

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

DEVELOPMENT CONTROL PANEL

7 March 2024

Item: 1.

Application No.:	23/01062/FULL
Location:	Ditton Manor Ditton Park Road Datchet Slough SL3 7JB
Proposal:	Hotel-led development comprising the conversion, extension and alteration of the existing Manor House and associated buildings, including the North Gatehouse, East Gatehouse, South Gatehouse, Chapel and Granary, to a flexible hotel and wedding/conference venue (Use Class C1 and Sui Generis) with associated ancillary facilities including bar, restaurant and gym/spa; additional two storey hotel accommodation block (Use Class C1); erection of a marquee for wedding/conference use (Sui Generis); demolition and erection of a new one storey community building (Use Class F2); car parking; landscaping; and other associated works.
Applicant:	Ditton Park Property Unit Trust
Agent:	Mr Harry Spawton
Parish/Ward:	Datchet Parish/Datchet Horton And Wraysbury

If you have a question about this report, please contact: Sarah Chesshyre on or at sarah.chesshyre@rbwm.gov.uk

1. SUMMARY

- 1.1. This report is an addendum to the full committee report for planning application 23/01062/FULL following the receipt and consideration of amended application material, and should be read alongside the full committee report, attached at Appendix 1.
- 1.2. The application seeks full planning permission for a hotel-led development comprising the conversion, extension and alteration of the existing Manor House and associated buildings to a hotel and wedding and conference venue with associated ancillary facilities. The proposal also includes the removal and replacement of an existing scout hut building.
- 1.3. Application 23/01062/FULL was presented to Windsor and Ascot Development Management Committee (WADMC) on 5th October 2023 with an officer recommendation for refusal, for six reasons, which related to harm to the Green Belt; harm to character; harm to designated heritage assets; a lack of information to enable an assessment of the highway impacts of the proposal; arboricultural harm and harm to ancient woodland; and the lack of a S106 legal agreement to secure financial contributions to a Carbon Offset Fund.
- 1.4. Following discussion of the application at WADMC, a motion was put forward to determine the application in line with the officer recommendation to refuse planning permission. This motion did not pass. A further motion was put forward to defer the application in order to allow additional and amended information to be submitted and considered by officers, in order to seek to address technical matters.
- 1.5. Amended plans and technical information was received by the Council on 1 December 2023, 15 December 2023 and 10 January 2024.

- 1.6. The purpose of this addendum is to update the assessment in the committee report to reflect the amended proposals.
- 1.7. Following consideration of the amended proposals, officers are of the view that the proposed development would be unacceptable for a number of reasons, including:
- 1) inappropriate development within the Green Belt where no very special circumstances exist to outweigh the harm to the Green Belt by virtue of its on appropriateness, harm to openness, harm to purposes and other identified harm;
 - 2) the scale, form and design of development would result in a prominent and incongruous development which would be harmful to the historic and parkland character of the area;
 - 3) the proposed development would constitute less than substantial harm at the higher end of the scale to the heritage assets and the identified harm is not outweighed by the public benefits identified;
 - 4) the proposed development would fail to safeguard the amenity of existing residents;
 - 5) lack of evidence to demonstrate that the development would not result in the deterioration of ancient woodland;
 - 6) the proposed development would result in harm to protected trees;
 - 7) insufficient information to demonstrate the development would make suitable provision for pedestrian access and to demonstrate that the traffic impacts would not result in harm to highway safety;
 - 8) insufficient information to demonstrate the development would not result in harm to protected species;
 - 9) failure to meet the requirements of SP2 and the Council's interim sustainability statement.
- 1.8. There is a **presumption against the development** proposed due to its location in the Green Belt. The proposed development would cause harm to the Green Belt by way of inappropriateness and because of loss of visual and spatial openness. The NPPF mandates that such harm be given **substantial weight**. The development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt and any other harm resulting from the proposal is **clearly outweighed** by other considerations.
- 1.9. Added to the harm to the Green Belt there would be less than substantial harm to designated heritage assets which would not be outweighed by public benefits. The NPPF dictates that **great weight** is given to the conservation of designated heritage assets. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting; decision makers have a statutory duty to give **considerable weight** to preserving the setting of listed buildings.
- 1.10. Further harm would accrue as a result of the design and impact on character; the impact on amenity of residents; the failure to demonstrate the proposals would not result in the deterioration of ancient woodland; the impact on protected trees; the failure to demonstrate the proposals would not have an unacceptable impact on the highway network and highway safety; the failure to demonstrate the proposals would not impact protected species; and the failure to meet the Council's requirements for sustainability.
- 1.11. The proposed development would generate a number of economic benefits; makes various commitments with regards to sustainability; would achieve biodiversity net gain above policy requirements; and would deliver a number of limited benefits with regards to community uses and public access.

- 1.12. Having regard to these benefits, they **do not clearly outweigh** the overall significant harm to the Green Belt, the less than substantial harm to designated heritage assets, and the other identified harms. Therefore the very special circumstances necessary to justify the development do not exist.

It is recommended the Committee refuses planning permission for the following summarised reasons (the full reasons are identified in Section 13 of this report):	
1.	The proposed development would constitute inappropriate development which, by definition, would be harmful to the Green Belt. The proposed development would result in the intensification of the use of the site and the encroachment of substantial built form within the open and rural parking setting. The harm to the Green Belt as a result of inappropriateness with the moderate harm to openness must be afforded substantial weight. No very special circumstances exist to outweigh the harm to the Green Belt by virtue of its appropriateness and harm to openness, and the other harm identified in the subsequent reasons for refusal. The proposed development would be contrary to Section 13 of the National Planning Policy Framework and Policy QP5 of the Borough Local Plan 2013-2033.
2.	The proposed development, by virtue of its scale, mass, form, and design would result in a prominent and incongruous form of development which would be harmful to the parkland and historic character of the area. The proposed development is contrary to Policy QP3 of the Borough Local Plan 2013-2033 and Policy DAT2 of Datchet Neighbourhood Plan 2022-2033.
3.	The overall heritage harm arising from the proposed development is less than substantial harm at the higher end as the proposed development would fail to preserve the significance and setting of the listed buildings and registered park and garden. There are a number of public benefits arising from the proposed development, but those benefits identified from the proposed development do not outweigh the heritage harm identified. The proposed development would be contrary to Section 16 of the National Planning Policy Framework and Policy HE1 of the Borough Local Plan 2013-2033.
4.	The proposed development, by virtue of its scale and the proposed use as a wedding venue, would give rise to noise and disturbance which would be harmful to the amenity of neighbouring residential uses and the proposed development would be contrary to Policy QP3 of the BLP.
5.	The proposed development fails to provide sufficient evidence to demonstrate that the proposed development would not result in the deterioration of ancient woodland. The proposed development is contrary to Section 15 of the National Planning Policy Framework and Policy NR2 of the Borough Local Plan 2013-2033.
6.	The proposed development would result in harm to, and potentially the loss of, trees within the avenue of Limes which are subject to a tree preservation order, are an important feature of the parkland and the principal access to the site, make a significant contribution to visual amenity, and are visible from both within the site and in the wider area. As such, the development would result in harm to protected trees which is not considered justified by the development and would be contrary to policy NR3 of the Borough Local Plan.
7.	In the absence of suitable traffic data provided in the transport statement there is a lack of information to demonstrate that any significant impacts from the proposed development on the transport network and highway safety have been mitigated to an acceptable degree, and the proposals also fail to make suitable provision for pedestrian access. The proposed

	development fails to demonstrate that there would be an acceptable impact on highway safety and the local road network. Therefore, the proposed development is contrary to Section 9 of the National Planning Policy Framework and Policy IF2 of the Borough Local Plan 2013-2033.
8.	In the absence of up-to-date ecological surveys, the application contains insufficient information to demonstrate that it would not result in harm to protected species, particularly badgers and bats, and the development would be contrary to policy NR2 of the Borough Local Plan.
9.	The proposed development includes the provision of a number of new buildings to support a hotel and community development. 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.

2. REASON FOR COMMITTEE DETERMINATION

- 2.1. 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 Committee as the application is for major development.

3. THE SITE AND ITS SURROUNDINGS

- 3.1. A full description of the site and surroundings is provided at paragraphs 3.1. and 3.2 of the committee report (Appendix 1).

4. KEY CONSTRAINTS

- 4.1. The key site designations and constraints are summarised in paragraph 4.1 of the committee report (Appendix 1).

5. THE PROPOSAL

- 5.1 The original proposals are described in paragraphs 5.1- 5.5 of the committee report (Appendix 1). The amended proposals are described below, followed by a summary of the amendments that have been made to the original proposals.

- 5.2. As amended, the application seeks planning permission for a hotel-led development with the provision of 130 bedrooms and associated facilities. The proposals can be split into two key areas, namely within the moated area and outside the moated area.

Within the moated area

- 5.3. The proposal comprises the conversion of a number of existing buildings with internal alterations. The existing Manor House will be converted to a hotel to provide 31 bedrooms and associated facilities including bar, restaurant, and meeting rooms. The existing Northern Gatehouse will be converted into a spa facility. The Eastern Gatehouse will be converted into a storage and site security facility. The Southern Gatehouse will be converted to provide conference and wedding venue facilities.

- 5.4. The proposal also includes the removal of an existing unauthorised marquee and the introduction of a two-storey L-shaped accommodation block to the west of Manor House, which will provide 99 bedrooms and associated facilities including meeting rooms. With

the new accommodation block, it will allow for a new courtyard and garden to be created to the west of Manor House. To the east of the Manor House, a new gym and back to house block will be proposed to provide a gym facility and a new service area to support the operation of the hotel. The proposed block will have a setback from the existing garden wall so a landscaped garden will be created between the wall and the new block. It is understood that the gym/spa facility will also be publicly accessible.

Outside the moated area

- 5.5. The proposal includes the erection of a marquee for wedding and conference use at the location of an existing scout hut building. The marquee would measure approximately 40 metres by 32.5 metres, resulting in a footprint of approximately 1187 sqm, which exceeds that of the existing scout hut by approximately 950sqm. It would have a pitched roof with an eaves height of 3.3 metres and a ridge height of 5.8 metres. The existing access will be altered to accommodate the provision of a new service area to support the new marquee. The existing parking area within the moated area will be removed and replaced by a woodland parking area to the south of the new marquee. The existing Chapel, which is within the curtilage of Manor House, will mainly be used for weddings and events but will also have community use.
- 5.6. The proposal also includes the removal of the existing scout hut building which will be relocated to a parcel of land, which is at the northern part of the site and is surrounded by Ancient Woodland.
- 5.7. The amendments to the proposals comprise the following:
 - Changes to the internal layout of the Manor House to reduce demolition and retain more of the original layouts, resulting in a reduction in the number of rooms from 33 to 31
 - Reduction in the footprint of the accommodation annexe (by approximately 2.5 metres from the south) to enable the retention of three oak trees (T78, T79, T80) previously intended for removal
 - Amendment of the colour of the proposed new marquee to green
 - Alterations to the proposed car parking to the east of the moated area comprising the reduction in the number of spaces from 198 to 177 to enable the retention of a horse chestnut tree (T38) previously intended for removal and widening of the proposed pedestrian path through the car parking area linking the chapel and moat area
 - Alterations to the proposed landscaping comprising additional planting to the car park edge and adjacent to the footpath linking the chapel and moat area; increased height of hedging to the proposed landscaped elliptical entrance; alterations to footpath linking the car parking area with the marquee; introduction of woodland trail through perimeter of ancient woodland
 - Introduction of new pedestrian entrance and pedestrian path adjacent to the main access from Ditton Park Road
 - Introduction of knee rail fencing between the proposed scout hut and ancient woodland buffer, and proposed 1.8m close boarded fencing to the west side of Conduit Road adjacent to the scout hut

6. RELEVANT PLANNING HISTORY

- 6.1. A summary of the planning history for the site is provided at paragraphs 6.1-6.3 of the committee report (Appendix 1).

- 6.2. Paragraph 6.2. of the committee report explains that planning permission (97/75585/FULL) was granted in 1997 for 'European Headquarters office building of 23,230sqm and change use of Ditton Manor House to D1 for an education/training centre with ancillary offices, access, parking, landscaping/highway works (Class D2). A listed building consent (97/75586/LBC) was also granted for the alteration and refurbishment of Ditton Park Manor House to provide an education and training centre including demolition of ancillary outbuildings'.
- 6.3. Since then, a number of applications seeking listed building consent for alterations to the buildings, or seeking advertisement consent, have been approved. However, there are no records of any subsequent planning permission granted for alternative uses of the site. The lawful use of the site is therefore as approved under application 97/75585/FULL. Uses falling within Class D1 for non-residential education and training centres are now categorised as Class F1 (learning and non-residential institutions).
- 6.4. The application describes that the site is currently used for a range of short term uses, including as a wedding venue. The site is also advertised publicly as a wedding venue. This use appears not to benefit from planning permission. In addition, as noted in paragraph 6.3. of the committee report, the existing marquee (which is understood to accommodate an additional 500 conference delegates in addition to the use permitted in 1997) to the west of the Manor House appears not to benefit from planning permission.

7. DEVELOPMENT PLAN & LEGISLATION

- 7.1. A summary of relevant policies and other material planning considerations is provided at paragraphs 7 and 8 of the committee report (Appendix 1).
- 7.2. Since the publication of the committee report, a revised NPPF has been published. Relevant paragraph numbers have been updated in the subsequent sections of the addendum report where necessary.
- 7.3. The following legislation is also relevant to the determination of this application:
- 7.4. **Planning (Listed Buildings and Conservation Areas) Act 1990**
- 7.5. **Human Rights Act 1998**
The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.
- 7.6. **Equality Act 2010**
In determining this planning application the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

8. CONSULTATIONS CARRIED OUT

- 8.1. A summary of consultation carried out and responses received on the original submission is provided at paragraph 9 of the committee report (Appendix 1).
- 8.2. Following the receipt of amended plans and information, 9 neighbours were notified directly. 5 letters were received objecting to the application, summarised as:

	Comment	Where in the report this is considered
1	Impact of marquee on nearby cottages	Section 9 vi.

2	Impact of car parking area on the integrity of the manor and its relationship with the chapel	Section 9 v.
3	Noise impacts from proposed use, particularly from marquee	Section 9 vi.
4	Impact on wellbeing of nearby residents	Section 9 vi.
5	Concerns about age of sewerage infrastructure and ability to accommodate increased capacity	Section 9 x.
6	No details of toilet facilities for marquee	Section 9 x.
7	Concerns about permeation of water foul water from cess pits into ground water	Section 9 x.
8	Impact on leaseholders of change of landowner	Section 9 xiii.
9	Loss of countryside/rural character	Section 9 i.
10	Loss of scout hut	Section 9 ii.
11	Concerns about capacity of access and highway safety, concerns about traffic data	Section 9 ix.
12	Concerns about ability of emergency services to access dwellings within the park during events	Section 9 ix.
13	Concerns about introduction of additional pedestrian access and routes in the park, and associated impacts in terms of privacy and anti social behaviour	Section 9 vi.
14	Impacts on wildlife/ecology, impacts on protected species	Section 9 viii.
15	Impact on green belt/loss of green belt	Section 9 i.
16	Lack of very special circumstances to justify loss of green belt	Section 9 xii.
17	Impact on heritage assets and setting of heritage assets	Section 9 v.
18	Loss of privacy	Section 9 vi.
19	Lack of information about proposed use of chapel	Section ii.
20	Lack of consultation from the applicant with residents of the park	Section xiii.
21	Concerns about time allowed to speak at committee	Section xiii.
22	Existing use of Ditton Manor is commercially viable	Section 9 v.
23	Poor quality design of accommodation block	Section 9 iv.
24	New buildings are larger than the Manor House	Section 9 iv.
25	Economic benefits are overstated	Section 9 xii.
26	Noise pollution report is inadequate	Section 9 vi.

27	The proposals need to be considered with reference to Article 1 Protocol 1 and Article 8 of the Human Rights Act	Section 9 vi.
28	Drainage proposals are inadequate	Section 9 x.
29	Refer to Caverswall Castle appeal decision (ref APP/B3438/A/09/2114625)	Noted

In addition to the letters of objection submitted by individual residents, an objection was submitted by Knights on behalf of 5 residents, summarise as:

Comment		Where in the report this is considered
1	Lack of engagement between the applicant and residents	Section 9 xiii.
2	Proposal is inappropriate development within the Green Belt, very special circumstances would need to exist, amendments do not materially alter impact on Green Belt	Section 9 i., xii.
3	Application would not present very special circumstances	Section 9 xii.
4	Harm to heritage assets, objection from Georgian Group, approval would fail to satisfy statutory duty in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990	Section 9 v.
5	Impact on amenity; amendments do not alter impacts; application incorrectly states that marquee would be 180 metres from closest dwelling – actual distance 137 metres; scheme of mitigation should be submitted prior to determination	Section 9 vi.
6	Application fails to consider amenity impact of vehicular movements associated with application	Section 9 vi.
7	Concerns regarding ambiguity over proposed use of chapel, and inability for conditions to control impacts in terms of security etc without knowing extent and nature of use	Section 9 ii.
8	Request that the gates to Ditton Park are locked between the hours of 6am-8pm during summer months and 6am-6pm during winter months	Section 9 vi.
9	Potential to exacerbate existing surface water drainage issues; drainage strategy should be agreed prior to determination	Section 9 x.
10	Highways Technical Note fails to adequately characterise trip generation; surveys fell outside peak wedding and conference period and do not accurately quantify likely highways impacts	Section 9 ix.
11	Impact on National Cycle Network has not be considered	Section 9 ix.
12	Inadequate security measures proposed, particularly along Conduit Lane	Section 9 ix.
13	Consider additional employment associated with the proposals is overstated	Section 9 xii.
14	Loss of trees would result in harm to the character of the surrounding area	Section 9 vii.

15	Alterations to natural environment will result in blurring of boundaries between the site and dwellings within the park; risk of trespass of visitors into residential gardens	Section 9 vi.
16	Concerns about risk of crime and inadequate security	Section 9 vi.
17	Further badger surveys should be submitted prior to determination in order to establish harm to protected species	Section 9 viii.
18	Amendments do not result in material changes to original proposals and do not address previous concerns of officers	Section 9
19	Conflict with the NPPF and the Borough Local Plan	Section 9

8.3. Statutory consultees

Consultee	Comment	Where in the report this is considered
Slough Borough Council	Objection – traffic data is inadequate to demonstrate impacts would be acceptable; lack of suitable pedestrian access; concerns regarding parking provision and ancillary uses	Section 9 ix.
Natural England	No further comments received.	n/a
The Berkshire Garden Trust	Objection – development fails to demonstrate how they preserve or enhance the character, appearance and significance of the Registered Park and Garden and the nested settings of heritage assets	Section 9 v.
The Georgian Group	Objection – amendments do not address previous comments about high level of harm to the setting of the Grade II listed manor and Registered Park and Garden	Section 9 v.
Environment Agency	No objection subject to condition removing permitted development rights; development should demonstrate that safe access and egress to the site can be achieved.	Section 9 x.

8.4. Consultees

Consultee	Comment	Where in the report this is considered
RBWM Conservation	Objection – development would result in less than substantial harm to the listed Manor House, to the Registered Park and Garden and to the setting of listed buildings	Section 9 v.
RBWM Ecology	No further comments received.	Section 9 viii.
RBWM Public Rights of Way	No further comments received.	n/a

RBWM Environmental Protection	Further information required to demonstrate suitable mitigation can be achieved.	Section 9 xi.
RBWM Highways	No objection subject to conditions	Section 9 ix.
Berkshire Archaeology	No further comments received.	n/a
Naturespace Partnership	No additional observations following previous comments.	Section 9 viii.
Thames Valley Police	No further comments received.	n/a
Historic England	Historic England are not required to be consulted on this application.	n/a
Thames Water	No objection	Section 9 x.

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

Group	Comment	Where in the report this is considered
Datchet Parish Council	No objection	Section 9

9. EXPLANATION OF RECOMMENDATION

9.1. The key issues for consideration are:

- i. Green Belt
- ii. Principle of Development
- iii. Climate Change and Sustainability
- iv. Design and Character
- v. Impact on Heritage Assets
- vi. Impact on amenity of neighbouring amenity
- vii. Trees and Woodlands
- viii. Ecology and Biodiversity
- ix. Highways and Parking
- x. Flood risk and Sustainable Drainage
- xi. Environmental Health
- xii. Very Special Circumstances
- xiii. Other Material Considerations

i. Green Belt

9.2. Paragraph 142 of the National Planning Policy Framework (NPPF) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- a. Inappropriate development in the Green Belt

9.3. Paragraphs 10.2-10.8 of the committee report explain that the proposed accommodation block, gym and back of house extension, marquee and extension represent inappropriate development within the Green Belt. It is noted that the proposed floorspace

of the accommodation block as set out in the table in paragraph 10.5 of the committee report has been reduced from 3,818sqm to 3,735sqm, and as a result the total proposed floorspace is reduced to 11,397sqm. The reduction in floorspace does not change the assessment of appropriateness.

b. Impact on openness of the Green Belt

Spatial aspects

- 9.4. The amendments to the proposals are summarised in paragraphs 5.7 above.
- 9.5. Paragraph 10.11 of the committee report concludes that the accommodation block and gym and back of house building would result in a physical loss of openness to the Green Belt. The reduction of 83sqm in the floorspace of the proposed accommodation block is small in the context of the overall scale of new buildings proposed. The reduction amounts to a decrease of 1.7% of the combined floorspace of the accommodation block and gym and back of house building. The decrease to the footprint of the building is sufficiently small so as not to materially alter the impact on openness of these elements of the proposals.
- 9.6. Paragraph 10.12 of the committee report concludes that the new parking area, and the increased activity that would be associated with the car park and the converted chapel, would also result in a loss of openness to the Green Belt. The car park occupies a substantial part of the site adjacent to the moat, covering an area of approximately 4,900sqm. The amendment to omit 21 car parking spaces from the proposed parking area does not significantly alter the area occupied by car parking, as illustrated in the extracts from the masterplan below. The amendments do not reduce the overall wedding or conference capacity, so there would be no material change to the activity associated with the converted development. Therefore, the decrease in car parking is sufficiently minimal so as not to materially alter the impact on openness of these elements of the proposals.



Original submission



Amended submission

- 9.7. Paragraph 10.13 of the committee report concludes that the proposed marquee would have a materially greater impact on openness than the scout hut that it would replace. The amendment to the colour of the marquee from green to white would not materially alter the impact on openness.

9.8. The proposed new scout hut would also result in a loss of openness.

Visual aspects

9.9. Paragraph 10.15 of the committee report concludes that the proposed accommodation block and gym and back of house building would result in permanent loss of visual openness as experienced within the moated area and from paths through the site. The small reduction to the footprint of the accommodation block would not materially alter the visual harm to the Green Belt resulting from the development.

9.10. Paragraph 10.16 of the committee report concludes that the parking area and marquee would result in permanent loss of visual openness. The small reduction in the number of parking spaces would not materially alter the visual harm to the Green Belt. The amendment to the colour of the marquee from green to white would slightly reduce the visual prominence of the marquee, but would not reduce its overall volume or alter its form. In longer views there would be a slight reduction in the harm to visual openness, but at closer range the harm to visual openness would not be materially different. The increase to the height of the hedging around the elliptical garden would slightly increase the extent to which the marquee and car park are screened in the part of the site immediately to the east of the moat, but would not alter the experience of these elements elsewhere in the site.

Community building

9.11. Paragraph 10.17 of the committee report concludes that the scout hut, its associated storage building, and associated car parking would result in both spatial and visual harm to the openness of the Green Belt. The amended proposals also introduce a section of 1.8m close board fence to the west of Conduit Lane, opposite the scout hut. This would result in a greater loss of openness and would increase both spatial and visual harm slightly.

c. Impact on purposes of the Green Belt

9.12. Paragraph 10.18 of the committee report concludes that the development would fail to safeguard the countryside from encroachment and would conflict with this purpose of the Green Belt. As outlined in detail above, the amendments do not significantly reduce the scale and extent of development. As amended, the proposals would still fail to safeguard the countryside from encroachment.

d. Conclusion

9.13. Overall, it is concluded that the proposed development would not fall into any of the exceptions set out in paragraphs 154 or 155 of the NPPF (which are echoed in Local Plan Policy QP5) and is therefore inappropriate development in the Green Belt. Paragraph 152 of the NPPF states that inappropriate development within the Green Belt should not be approved except in very special circumstances.

9.14. The amendments would only marginally lessen the spatial and visual harm to openness, but the level of harm would remain high, and the proposal would remain in conflict with the purpose of the Green Belt to safeguard the countryside. As concluded previously, this cumulative harm to the Green Belt is afforded substantial weight and could only be approved if 'Very Special Circumstances' (VSC) exist that outweigh **both** the harm to the Green Belt and any other harm.

ii. Principle of development

- 9.15. The amendments to the proposals do not alter the previous assessment of the principle of development set out in paragraphs 10.20-10.41 of the committee report. The assessment refers to paragraphs 87 and 91 of the NPPF, which are now paragraphs 91 and 95 in the revised NPPF.
- 9.16. In summary, the change of use of the Manor, and the provision of new buildings, to provide a mixed use of hotel accommodation and wedding and conference facilities would be acceptable in principle. The proposed scout hut would be acceptable in principle provided it would not have any adverse impacts on the adjacent Ancient Woodland, as discussed later in the report. The development of land within a minerals safeguarding area would also not represent an in principle policy conflict. Comments have been raised regarding a lack of clarity over the proposed use of the chapel. In order that any impacts of this use could be managed, were the proposals otherwise acceptable a management strategy for the proposed chapel could be secured by condition.

iii. Climate Change and Sustainability

- 9.17. Paragraphs 10.42-10.47 of the committee report provide an assessment of the proposals in respect of climate change and sustainability.
- 9.18. An amended Sustainability Statement, Energy Strategy Report, Circular Economy Statement and Embodied Carbon Assessment were submitted which have been updated to reflect the changes to the development. The conclusions of these reports however are not materially different from the original submission. As previously, the development would not achieve net zero, and a Building Emissions and Lifestyle contributions would be required to offset this shortfall.
- 9.19. In the absence of a legal agreement to secure these financial contributions, the development does not secure the necessary mitigation for failing to achieve net zero and would conflict with Policy SP2 and the Council's Interim Sustainability Position Statement.

iv. Design and character

- 9.20. Paragraph 10.48 of the committee report refers to paragraph 126 of the NPPF. This has been replaced by paragraph 131, although the text remains unchanged.

a. Scale, layout and design

Proposed accommodation block

- 9.21. Paragraphs 10.51 and 10.52 of the committee report highlight concerns about the size of the building on a previously open part of the site (noting that the current marquee appears to be unlawful).
- 9.22. The amendments include the reduction in the footprint of the accommodation block, setting the south elevation back by 2.5 metres from what was previously proposed. In the context of the building as a whole, this is a minor reduction and would not materially alter the overall scale and massing of the block.
- 9.23. It is acknowledged that the layout and materials of the proposed accommodation block have been designed to respond to the garden wall to the east of the Manor House, albeit with the introduction of contemporary materials to the first floor. However, as amended,

the footprint of the proposed block would still be larger than that of the Manor House, and as such could not be considered subservient to the principal building. While the block would be arranged around a new courtyard garden, and would be of a relatively modest height having regard to the context, the long, unbroken layout of the two wings of the building would appear substantial and bulky forms.

Proposed gym and back-of-house block

- 9.24. No changes are proposed to the gym and back-of-house block as part of the amendments.

Proposed marquee

- 9.25. The amendments include a proposal for the marquee to be coloured green. While this may slightly soften the visual impact of the marquee, no changes are proposed to the size or siting of the marquee. The marquee would have a footprint similar to that of the Manor House, and so also cannot be considered subservient to the principal building. This is particularly inappropriate in design terms given that a marquee is inherently a relatively poor quality structure.
- 9.26. It is acknowledged that the marquee would replace the existing scout hut, and therefore would be sited in a location where there is currently built development. However, the footprint of the existing single storey flat roofed scout hut is approximately 225sqm, and the proposed marquee would have a footprint of approximately 1187sqm with a pitched roof extending to a height of approximately 5.8 metres.
- 9.27. Notwithstanding the additional landscaping that is proposed to screen the marquee from the access road, given its highly prominent location within the site, it would remain a substantial and detracting addition from the character and appearance of the site.

Proposed woodland parking area

- 9.28. As noted above, following the omission of 22 car parking spaces, the car parking would still occupy an area measuring 4,900sqm. Despite the proposed incorporation of landscaping, this would remain a highly urbanising feature that would be at odds with the parkland character of the site.
- 9.29. It is acknowledged that the proposed new car parking area would enable the removal of car parking from within the moated area, however that would predominantly be replaced with additional built development rather than being returned to open landscaped areas. Furthermore, while the car parking is currently sited close to the listed Manor House, in the context of the site as a whole and the wider parkland, it is well screened by the buildings on the moated area, including the garden wall, and also by extensive tree screening around the moated area.

Scout hut

- 9.30. The proposed scout hut would be a single storey, timber clad building with a pitched roof and would have a simple, utilitarian appearance. Notwithstanding that the proposed building would be inappropriate development within the green belt, and also concerns regarding the impact of the scout hut on the adjacent ancient woodland, in design terms the scale and appearance of the building would not be inappropriate given its use, or harmful to the character and appearance of the wider site.

b. Landscaping

- 9.31. The amendments include the following changes to the proposed landscaping:
- Introduction of woodland trail through ancient woodland
 - Increased height of hedging to elliptical garden
 - Widening of footpath linking chapel and moated area
 - Additional landscaping to car park
- 9.32. Paragraph 10.63 of the committee report concludes that the proposed improvements to landscaping at the entrance area would represent an improvement on the existing situation, and the amendments would not alter this conclusion.
- 9.33. However, concerns are raised at paragraph 10.64 about the acceptability of the proposed car parking area. While the widening of the footpath through the car park and the additional planting are acknowledged, these amendments would not mitigate the urbanising effect of introducing 4,900sqm of car parking within the parkland setting.
- 9.34. At paragraph 10.65, concerns are raised about the creation of a formal courtyard to the west of the Manor House, and the diluting effect this would have on the hierarchy of landscaped spaces within the moated area. The small reduction in the footprint of the accommodation block would not alter this assessment.
- 9.35. The proposed woodland trail around the perimeter of the ancient woodland would not be visible in the wider context of the park, so would not have a material impact in terms of character and appearance, although concerns about the impact on the ancient woodland are addressed below.

c. Summary

- 9.36. The amendments to reduce the size of the accommodation block and to colour the marquee green do not substantially alter the overall scale of development proposed, when taken with the proposed gym and back-of-house block and car parking area. As previously assessed in the committee report, officers remain of the view that the proposed scale, mass and layout of the proposed accommodation block and gym and back-of-house block would be harmful to the open parkland setting and at odds with its character and appearance.
- 9.37. Similarly, officers continue to consider that the proposed marquee, despite the proposed change in colour, due to its scale, mass and external appearance would result in a poor quality and incongruous form of development. The proposed car parking would introduce visually prominent urbanising features. The marquee and car park would fail to respond positively to the parkland setting and would detract from its character and appearance.
- 9.38. The proposed development is unacceptable in design terms and conflicts with policy QP3 of the BLP and Section 12 of the NPPF.

v. Impact on Heritage Assets

- 9.39. Paragraph 10.70 of the committee report refers to Section 16 of the NPPF and identifies relevant paragraphs to the consideration of the application. The paragraph numbers have changed in the revised NPPF and are now as follows. Paragraph 205 sets out that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and that this is irrespective of whether any harm amounts to substantial harm, total loss or less than

substantial harm. Paragraph 206 goes on to explain that any harm to the significance of a designated heritage asset should require clear and convincing justification. Paragraph 208 sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. Paragraph 209 also sets out that the effect of an application on the significance of a non-designated heritage asset should be considered in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 9.40. Policy HE1 of the BLP sets out that development proposals would be required to demonstrate how they preserve or enhance the character, appearance, and function of heritage assets (whether designated or non-designated) and their settings and respect the significance of the historic environment.
- 9.41. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. In the Court of Appeal, *Barnwell Manor Wind Energy Ltd v East Northants District Council, English Heritage and National Trust*, 18th February 2014, Sullivan LJ made clear that to discharge this responsibility means that decision makers must give considerable importance and weight to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise (of weighing harm against other planning considerations). The Council has a statutory duty to give considerable weight to preserving the setting of listed buildings.
- 9.42. The amendments to the scheme are summarised in paragraph 5.7 above. An amended Heritage Impact Assessment (HIA) has been submitted, which has been updated to reflect the changes to the proposal, although the HIA notes that the amendments are minor and do not materially affect the assessments and conclusions of the earlier version of the HIA. As previously, the HIA concludes that the proposed development would result in a substantial benefit to the significant of the deisgnated heritage assets.
- 9.43. The conclusion of the HIA is not accepted. The Council's Conservation Officer, The Georgian Group and Berkshire Gardens Trust have been reconsulted on the amended proposals and all continue to object to the proposals. It is noted that these consultees also object to the associated listed building consent application (23/01063/LBC).

a. Grade II Listed Manor House and its associated Listed Buildings

- 9.44. A description of the Manor and associated buildings is given at paragraph 10.74 of the committee report.

Manor House

- 9.45. The amendments to the proposals affecting the Manor House are principally internal works. The proposal to introduce full height openings from ground floor bedrooms into the internal courtyard has been omitted, which is positive. However, there remain concerns about aspects of the proposed internal changes, including the lack of information on changes required for fire protection and insulation, and concerns about subdivision of original rooms. Most of these changes are internal and require listed building consent (to which there is an objection) but would not require planning permission. However, insofar as they are considered necessary in association with the

proposed change of use to a hotel, the proposed change of use would result in harm to the Grade II listed Manor House.

Proposed accommodation block

- 9.46. As amended, the proposed accommodation block has been reduced by 2.5m from the southern wing. The slight reduction in the footprint does not reduce the impact of the building on the setting of the Manor House or on the Registered Park and Garden. The impact of the accommodation block would be as described in paragraph 10.77 of the committee report, and would result in less than substantial harm to the setting of the Grade II listed Manor House and to the Registered Park and Garden.

Proposed gym and back of house block

- 9.47. No changes have been made to the proposed gym and back of house block, so the impact would be as described in paragraphs 10.78 and 10.79 of the committee report, and would be acceptable.

Proposed marquee and car parking

- 9.48. The landscaped parkland forms the setting of the Manor House and other listed buildings, as well as being a designated heritage asset in its own right. The proposed marquee would be a very large, alien feature within the parkland which would be of a scale, form and style of construction and materials that would not be in keeping with the status of the Manor House and associated buildings. The amendments include changing the colour of the proposed marquee to green and increasing the height of the hedging within the elliptical entrance garden between the marquee and car parking to between 1.75 and 2 metres.
- 9.49. The proposed car parking would occupy an area of approximately 4,900sqm which, while landscaped, would introduce urbanising features both in the infrastructure associated with the parking (lighting bollards, signage, surfacing etc) and in the parked cars themselves. The amendments include the removal of 22 car parking spaces from what was originally proposed, and the introduction of additional planting.
- 9.50. In terms of the impact of the marquee and car parking on views from the listed buildings into the surrounding parkland, and thereby on the setting of the listed buildings, the marquee and car park would be screened by existing vegetation on the perimeter of the moat to the extent that it would likely not be visible in views from the Manor House itself. However, the marquee and car park would be prominently visible from the Eastgate gatehouse and bridge (which are listed in their own right), and in these views both the car park and marquee would significantly detract from the relationship between the gatehouse and the landscaped approach from the east. The transition from the formally laid out landscape within the moated area to the less formal parkland beyond, and the perception of the approach from the Limes Avenue, would be interrupted when perceived from within the gatehouse and the bridge over the moat.

Summary

- 9.51. As noted in the HIA, the alterations to the original scheme are minor and do not materially affect the assessments of the proposal. As concluded previously in paragraph 10.80 of the committee report, the subdivision of the rooms in association with the proposed change of use would not respect the scale and proportions of the original layout of the Manor House, resulting in harm to the listed building. In addition the proposed new buildings within the setting of the Manor House would have a cumulative

impact on the setting of the Manor House which would result in significant harm. The proposed car park and marquee would also harm the setting of listed buildings. Overall, the harm to the significance of the setting of the Grade II Manor House and associated listed buildings is considered to be less than substantial, and at the higher end of the scale.

b. Grade II Registered Park and Garden

9.52. In addition to forming the setting of the various listed buildings, the parkland is a designated heritage asset in its own right. Its significance is described within the HIA and summarised in paragraph 10.81 of the committee report.

Proposed Marquee and Parking Area

9.53. As noted above, the marquee is now proposed to be green. The car parking area has been amended to omit 22 spaces. Additional planting is proposed around the car park, and the hedging to the elliptical garden between the marquee and car park is proposed to be increased in height to 1.75-2 metres. A pedestrian route across the elliptical garden has been omitted, and the historic route linking the chapel and moated area through the car park has been widened and reinforced with additional planting.

9.54. The screening effect of the hedging within the elliptical garden would principally be to the part of the access that passes through the garden. Even within this area, the screening of the marquee would be limited given the marquee extends to a height of approximately 5.8 metres and the hedge is proposed to extend to 2 metres in height. In the wider parkland, beyond the elliptical garden, the increased hedge height would not provide any additional screening. The change in colour to green of the marquee would also not reduce the overall scale, bulk and massing as perceived from within the parkland.

9.55. It is acknowledged that the scout hut is an existing feature that detracts from the parkland, albeit one that is modest in scale and height. While its removal would be of benefit to the parkland, the marquee that would replace it is significantly greater in scale (footprint of 1187sqm and height up to 5.8 metres, compared to the scout hut with a footprint of 225sqm), and therefore overall this would be harmful.

9.56. While 22 car parking spaces have been omitted the car park would still extend over an area of approximately 4,900sqm, and would introduce urbanising features in the form of lighting bollards and signage, as well as parked cars. The amendments also include details of lighting, which is considered to be excessive and would further detract from the character of the parkland. It is proposed to surface the car park with grasscrete, which is not considered to be an appropriate surface treatment as it rarely retains a grassed appearance when subjected to anything but very infrequent use. It is acknowledged that there are some existing areas of hardstanding where the car park would be sited, although these are beginning to break up and be colonised by vegetation, and are not perceptible in longer views within the parkland.

9.57. It is acknowledged that there is some benefit to the introduction of the elliptical garden, and formalising this aspect of the parkland within the approach. It is also acknowledged that there is benefit in the proposed removal of existing security fencing around the moated area, which has an institutional appearance and detracts from the parkland. However, overall the amendments to the original proposal do not mitigate the visibility of the marquee along the approach to the moated area from the principal access off Ditton Park Road.

- 9.58. Overall, it is concluded that the proposed marquee and car parking area would have a negative visual impact on the main approach to the Manor House within the parkland setting.
- 9.59. It is also noted that the Highway Authority have advised that, in order to provide suitable pedestrian, cycle, and vehicle access to the proposed scout hut, Conduit Lane may require upgrading (widening and/or passing places), resurfacing and lighting. This would result in a further urbanising effect and further erosion of the character of the parkland.

Proposed courtyard area

- 9.60. The reduction by 2.5 metres to the southern wing of the accommodation block does not materially alter the proposals in respect of the formal courtyard area that would be created to the west of the Manor House. It is understood that the area to the west of the Manor House previously formed an open, less formally landscaped area, creating a sequence of landscaped 'rooms' from the formal courtyard to the east to a 'wilderness' area to the western, lower status aspect of the Manor House. Concerns remain, as expressed in paragraph 10.83 of the committee report, that the creation of a secondary courtyard fails to show an understanding of the hierarchy of landscaped spaces, and would dilute the status of the principal courtyard to the east.
- 9.61. The scale and siting of the accommodation block, on an area that previously formed part of the open parkland of the Registered Park and Garden (albeit it is acknowledged that this area is currently occupied by hardstanding and an unauthorised marquee) would result in a loss of historic pleasure grounds closely linked with the use of the listed building.

Summary

- 9.62. The same conclusion is reached as set out in paragraph 10.84 of the committee report, that the proposed marquee and parking area in a prominent area in the approach from the principal access to the moated area would significantly alter the appearance and quality of the parkland in this part of the site. Similarly, it is also concluded that the proposed accommodation block would erode the hierarchy of landscaped spaces within the moated area, and so would also result in harm to the parkland. Overall, the proposals would result in less than substantial harm to the Grade II Registered Park and Garden, at the higher end of the scale.

- c. Whether the harm to designated heritage assets would be outweighed by public benefits

- 9.63. As referred to above, Paragraph 208 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

Public benefit

- 9.64. Paragraph 20 of the PPG sets out that public benefits may follow from many developments and could be anything that delivers economic, social, or environmental objectives as described in the NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits. Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long-term conservation

Economic benefit

9.65. The application is accompanied by an updated Economic Headline Report, although the reasoning behind the increase in benefits, when compared to the originally submitted report, has not been explained. For completeness, the benefits from the originally submitted report and the amended report are summarised below:

Economic Headline Report March 2023	Economic Headline Report November 2023
Creation of 305 job opportunities during the construction period	Creation of 380 job opportunities during the construction period
£330,000 local spending by workers during construction period	£515,000 local spending by workers during construction period
Creation of 130 full time job opportunities once operational	Creation of 130 full time job opportunities once operational
£56,000 local spending annually by workers once operational	£56,000 local spending annually by workers once operational
155 additional indirect full time jobs, 60 of which estimated to be taken by residents in the borough	155 additional indirect full time jobs, 60 of which estimated to be taken by residents in the borough
£8.7 million visitor expenditure per annum	£8.6 million visitor expenditure per annum
Additional tax revenues of between £1,400,000 and £1,900,000 , of which business rates payments of approximately £90,000	Additional tax revenues of between £1,100,000 and £1,500,000 , of which business rates payments of approximately £90,000
Other benefits to the local economy from the hosting and operation of events	Other benefits to the local economy from the hosting and operation of events

9.66. Given the proposals have not changed significantly as a result of the amendments, the rationale for the changes in economic benefits is not clear, for example it is not clear why the amendments would result in an increase from 305 to 380 construction jobs. Nonetheless, having regard to the range of economic benefits outlined in both the reports, in line with the conclusion in paragraph 10.88 of the committee report, **moderate** weight is afforded to the economic benefits associated with the proposals.

Social benefits

9.67. Paragraphs 10.89 and 10.90 of the committee report afford the social benefits of the reprovion of the community building to be lost to the development and the public access to the gym and chapel **very limited** weight; and the provision of increased public access to the grounds and the potential to provide cricket facilities on site **no weight**. With the exception of the increased public access to the grounds, which officers give **limited** weight, the assessment of these benefits remains the same.

Environmental benefits

9.68. The proposed development could achieve a biodiversity net gain of 216.14%. The provision is well above the 10% mandatory requirement. This is afforded **limited weight**. The amendments include a proposal to secure a Parkland Restoration and Management Plan, although this would only apply to part of the site, and is partly intended to compensate for impacts on ancient woodland. This is afforded **limited weight**.

Heritage benefits

9.69. The heritage benefits described in the amended HIA are consistent with those summarised in paragraph 10.94, however for the reasons outlined above officers do not accept that the proposals would result in the benefits listed.

9.70. Consideration has been given to whether the proposed development, and the long-term use that it would secure, could be considered a heritage benefit to which weight should be given. It is understood that the existing use of the site as a conference facility is currently a viable use, without the net additional harm that would result from the proposed development. Furthermore, for the reasons outlined above, the proposed change of use involves elements (both internal changes to the house requiring listed building consent, and external changes requiring planning permission) that are overall harmful to the designated heritage assets. While the principle of the proposed use would be acceptable from a heritage perspective, the proposals as currently presented suggest that the use as proposed would be harmful. Officers therefore do not consider this to be a heritage benefit.

9.71. As referred to under environmental benefits, a Parkland Restoration and Management Plan is proposed, which would be intended to facilitate the restoration of some elements of the landscaped parkland which are currently in a poor condition. However, as noted above, the PRMP would not cover the whole of the parkland, being limited to the part of the site broadly north of the access road and moated area. Officers therefore afford this **limited weight**.

9.72. The HIA proposes a programme of heritage research and recording work, and the implementation of an interpretation strategy as part of the proposals, which it is suggested could be secured by condition. Aspects of recording would be required where historic fabric would be lost, to mitigate for that loss. Regarding wider research and interpretation, given the lesser-known history of the intelligence use of the park by the military, and to the extent that this would not take place without the development, this would be afforded **limited weight**.

d. Conclusion

9.73. For the reasons detailed above, the cumulative impacts arising from the proposed development is considered to result in a high level of **less than substantial harm** to the Grade II Listed Manor, its setting and that of other listed buildings within the site, and to the Grade II Registered Park and Garden. Paragraph 208 sets out that were development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The benefits summarised above are not considered to outweigh the heritage harm identified and the proposed development would conflict with Section 16 of the NPPF, specifically paragraph 208, and Policy HE1 of the BLP. Insofar as the proposals would fail to preserve the listed buildings and their settings, the development would be contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which is a higher duty.

vi. Impact on neighbouring amenity

- 9.74. Policy QP3 of the Borough Local Plan 2013-2033 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. Policy EP4 of the BLP 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.
- 9.75. The amendments to the scheme do not materially alter the proposals in respect of impacts of the development on residential amenity as set out in paragraphs 10.99-10.101 of the committee report. Comments regarding concerns about anti social behaviour and crime are addressed in paragraph 10.100 of the committee report, and conclude that this can be addressed by security measures which can be secured by condition.
- 9.76. Officers have given further consideration to impacts of the proposed development when compared to impacts associated with the current lawful use, and have also considered further representations made by residents of dwellings within and adjacent to the park, including appeal decisions submitted. Comments made by residents also highlight that the distances between the marquee and the closest dwellings given in the Noise Impact Assessment are incorrect. Further consideration has also been given to whether conditions could address outstanding concerns, and whether any such conditions would meet the five tests set out in paragraph 56 of the NPPF.
- 9.77. The existing use of the site as a conference venue is lawful, although the marquee to the west of the Manor House does not appear to benefit from planning permission. The existing marquee increases the capacity of the conference venue by 500 people, from 250 to 750 delegates. The application describes that the site is also currently used as a wedding venue for up to 500 guests, although this use (sui generis) does not appear to benefit from planning permission. The scout hut is a lawful use.
- 9.78. It is therefore necessary to consider what additional impacts the proposed development would give rise to, when compared to the current lawful baseline associated with the use as conference venue for up to 250 delegates and scout hut.
- 9.79. The dwellings that are considered most vulnerable to impacts from the development with respect to amenity are:
- Creak Cottage, located immediately adjacent to the main access from Ditton Park Road
 - Evans Cottage, located to the east of Conduit Lane, approximately 155m from the proposed marquee
 - Mayes Cottage, located to the east of Conduit Lane, approximately 180m from the proposed marquee
 - Osborne Cottage and Creagh Cottage (also called Peters Cottage), located to the west of Conduit Lane, approximately 250m from the proposed marquee
- 9.80. The proposed scout hut would be sited close to existing residential development to the north on Marlborough Road and Cedar Way, but the use would not be incompatible with neighbouring residential uses and is unlikely to result in harmful impacts.

- 9.81. Concerns have been raised in public comments regarding the impact of the proposed development on the privacy of residential properties, and the potential for guests to trespass into gardens. As noted above, security measures could be secured by condition, and subject to compliance with agreed measures it is considered that the proposed development would be unlikely to result in a harmful loss of privacy to existing residents, noting the existing use of the site and also having regard to existing permissive access through the site.
- 9.82. The development would entail the provision of a 130-bedrom hotel across the Manor House and proposed accommodation block. The hotel use (separate from associated wedding or events use that would not be ancillary to the hotel use) would largely be contained within the moated area, which is well-screened by mature trees. While the car parking area is located closer to dwellings, the arrival and departure of hotel guests is likely to be spread over a wide period and is unlikely to give rise to noise or disturbance to residential use. While the hotel use would rely on the main access from Ditton Park Road, which is located very close to Creak Cottage, it is not considered that comings and goings of hotel guests would give rise to materially greater impacts than the lawful conference venue use.
- 9.83. The proposed development would significantly increase the capacity of the site as a conference venue. However, the activities associated with this use are unlikely to give rise to significant impacts to amenity in terms of noise and disturbance. The introduction of a hotel use on site also means that coference delegates may be likely to stay within the hotel whilst attending conferences, which would result in the arrival and departure of delegates being spread over a wider period. It is not considered that the increased capacity as a conference venue is likely to give rise to harmful impacts to amenity.
- 9.84. The proposed use as a wedding venue would be able to accommodate up to 500 guests, and would make use of the existing buildings as well as the proposed new marquee. This would introduce a new use, which is likely to extend significantly later in to the evening than the existing use. The celebratory nature of wedding receptions, and the associated likely consumption of alchohol, is such that guests attending weddings are likely to generate significantly greater levels of noise and potentially disturbing activity, than conference delegates. The use of amplified music is also a feature of wedding receptions that would not be associated with the current lawful use.
- 9.85. In addition, the vehicle movements associated with a reception of this scale are likely to be significant. The car parking area has a capacity for 177 cars. While it is acknowledged that arrivals of wedding guests may be relatively spread out, and at a time of day when a degree of background disturbance could perhaps be expected, the departure of wedding guests is likely to be concentrated at a specific time, when the reception ends, and late at night. Some guests may stay within the hotel, but the capacity as a wedding venue (500 people) far exceeds the number of hotel rooms (130), so not all guests could be accommodated on site. Even if wedding guests were not to leave the site in their own cars, significant numbers of vehicle trips by taxis or cars otherwise collecting guests would be required. This would also involve both an inbound and outbound trip in close succession, increasing the concentration of trips late at night.
- 9.86. The Highways Response technical note includes trip data associated with two events held at the site. The nature of these events is not specified, however an event was held on 22nd September 2023 which was attended by 500 delegates. 360 inbound and 360 outbound trips were recorded. It is noted in the summary of the data that the most frequent arrivals were at 00:30 (17 arrivals) and the most frequent departures were at 23:15 (22 departures). There are also likely to be concentrations of vehicle trips late in

the evening, and potentially early in the morning to prepare for events, associated with the 175 additional employees that would be generated by the proposed development.

- 9.87. In addition to vehicle movements associated with departing guests, high levels of noise and activity are likely to be generated by guests congregating within the car park or close to the access road on leaving the wedding venue. Again, the nature of the use as a wedding venue is such that guests are likely to be in high spirits and socialising in larger groups.
- 9.88. It is acknowledged that the Council's Environmental Protection Officer previously raised no objection with regards to the noise impacts considered in the submitted Noise Impact Assessment, subject to securing appropriate mitigation for noise from plant and music and events. However, the potential impacts and scope for mitigation have been considered following clarification regarding the proximity of the marquee to existing dwellings.
- 9.89. Having regard to the impact of the proposed marquee, the Noise Impact Assessment incorrectly states that the closest dwelling is located at a distance of 180m. As noted above, Evans Cottage is located approximately 155m from where the marquee would be sited. On the basis of a separation distance of 180m, the NIA concludes that the calculations of noise levels from a music event with typical sound levels in a canvas or plastic marquee indicated that a significant degree of mitigation would be required to control noise levels. The NIA sets out a range of mitigation measures that are being considered, including:
- Constructing the marquee using a more robust temporary construction method
 - Where glazing is to be installed, the acoustic performance will be carefully considered
 - Installing a specialized loudspeaker system to limit the amount of noise breaking out of the marquee at source
 - Limiting maximum noise levels inside the event space to ensure limits at nearest residences are met
 - Designing to discourage use of outdoor areas during events at sensitive times
 - Locating entrances away from the nearest residences
 - Limitations on times of use
- 9.90. Given the NIA acknowledges the extent of mitigation that would be required, the Council's Environmental Protection Officer has confirmed that a difference of 25m would be significant in this context. On the basis of this difference, the Environmental Protection Officer has advised that a specific assessment of the noise breakout from the marquee and the required mitigation measures would be required prior to determining the application in order to demonstrate that the proposed noise limit can be achieved. This also does not take into account impacts on private residential gardens, which extend closer to the marquee (137 metres), and where noise would not be mitigated by building walls, as is assumed for calculating noise levels within the cottage.
- 9.91. Consideration has been given to the practicality of implementing the mitigation measures. With regards to the construction type and detailed specification of the marquee, it is considered that there is insufficient certainty over the degree of noise mitigation this would secure, and it is not demonstrated that this would sufficiently mitigate noise to an acceptable level. It is also considered unlikely that in practice the use of external spaces can be sufficiently controlled so as to prevent noise spill. It is considered that limitations on times of use would unreasonably compromise the use of the marquee as a wedding venue. In light of these uncertainties and concerns over

practicalities, it has not been demonstrated that an effective and implementable mitigation strategy, that would sufficiently ameliorate likely noise impacts from the proposed marquee, can be achieved. The NIA also only considers noise levels as experienced within dwellings, and does not consider noise impacts on private gardens, the noise environment of which can also be expected to be reasonably safeguarded. It is therefore concluded that it has not been demonstrated that the proposed development would safeguard the amenity of the closest residential properties.

- 9.92. Furthermore, the Noise Impact Assessment has a relatively narrow scope which is limited to consideration of noise associated with plant, and from music and events within the proposed buildings. Consideration must be given to the broader impacts of noise and disturbance associated with the proposed use including noise from guests outside buildings, and associated with vehicle trips.
- 9.93. Of particular concern is the impact of vehicle movements on Creak Cottage. The north (front) elevation of the dwelling is separated from the access by 5 metres, is not screened by any form of boundary treatment, and has multiple openings. Floor plans of the house indicate that a bedroom and dining room, both habitable rooms, are situated to the front of the house, adjacent to the access. It is considered that the vehicle movements that would likely be introduced in very close proximity to this dwelling, having regard to their overall number and the time they would likely occur, would represent a significant increase compared to the existing lawful situation. It is acknowledged that the dwelling is also sited close to Ditton Park Road, but the house is set further back from the road, and benefits from screening on this elevation. Furthermore, passing traffic is likely to generate less engine noise than vehicles turning into and out of the access from Ditton Park Road, where they will be actively accelerating as they turn into and out of the site. Having regard to all these factors, it is considered that the nature of the proposed wedding venue use, and its scale, would result in vehicle movements in very close proximity to Creak Cottage with a frequency and time of occurrence that would unacceptably diminish the level of amenity that could be enjoyed to well below what could be reasonably expected given the current situation.
- 9.94. In addition, there are concerns about the potential for noise to carry from congregated guests in the car park, on the access road, and outside the marquee, and the impact this would have on Creak Cottage, and also on Evans, Mayes, Creagh and Osborne Cottages. It is not considered that it has been demonstrated that the noise of guests would not impact on the amenity of these dwellings.
- 9.95. In summary, while the proposed hotel use, increased conference venue capacity, and scout hut use would be acceptable, the development proposal as a whole, when considering the likely impacts of the proposed wedding venue use, would unacceptably harm the amenity of neighbouring dwellings, and would be contrary to policy QP3 of the BLP.

vii. Trees and Woodlands

- 9.96. Paragraph 10.102 of the committee report refers to paragraph 180 of the NPPF. This has been replaced by paragraph 186, although the text remains unchanged. Paragraph 186(c) states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
- 9.97. Policy NR3 of the BLP sets out that where the amenity value of the trees, woodland and hedgerows outweighs the justification for development, planning permission may be

refused. Policy NR2 states that development proposals will be expected to demonstrate how they maintain, protect and enhance the biodiversity of application sites including features of conservation value such as hedgerows and trees. Development proposals shall avoid the loss of biodiversity and the fragmentation of existing habitats.

Ancient Woodland

- 9.98. Ancient Woodland is an irreplaceable habitat. Standing advice prepared by Natural England and the Forestry Commission entitled 'Ancient woodland, ancient trees and veteran trees: advice for making planning decisions' provides guidance on the application of paragraph 186(c) of the NPPF. This guidance is a material planning consideration. Paragraph 10.103 of the committee report summarises the guidance in the standing advice.
- 9.99. An amended arboricultural implications report (AIR) has been submitted which is updated to reflect the revisions to the proposals. An Ancient Woodland technical note has also been submitted, which responds to the assessment of the proposals made in the committee report. The applicant is also proposing that a Parkland Restoration and Management Plan is secured by condition.
- 9.100. There are a number of veteran trees within the site. The AIR demonstrates that a 15 metre buffer would be provided to each of these trees, within which there would be no development. The proposals are unlikely to have detrimental impacts on any identified ancient or veteran trees.
- 9.101. The Ancient Woodland technical note states that, while the woodland has been identified as ancient, the reality is that it lacks discernible attributes of an ancient woodland. However, it is not evident what this assessment is based on as the trees within the ancient woodland do not appear to have been individually surveyed: they are annotated as 'W2 various' on the tree protection plan within the AIR, but not described in the tree survey schedule. The Ecological Impact Assessment also does not contain any details of specific surveys undertaken to identify or preclude the presence of ancient woodland features within the designated areas.
- 9.102. Paragraph 10.104 of the committee report explains that while the scout hut building would be located outside the ancient woodland buffer, a small section of the proposed access to the scout hut would encroach into the buffer. As amended, this would remain the case. The AIR states that the construction of this part of the access road would be supervised by an arboricultural consultant, but it is not explained how that would have a mitigating effect on the encroachment into the buffer. The encroachment of the access road into the buffer would still result in a permanent loss of soft ground to hard surfacing. The standing advice states that, where possible, a buffer zone should contribute to wider ecological networks and be part of the green infrastructure of the area, and should consist of semi-natural habitats such as woodland, a mix of scrub, grassland, heathland and wetland. The access road would not conform with any of these recommendations, and therefore the recommended buffer would not be maintained at the location of the encroachment of the access road.
- 9.103. Paragraph 10.106 explains that the location of the scout hut was previously occupied by woodland which has previously been cleared, and describes the site as a greenfield area surrounded by ancient woodland. The Ancient Woodland technical note disputes this description, and suggests that the site should be considered previously developed land. While it is acknowledged that the site was occupied by buildings associated with the MoD use, these have long since been cleared. The Baseline Habitat Features Plan categorises the site as modified grassland. The location of the scout hut does not meet

the description of previously developed land in the NPPF¹. Regardless of whether the land is considered previously developed or not, this does not detract from the current function it performs in terms of providing connectivity and habitat between the eastern and western ancient woodland.

- 9.104. As assessed in the committee report, the hut would therefore be sited on an area of grassland surrounded by ancient woodland. As such, the proposed building and associated access road, car parking and storage building, would result in the loss of the grassland to built development, which would sever connectivity between the ancient woodland to the east and west. The development would also introduce a range of activities which would be potentially detrimental to the ancient woodland.
- 9.105. The standing advice identifies that both direct and indirect effects of development can cause the loss or deterioration of ancient woodland. The loss of an area of open grassland between the surrounding ancient woodland to built development, and associated drainage features, and the introduction of a community use with associated activities and vehicle movements which would generate noise, and light, would result in a range of impacts which are identified as risking deterioration in the standing advice. Impacts associated with indirect effects include breaking up or destroying working connections between woodlands – affecting protected species, such as bats or wood-decay insects; reducing the amount of semi-natural habitats next to ancient woodland that provide important dispersal and feeding habitat for woodland species; increasing the amount of dust, light, water, air and soil pollution; increasing disturbance to wildlife, such as noise from additional people and traffic; increasing damage to habitat, for example trampling of plants and erosion of soil by people accessing woodland
- 9.106. The submitted AIR acknowledges that there will likely be some impact on the adjacent woodland. It is suggested that lighting could be controlled by condition, although there is no detailed suggestion of how it would be controlled, or how this would prevent or mitigate the impact on the ancient woodland. Particularly during the winter months, at least external lighting of the car parking is likely to be required during hours of use. The application suggests that light spill from vehicle headlights into the ancient woodland to the west could be mitigated by the introduction of a 1.8m high close-boarded fence opposite the scout hut. However, this would encroach within the ancient woodland buffer, and would also further sever connectivity between the eastern and western parts of the ancient woodland (and would also result in further loss of openness in the green belt). It would also not prevent light spill from headlights into other parts of the ancient woodland in the east and south from manoeuvring vehicles.
- 9.107. In addition to these likely impacts, the specific use of the building as a scout hut is considered likely to generate associated activities that are particular to that use, and which would be harmful to the ancient woodland. Many of the activities of scout groups, including outdoor activities, camping and woodcraft, if carried out within or adjacent to

¹ NPPF Annex 2: Glossary: 'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and **land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape**' (my emphasis).

the ancient woodland, would be likely to contribute to the harmful impacts. While a fence is proposed to separate the scout hut from the ancient woodland buffer, the extent of any access to the adjacent woodland by users of the scout hut has not been confirmed, but it is unlikely that access could be prevented entirely. The building of dens, lighting fires, and other associated activities would be harmful to the ancient woodland.

- 9.108. In addition to the impacts associated with the proposed scout hut, the amended landscape masterplan proposes a 'woodland trail' through the perimeter of the ancient woodland. The landscape strategy includes details of a proposed treatment for the woodland trail, which includes timber footpath edging boards held in place with timber stakes, and a layer of mulch to the footpath laid to a depth of 100mm with an optional membrane beneath. An example section is shown, which suggests that excavation would be required to accommodate the mulch layer. While the landscape strategy states that there would be no digging within the RPAs of trees, there is the potential for wider impacts to the ancient woodland. Excavation of a footpath along a length of approximately 830 metres would result in disturbance to soil structures and potential loss of important flora and fungi within the ancient woodland.
- 9.109. In addition, the introduction of a permissive route through the woodland would introduce activity within the ancient woodland, with associated impacts of potential noise, litter and dog fouling, as well as the risk of impacts over a wider area than the designated footpath cause by people straying off the path. This would be a particular risk given the trail links with the permissive pedestrian access at the north of the site, which links to adjacent residential development. The impact of this is not addressed within the AIR or the Ancient Woodland technical note.
- 9.110. Officers also note that the highway authority have advised that Conduit Lane would need to be upgraded in order to serve the proposed scout hut, which could result in encroachment into the ancient woodland buffer, or direct loss of ancient woodland.
- 9.111. Paragraph 10.107 of the committee report explains that the applicant has not explored an alternative site for the replacement scout hut building, that would avoid harm. Policy NR2 of the BLP states that development proposals will be required to apply the mitigation hierarchy to avoid, mitigate or, as a last resort, compensate, for any adverse biodiversity impacts. The Ancient Woodland technical note states that the mitigation hierarchy is only engaged where there would be significant harm to biodiversity, however policy NR2 engages this requirement where there would be *any* adverse biodiversity impacts. No consideration of alternative sites (within the wider park or elsewhere) that would avoid harm has been undertaken, and so policy NR2 has not been complied with in this regard.
- 9.112. In summary, the application has not demonstrated that the development would not result in the deterioration of irreplaceable habitat. Paragraph 186(c) of the NPPF states that **such development should be refused unless there are wholly exceptional reasons**.
- 9.113. Footnote 67 to paragraph 186(c) suggests that wholly exceptional reasons could include, 'for example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.
- 9.114. A recent appeal decision (APP/C1435/W/23/3321978 6th February 2024) concluded that the provision of 424 dwellings in an area with a significant housing shortfall (between 3.29 and 3.92 years housing land supply) did not constitute a wholly exceptional circumstance required by paragraph 186(c) to justify harm to ancient woodland.

- 9.115. The proposed scout hut would replace the existing scout hut that would be lost as a direct result of the development. While it is acknowledged that the existing scout hut is somewhat dated, there would overall be a loss of floorspace (approximately 40sqm), and the proposed scout hut would not be a significantly improved facility beyond being accommodated in a new building. The proposed scout hut would principally mitigate the loss of the existing scout hut as a part of the development. It is therefore of very limited benefit, and I do not consider this benefit to outweigh the harm to ancient woodland. No wholly exceptional circumstances exist.
- 9.116. In addition to requiring wholly exceptional circumstances to justify harm to ancient woodland, paragraph 186(c) also requires that a suitable compensation strategy exists. By way of compensation, the applicant is proposing that a Parkland Restoration and Management Plan (PRMP) is secured by condition. The Ancient Woodland technical note suggests that this would secure three benefits: arresting the loss and deterioration of veteran trees within the wider parkland; the potential to restore the ancient woodland to favourable condition; and the reversal of the decline in quality and quantity of the landscape elements of the historic parkland.
- 9.117. The potential benefit to the historic parkland is acknowledged but is not relevant to the consideration of compensation for harm to biodiversity. As noted above, the conclusion that the ancient woodland is in poor condition does not appear to be evidenced within the application. It is also noted that the proposed PRMP would not cover the whole site, being limited broadly to the part of the park north of the access road and north of the moated area. The Ancient Woodland technical notes states that it would take in the substantial area classified as Wood-Pasture/Parkland (habitat of principal importance), although significant areas of this habitat extend to the south of the area within the scope of the PRMP (some of which would be lost to the proposed car park). Therefore the extent to which the proposed PRMP would provide suitable compensation for impacts on the ancient woodland cannot be established.
- 9.118. In summary, on the basis of the information available within the application, there is insufficient evidence to demonstrate that the proposed scout hut would not result in the deterioration of ancient woodland. No wholly exceptional circumstances exist to justify the harm to ancient woodland, and it has not been demonstrated that a suitable compensation strategy exists, therefore in accordance with paragraph 186(c) of the NPPF the development should be refused.

Trees

- 9.119. Paragraphs 10.110 and 10.112 of the committee report raise concerns regarding the loss of a number of trees that are considered to be important. As amended, the proposed development would allow the retention of T38 (horse chestnut) adjacent to the car park. While T38 would be retained, the footpath from the car park to the moated area would encroach within the root protection area (RPA). The tree protection plan indicates that this section of footpath would require above soil surfacing. The impact of this encroachment has not been considered in the AIR, however given this path is only required to accommodate pedestrian traffic officers are satisfied that a suitable solution that avoided harm to the retained tree could be found, including potentially realigning the route.
- 9.120. The small reduction in the footprint of the accommodation block would enable the retention of T78-T80 (english oaks). The building would not encroach into their RPAs and the relationship between the retained trees and the building would be acceptable.

- 9.121. As amended, the application proposes the formation of a pedestrian footpath from the access into the site, adjacent to Creak Cottage. Parts of the new footpath will encroach within the RPAs of some of the 29 Lime trees in this avenue, which are subject to a tree preservation order. The proposed footpath comes to within 0.5m of stems, and crosses the stem of tree no. 22, so the assumption is this tree would have to be felled. The note on the tree protection drawing states a geogrid or geoweb will be installed beneath the subbase of the new footpath. Details of its actual design and construction have not been provided. To avoid cutting through roots, it would need to be built above ground level, but this will create a height difference with the adjacent driveway and lawn area, such that it may become a safety issue. Kerbing may need to be installed to delineate and prevent the side of the raised path from being damaged by vehicles, kerbing requires haunching and this is normally laid below ground level.
- 9.122. Given the path will be raised, it will be obvious in the parkland and detract from its appearance as it would be another urbanising feature. The side of the path facing the lawn may require soil fill to grade back from the top of the path to the existing ground levels, this would raise levels closer to or partly around the stems of some of the Lime trees. Dependent upon the weight of material and whether a geoweb will be used, will determine whether any compaction will be caused. There may be pressure to widen the path in future. Root severance, compaction, restriction of gaseous diffusion and nutrient recycling would have a deleterious effect on trees.
- 9.123. The avenue of Limes is a key feature in this sector of the site, and in light of the above the likely impacts of this footpath would not be acceptable.
- 9.124. Elsewhere within the park, a total of 39 trees would be removed. This is a significant loss of trees; new planting is proposed, but not in similar areas. However, on balance, subject to details of replacement planting being secured by condition, officers are satisfied that acceptable mitigation could be provided. There are further potential impacts on retained trees from surface water and foul drainage required for the development and from proposed lighting, which are not currently accounted for. However indicative drainage layouts have been submitted and, subject to careful design and coordination of conditions requiring further details of drainage and lighting with tree protection measures, officers are satisfied that acceptable drainage and lighting schemes could be provided without further harm to trees.
- 9.125. In summary, while suitable details of mitigation planting and drainage and servicing could be secured by condition, the proposed new footpath would result in harm to, and potentially the loss of, trees within the avenue of Lime trees which are subject to a tree preservation order, and are an important feature of the parkland and the principal access to the site, visible from both within the site and in the wider area. As such, the development would result in harm to protected trees which is not considered justified by the development and would be contrary to policy NR3 of the Borough Local Plan.

viii. Ecology and Biodiversity

- 9.126. Ecological impacts in respect of ancient woodland are addressed above. With regards to other ecological implications, the amendments to the scheme do not materially alter the proposals. The biodiversity net gain calculations have been updated to reflect the revisions to the scheme, and it is now suggested a net gain of 216.14% can be achieved.
- 9.127. Paragraphs 10.117-10.129 assess that, subject to conditions securing a CEMP, an invasive non-native species method statement, and a Biodiversity Gain Plan, details of ecologically sensitive lighting, the proposals would not have any unacceptable ecological impacts.

9.128. However, in updating this assessment, regard has been had to the Chartered Institute of Ecology and Environmental Management Advice Note on the lifespan of ecological reports and surveys.

9.129. The Advice Note states that ecological surveys are likely to be valid for 12-18 months subject to exceptions. These exceptions include where a site may offer existing features which could be utilised by a mobile species within a short timeframe, and where a mobile species is present on site or in the wider area, and can create new features of relevant to the assessment. An example of the former scenario is where trees or buildings on site have been surveyed for evidence of bat roosts and none were found, new roosts may be present, and trees or buildings may have developed new features which were not previously present. An example of the latter scenario is where a badger survey confirmed the presence of badgers on site, new setts may have been excavated within the site. Both of these scenarios apply to the application site.

9.130. The Phase 1 habitat surveys (which include surveys of badger setts, which were found to be present on site) were undertaken in July 2022. The Bat Surveys were undertaken in September and October 2022. In light of the above guidance, and also having regard to the recommendations within the submitted Ecological Impact Assessment which advise that update surveys are likely to be required, further information is required to adequately characterise the baseline conditions of the site with respect to protected species. In the absence of updated surveys, the application contains insufficient information to demonstrate that the proposals would not harm protected species, particularly bats and badgers, and the proposals are contrary to Policy NR2 of the BLP.

ix. Highways and parking

9.131. Paragraph 116 of the NPPF sets out that development proposals should give priority first to pedestrian and cycle movements and second – so far as possible – to facilitating high-quality public transport. Policy IF2 of the BLP sets out that new development should provide safe, convenient and sustainable modes of transport.

9.132. Paragraphs 10.131-10.149 consider the proposals with respect to access and highway safety. As explained in paragraphs 10.131-10.138, it was considered that there was inadequate information to enable an informed assessment of the proposals on the highway network and highway safety. It was considered that car parking provision, electric vehicle charging provision and cycle parking provision would be acceptable.

9.133. Amendments to the application include a Highways Response technical note, which includes traffic data collected during two events at the site in September 2023, as well as additional supporting information regarding access proposals and connectivity.

Access

9.134. RBWM Highway Authority previously advised that new pedestrian and cycle connections would be required to make the development acceptable in accessibility terms, and that new links would need to be of sufficient width for safe movement of all types of pedestrians and cyclists, be surfaced with a bonded material and would need to be illuminated so that they are useable at all times.

9.135. An additional plan submitted with the amendments shows that a new pedestrian link at the main site access would be provided. An uncontrolled tactile crossing with the access to Parsons Road opposite would be provided to allow pedestrian connections to the wider Langley area to the east. While RBWM Highway Authority have not raised

concerns in relation to this pedestrian access, they have advised that comments are required from Slough Borough Council to advise whether upgrades to existing infrastructure are required to achieve suitable access to and from the site from within Slough Borough.

- 9.136. Slough Borough Council, within whose boundary the works adjacent to Parsons Road would take place, have raised various concerns. They have highlighted that the proposed access with Parsons Road crosses a ditch which carries a watercourse and have advised that the access does not appear to be feasible. They have also highlighted that the route through Parsons Road does not provide access to routes that would be most likely to be taken by pedestrians accessing the site. They have stated that, in order for the proposed new pedestrian access on Creak Cottage to link suitably with the surrounding pedestrian network, a pedestrian footway would need to be provided along Ditton Park Road. In the absence of such a facility, concerns are raised that pedestrians would walk along Ditton Park Road within the carriageway, resulting in conflict with pedestrians and vehicles.
- 9.137. Concerns were raised previously about the suitability of the vehicular access to the site. Speed surveys have been undertaken on Ditton Park Road, and details of visibility splays have been provided, although no road safety audit has been undertaken.
- 9.138. The Highway Authority have reviewed the results of the speed surveys and agree with the conclusion that visibility splays of 2.4m x 120m would be acceptable. Drawings contained within the Highways Response technical note demonstrate that the existing vehicle access could achieve the required visibility splays to left and right, although it is noted that there is currently extensive vegetation that is obstructing the visibility splays, which would need to be removed. The clearance of this vegetation could be secured through a S278 agreement.
- 9.139. The Highway Authority have highlighted that, in order to provide suitable pedestrian, cyclist and vehicular access to the scout hut, Conduit Lane would likely require upgrading. Notwithstanding the concerns regarding the impact this would have on the Registered Park and Garden, and the potential arboricultural impacts, further details demonstrating how the required standards would be achieved could be secured by condition.
- 9.140. An updated draft Travel Plan has been submitted with the amendments. A concern has been highlighted about the motorbike inhibitor and pallisade fencing at the access into the site from Cedar Way to the north. While these concerns are noted, this is not proposed as part of the development. A final Travel Plan can be secured by S106 agreement.
- 9.141. Concerns have been raised in public comments about the ability of emergency services to access dwellings within the park during events. Given the proposed vehicular access and parking provision for the development are considered to be acceptable, there is not considered to be any risk of emergency vehicles being unable to access the residences within the park.
- 9.142. While the vehicle access into the site is considered suitable to serve the proposed development, the application has failed to demonstrate that acceptable provision would be made for pedestrian access and connectivity.

Vehicle movements and highway impact

- 9.143. Concerns were raised previously that traffic data had been used from a site within the TRICS database that was not comparable to the application site or proposed use. The Highways Response technical note includes the results of traffic surveys conducted over a 9-day period between 22nd and 30th September 2023. During this time the site accommodated two separate events accommodating 500 and 200 people.
- 9.144. From the details submitted, the data does not indicate that the existing vehicular access, Ditton Park Road, or the junction with the A4 London Road is already at or over capacity or is showing to cause highway safety concerns. RBWM Highway Authority have advised that they do not deem that the proposed development would have a severe detrimental effect on the site access or the junction with Ditton Park Road and Riding Court Road. They have advised that Slough Borough Council are required to provide comments regarding the junction between Ditton Park Road and the A4.
- 9.145. Slough Borough Council Highway Authority have advised that they do not consider the traffic survey and analysis to be sufficiently robust so as to demonstrate that the development would not result in unacceptable impacts on the highway network. They highlighted in their previous comments that the junction between Ditton Park Road and A4 already experiences high traffic flows during peak hours. They have noted that traffic surveys were carried out on a Friday and Saturday, and have requested that the assessment be based on a worst case junction capacity assessment on a neutral weekday (Tuesday-Thursday) at peak periods. In the absence of this assessment, it has not been demonstrated that the development would not have a detrimental impact on the highway network or on highway safety.
- 9.146. SBC Highway Authority have also raised concerns regarding the use of the gym, spa and restaurant facilities if they are to be standalone facilities rather than ancillary to the hotel use. The use of the facilities as ancillary to the hotel could be controlled by condition were the proposals otherwise found to be acceptable.

Car parking

- 9.147. As amended, the application proposes the provision of 177 car parking spaces within the parking area adjacent to the site access. In order to comply with the parking standards in the Council's current Parking Strategy, the development would be required to provide 366 car parking spaces. The Highway Authority have given consideration to nearby equivalent sites, and regard has also been had to the age of the Parking Strategy. Taking account of these factors the Highway Authority have advised that the proposed car parking provision can be accepted subject to a condition securing a car parking management plan detailing, as a minimum, how the car parking facilities within the site (including overflow) would be allocated and managed for workers; to ensure that car parking is allocated fairly and to ensure that overspill parking would not lead to roadside parking along Ditton Park Road or the surrounding highway network.
- 9.148. Slough Borough Council Highway Authority have raised concerns about the proposed level of car parking provision. While their concerns are noted, regard has also been had to the above assessment made by RBWM officers, and the need to strike a balance between providing adequate car parking and encouraging a shift to more sustainable modes of travel. Were the proposals otherwise found to be acceptable, as noted above officers consider that the provision of parking and the prevention of increased parking pressure on surrounding residential streets could be dealt with via a condition securing a car parking management plan.

9.149. To comply with the Parking Strategy, the scout hut would be required to provide 6 car parking spaces. 10 car parking spaces would be provided, which is considered an acceptable level of provision.

9.150. 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.

9.151. The proposed development is seeking to provide 48 electric vehicle charging facilities, which equates to approximately 27% of the parking spaces in total. Passive provision shall be provided for remaining spaces. Details of the electric vehicle charging facilities should be provided and those facilities should be made available prior to the operation of the proposed hotel development and the community building. However, such details can be secured by a planning condition.

Cycle parking

9.152. The 2004 Parking Strategy does not have a specific cycle parking standard for hotel units. However, it sets out that a ratio of 1 to every 20 car parking spaces with a minimum of two stands shall be provided in general. Considering the proposed development is seeking to provide a total of 177 parking spaces in total, a minimum of 9 cycle parking spaces should be provided.

9.153. The application proposes 32 covered cycle parking spaces within the moated area, and an additional 10 cycle parking spaces to serve the scout hut. Further details of stores can be secured by condition. It is also recommended that the level of provision is reviewed as part of the travel plan measures.

Servicing and refuse

9.154. The submitted plans show that an area to the north of the manor buildings would be provided for deliveries and private refuse collection. Drawings within the Highways Response technical note demonstrate that there would be parking for at least 4 large 7.5 tonne box vans or small refuse vehicles and that all vehicles would be able to safely enter and leave this area in a forward gear.

9.155. The Highway Authority have advised that swept path analysis for these larger vehicles has not been provided for the main vehicle access onto Ditton Park Road. These would be required to understand whether minor design changes are required for the site access. This could be addressed by condition.

Summary

9.156. While the proposed development is considered to provide suitable vehicular access, it would fail to provide suitable pedestrian access. The application also contains insufficient information to demonstrate that the development would not have a harmful impact on the Ditton Park Road/A4 Bath Road junction with regards to highway functioning and highway safety. As such the development would not be acceptable in respect of highway impacts and would be contrary to Policy IF2 of the BLP and paragraphs 114 and 116 of the NPPF.

x. Flood risk and Sustainable Drainage

- 9.157. The amendments to the scheme do not materially alter the proposals in respect of impacts of the development on flood risk as set out in paragraphs 10.150-10.158 of the committee report. As amended, the proposals would be acceptable in terms of flood risk.
- 9.158. The amendments also do not materially alter the proposed drainage strategy. Were the proposals otherwise found to be acceptable, details of a surface water drainage scheme could be secured by condition.
- 9.159. Concerns have been raised regarding provision for foul drainage within the site. It has been queried whether toilets would be provided within the marquee; toilet facilities are shown on the proposed floor plans for the marquee. A foul sewerage assessment has been submitted with the application, which includes an indicative foul drainage layout and demonstrates that acceptable provision could be made for foul drainage. Thames Water have confirmed that they do not have any objections to the proposals, and that there is sufficient capacity within the foul network to accommodate the development.
- 9.160. The Environment Agency have highlighted that, due to the access onto the moated area being located within Flood Zone 2, it is necessary to demonstrate that safe access and egress can be achieved. The submitted Flood Risk Assessment demonstrates that the AOD level of the bridge onto the moated area is above the level of the 1% AEP + climate change allowance. All other parts of the access are located within Flood Zone 1.

xi. Environmental Health

a. Lighting

- 9.161. Paragraphs 10.161-10.163 of the committee report set out that, subject to a condition securing details of measures to minimise the effects of artificial light, the proposed lighting would be acceptable. The Lighting Impact Assessment has been updated to reflect the amendments to the proposals, but there are no material changes to either the design strategy or the findings of the report. As amended, the proposals would therefore be acceptable with regards to the impacts of lighting and compliant with policy QP3.

c. Contaminated Land

- 9.162. Paragraphs 10.167-10.168 of the committee report conclude that, subject to a condition relating to encountering unexpected contamination, the development would not have any unacceptable impacts in respect of contamination. The amendments do not alter these conclusions.

xii. Very Special Circumstances

- 9.163. Paragraph 152 of the NPPF sets out that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt because of inappropriateness, and any other harm resulting from the proposal, is outweighed by other considerations.
- 9.164. Paragraphs 10.170-10.189 of the committee report gives consideration to whether very special circumstances exist.

a. Green Belt harm

9.165. The proposed development would be inappropriate development within the Green Belt which is, by definition, harmful to the Green Belt.

9.166. Paragraphs 9.4-9.12 above summarise the harm to the Green Belt. The amendments to the scheme do not materially alter the impact of the proposed development on the openness of the Green Belt in either spatial or visual terms. It remains the case that the development would result in substantial harm to the openness of the Green Belt, in addition to the harm by reason of inappropriateness. As mandated in the NPPF, this harm is afforded **substantial weight**.

b. Other harm

Scale and siting

9.167. The amendments to the scheme do not significantly alter the scale or siting of the proposed buildings within the site. As described in paragraph 10.174 of the committee report, and above in section vi. of this report, the proposed development is of a scale and massing that would not be subservient to the Manor House or respond appropriately to the open parkland setting, and would be harmful to the character and appearance of the site. This harm is afforded **significant weight**.

Heritage

9.168. As described in paragraph 10.175 of the committee report, and above in section v. of this report, the proposed development would result in a high level of less than substantial harm to the Grade II Listed Manor House and associated Listed Buildings, and to the Grade II Registered Park and Garden, and this harm would not be outweighed by public benefit. This harm is afforded **significant weight**.

Trees and Ancient Woodland

9.169. Section vii. of this report considers the impact of the proposed development on ancient woodland. It has not been demonstrated that the proposed community building, and the activities associated with its use, would not result in indirect impacts that would be harmful to the ancient woodland. It has also not been demonstrated that the proposed scout hut could not be located elsewhere. There are not wholly exceptional circumstances that would justify the harm to the ancient woodland, and it has not been demonstrated that a suitable compensation strategy exists. In addition, the proposed woodland trail through the perimeter of the ancient woodland would likely result in direct and indirect harm to the ancient woodland. This harm is afforded **significant weight**.

9.170. Section vii. of this report also considers the impact of the proposed development on trees within the site. The proposed new footpath adjacent to the access would likely result in harm to viability and long term health of the trees within the avenue of Limes which line the access, which are subject to a tree preservation order, and which make a significant contribution to amenity as well as to the character of the historic parkland. This harm is afforded **significant weight**.

Amenity

9.171. Section vi. of this report considers this impact of the proposed development on the amenity of residential occupiers in the vicinity of the site. It is concluded that the scale and nature of activity that would be associated with the proposed use, and that would

be enabled by the scale of development proposed, would reduce the level of amenity enjoyed within existing dwellings below a level that could reasonably be expected, and which would be harmful. This harm is afforded **significant weight**.

Ecology and biodiversity

9.172. Section viii. of this report considers the impact of the proposed development on ecology and biodiversity. It is concluded that, in the absence of up to date ecological surveys, the application contains insufficient information to demonstrate that the development would not result in harm to protected species, particularly badgers and bats. This harm is afforded **significant weight**.

Highways

9.173. Section ix. of this report considers the proposed development in respect of access and highway safety. It is concluded that, in the absence of provision for suitable pedestrian facilities, and in the absence of robust traffic data to demonstrate the development would not have an unacceptable impact on the Ditton Park Road/A4 Bath Road junction, the application fails to demonstrate that the proposals would not give rise to harmful impacts on the highway network or on highway safety. This harm is afforded **significant weight**.

Sustainability

9.174. As described in paragraph 10.178 of the committee report, and above in section iii. of this report, the development fails to achieve net zero, and in the absence of a S106 agreement to secure financial contributions that would offset this shortfall, the development would not mitigate the residual CO2 emissions from the site. This harm is afforded **significant weight**.

c. Benefits

9.175. In weighing up whether very special circumstances exist, consideration can be given to whether impacts amount to very special circumstances individually, or whether in combination they cumulatively amount to very special circumstances. In support of the proposals, the applicant has included their case for very special circumstances with the amendments to the application. These are summarised and considered individually in the below table:

<u>Impact</u>	<u>Applicant's comments and weight</u>	<u>Council's comments and weight</u>
<i>Heritage research</i>	<p>The applicant proposes a programme of heritage research and recording in connection with the military intelligence use including research; oral history project; programme of historic building recording; and interpretation strategy including provision of information boards and display of artworks and artefacts within the Manor House.</p> <p>The applicant suggests this should be afforded substantial weight.</p>	<p>As explained in section v. of this report, a programme of historic building recording would be a requirement of any planning and listed building consent. While the other aspects of research and interpretation are acknowledged as a benefit, overall there would be residual heritage harm and this harm attracts significant weight.</p> <p>It is therefore concluded that individually this does not amount to a very special circumstance.</p>

<i>Biodiversity net gain</i>	<p>The development could deliver a net gain of 216.24% habitat units and 188.11% hedgerow units, which exceeds policy requirements.</p> <p>The applicant suggests this should be afforded substantial weight.</p>	<p>As acknowledged in section viii. of this report, the delivery of biodiversity net gain above policy or statutory requirements is a planning benefit which is afforded limited weight.</p> <p>However individually this does not amount to a very special circumstance.</p>
<i>Economic</i>	<p>The development would deliver a range of economic benefits during the construction and operational phases, including 380 jobs during the construction period; 130 full time equivalent jobs; a total of £8.6million annual expenditure from visitors; 155 additional indirect full time equivalent jobs; estimated additional £3.7 million output in GVA annually.</p> <p>The applicant suggests this should be afforded substantial weight.</p>	<p>Notwithstanding that the increase in suggested economic benefits compared to the original submission is unexplained, the economic benefits of the development are acknowledged, and afforded, at most, moderate weight as a benefit.</p> <p>However, individually this does not amount to a very special circumstance.</p>
<i>Management and restoration of irreplaceable habitat</i>	<p>It is proposed to implement a parkland restoration and management plan (PRMP), to include specialist survey and individual longevity optimisation plans for veteran trees and introduction of understorey and conservation silviculture for the ancient woodland, which will arrest the loss and deterioration of veteran trees and return the woodland to a favourable condition.</p> <p>The applicant suggests this should be afforded substantial weight.</p>	<p>The potential ecological, landscape, and heritage benefits of a PRMP are acknowledged. However, this is proposed as compensation for the impact to ancient woodland, and the ancient woodland standing advice advises that you should not consider compensation measures as part of the assessment of the merits of the development proposal. In addition, overall it is considered likely that there would be residual harm to the ancient woodland.</p> <p>Individually, this does not amount to a very special circumstance.</p>
<i>Heritage</i>	<p>The proposal will bring forward a new long-term viable use for the site with no adverse heritage impacts and limited heritage benefits.</p> <p>The applicant suggests this should be afforded moderate weight.</p>	<p>The Council does not accept the position that there would be no adverse heritage impacts. Overall, it is concluded that there would be less than substantial harm to designated heritage assets which is not outweighed by public benefits, including the potential benefit of securing a long term viable use.</p> <p>This is not accepted as beneficial impact.</p>

<p><i>Community</i></p>	<p>The development would provide new community uses including a new scout hut, restoration of the chapel and public access to the proposed gym and spa.</p> <p>The applicant suggests this should be afforded moderate weight.</p>	<p>The proposed scout hut would principally reprovide an existing community facility that would be lost to the development. The new facility would be smaller but of a higher standard than the existing facility, which it is acknowledged is of very limited benefit.</p> <p>No details of the manner in which the chapel would be used by the community are provided, so this is of very limited benefit. Similarly, details of public access to the spa and gym are not known so this is of limited benefit.</p> <p>Individually, the community benefit does not amount to a very special circumstance.</p>
<p><i>Energy and sustainability</i></p>	<p>The proposals include a range of measures that would contribute towards mitigating for climate change, including commitment to achieve BREEAM 'Excellent' for new builds and 'Very good' for existing buildings; net-zero carbon through on-site measures and cash-in-lieu payment; electric vehicle charging in excess of requirements; commitment to circular economy; commitment to whole life cycle carbon assessments.</p> <p>The applicant suggests this should be afforded moderate weight.</p>	<p>In the absence of a S106, the cash-in-lieu payments to secure net zero carbon would not be secured. Were they to be secured, this would achieve policy-compliance but not go beyond this requirement.</p> <p>The other positive impacts outlined are acknowledged to be benefits, and are afforded moderate weight, although individually, the benefit in respect of energy efficiency and sustainability does not amount to a very special circumstance.</p>
<p><i>Public access</i></p>	<p>The proposal includes a range of enhancements to the public access of the parkland, including increased permeability through the informal path networks, removal of security features, and interpretation boards and wayfinding information.</p> <p>The applicant suggests this should be afforded moderate weight.</p>	<p>With the exception of the proposed woodland trail through the ancient woodland, which would be harmful, the increased public access to the site is acknowledged as a beneficial impact, albeit limited given the existing permissive access through the site.</p> <p>The benefit of increased public access is afforded limited weight but individually does not amount to a very special circumstance.</p>

<i>Landscaping</i>	<p>The LVIA concludes that once the landscape has established, the scheme would represent a slight beneficial effect to the landscape resource and landscape character of the surrounding area.</p> <p>The applicant suggests this should be afforded limited weight.</p>	<p>It is acknowledged that in the long term the development would result in a 'slight beneficial' effect to landscape character, and that this represents a planning benefit.</p> <p>This beneficial landscape impact is afforded limited weight but individually does not amount to a very special circumstance.</p>
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9.176. As highlighted above, very special circumstances will not exist unless the potential harm to Green Belt by reason of inappropriateness, and any other harm resulting from the proposals is clearly outweighed by other considerations.

9.177. As set out in the above table, none of the impacts would, individually, constitute very special circumstances. The impacts that are accepted as benefits, and the weight afforded those benefits, are:

- Biodiversity net gain in excess of policy and statutory requirements – limited weight
- Economic benefit – moderate weight
- Community benefit – very limited weight
- Commitments to BREEAM, whole life cycle carbon assessment, commitment to circular economy – moderate weight
- Increased public access – limited weight
- 'Slight beneficial' landscape effect – limited weight

9.178. With respect to the extent of Green Belt harm, the proposals would introduce over 15,000sqm (including the car park) of built development to the site, and as described in detail above would result in both spatial and visual loss of openness. The development is harmful by definition by reason of inappropriateness, and would also result a harmful loss of openness. This attracts **substantial weight**. It is noted that applications proposing over 1,000sqm of floorspace within the Green Belt must be referred to the Secretary of State if being recommended for approval.

9.179. In addition to the Green Belt harm, the proposed development would result in heritage harm, which would not be outweighed by public benefit. The NPPF advises that **great weight** should be given to the conservation of designated heritage assets (paragraph 205), and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting; decision makers have a **statutory duty to give considerable weight** to preserving the setting of listed buildings.

9.180. The application has not demonstrated that it would not result in deterioration of ancient woodland, which is an irreplaceable habitat, and the NPPF advises that such applications **should be refused unless there are wholly exceptional reasons** and a suitable compensation strategy exists (paragraph 186).

9.181. The proposed development would also result in harm to the character and appearance of the site; would result in harm to residential amenity; harm to protected trees; does not demonstrate that harm to protected species would be avoided; does not demonstrate that harm to the highway network or in respect of highway safety would be avoided; and the failure to achieve net zero carbon would result in harm.

9.182. The cumulative harm resulting from the proposals weighs very heavily against the scheme. Given the extent of harm, it is considered that, when considered cumulatively, considerations summarised in paragraph 9.150, **do not clearly outweigh the cumulative harm** and therefore **very special circumstances do not exist** and the proposed development is contrary to Section 13 of the NPPF and Policy QP5 of the Borough Local Plan.

xiii. Other material considerations

9.183. Paragraphs 10.186-10.189 of the committee report considers documents entitled the 'Surrey Hotel Futures Study 2015' and 'The Recovery of the UK Hotel Market 2021', which are referenced in the applicant's town centre policy report. The conclusion that the findings of the study do not carry any weight remains the case.

9.184. Concerns have been raised in public comments about the impact on leaseholders of the change of landowner. This is a civil matter and is not a material planning consideration. Concerns have also been raised about a lack of consultation with residents by the applicant. Public consultation on the planning has been carried out in accordance with statutory requirements. The applicant is not required to conduct additional consultation outside of the formal planning application process.

9.185. Concerns have also been raised about the time allowed to residents to speak at planning committee. Interested parties have had the opportunity to provide detailed comments on the application; it is considered that the time allowed for committee speakers is reasonable and in line with the constitution.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

10.1. The proposed development is not CIL liable.

11. CONCLUSION

11.1. Section 70(2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires where regard is to be had to the Development Plan that applications for planning permission must be determined in accordance with the Plan unless material considerations indicate otherwise.

11.2. The application has been assessed on its merits, against the development plan and the NPPF in relation to sustainable development.

11.3. There is a **presumption against** the development proposed due to its location in the Green Belt. The proposed development would cause harm to the Green Belt by way of inappropriateness and because of loss of visual and spatial openness and such harm holds substantial weight, as mandated by the NPPF.

11.4. The development would also result in harm to designated heritage assets, to ancient woodland, to protected trees, to residential amenity, to character and appearance, and conflict with the Council's requirement to achieve net zero carbon.

11.5. The very special circumstances that would be required to justify the development do not exist.

11.6. Great weight is attached to the identified development plan policy conflicts, which weigh heavily in the planning balance. Notwithstanding the economic benefits of the proposed development, and the other benefits summarised in paragraph 9.150, these **do not clearly outweigh the cumulative harm**. Balancing all of the material considerations assessed in the report, it is concluded that there are not material considerations that indicate the application should be determined other than in accordance with the development plan. It is therefore recommended that the development is unacceptable and should be refused.

12. APPENDICES TO THIS REPORT

- Appendix 1 – Committee report
- Appendix 2 – Site location plan and site layout
- Appendix 3 – Plan and elevation drawings

13. RECOMMENDATION

Refuse planning permission for the following reasons

- 1 The proposed development would constitute inappropriate development which, by definition, would be harmful to the Green Belt. The proposed development would result in the intensification of the use of the site and the encroachment of substantial built form within the open and rural parking setting. The harm to the Green Belt as a result of inappropriateness with the moderate harm to openness must be afforded substantial weight. No very special circumstances exist to outweigh the harm to the Green Belt by virtue of its appropriateness and harm to openness, and the other harm identified in the subsequent reasons for refusal. The proposed development would be contrary to Section 13 of the National Planning Policy Framework and Policy QP5 of the Borough Local Plan 2013-2033.
- 2 The proposed development, by virtue of its scale, mass, form, and design would result in a prominent and incongruous form of development which would be harmful to the parkland and historic character of the area. The proposed development is contrary to Policy QP3 of the Borough Local Plan 2013-2033 and Policy DAT2 of Datchet Neighbourhood Plan 2022-2033.
- 3 The overall heritage harm arising from the proposed development is less than substantial harm at the higher end as the proposed development would fail to preserve the significance and setting of the listed buildings and registered park and garden. There are a number of public benefits arising from the proposed development, but those benefits identified from the proposed development do not outweigh the heritage harm identified. The proposed development would be contrary to Section 16 of the National Planning Policy Framework and Policy HE1 of the Borough Local Plan 2013-2033.
- 4 The proposed development, by virtue of its scale and the proposed use as a wedding venue, would give rise to noise and disturbance which would be harmful to the amenity of neighbouring residential uses and the proposed development would be contrary to Policy QP3 of the BLP.

- 5 The proposed development fails to provide sufficient evidence to demonstrate that the proposed development would not result in the deterioration of ancient woodland. The proposed development is contrary to Section 15 of the National Planning Policy Framework and Policy NR2 of the Borough Local Plan 2013-2033.
- 6 The proposed development would result in harm to, and potentially the loss of, trees within the avenue of Limes which are subject to a tree preservation order, are an important feature of the parkland and the principal access to the site, make a significant contribution to visual amenity, and are visible from both within the site and in the wider area. As such, the development would result in harm to protected trees which is not considered justified by the development and would be contrary to policy NR3 of the Borough Local Plan.
- 7 In the absence of suitable traffic data provided in the transport statement there is a lack of information to demonstrate that any significant impacts from the proposed development on the transport network and highway safety have been mitigated to an acceptable degree, and the proposals also fail to make suitable provision for pedestrian access. The proposed development fails to demonstrate that there would be an acceptable impact on highway safety and the local road network. Therefore, the proposed development is contrary to Section 9 of the National Planning Policy Framework and Policy IF2 of the Borough Local Plan 2013-2033.
- 8 In the absence of up-to-date ecological surveys, the application contains insufficient information to demonstrate that it would not result in harm to protected species, particularly badgers and bats, and the development would be contrary to policy NR2 of the Borough Local Plan.
- 9 The proposed development includes the provision of a number of new buildings to support a hotel and community development. 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.