

DEVELOPMENT CONTROL PANEL

2 November 2022

Item: 3

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| Application No.: | 22/01431/FULL |
| Location: | RSG Motor Group Halfpennys Garage Kings Road Sunninghill Ascot SL5 7BT |
| Proposal: | Construction of a commercial unit (use class E), x14 dwellings including associated vehicular/pedestrian access, parking, bin storage and landscaping, following demolition of existing buildings. |
| Applicant: | Mr Woodward |
| Agent: | Mr Warren Joseph |
| Parish/Ward: | Sunninghill And Ascot Parish/Ascot & Sunninghill |
| If you have a question about this report, please contact: Jeffrey Ng on or at jeffrey.ng@rbwm.gov.uk | |

1. SUMMARY

- 1.1 The application site measures approximately 0.22 hectares and is located at the junction of Kings Road and Sunninghill Road. The site is within an identified Sunninghill Local Centre under Policy TR5 of the Borough Local Plan 2013-2033. Currently, the site is being used as a car dealership, including a single storey building at the centre of the site and also an ancillary concrete area for parking and car displaying. Access to the site is from Sunninghill Road.
- 1.2 This application is seeking to demolish the existing car dealership building and introduce 14 residential units, including 1 one-bedroom unit, 10 two-bedroom units and 3 three-bedroom units, and a commercial unit (Class E) on the ground floor. The proposed building block would be 3-storey. The proposal is seeking to retain the existing access via Sunninghill Road but also to introduce new vehicular access via Kings Road. In terms of parking arrangements, the proposal is seeking to provide 34 vehicle parking spaces in total, where 11 spaces are for the commercial unit and the remaining 23 spaces are for the residential units. There are also 4 designated parking bays for the disabled. An onsite cycle parking facility will also be provided.
- 1.3 The Report sets out the relevant Development Plan, other relevant Policies and Guidance and other material planning considerations relevant to this planning application. No concerns are raised by technical consultees.
- 1.4 The proposed development is considered to be unacceptable for a number of reasons including 1) lack of onsite affordable housing provision or contribution towards affordable housing, 2) the scale, form and design of development would result in a prominent and incongruous building which would be harmful to the character of the area, 3) lack of necessary measures to mitigate the impacts of the increase in traffic movements generated by the proposed development, 4) lack of mitigation measures to overcome any such impact on the Thames Basin Special Protection Area including financial provision towards the Strategic Access Management and Monitoring (SAMM) project and the provision of Suitable Alternative Natural Greenspace (SANG), and 5) failure to meet the requirements of SP2 and the Council's interim sustainability statement.
- 1.5 Weighing in favour of the scheme, the proposed development would provide 14 new residential units and a retail unit to the site. However, the weight attributed to these benefits would not either individually or cumulatively, be sufficient to outweigh the other

harms that are set out above. On this basis of the foregoing, it is therefore recommended that planning permission be refused.

| It is recommended the Committee refuses planning permission for the following summarised reasons (the full reasons are identified in Section 15 of this report): | |
|---|---|
| 1. | The proposed development includes the provision of 14 new residential units, which would trigger the affordable housing requirement within the development plan. This application is accompanied by a viability study report which sets out that the development would be unviable to provide any affordable housing. In the absence of independent verification of the findings of this report, the Council cannot be satisfied that it would not be viable to provide an affordable housing contribution either on-site or in the way of a commuted sum. The proposed development is contrary to the requirements of Policy HO3 of the Borough Local Plan 2013-2033 and Section 5 of the National Planning Policy Framework 2021 which requires the delivery of affordable housing on major housing development sites. |
| 2. | The proposed development, by virtue of its scale, mass, siting, form, and design would result in an uncharacteristically prominent and incongruous form of development which would be harmful to the street scene and character of the area in general. The proposed development would also have an adverse impact on the neighbouring local landmark building. Therefore, it is considered that the proposed development is contrary to Neighbourhood Plan Policies DG1, DG2, DG3, DG4, Policy QP3 of the Borough Local Plan 2013-2033 and the Borough Wide Design Guide SPD. |
| 3. | The proposed development would lead to a significant increase in vehicle movements. In an absence of a legal agreement securing the necessary measures including a Travel Plan to mitigate the impacts of the increase in traffic movements, the proposed development would have the likely adverse impact on the local road network which would be contrary to Policy IF2 of the Borough Local Plan 2013-2033 and Neighbourhood Policy NP/SV1.1 of the Adopted Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2011-2026. |
| 4. | The proposal is likely to have a significant effect in combination with other plans and projects in the locality in the Thames Basin Heaths Special Protection Area. In the absence of an assessment to show no likely significant effect, including sufficient mitigation measures to overcome any such impact on the Special Protection Area and in the absence of financial provision towards the Strategic Access Management and Monitoring (SAMM) project and the provision of Suitable Alternative Natural Greenspace (SANG) noted in the Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document or satisfactory alternative provision, the likely adverse impact on the integrity of this European nature conservation site has not been overcome. 10.70. The proposed development is therefore contrary to Policy NR4 of the Borough Local Plan 2013-2033 and Policy NRM6 of the South East Plan and Section 15 of the National Planning Policy Framework. |
| 5. | The proposed development includes the provision of 14 new residential units. In the absence of a net-zero development or financial provision towards the Council's Offset Fund, the likely adverse impact of climate change has not been overcome. The application fails to meet the requirements of the Council's Interim |

REASON FOR COMMITTEE DETERMINATION

The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended as it is a major development; such decisions can only be made by the Committee.

- **THE SITE AND ITS SURROUNDINGS**

1. The application site measures approximately 0.22 hectares and is located at the junction of Kings Road and Sunninghill Road. The site is within an identified Sunninghill Local Centre under Policy TR5 of the Borough Local Plan 2013-2033. The site is also within 5 kilometres of the Thames Basin Heaths Special Protection Area (SPA). The site is located approximately 1.5 kilometres from Ascot Train Station, which provides regular train services to Reading and London.
2. Currently, the site is being used as a car dealership, including a single storey building at the centre of the site and also an ancillary area for parking and car displaying. Access to the site is through Sunninghill Road.

- **KEY CONSTRAINTS**

1. Sunninghill Local Centre
2. A 5km zone of influence from the Thames Basin Heaths Special Protection Area (SPA)

- **THE PROPOSAL**

1. This application is seeking to demolish the existing car dealership building and introduce 14 residential units, including 1 one-bedroom unit, 10 two-bedroom units and 3 three-bedroom units, and a commercial unit (Class E) on the ground floor. The proposed building would be 3-storey. The proposal is seeking to retain the existing access via Sunninghill Road but also to introduce new vehicular access via Kings Road.
2. In terms of parking arrangements, the proposal is seeking to provide 34 vehicle parking spaces in total, where 11 spaces are for the commercial unit and the remaining 23 spaces are for the residential units. There are also 4 designated parking bays for the disabled. An onsite cycle parking facility will also be provided.

- **RELEVANT PLANNING HISTORY**

1. There are a number of historical planning applications related to the existing car dealership use but there is no recent planning history at the application site relevant to the current proposal.

- **DEVELOPMENT PLAN**

1. The main relevant policies are:

Adopted Borough Local Plan 2013-2033

| Issue | Policy |
|---|--------|
| Spatial Strategy for the Borough | SP1 |
| Climate Change | SP2 |
| Sustainability and Placemaking | QP1 |
| Character and Design of New Development | QP3 |
| Building Height and Tall Buildings | QP3a |
| Housing Mix and Type | HO2 |
| Affordable Housing | HO3 |
| Other Sites and Loss of Employment Floorspace | ED3 |
| Hierarchy of Centres | TR1 |
| Local Centres | TR5 |
| Historic Environment | HE1 |
| Nature Conservation and Biodiversity | NR2 |
| Trees, Woodlands and Hedgerows | NR3 |
| Thames Basin Heaths Special Protection Area | NR4 |
| Environmental Protection | EP1 |
| Noise | EP4 |
| Contaminated Land and Water | EP5 |
| Infrastructure and Developer Contributions | IF1 |
| Sustainable Transport | IF2 |

Adopted Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2011-2026

| Issue | Policy |
|---|--------|
| Trees | NP/EN2 |
| Biodiversity | NP/EN4 |
| Development Briefs | NP/H1 |
| Mix of Housing Types | NP/H2 |
| Respecting the Townscape | NP/DG1 |
| Density, Footprint, Separation, Scale, Bulk | NP/DG2 |
| Good Quality Design | NP/DG3 |
| Heritage Assets | NP/DG4 |
| Energy Efficiency and Sustainability | NP/DG5 |
| Retaining and Encouraging Employment | NP/E1 |

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|-----------------------------------|--------|
| Retaining and Enhancing Retail | NP/E3 |
| Parking and Access | NP/T1 |
| Cycle Routes | NP/T2 |
| Sunninghill Village Centre Policy | NP/SV1 |

South East Plan

| Issue | Policy |
|---|--------|
| Thames Basin Heaths Special Protection Area | NRM6 |

- **MATERIAL PLANNING CONSIDERATIONS**

National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development
 Section 4- Decision-making
 Section 5 – Delivering a sufficient supply of homes
 Section 6 – Building a strong, competitive economy
 Section 7 – Ensuring the vitality of town centres
 Section 9- Promoting Sustainable Transport
 Section 11 – Making effective use of land
 Section 12- Achieving well-designed places
 Section 15 – Conserving and enhancing the natural environment
 Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Documents

- Borough Wide Design Guide
- Sustainable Design and Construction SPD
- Planning Obligation and Developer Contributions SPD
- Thames Basin Heaths SPA SPD

Other Local Strategies or Publications

- Berkshire Strategic Housing Market Assessment (SHMA) 2016
- RBWM Townscape Assessment
- RBWM Highway Design Guide & Parking Strategy 2004
- Interim Sustainability Position Statement
- Corporate Strategy
- Environment and Climate Strategy
- RBWM Waste Management Planning Advice Note
- DLUHC Technical housing standards – nationally described space standard 2015
- Position Statement on the Housing Delivery Test (HDT) and 5 Year Housing Land Supply

- **CONSULTATIONS CARRIED OUT**

Comments from interested parties

1. 23 occupiers were notified directly of the application.
2. The planning officer posted a notice advertising the application at the site on 15.06.2022 and the application was advertised in the Local Press on 02.06.2022.
3. 57 letters were received objecting to the application, summarised as:

| Comment | | Where in the report this is considered |
|---------|---|--|
| 1 | Concerns over having a new food /convenience store in Sunninghill as there are already three similar stores within the area. | Section i of this Report |
| 2 | Concerns over no provision for affordable housing | Section iii of this Report |
| 3 | Concerns that the proposed development is out of scale and out of character with the wider area | Section v of this Report |
| 4 | Concerns that the proposed development would lead to an overdevelopment of the site | Section v of this Report |
| 5 | Concerns over the adverse impacts on Cordes Hill and St Michael's Church of England Primary School | Section v of this Report |
| 6 | Concerns that the proposed windows at the side entrance of the residential part / balconies will be overlooking the neighbouring properties | Section vi of this Report |
| 7 | Concerns over parking provision | Section vii of this Report |
| 8 | Concerns over the increased volume of traffic would lead to highway safety and congestion | Section vii of this Report |
| 9 | Concerns over the proposed development would lead to the loss of existing trees. | Section viii of this Report |
| 10 | Concerns over the noise and disturbance from the proposed development | Section x of this Report |
| 11 | Concerns over a lack of communication with the community regarding the proposed development. | Section xii of this Report |

Statutory Consultees

| Consultees | Comments | Where in the report this is considered |
|---------------------------------|--|--|
| Natural England | No objection subject to securing appropriate mitigation for recreational pressure impacts on habitat sites (European sites). | Section ix of this Report |
| Environment Agency | No comments to make. | Noted |
| RBWM Lead Local Flood Authority | Further information is required to support the application. | Section xi of this Report |

Consultees

| Consultees | Comments | Where in the report this is considered |
|-------------------------------|---|--|
| RBWM Highways | No objection subject to conditions related to the submission of a construction management plan, details of the cycle parking, details of the refuse bin and recycling provision, stopping up of the existing access and parking layout. | Section vii of this Report |
| RBWM Ecology | No objection subject to conditions related bat licensing, external lighting scheme and the implementation of biodiversity enhancement measures. | Section ix of this Report |
| RBWM Environmental Protection | No objection subject to conditions related to contaminated land, site specific construction environmental management plan, and industrial and commercial noise. | Section x of this Report |
| Thames Water | No objection subject to an informative related to a groundwater risk management permit. | Noted. |

Others (e.g., Parish and Amenity Groups)

| Groups | Comments | Where in the report this is considered |
|--------------------------------------|---|--|
| Sunninghill and Ascot Parish Council | <p>Objection with the following reasons:</p> <ul style="list-style-type: none"> • The application has not consulted with the community on the current scheme. • The proposal represents a significant overdevelopment of the site and does not respect the building lines in Kings Road or the High Street. • The proposal fails to respect the Victorian Character of the wider area. • The proposal fails to respect the grain, layout, rhythm, density, skylines, scale, bulk, massing, proportions and footprint of the local area. • The proposed food retail store does not meet the local needs • The proposal would have an adverse impact on the setting of the historic Cordes Hall. • The proposal fails to provide the required private and communal amenity spaces for future occupants. • The proposal is not providing any affordable housing as required in the local planning policies. • The proposal is not providing adequate onsite parking arrangements. | Section 10 of this Report. |

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| | <ul style="list-style-type: none"> • There is a concern over the volume of traffic which will have a negative impact on air quality, noise and highway safety. | |
| Society for the Protection of Ascot and Environment | <p>Objection with the following reasons:</p> <ul style="list-style-type: none"> • The contemporary design with flat roofing would fail to respond positively to the local townscape. • The proposed development would be dissimilar in scale and bulk to buildings in the surrounding area. • The proposed development would cause harm to the heritage assets in Sunninghill including St Michael's Primary School and Cordes Hill. • Concerns over the under-provision of parking spaces • Concerns over the proposed development would increase the volume of traffic and lead to congestion. | Section 10 of this Report. |
| Ascot Sunninghill & Sunningdale Neighbourhood Plan Delivery Group | <p>Objection with the following reasons:</p> <ol style="list-style-type: none"> i. The proposed development fails to respect the established character of the area. ii. The proposed development fails to respect the heritage assets. iii. The proposed development fails to provide any affordable housing. iv. Concerns over the under-provision of parking spaces v. A Development Brief is not provided in the application. | Section 10 of this Report. |

- **EXPLANATION OF RECOMMENDATION**

1. The key issues for consideration are:

1. Principle of Development
2. Climate Change and Sustainability
3. Affordable Housing
4. Housing Provision and Quality
5. Design and Character
6. Impact on the amenity of neighbouring buildings and future occupants
7. Highways and Parking
8. Trees and Landscaping
9. Ecology and Biodiversity
10. Environmental Health
11. Flood Risk and Sustainable Drainage
12. Development Brief
13. Other Material Considerations

i) Principle of Development

2. The application site is within the identified Sunninghill Local Centre under Policy TR5 of the Borough Local Plan 2013-2033. Policy TR5 sets out that development proposals for residential use on upper floors in local centres will be supported. The proposal is seeking to introduce a ground-floor retail unit and 14 residential units on the upper floor, including 2 units on the ground floor. It is not considered that the proposed 2 ground-floor residential units would adversely affect the function of the Sunninghill Local centre, given that the proposed development also comprises a large ground-floor retail unit.
3. Policy ED3 of the Borough Local Plan 2013-2033 sets out that where a change is proposed from an economic use to another use, development proposals must demonstrate that the proposals would not cause unacceptable harm to the local economy. The site currently comprises a car dealership business. According to the submitted information, the business currently has 6 existing full-time employees. Though no employment details or marketing evidence are provided in this application for the proposed retail unit, it is considered that the proposed unit will continue to support the local economy by creating new job opportunities.
4. Concerns have been raised in the representations received regarding the need for having a new food /convenience store in Sunninghill, given that there are already three similar stores within the area. While Policy TR5 supports a broad range of services for the local community, it is not considered that the proposed retail unit would adversely affect the wide variety of shops and services provided. The proposed retail unit would also be able to support and maintain customer choices within the local centre. Any planning condition restricting the use of the proposed unit is not considered to be able to meet the condition tests set out within the NPPF as it would not be reasonable or necessary.
5. Therefore, the principle of development as a mixed retail and residential use is acceptable in this case.

ii) Climate Change and Sustainability

6. The Climate Change Act 2008 (CCA2008) imposes a duty to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline. Paragraph 152 of the NPPF states that the planning system should support the transition to a low-carbon future in a changing climate by contributing to a radical reduction in greenhouse gas emissions, minimising vulnerability and improving resistance, and supporting renewable and low-carbon energy and associated infrastructure. The Royal Borough of Windsor and Maidenhead declared a climate emergency in June 2019, and the Council intends to implement a national policy to ensure net-zero carbon emissions can be achieved by no later than 2050.
7. In December 2020, the Environment and Climate Strategy was adopted to set out how the Borough will address the climate emergency. These are material considerations in determining this application. The strategy sets a trajectory which seeks a 50% reduction in emissions by 2025.
8. While a Sustainability Supplementary Planning Document will be produced, the changes to national and local climate policy are material considerations that should be considered in the handling of planning applications and achievement of the trajectory in the Environment and Climate Strategy will require a swift response. The Council has adopted an Interim Sustainability Position Statement (ISPS) to clarify the Council's approach to these matters.

9. This application is accompanied by a sustainability & energy statement, prepared by Bluesky Unlimited, on behalf of the applicant to support this application. As a whole, the development can achieve a 74% reduction in CO2 emissions based on the information provided. Whilst this would represent a considerable reduction in the potential CO2 emitted from the site, the proposal does not achieve net zero. As such, it is reasonable for the Local Planning Authority to achieve the remainder by Building Emissions and Lifestyle contributions.
10. Notwithstanding, no legal agreement has been agreed to secure the contributions as required. In an absence of the required legal agreement, it is not considered that the application does secure the necessary measures against the likely impacts on the remainder of CO2 emissions from the site. Therefore, the proposed development, therefore, fails to comply with Policy SP2 of the Borough Local Plan 2013-2033 and the Interim Sustainability Position Statement.

iii) Affordable Housing

11. Policy HO3 of the Borough Local Plan sets out that all developments for 10 dwellings gross, or more than 1,000 square metres of residential floorspace are required to provide on-site affordable housing as follows:
 1. On greenfield sites providing up to 500 dwellings gross – 40% of the total number of units proposed on the site.
 2. On all other sites, (including those over 500 dwellings) – 30% of the total number of units.
12. Policy HO3 was based on a viability study in 2017 to specifically test affordable housing policy and it demonstrates that development in the Borough is viable and the policies do not impose disproportionate burdens on developers. Concerns have been raised in the representations received over the proposed development that fails to provide any affordable housing.
13. This application is seeking to create 14 residential units which would trigger the affordable housing requirement within the development plan. Paragraph 7.7.9 of the Borough Local Plan 2013-2033 sets out that the Council will expect the submission of open book financial appraisal information alongside the planning application and an independent review of the information submitted is needed and the cost of the review should be paid by the applicants, in exceptional circumstances, where the provision of affordable housing in accordance with Policy HO3 is not economically viable.
14. This application is accompanied by a viability study report, which has been prepared by Turner Morum, on behalf of the applicant. The report sets out that the proposal cannot remain viable whilst providing any on-site affordable housing or by providing a contribution towards affordable housing. It summarises that there is no surplus funding available for any affordable housing contributions. Notwithstanding, the submitted viability study report has not been independently reviewed as the applicant has failed to pay the cost of the review. Given that the applicant has failed to facilitate the independent review of the viability study report, it is not considered that the proposed development falls within the exceptional circumstances set out in the Borough Local Plan 2013-2033 and that the proposed development would be unviable to provide any onsite or offsite affordable housing or a contribution equivalent to the cost of providing the same quantum of affordable housing which would otherwise be sought on site.

15. In the Royal Borough, the need for the provision of affordable housing is acute. In the absence of a planning obligation to secure a provision of any onsite or offsite affordable housing or a contribution equivalent to the cost of providing the same quantum of affordable housing which would otherwise be sought on-site, the proposed development is in conflict with the requirement of Policy HO3 of the Borough Local Plan 2013-2033.
16. The NPPF also requires the delivery of affordable housing on major housing development sites. The Royal Borough is able to demonstrate an up-to-date supply of land for housing and is therefore not reliant on sites that are not policy compliant to bring forward adequate housing in the Royal Borough. Furthermore, the proposed development is not considered to secure sufficient public benefits to outweigh these material concerns with the under-provision of affordable housing onsite and the lack of compliance with policy identified above. Therefore, it is considered that the proposed development fails to comply with Policy HO3 of the Borough Local Plan 2013-2033 and the National Planning Policy Framework.

iv) Housing Provision and Quality

17. Policy HO2 of the Borough Local Plan 2013-2033 sets out that the provision of new homes should contribute to meeting the needs of current and projected households by having regard to several principles, including the provision of an appropriate mix of dwelling types and sizes as set out in the Berkshire Strategic Housing Market Assessment (SHMA) 2016 unless there is evidence showing an alternative housing mix would be more appropriate.
18. This application is accompanied by a design and access statement, which has been prepared by Ascot Design, on behalf of the applicant. This application is seeking to provide one 1-bedroom unit (7.2%), ten 2-bedroom units (71.4%) and three 3-bedroom units (21.4%). Though the proposed housing mix is not in line with the recommended housing mix set out in the SHMA 2016, the proposed housing mix is generally in line with the SHMA 2016 finding that there is a need for 2- and 3-bedroom units in the market housing sector. Therefore, the proposed development is in line with Policy HO2 of the Borough Local Plan 2013-2033.

v) Design and Character

19. The appearance of the development is a material planning consideration. Section 12 of the NPPF and Policy QP3 of the Borough Local Plan set out that all development should seek to achieve a high-quality design that improves the character and quality of an area.
20. According to the RBWM Townscape Assessment, the site lies within the 5D Sunninghill Victorian Village Character Area, which identifies that the main village street has an active building frontage with dwellings set well back from the street. Views along streets are framed by a strong building line.
21. The application site forms part of the Sunninghill local centre and is at the junction of Sunninghill Road and Kings Road. Nearby buildings, Cordes Hill and St Michael's Church of England Primary School, are identified as local landmark buildings in the Neighbourhood Plan, which contribute positively to the character of the area. The site has a topography that rises steadily from north to south along Sunninghill Road but

drops steadily from west to east along Kings Road. The application site is particularly sensitive as it is a corner plot, and it is within a very prominent location.

Scale, massing and layout

22. Concerns have been raised in the representations received regarding the proposed development being out of character with the area and leading to an overdevelopment of the site. The proposed development is seeking to introduce a sizable building within the site including a 3 storey section at the corner of the site. This part of the site is currently used as an ancillary hardstanding area of the car dealership business and is therefore relatively open and free from built development. The proposed building would be at a very prominent location on the site due to its topography. The 3-storey building would appear prominent in relation to the existing neighbouring buildings which are generally 1 to 2 storeys only and subservient in their form and mass. It is not considered that the proposed development is in line with the character of the area in terms of its height, scale and proximity to the site boundaries.
23. This application is accompanied by a design and access statement, which was prepared by Ascot Design, on behalf of the applicant, to support this application. The statement sets out that the current design is seeking to use a contemporary approach to respond to the character of the area. It is considered that the Council does not have a particular preference on whether the proposed building should be of a traditional style or contemporary design, as long as it can respond positively to the character of the wider area. While a contemporary approach is one of the feasible ways of responding to the character (as set out in the Council's Borough-Wide Design Guide) the scale and massing of the proposed building are not considered to be acceptable and respect or enhance the Victorian Village setting within which it would be sited. It is considered that the footprint and mass of the proposed building are excessively large and have been designed in such a way to maximise the extent of built form within the plot, rather than to respond positively to the surrounding built development.
24. Whilst the existing site contains a significant amount of hardstanding, the existing single storey building is well set back from the site boundaries and is significantly smaller than the proposed building in terms of height and massing, ensuring a level of spaciousness is preserved. The proposed development is seeking to reintroduce a significant amount of hardstanding parking areas to the rear of the site for both retail and residential uses. Despite private amenity spaces being provided for all residential units and some landscaping is provided at the rear parking area, the combination of a larger building and excessive hard-surfacing area contributes to the overall harm as identified in the preceding paragraphs.

External Appearance

25. Paragraph 5.6 of the Council's Borough-Wide Design Guide sets out that there are three ways of responding to the character and a contemporary approach is one way of responding to the character. The Council does not have a particular preference on the design approach as long as it can respond positively to the character of the area and respect the form and function of local landmarks as set out in Victorian Villages character under the RBWM Townscape Assessment.
26. The Council does not raise objection to the contemporary approach of the proposed development in principle. Nevertheless, the form of the proposed contemporary building is very "urban" in nature, which is not considered to be consistent with other buildings in street scene and the Victorian Village character of the area, and when considered in combination with the overall scale, height and proximity of the proposed

development to the street scenes of Kings Road and Sunninghill Road, the external appearance of the development would contribute towards the overall incongruous form of the development which is out of context with the smaller scaled, more traditionally designed existing development surrounding the application site.

Landscaping

- 27. The RBWM Townscape Assessment does identify that greenspace in Sunninghill Victorian Village is limited and is generally restricted to private gardens with occasional village pockets of open space at a road junction.
- 28. In this case, private amenity spaces are provided for all residential units and some landscaping is provided at the rear parking area, despite no communal amenity space being provided. The proposed development, on balance, is generally in line with the townscape character as open space/greenspace for a Victorian Village in this case.

Impact on local landmark buildings

- 29. Neighbourhood Plan Policy NP/DG4 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2011-2026 sets out that new development should seek to avoid any adverse impacts on the landmark views and buildings as identified in the RBWM Townscape Assessment, whether by nature of their height, scale or bulk, position, or by poor design, or by interfering or interrupting the views from or such landmarks, buildings or historic gateways. The RBWM Townscape Assessment sets out that any new developments should not detract from the local landmark buildings including Cordes Hill and St Michael’s Church of England Primary School. Concerns have been raised in the representations received that the proposed development would have an adverse impact on Cordes Hill.
- 30. This application is accompanied by a heritage statement, which is prepared by Cogent Heritage, on behalf of the application, to support this application. The statement sets out that the proposed development would lead to some harm to the setting of Cordes Hill and St Michael’s Primary School, but such harm is considered to be outweighed by the public benefits of the proposed development.
- 31. The application site is immediately opposite St Michael’s Primary School and Cordes Hall and is in close proximity to the Terrace, which is all identified as local landmarks in the Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2011-2026. The following table identifies the local landmark views and buildings that should be protected:

| | Landmark Building | Landmark View |
|---|-------------------|---------------|
| St Michael’s Church of England Primary School | ✓ | ✓ |
| Cordes Hall | ✓ | |
| The Terrace | | ✓ |

Cordes Hall

- 32. The single-storey hall building is sited on the other side of the junction between Kings Road and Sunninghill Road, which is a very prominent location when it is viewed from north to south along Sunninghill Road. This view would be severely obscured by the proposed development. Given that the landmark view of the hall building is not

identified in the Neighbourhood Plan, the harm to the significance of the landmark view of the building is limited in this case. Nevertheless, the proposed building would be sited at the corner of the application site, which would significantly have an impact on the setting of the hall building, when compared with the existing single-storey building, which sets back from the site boundary. However, it is not considered that such harm can be sufficiently outweighed in this case.

St Michael's Church of England Primary School

33. The St Michael's Primary School building is sited on the other side of the junction between Sunninghill Road and School Road. The school building sets back from Sunninghill Road. Though the proposed building would be sited at the corner of the application site, it is considered that the harm to both the view and building of the school building is very limited in this case, given the separation distance between the school building and the proposed building. Furthermore, some of the existing vegetation along Sunninghill Road would also provide some level of screening for the school building.

The Terrace

34. The Terrace is a well-established residential street and is on the other side of the St Michael's Church of England Primary School. The Neighbourhood Plan identifies that the landmark view of the Terrace should be protected. The proposed building would have some impact on the landmark view of the Terrace when compared with the existing single-storey building. However, it is considered that the harm would be very limited, given the separation distance between the Terrace and existing vegetation along Sunninghill Road would also provide some level of screening to the Terrace.

Summary

35. Both the NPPF and Policy QP3 of the Borough Local Plan 2013-2033 set out that all development should seek to achieve a high-quality design that improves the character and quality of an area. The site is within 5D Sunninghill Victorian Village Character Area, with the "Victorian Villages" Character. The application site is particularly sensitive as it is a corner plot, and it is within a very prominent location. It is also immediately opposite the local landmark building Cordes Hill and is in close proximity to other locally important buildings including the Terrace and St Michael's Church of England Primary School.
36. The 3-storey building would appear prominent in relation to existing neighbouring buildings which are predominantly 1 to 2 storeys only and which contribute positively to the character of the area. It is not considered that the proposed development is in line with the character of the area by virtue of its height, scale, external appearance and positioning within the site in close proximity to the road frontages. It is also considered that the proposed development would have a significant impact on the setting of local landmark building, Cordes Hill. The proposed development, by virtue of its scale, form, and design would result in a prominent and incongruous form of development which would be harmful to the character of the area in general. Therefore, it is considered that the proposed development is contrary to Neighbourhood Plan Policies DG1, DG2, DG3, DG4, and Policy QP3 of the Borough Local Plan 2013-2033.

vi) Impact on the amenity of neighbouring buildings and future occupants

37. Policy QP3 of the Borough Local Plan sets out that new development should have no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties

in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight. The Council's Borough-Wide Design Guide sets out that new developments should provide future occupants with high-quality amenities and not undermine the amenities of occupiers of neighbouring properties, especially where these are residential properties.

38. This application was accompanied by a space standard schedule, which was prepared by Ascot Design, on behalf of the applicant. The schedule sets out that all proposed units are able to meet the minimum requirement of gross internal floor areas as set out in the nationally described space standard.

Overlooking

39. Concerns have been raised in representations received over the proposed windows at the residential block and the balconies will be overlooking the neighbouring properties. Based on the submitted layout plan, the separation distance between the proposed block and existing properties on the other side of Sunninghill Road and the adjacent No.2 Kings Road are approximately 13 metres and 15 metres respectively. Though the separation distance is slightly below 15 metres, it is not considered that the windows and balconies would result in an unacceptable loss of privacy to No.2 Kings Road and properties on the other side of Sunninghill Road. However, balconies should be designed to minimise the potential for overlooking. Such details can be secured by a planning condition if planning permission were to be forthcoming.

Amenity Spaces

40. Concerns have been raised during the public consultation over the inadequacy of amenity spaces for future occupants. The RBWM Townscape Assessment also identifies that the distribution of open space in the Victorian Village character area is limited and private gardens or amenity spaces would be an opportunity for the provision of open space/green area. The Council's Borough Wide Design Guide also sets out that the provision of high-quality outdoor amenity space within flatted developments is very important, especially in a tight urban environment. Flatted developments will be expected to provide high-quality private and communal outdoor amenity space. All flats above the ground floor should be provided with balconies unless there are conservation, privacy or heritage issues.
41. Despite no communal amenity space being provided, it is considered that private amenity spaces are provided for all proposed units. All proposed private amenity spaces can meet the minimum size requirement sets out in the Borough-Wide Design Guide.

Summary

42. While it is considered that there are constraints of the site and limitations of the design scheme, the proposed development, on balance, is still able to provide sufficient levels of high-quality private amenity spaces for future occupants and does not have an adverse impact on overlooking. The proposed development, therefore, complies with Policy QP3 of the Borough Local Plan 2013-2033.

vii) Highways and Parking

Vehicle Movements

43. Policy IF2 of the Borough Local Plan 2013-2033 sets out that new development shall be located to minimise the distance people travel and the number of vehicle trips generated. Neighbourhood Policy NP/SV1.1 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2011-2026 sets out that any development that will have a severe independent or cumulative impact on traffic congestion will not be permitted unless it is supported by an independent traffic impact assessment, that measures can be put in place to mitigate its impact.
44. Concerns have been raised in representations that the increased volume of traffic in this application would worsen the congestion issue. A transport statement is prepared by Highway Planning Ltd., on behalf of the applicant to support this application. The following table summarises the total net additional vehicle movements of the proposed development as follows:

| | Existing Vehicle movements | Proposed Vehicle movements |
|------------------------|----------------------------|----------------------------|
| AM Peak (0800-0900) | 12 vehicles– 2 way | 25 vehicles– 2 way |
| PM Peak (1700-1800) | 12 vehicles– 2 way | 54 vehicles– 2 way |
| Daily (0700-1900) | 120 vehicles – 2 way | 529 vehicles – 2 way |

45. The submitted transport statement sets out that the predicted increase in traffic flow in the AM peak hour would be between 0.5% and 3.0% and between 1.3% and 5.7% in the PM peak hour. It then summarises that the additional traffic generated in the proposed development would not have a severe impact on the local road network.
46. The Council has no reason to challenge the traffic generation figures of the submitted transport statement. The traffic generation figure however shows that the proposed development would lead to a significant increase in vehicle movements when compared with the existing vehicle movements generated by the car dealership. Furthermore, the proposed retail store on the ground floor would lead to an additional 8 to 9 delivery vehicles movements per day including the combination of HGVs and LGVs. The submitted transport statement does not include any mitigation measures such as a Travel Plan to be put in place to mitigate the impacts of the increase in traffic movements. Whilst the Highways Officer does not object to the proposal in principle, this is on the basis that mitigation measures are put in place to reduce the impact of the development on the highway.
47. In the absence of a legal agreement securing the necessary measures to mitigate the impacts of the increase in traffic movements, the proposed development would have the likely adverse impact on the local road network which would be contrary to Policy IF2 of the Borough Local Plan 2013-2033 and Neighbourhood Policy NP/SV1.1 of the Adopted Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2011-2026.

Services and Access

48. Concerns have been raised in representations that the increased volume of traffic in this application would impact highway safety. The proposed development is seeking to retain and improve the existing access via Sunninghill Road to provide formal access for the proposed retail use while having new access via Kings Road for the proposed residential development. Based on the submitted layout plan, the retail parking and residential parking areas will be kept separate for safety reasons.

49. RBWM Highways Authority has raised no objection related to highway safety for the retained Sunninghill Road access as the width of the access road will be 6 metres wide for two-way traffic and it is also adequate for service and refuse vehicles to enter the site and manoeuvre. It is considered that relevant SWEPT path drawings have been provided within the transport statement. Details of the access arrangement and SWEPT path drawings can be secured by planning conditions if planning permission were to be forthcoming.
50. Based on the submitted layout plan, a bin storage area for the proposed retail use is proposed along the access via Sunninghill Road while a separate bin storage area is proposed via Kings Road for residential use. However, the proposed residential access via Kings Road is measured at approximately 4.8 metres wide and it would not be adequate for service and refuse vehicles to enter the site and manoeuvre. Nevertheless, it is considered that some changes related to the position of the bin storage areas can be made within the site. Details of the bin storage areas can be secured by planning conditions if planning permission were to be forthcoming.
51. No information related to visibility splays is provided to support this application. However, such details can be secured by a planning condition if planning permission were to be forthcoming.

Parking

52. Policy IF2 of the Borough Local Plan 2013-2033 sets out that new developments should provide vehicle and cycle parking in accordance with the parking standards in the 2004 Parking Strategy (prior to the adoption of the Parking SPD). Consideration will be given to the accessibility of the site and any potential impacts associated with overspilled parking in the local area. Neighbourhood Plan Policies NP/T1 and NP/SV1 set out that development proposals shall only be permitted provided sufficient on-site parking is made available for future users. Development proposals that include a reliance on parking on existing streets shall not be permitted if the streets have identified parking issues or adversely impact highway safety or the character of the area.
53. According to the Parking Strategy, the site does not fall within an area of good accessibility as it falls outside the 800 metres threshold. The following table summarises the maximum parking standard for C3 (General Residents) set out in the 2004 Parking Strategy:

| Use | Maximum Parking Standard (Areas of Poor Accessibility) |
|---------------------------------------|---|
| 1 bedroom units | 1 space per unit |
| 2-3 bedroom units | 2 spaces per unit |
| Individual shop units (up to 550 sqm) | 4 spaces per 120 sqm |

54. The proposed development is seeking to introduce 23 parking spaces for residential units, which represents 85% of the maximum parking standard (areas of poor accessibility). The proposed development is also seeking to provide 11 parking spaces for the proposed commercial unit. Given that the proposed commercial unit is approximately 328 sqm, the proposed parking provision is in line with the maximum parking standard as required (i.e., 11 parking spaces should be provided). Concerns however have been raised in representations over the parking provision of the proposed development.

55. Though the proposed parking provision for residential units is 4 spaces below the maximum parking standard, it is considered that the proposed provision is in line with the standard set out in the Parking Strategy. Furthermore, it is not considered that the proposed development would need to rely on street parking. Given that RBWM Highways Authority has raised no objection to the proposed parking arrangement, it is considered that the proposed parking arrangement is acceptable in this case.

Electric Vehicle Charging Facilities

56. The Council's Interim Sustainability Position Statement sets out that at least 20% of parking spaces should be provided with active electric vehicle charging facilities and 80% of parking spaces should be provided with passive provision. No details related to the provision of electric vehicle charging facilities are provided in this application. However, it is considered that such details could be secured by a planning condition if planning permission were to be forthcoming.

Cycle Parking

57. The 2004 Parking Strategy does not have a specific requirement for residential parking standards for cycles. Paragraph 9.7.3 of the Strategy sets out that with certain forms of residential development, cycle parking provision may be required. In a block of flats, a proportion of secure cycle parking will be required and will be calculated on a case-specific basis.
58. The proposed development is providing 14 cycle parking spaces for future residential occupants. However, it is not considered that cycle parking spaces are provided for the proposed commercial unit. More cycle parking spaces should be provided for the proposed commercial units so that it can encourage future customers to cycle as a sustainable mode of transport. RBWM Highways Authority has also commented that details of the cycle parking facilities shall be provided to support the application. Such details, however, can be secured by a planning condition if planning permission were to be forthcoming.

viii) Tree and Landscaping

59. Paragraph 131 of the NPPF sets out the importance of trees which contribute to the character and quality of urban environments and also help mitigate and adapt to climate change. Policy NR3 of the Borough Local Plan 2013-2033 also sets out that development proposals should protect and retain trees and hedgerows, provide mitigation measures if harm to trees or hedgerows is unavoidable and plant new trees and hedgerows and extend existing coverage where possible.
60. Concerns have been raised in representations over the loss of existing trees. This application is accompanied by an arboricultural method statement and a tree protection plan, which is prepared by David Archer Associates, on behalf of the applicant to support this application. The statement confirms that only one category-C tree will be removed, and it is not subject to a Tree Preservation Order (TPO).
61. The proposed works in this application would result in some disturbance to existing off-site trees and encroachment into their root protection areas (RPAs), including the proposed parking area and soft landscaping area. However, the statement sets out that the RPAs of those existing trees will not be significantly affected if the protection measures identified in the statement are implemented. Details of a construction

method statement shall be provided which can be secured by a planning condition if planning permission were to be forthcoming.

62. The submitted landscape and ecology masterplan shows that new planting will be introduced to the site. Details of the proposed landscaping should be provided to ensure that the species and location of any new planting are appropriate and that the existing trees and hedgerows will not be adversely affected. A detailed landscaping plan could be secured by a planning condition if planning permission were to be forthcoming.

ix) Ecology and Biodiversity

63. The application site comprises an existing car dealership building and its associated hardstanding area, which has very limited ecological value. The application was accompanied by an Ecological Walkover Survey, a Bat Emergence Survey Report and a revised Bat Emergence Survey Report, which are prepared by James Blake Associates Ltd., on behalf of the applicant to support this application.
64. The submitted walkover survey sets out that the existing buildings had the potential to support roosting bats and a further survey for bats was recommended. A further bat emergence survey was then conducted, followed by the recommendation of the walkover survey report. The revised bat emergence survey report sets out that the existing building would host a day roost for bats and therefore a bat licence from Natural England is required prior to the commencement of the development hereby permitted. The report also provides a number of mitigation and recommendations to ensure that bats are not harmed during the development.
65. Paragraph 174 of the NPPF and Policy NR2 of the Borough Local Plan 2013-2033 set out that development proposals should demonstrate a net gain in biodiversity. Despite a biodiversity net gain calculation having not been provided in the application, it is considered that the existing site comprises only hardstanding and building. Furthermore, a landscape and ecology masterplan is provided to support this application and it demonstrates that new native planting, some soft landscaping elements and biodiversity enhancement measures such as the installation of bird and bat boxes will be introduced to the site. Therefore, it is considered that the proposed development is likely to be able to demonstrate a net gain in biodiversity through the implementation of the enhancement measures.
66. RBWM Ecological Officer has been consulted in this application and has raised no objection on ecological ground subject to conditions related to the Natural England licensing, the submission of an external lighting scheme, and details of any biodiversity enhancement measures. It is considered that those measures can be secured by planning conditions if planning permission were to be forthcoming.

Thames Basin Heaths Special Protection Area (SPA)

67. Policy NR4 of the Borough Local Plan 2013-2033 sets out that new development which is likely to have significant effects on its purpose and integrity will be required to demonstrate that adequate mitigation measures are put in place to avoid any potential adverse effects. The Policy continues to set out that new residential development beyond 400 metres threshold but within 5 kilometres linear distance of the Special Protection Area boundary will be required to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).

68. The application site lies within 5 kilometres of the Thames Basin Heaths Special Protection Area. Natural England has been consulted and has raised no objection subject to securing appropriate mitigation for recreational pressure impacts on habitat sites. The submitted Design and Access Statement sets out that the applicant is willing to make a contribution towards the delivery of the necessary mitigation measures including SANG and SAMM and would like to consider the residual capacity available at Sunningdale Park SANG.
69. Notwithstanding, the Sunningdale Park SANG is not yet available to accept any residual capacity and the Royal Borough currently does not have any other Council-owned SANG capacity available by the time of writing this committee report. It would not be possible to enter into a legal agreement without confirming the relevant SANG capacity.
70. In an absence of a legal agreement securing the necessary Strategic Access Management and Monitoring (SAMM) and Suitable Alternative Natural Greenspace (SANG) contributions, the proposed development fails to secure the necessary mitigation against the likely harmful effects on the Thames Basin Heaths SPA.
71. The proposed development is therefore contrary to Policy NR4 of the Borough Local Plan 2013-2033 and Policy NRM6 of the South East Plan and Section 15 of the National Planning Policy Framework.

x) Environmental Health

72. Policy EP1 of the Borough Local Plan 2013-2033 sets out that new development will only be supported where it would not have an unacceptable effect on environmental quality both during the construction phase and when completed. Details of remedial or preventative measures and any supporting environmental assessments will be required and will be secured by planning conditions to ensure that the development will be acceptable.

Noise

73. Policy EP4 of the Borough Local Plan 2013-2033 sets out that new development should consider the noise and quality of life impact on occupants of existing nearby properties and the intended new occupiers. Development proposals will need to demonstrate that they will meet the internal noise standards for noise-sensitive developments as set out in the Policy.
74. Concerns have been raised in representations over the noise and disturbance from the proposed development. RBWM Environmental Protection Officer has been consulted in this application and has raised no objection to the proposed development in terms of noise subject to a condition related to industrial and commercial noise. Given the nature and scale of the proposed commercial unit on the ground floor and it is within Sunninghill Local Centre, it is however not considered that such a condition would be reasonable when considering the noise level generated by the existing car dealership.
75. Based on the submitted floor plans, the majority of the windows of all habitable rooms are facing Sunninghill Road, Kings Road and the rear parking area. It is important to ensure that all habitable rooms of the proposed development can achieve the internal noise level standards set out in Policy EP4. In an absence of a noise impact assessment, the proposed development is not able to demonstrate that future occupants of the proposed development would not be affected by unacceptable levels

of noise. A noise impact assessment should be provided and it could be secured by a pre-commencement condition if planning permission were to be forthcoming.

Contaminated Land

76. Policy EP5 of the Borough Local Plan sets out that development proposals will be supported where they can demonstrate that adequate and effective remedial measures to remove the potential harm to human health and the environment are successfully mitigated.
77. The application site comprises an existing car dealership building and its associated hardstanding area for car parking and displaying. The site may be considered contaminated land as there are onsite underground tanks for hydrocarbon storage.
78. This application is accompanied by a Phase I Preliminary Risk Assessment, prepared by Enzygo Geoenvironmental Ltd., on behalf of the applicant to support this application. The report summarises that a further ground investigation is recommended.
79. RBWM Environmental Protection Officer has been consulted in this application and has raised no objection to the proposed development in terms of contaminated land subject to a condition related to land contamination, including the submission of an investigation and risk assessment, the submission of a remediation scheme, reporting any unexpected contamination and having long-term monitoring and maintenance. It is considered that such details could be secured by a planning condition if permission were to be forthcoming.

xi) Flood Risk and Sustainable Drainage

80. The application site is within the Environment Agency Flood Zone 1, which means that there is a less than 1 in 1,000 annual probability of river and sea flooding. This application is accompanied by a flood risk assessment & drainage strategy, which is prepared by Clarkebond (UK) Limited, on behalf of the applicant to support this application and it summarises that there is only low to very low risk of surface water and groundwater flooding.
81. RBWM Lead Local Flood Authority has been consulted in this application and further clarification and information are needed to support the application. Given that there is a low to very low risk of surface water and groundwater flooding, it does not warrant an objection on this matter. However, a revised flood risk assessment & drainage strategy should be provided and it should be secured by a pre-commencement condition if planning permission were to be forthcoming.

xii) Development Brief

82. Neighbourhood Plan Policy NP/H1 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2011-2026 sets out that development proposals which include 10 or more dwellings on sites larger than 0.4 hectares shall be required to submit a Development Brief. The Brief must also be accompanied by a Statement of Community Consultation. Section 12 of the National Planning Policy Framework also sets out that applications that can demonstrate early, proactive and effective engagement with the community should be looked at more favourably than those that cannot.
83. Concerns have been raised in representations over a lack of communication with the community regarding the proposed development. The submitted design and access

statement sets out that the information required for the development brief and the statement of community consultation has been provided within the application. In terms of pre-application engagement, the statement also sets out that a website was set up for consultation and an online feedback form was available on the website. An online meeting was also held and attended by local stakeholders.

84. Based on the submitted design and access statement, it is considered that a table was made to show the proposed development is responding to the matters set out in Appendix C: Development Brief and Appendix D: Statement of Community Consultation of the Neighbourhood Plan. While the pre-application engagement was restricted due to Government social distancing restrictions during the Pandemic, it is considered that a website was set up and the applicant also held an online meeting with local stakeholders. Despite there being some further changes to the proposed development and also the ease of Government restrictions, it is considered that the whole community engagement exercise was held virtually entirely. Furthermore, policy NP/H1 sets out that the statement should demonstrate that the consultation should be held in a range of ways. Whilst the design and access statement sets out that the proposed development complies with the requirement, it is not considered that the information provided sufficiently meets the requirement including having a record of the views expressed by local people and the Parish Council, having a range of different means in consultation, having a consultation involving a broad cross-section of local people and also a clear explanation showing how the proposals being submitted have addressed the views or any concerns raised by local people and the Parish Council during the consultation. It is also not considered that a further community engagement exercise was held prior to the submission of this planning application.
85. Notwithstanding, Neighbourhood Plan Policy NP/H1 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2011-2026 requires a development brief and a statement of community consultation are required if development proposals include 10 or more dwellings on sites larger than 0.4 hectares. In this case, though the proposal is seeking to develop 14 dwellings which is above the 10 dwellings threshold on site, the site area is only approximately 0.228 hectares, which is below the 0.4 hectares threshold.
86. Section 5.3 of the Neighbourhood Plan sets out that a development brief is a useful tool to ensure developer/community engagement early in the design process. Despite the community engagement exercise of this application is not in line with the requirements set out in Policy NP/H1, it does not warrant a reason for refusal on this matter in this particular case.

xiii) Other Material Considerations

87. Environmental protection has suggested a planning condition in the event of planning permission being granted in this instance relating to the site-specific construction environmental management plan (CEMP). However, it is considered that such a condition would not be necessary as it is covered by other legislation.

- **COMMUNITY INFRASTRUCTURE LEVY (CIL)**

1. In accordance with the Council's adopted Community Infrastructure Levy (CIL) Charging Schedule, the development is CIL liable on the chargeable floor area at a rate of J295.11per square metre (Indexation rate 2022).

- **PLANNING BALANCE AND CONCLUSION**

1. The application site is within the Sunninghill local centre. The proposed retail unit is identified as a main town centre use. Despite the proposal comprising a loss of an existing car dealership business, the proposal is seeking to reintroduce a retail unit to the site. The overall function of the centre and opportunities for customer choice can still be maintained. Therefore, it is not considered that the proposed development will adversely affect the function of a local Centre in this case.
2. This application is supported by a viability report which states that it is not viable to provide any on-site affordable housing or a contribution towards affordable housing. This report has not been independently verified and as such the Council cannot be satisfied that the proposal cannot make an affordable housing contribution.
3. The proposed large-scale building would appear at odds with the existing neighbouring buildings which are 1 to 2 storeys only. It is not considered that the proposed development is in line with the character of the area. It is also considered that the proposed development would have a significant impact on the setting of the Cordes Hill building. It is not considered that sufficient public benefit is identified to outweigh such harm. The proposed development, by virtue of its scale, form, and design would result in a prominent and incongruous form of development which would be harmful to the character of the area in general. The proposed development would also have an adverse impact on the local landmark building.
4. The traffic generation figure provided shows that the proposed development would lead to a significant increase in vehicle movements when compared with the existing vehicle movements generated by the car dealership. The submitted transport statement however does not include any mitigation measures to be put in place to mitigate the impacts of the increase in traffic movements. In an absence of a legal agreement securing the necessary measures to mitigate the impacts of the increase in traffic movements, the proposed development would have a likely adverse impact on the local road network.
5. The application site lies within 5 kilometres of the Thames Basin Heaths Special Protection Area. Though the applicant is willing to make a contribution towards the delivery of the necessary mitigation measures including SANG and SAMM and would like to consider the residual capacity available at Sunningdale Park SANG, the Sunningdale Park SANG is not available to accept any residual capacity and the Royal Borough currently does not have any other Council-owned SANG capacity available by the time of writing this committee report. In an absence of a legal agreement securing the necessary Strategic Access Management and Monitoring (SAMM) and Suitable Alternative Natural Greenspace (SANG) contributions, the proposed development fails to secure the necessary mitigation against the likely harmful effects on the Thames Basin Heaths SPA.
6. Policy SP2 of the Borough Local Plan 2013-2033 requires all development to demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change. Though this application is supported by a sustainability & energy statement, the statement shows that it can only achieve a 74% reduction and it cannot achieve net-zero carbon. Notwithstanding, no legal agreement has been agreed to secure the contributions as required. In an absence of the required legal agreement, it is not considered that the application does secure the necessary measures against the likely impacts on the remainder of CO2 emissions from the site.
7. To conclude, the proposed development would provide 14 residential units and a retail unit on the ground floor. However, the weight attributed to the provision of housing and economic benefits would not either individually or cumulatively, be sufficient to

outweigh the other harms that are set out above. On this basis of the foregoing, it is therefore recommended that planning permission be refused.

- **APPENDICES TO THIS REPORT**

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

- **REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED**

- 1 The proposed development includes the provision of 14 new residential units, which would trigger the affordable housing requirement within the development plan. This application is accompanied by a viability study report which sets out that the development would be unviable to provide any affordable housing. In the absence of independent verification of the findings of this report, the Council cannot be satisfied that it would not be viable to provide an affordable housing contribution either on-site or in the way of a commuted sum. The proposed development is contrary to the requirements of Policy HO3 of the Borough Local Plan 2013-2033 and Section 5 of the National Planning Policy Framework 2021 which requires the delivery of affordable housing on major housing development sites.
- 2 The proposed development, by virtue of its scale, mass, siting, form, and design would result in a prominent and incongruous form of development which would be harmful to the street scene and character of the area in general. The proposed development would also have an adverse impact on the neighbouring local landmark building. Therefore, it is considered that the proposed development is contrary to Neighbourhood Plan Policies DG1, DG2, DG3, DG4, Policy QP3 of the Borough Local Plan 2013-2033 and the Borough Wide Design Guide SPD.
- 3 The proposed development would lead to a significant increase in vehicle movements. In an absence of a legal agreement securing the necessary measures including a Travel Plan to mitigate the impacts of the increase in traffic movements, the proposed development would have the likely adverse impact on the local road network which would be contrary to Policy IF2 of the Borough Local Plan 2013-2033 and Neighbourhood Policy NP/SV1.1 of the Adopted Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2011-2026.
- 4 The proposal is likely to have a significant effect in combination with other plans and projects in the locality in the Thames Basin Heaths Special Protection Area. In the absence of an assessment to show no likely significant effect, including sufficient mitigation measures to overcome any such impact on the Special Protection Area and in the absence of financial provision towards the Strategic Access Management and Monitoring (SAMM) project and the provision of Suitable Alternative Natural Greenspace (SANG) noted in the Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document or satisfactory alternative provision, the likely adverse impact on the integrity of this European nature conservation site has not been overcome. 10.70. The proposed development is therefore contrary to Policy NR4 of the Borough Local Plan 2013-2033 and Policy NRM6 of the South East Plan and Section 15 of the National Planning Policy Framework.
- 5 The proposed development includes the provision of 14 new residential units. In the absence of financial provision towards the Council's Offset Fund, the likely adverse impact of climate change has not been overcome. The application fails to meet the requirements of the Council's Interim Sustainability Position Statement about climate change by Policy SP2 of the Borough Local Plan 2013-2033.

22/01431/FULL - RSG Motor Group, Halfpennys Garage, Kings Road, Sunninghill, Ascot SL5 7BT

Appendices

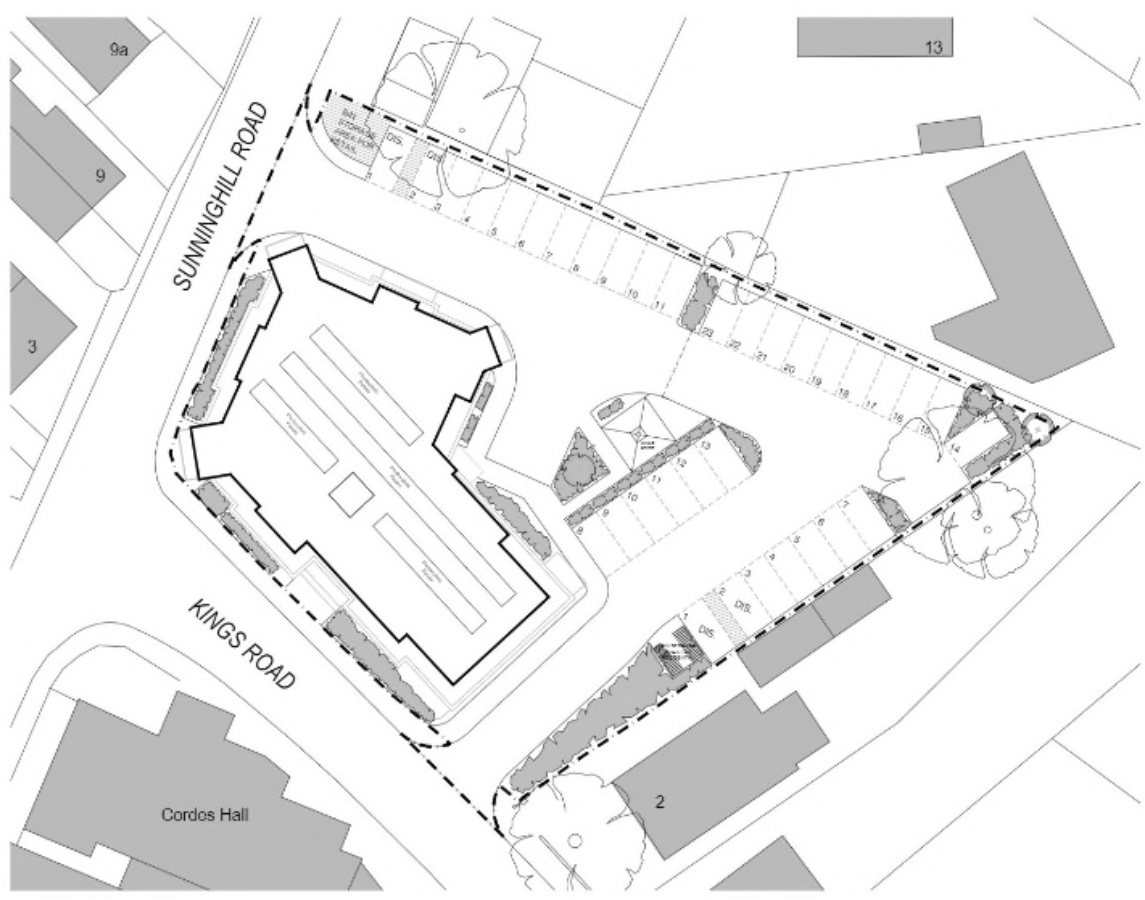
Appendix A - Site Location Plan and Proposed Site Layout

Site Location Plan



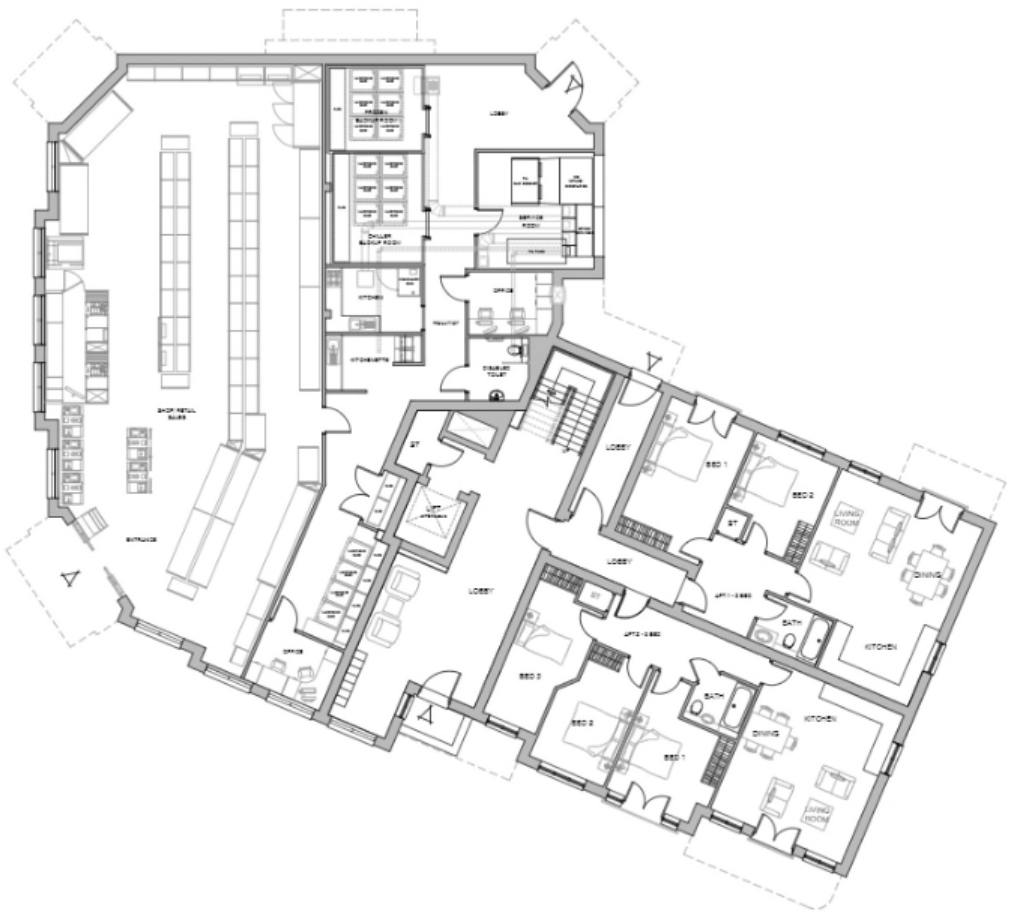
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Proposed Site Layout



Appendix B – Plan and Elevation Drawings

Ground Floor Plan



GROUND FLOOR

First Floor Plan



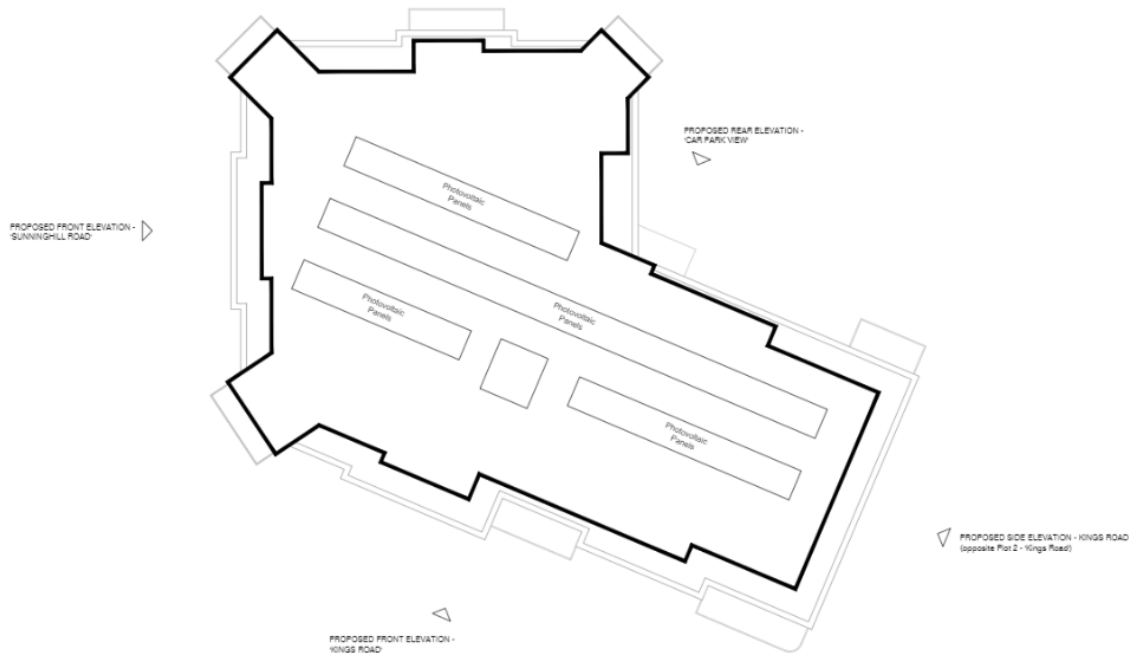
FIRST FLOOR

Second Floor Plan



SECOND FLOOR

Roof Plan



Proposed Front Elevation

Kings Road



PROPOSED FRONT ELEVATION - KINGS ROAD

Sunninghill Road



PROPOSED FRONT ELEVATION - SUNNINGHILL ROAD

Proposed Rear Elevation

Car Park View



PROPOSED REAR ELEVATION - CAR PARK VIEW

View from No.2 Sunninghill Road



PROPOSED REAR ELEVATION - VIEW FROM No 2 SUNNINGHILL ROAD

Proposed Site Elevation

Kings Road



PROPOSED SIDE ELEVATION - KINGS ROAD
(opposite Plot 2 - Kings Road)

Rendered Elevations

