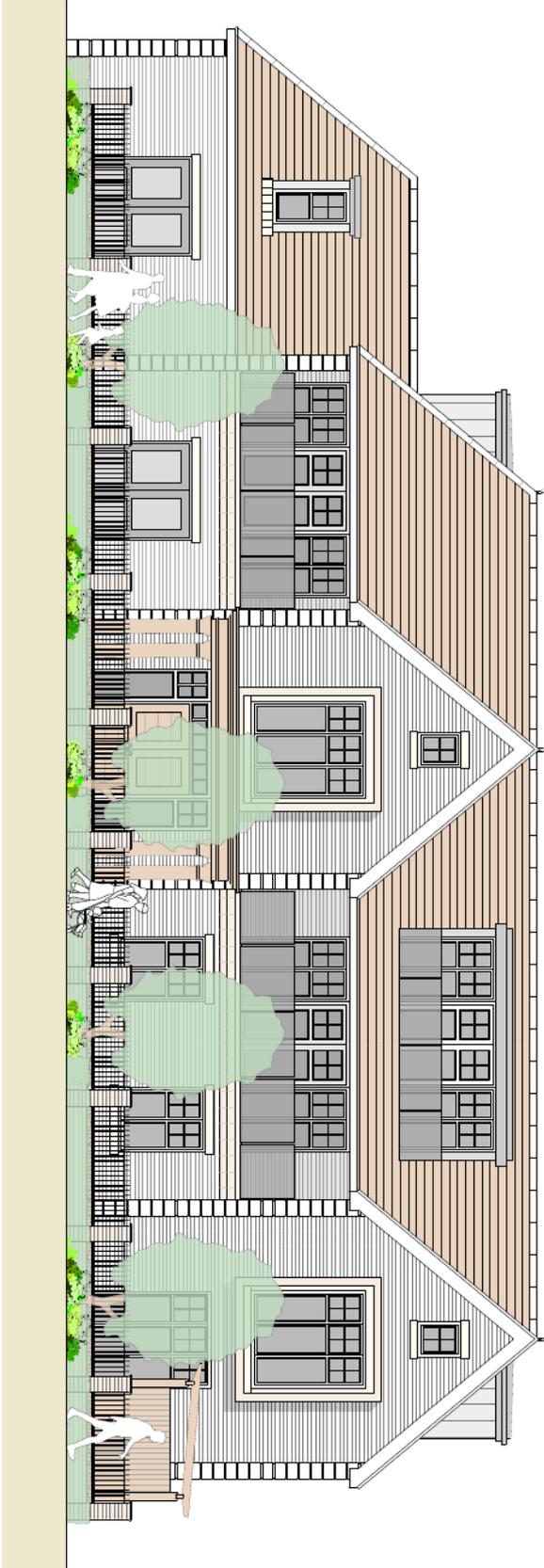


First Floor

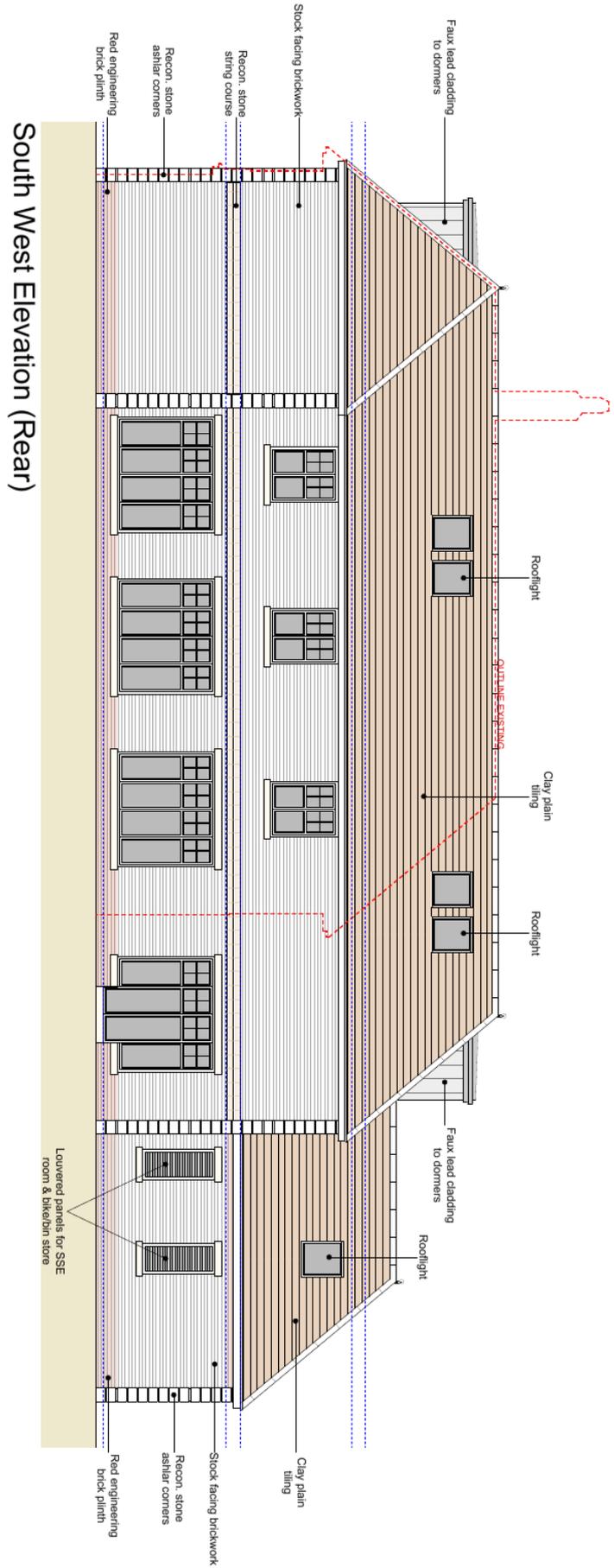
Second floor plan



Front elevation

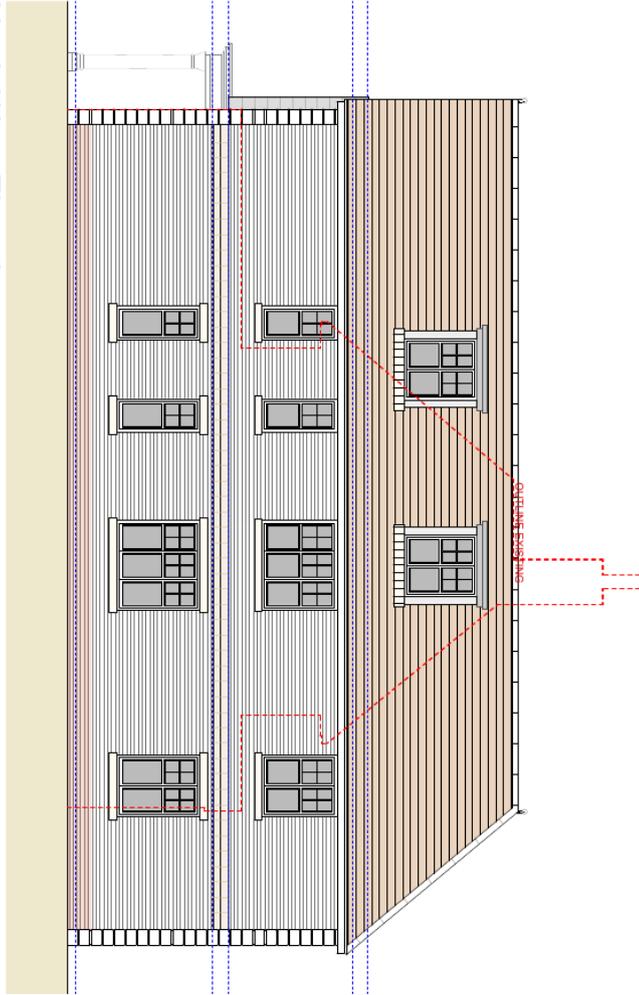


Rear elevation

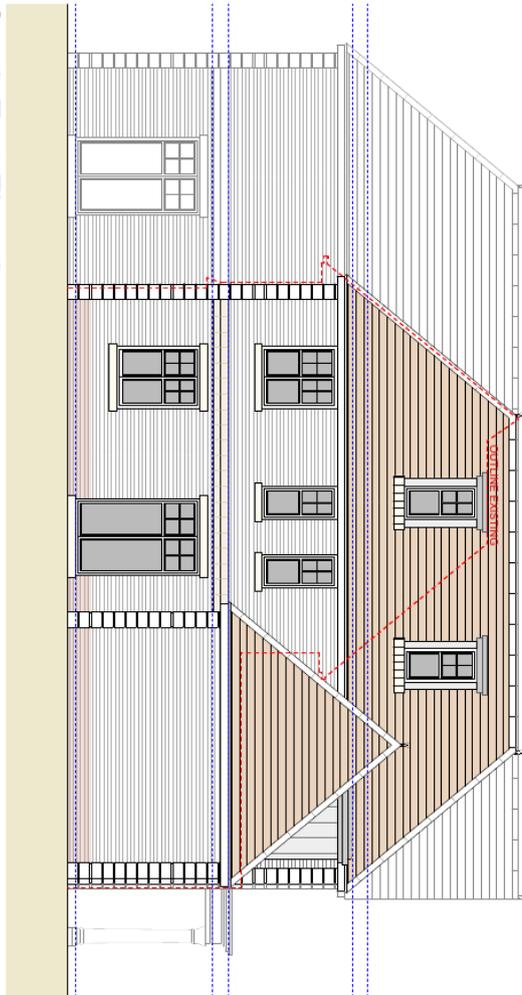


Side elevations

North West Elevation



South East Elevation



WINDSOR RURAL DEVELOPMENT CONTROL PANEL

9 January 2019

Item: 2

Application No.:	18/03065/FULL
Location:	Ascot United Football Club Winkfield Road Ascot SL5 7LJ
Proposal:	New Artificial Grass Pitch (AGP), installation of fencing and entrance gates to AGP perimeter, pitch perimeter barrier and entrance gates within AGP enclosure, new hard standing areas, replacement floodlight system, maintenance equipment store, gates to football ground boundary and soft landscaping.
Applicant:	Michael Harrison
Agent:	Tom Betts
Parish/Ward:	Sunninghill And Ascot Parish/Ascot And Cheapside Ward
If you have a question about this report, please contact: Adam Jackson on 01628 796660 or at adam.jackson@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposed loss of the existing playing field is considered acceptable given that its loss would be offset by the provision of an alternative artificial pitch for which the benefits clearly outweigh the loss.
- 1.2 The proposed development would have an acceptable impact on the character and appearance of the area and would not negatively impact upon the amenities of any residential properties.
- 1.3 The proposed development is considered to be an appropriate facility for outdoor sport and would preserve the openness of the Green Belt and would not conflict with the purposes of including land within the Green Belt.
- 1.4 It is not considered that the proposal will have a significant impact on parking, traffic flow or highway safety issues.
- 1.5 It is considered that subject to updated information being submitted to address the questions raised by the Lead Local Flood Authority that the impact on drainage will be acceptable and further information regarding this point will be addressed in the Panel Update.
- 1.6 Subject to tree protection and landscaping conditions the impact on trees on site is acceptable.

It is recommended the Panel authorises the Head of Planning:	
1.	To grant planning permission with the conditions listed in Section 13 of this report and any additional conditions suggested following consultation with the Lead Local Flood Authority.
2.	To refuse planning permission if the Lead Local Flood Authority raise objections which cannot be overcome through the use of planning conditions for the reason that the proposed development would not provide suitable sustainable urban drainage systems.

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 the home of Ascot United FC. The Ascot United FC site is terraced into three levels with the grass match pitch (the application site) situated on the central level, a second pitch to the east 2m below the level of the match pitch and third pitch 0.75m above the level of the match pitch to the west. An existing clubhouse and a terrace/stand are located to the west of the match pitch. Royal Ascot Racecourse lies to the south of the application site and Ascot Golf Course lies to the west. The site is bordered by woodland to the north and east. The entire site is within the Green Belt and the application site has an area of approximately 1.7 hectares.

4. KEY CONSTRAINTS

4.1 The key constraints are:

- The Green Belt
- Sustainable drainage
- The loss/replacement of sports pitches

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

5.1 The proposal is for the creation of a new 106m x 70m artificial grass pitch (AGP) in place of the existing natural grass pitch on site. The new pitch will be marked out for use as a football pitch for 11v11, 9v9, 7v7 and 5v5. It is proposed to erect a 1.83m high fenced enclosure around part of the site and a 1.2m high fence around the perimeter of the pitch to segregate the pitch from new adjoining hardstanding areas. Six replacement 15m tall floodlights will be erected along the west and east edges of the AGP which are the same height as the existing flood lights. A small equipment store only 2.59m high and with a footprint of 14.7sqm would be located to the north of the AGP.

Reference	Description	Decision
08/01889/FULL	Proposed replacement clubhouse	Permitted - 02.01.2008
08/02097/FULL	Replacement floodlighting	Permitted – 01.10.2008
08/02632/FULL	Amendments to approved Clubhouse 08/01889 to include resiting of Clubhouse position hardstanding around permitted of pitch repositioning of dug-outs. Security lighting.	
08/02749/FULL	Erection of a covered stand	Permitted – 18.12.2008
09/01484/VAR	Replacement floodlighting as approved under 08/02097 without complying with condition 2 of that permission restricting use after 22:00 hrs weekdays and 18:00 hrs on Saturdays, Sundays or Public Bank Holidays so that the floodlights can be used until 22:15 but not on Christmas Day and Easter Sunday.	Permitted – 01.09.2009
13/00104/FULL	Maintenance and improvement to car parking adjacent football club.	Permitted development – 25.02.2013

6 DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

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

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1
Highways	P4, T5
Trees	N6
Appropriate development within the Green Belt	GB1, GB2
Impact on residential amenity	NAP3

These policies can be found at

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

Adopted Ascot Sunninghill and Sunningdale Neighbourhood Plan (2011-2026)

Issue	Neighbourhood Plan Policy
Design in keeping with character and appearance of area	DG1, DG3
Highways	T1
Trees	EN1

These policies can be found at

https://www3.rbwm.gov.uk/info/200209/planning_policy/477/neighbourhood_plans/2

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2018)

Section 4- Decision-making

Section 8- Promoting healthy and safe communities

Section 9- Promoting Sustainable Transport

Section 12- Achieving well-designed places

Section 13- Protecting Green Belt land

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Appropriate development in the Green Belt	SP5
Highways	IF2
Trees, Woodlands and Hedgerows	NR2

7.1 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 detail in the assessment below.

7.2 This document can be found at:

Other Local Strategies or Publications

- 7.3 Other Strategies or publications relevant to the proposal are:
- RBWM Townscape Assessment
 - RBWM Parking Strategy

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

The planning officer posted a notice advertising the application at the site on 02.11.2018 and the application was advertised in the Local Paper on 08.11.2018. No letters were received in response to the consultation carried out.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Sport England	The proposal meets a strategic needs to build capacity of capacity of AGP provision. Whilst the loss of the grass pitch would add to the shortfall of grass pitches identified, this would be offset by improvements in capacity from the provision of an artificial surface that could be used more intensively. Does not object subject to conditions relating to: <ul style="list-style-type: none"> • the quality of the pitch against FIFA standards • the securing of a community use agreement; and • the hours of operations for the flood lighting. 	See paragraphs 9.2 to 9.4
Lead Local Flood Authority	Due to the relatively isolated location of the site it is considered unlikely that the proposed development will cause significant detriment to flood risk, however, clarification is sought on: <ul style="list-style-type: none"> • The increase in impermeable areas • The method by which surface water will be disposed of (what SUDS are proposed) 	See paragraph 9.11

Consultees

Consultee	Comment	Where in the report this is considered
Parish Council	No objections. Very thorough application and supports the community as there is a shortage of football pitches in the area.	See paragraphs 9.2 to 9.4
Highways	Objects due to the lack of a transport statement having been submitted.	See paragraphs 9.8 to 9.10
Trees	No objections to the application subject to conditions relating to: <ul style="list-style-type: none"> • Tree protection details; and • Landscaping details 	See paragraph 9.12

9. EXPLANATION OF RECOMMENDATION

- 9.1 The key issues for consideration are:
- i The principle of the development
 - ii The impact on the Green Belt
 - iii The impact on parking and highway issues
 - iv The impact on drainage
 - v The impact on trees

The principle of development

9.2 The proposed development involves the replacement of the main existing grass pitch on site with an artificial grass pitch (AGP). Paragraph 97 of the National Planning Policy Framework (NPPF) sets out that playing fields should not be built upon, however, lists a number of exceptions to this. One of these exceptions is where the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. Sports England have been consulted on the application and have assessed the scheme taking into account comments from The Football Foundation and against paragraph 97 of the NPPF as well as their own policies. Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- All or any part of the a playing field, or
- Land which has been used as a playing field and remains undeveloped, or
- Land allocated for use as a playing field

Unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions. One of these exceptions is where the development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport so as to outweigh the detriment caused by the loss of the area of playing field. The Council's adopted Playing Pitch Strategy (PPS) identifies a shortfall of AGP's across the Borough, with the need to provide additional facilities to build capacity for training use and to allow for mini and youth football match play to be transferred from grass pitches to 3G. In particular, the PPS refers to access to affordable floodlit training facilities being a key issue for most clubs in the RBWM. Sport England consider that the proposal meets a strategic need and accords with the PPS to build capacity of AGP provision. The PPS also refers to a shortfall of grass pitches across the Borough, however, the loss of the grass pitch in this instance would be offset by the provision of an artificial surface that could be used more intensively for match play during peak weekend periods and also provide training capacity for the club and other community users during weekday evenings.

9.3 It is considered that the loss of the existing grass pitch is acceptable as the loss of the pitch would be offset by the provision of an alternative for which the benefits clearly outweigh the loss. The proposal therefore complies with paragraph 97 of the National Planning Policy Framework. The Design and Access Statement sets out that the pitch and associated facilities will also be available for partner organisations and local community groups from Ascot and the surrounding Berkshire area in order to ensure maximum football development outcome. Access will be both during the day and during evenings and at weekend via pre-arranged and structured community access. It is suggested that the details of the community use of the facilities are secured via condition.

9.4 The proposed development would not materially alter the character and appearance of the area and as such is considered to comply with policy DG1 of the RBWM Local Plan and section 12 of the National Planning Policy Framework. The application site is in a relatively isolated location with no residential properties immediately adjacent to the site. There would be no unacceptable impact therefore on residential amenity either from noise or light from the floodlighting being

emitted from the site. A site plan has also been submitted which shows that the light spill beyond the perimeter of the AGP will be minimal.

The impact on the Green Belt

- 9.5 The application site is washed over by the Green Belt. Paragraph 145 of the National Planning Policy Framework sets out that new buildings are inappropriate within the Green Belt, however, one of the exceptions to this is for the provision of appropriate facilities for outdoor sport, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 9.6 The proposed artificial pitch as well as the associated development such as the fencing, small storage building and flood lighting are considered to be appropriate for outdoor sport and as such their acceptability in the Green Belt relies upon their impact upon the Green Belt and the purposes of including land within the Green Belt. The purposes of including land within the Green Belt are set out in paragraph 134 and are to:
- a) To check the unrestricted sprawl of large built up areas;
 - b) To prevent neighbouring towns merging into one another;
 - c) To assist in safeguarding the countryside from encroachment;
 - d) To preserve the setting and special character of historic towns; and
 - e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The proposed development would not be in conflict with any of the above purposes.

- 9.7 The proposed pitch will be in the same location as the existing grass pitch and is the same size. Some minor increases in ground level are proposed, however, the maximum increase is just 570mm. The ground levels are also being lowered in places, meaning overall there would be no visible difference between the existing and proposed pitch in this respect. The proposed pitch for the most part would appear as a normal grass pitch and would not therefore appear visually intrusive within the Green Belt. The fencing proposed around the pitch is relatively low level with the maximum height being 1.83m the fences are also open steel mesh and are painted green which will significantly reduce their visual impact in the Green Belt. The proposed 6 flood lighting columns are direct replacements for the existing flood lights and are the same height at 15m. A storage container is proposed to the north of the site which is 2.59m tall and has a footprint of 14.7sqm, again this will be painted green to reduce its visual impact and is considered to be an appropriate facility for outdoor sport given that it is required to store equipment and a small modified grass cutting tractor which is required for the weekly maintenance of the artificial grass pitch. Overall it is considered that the development would not have a greater impact on the openness of the Green Belt when compared to the existing facilities on site.

The impact on parking and highway issues

- 9.8 Ascot United FC benefits from the use of a parking area to the west of the site which is leased from Ascot Racecourse. This is an informal parking area which can accommodate up to 500 vehicles. The planning agent has confirmed that the lease between Ascot United and Ascot Racecourse gives non-exclusive rights for visitors, spectators, members and employees of Ascot United to park their vehicles on the permitted part of the car park. The planning agent also states that Ascot Racecourse have in the past opened up additional car parks for Ascot United during special events and that Ascot Racecourse has never sought to use the car park for their own purpose when Ascot United were holding an event.
- 9.9 The applicants Design and Access Statement (DAS) sets out the maximum expected car parking demands based on the likely total users of the facilities at any one time. The most intense new uses of the facilities for weekdays and the weekend have been chosen to demonstrate that sufficient parking is available. For weekdays this would be when the pitch is used in quarters for 5v5 football training (hour long sessions) with 4 teams using the pitch at any one time. In this case each team would include approximately 10 players and 2 coaches making the maximum total persons using the pitch at anyone time to be 48. If this is multiplied by 2 to take into account

any change over time between sessions (estimated to be around a 15 minute period) then the maximum number of people at the site at any one time will be 96. At the weekend the most intense time would be on match mornings where the pitch could be used in quarters for 5v5 matches with 4 games & 8 teams on the pitch at any one time for a 50 minute game. Each team would most likely have 7 players including substitutes and approximately 2 coaches making the total number of people using the pitch at any one time to be 72. If this is multiplied by 2 to take into account change over time between sessions then the likely maximum number of people at the site at any one time would be 144. Even if all participants arrived by car and no car sharing took place the car park could comfortably accommodate this.

- 9.10 A council Highways Officer has commented on the application and has requested that a transport assessment is provided, however, given that there will be no increase in the total number of football pitches as well as the ample amount of available parking (as demonstrated above) this is not considered to be necessary. There will be an increase in usage due to the improved facilities, however, this is unlikely to be so significant so as to cause any issue with traffic flow and highway safety. It is considered that the proposal would comply with paragraph 109 of the National Planning Policy Framework which states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe.

The impact on drainage

- 9.11 As the application is in excess of a hectare and is classified as major development it has been necessary to consult with the Lead Local Flood Authority (LLFA). The LLFA in their initial response stated that due to the relatively isolated location of the site, it is unlikely that the proposed development will cause significant detriment to flood risk. Since then they have raised concerns that the increased rate at which the pitch will drain will lead to an increased discharge rate into the receiving watercourse network and therefore increase flood risk elsewhere. The LLFA have asked for:

- Clarification on the area that is proposed to be drained through the land drainage network and the layout of the proposed land drainage network;
- A plan indicating where the land drainage network will discharge to; and
- Clarification of the proposed construction details of the Artificial Grass Pitch and porous asphalt hard standings, and how attenuation within the sub-base will be achieved.

These concerns have been passed onto the planning agent dealing with the application on behalf of the applicant and will be addressed further in the Panel Update.

The impact on trees

- 9.12 There are a number of trees to the north west of the site around the clubhouse area and whilst they are not protected they do make a strong positive contribution to the character and appearance of the area. Following confirmation from the planning agent that the existing footpath which runs through the trees and connects the site access with the club house will not be resurfaced, the tree officer has withdrawn their objection. It is recommended that a condition relating to tree protection to ensure there is no damage during construction is added (see condition 5). Given the scale and nature of the development as well as its location already screened by trees and woodland it is not considered necessary for a landscaping plan to be conditioned.

10. CONCLUSION

- 10.1 It is considered that the loss of the existing grass pitch is acceptable as the loss of the pitch would be offset by the provision of an alternative provision for which the benefits clearly outweigh the loss. The proposal therefore complies with paragraph 97 of the National Planning Policy Framework.
- 10.2 The proposed development would not materially alter the character and appearance of the area and as such is considered to comply with policy DG1 of the RBWM Local Plan, policies DG1 and

DG3 of the Ascot Sunninghill and Sunningdale Neighbourhood Plan, policies SP2 and SP3 and section 12 of the National Planning Policy Framework. The application site is in a relatively isolated location with no residential properties immediately adjacent to the site. There would be no unacceptable impact therefore on residential amenity either from noise or light from the floodlighting emitted from the site and as such would comply with policy NAP3 of the adopted Local Plan and paragraph 127 (f) of the National Planning Policy Framework.

- 10.3 The proposed development is considered to be an appropriate facility for outdoor sport and would preserve the openness of the Green Belt and would not conflict with the purposes of including land within the Green Belt. The proposal complies therefore with paragraph 145 of the National Planning Policy Framework, policies GB1 and GB2 of the adopted Local Plan and policy SP5 of the emerging Borough Local Plan.
- 10.4 Given that there will be no increase in the total number of football pitches as well as there being ample amount of available parking it is not considered that the proposal will have a significant impact upon parking, traffic flow or highway safety issues. The proposal complies with policies P4 and T5 of the adopted Local Plan, policy IF2 of the emerging Borough Local Plan, policy T1 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan and paragraph 109 of the National Planning Policy Framework.
- 10.5 The Lead Local Flood Authority has raised concerns that the increased rate at which the pitch will drain will lead to an increased discharge rate into the receiving watercourse network and therefore increase flood risk elsewhere. They have asked for additional information in order to address this concern and this matter will be addressed further in the Panel Update report.
- 10.6 There are a number of trees which make a significant positive contribution to the character and appearance of the area, however, the development is set far enough away from trees to ensure there will be no negative impact. The proposal complies with policy N6 of the adopted Local Plan, policy NR2 of the emerging Borough Local Plan and policy EN1 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan.

11. APPENDICES TO THIS REPORT

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

12. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 Use of the development shall not commence until:
(a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf - FIFA Quality or equivalent International Artificial Turf Standard (IMS) and;
(b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with Section 8 of the National Planning Policy Framework.

- 4 The proposed 3G artificial grass pitch (AGP) and its associated sports lighting shall not be used outside the hours of:
a) [9 a.m.] and [10.15 p.m.] Monday to Friday;
b) [9 a.m.] and [10.15 p.m.] on Saturday; and
c) [9 a.m.] and [10.15 p.m.] on Sunday [and public holidays].
Reason: To balance illuminating the [playing field/sports facility] for maximum use and benefit to sport with the interest of protecting the character of the area and the openness of the Green Belt. Relevant Policies - Local Plan DG1, GB1 and Section 13 of the National Planning Policy Framework.
- 5 Prior to any equipment, machinery or materials being brought onto the site details showing the measures to protect the trees and hedgerows growing within and adjacent to the site shall be submitted to and approved by the Local Planning Authority. These trees and hedgerows shall be retained in accordance with the approved details. If any retained tree is removed, uprooted or destroyed or dies, another tree of the same species shall be planted in the immediate vicinity unless the Local Planning Authority gives its written consent to any variation.
Reason: To protect trees and hedgerows which contribute to the visual amenities of the area. Relevant Policies - Local Plan DG1, emerging Borough Local Plan policy NR2 and Ascot, Sunninghill and Sunningdale Neighbourhood Plan EN1.
- 6 Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the Artificial Grass Pitch and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.
Reason: To ensure the proposal complies with section 8 (promoting healthy and safe communities) of the National Planning Policy Framework.
- 7 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Informatives

- 1 Artificial grass pitches for Steps 1 to 6 of the FA's National League System - The applicant is advised that pitches to be used for Step 1 and Step 2 level football matches should be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality Pro and Steps 3 to 6 should be built in accordance with FIFA Quality as a minimum and tested annually as per league rules.

Appendix A—Site location plan and site layout

DO NOT SCALE FROM THIS DRAWING.
 CHECK ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORKS.
 NOTIFICATION TO OWNERS THAT ALL SERVICES HAVE BEEN LOCATED ON THE DRAWING IS A CONDITION OF THE DRAWING. THE DRAWING IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE DRAWING IS THE PROPERTY OF LABOSPORT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF LABOSPORT. THE DRAWING IS VALID FOR THE PERIOD OF 12 MONTHS FROM THE DATE OF ISSUE. THE DRAWING IS VALID FOR THE PERIOD OF 12 MONTHS FROM THE DATE OF ISSUE. THE DRAWING IS VALID FOR THE PERIOD OF 12 MONTHS FROM THE DATE OF ISSUE.

APPLICATION SITE AREA, TEMPORARY CONSTRUCTION ACCESS AND APPLICANTS OWNERSHIP BOUNDARY

