

WINDSOR RURAL DEVELOPMENT CONTROL PANEL

29 June 2016

Item: 2

Application No.: 16/00266/FULL

Location: Land At Hill House Cross Road Sunningdale Ascot
Proposal: Erection of 4 x apartments (3 x 2 bed and 1x 3 bed).
Applicant: Kebbell Developments Ltd
Agent: Mr Paul Dickinson- Paul Dickinson And Associates
Parish/Ward: Sunningdale Parish

If you have a question about this report, please contact: Alistair De Joux on 01628 685729 or at alistair.dejoux@rbwm.gov.uk

Application No.: 16/01179/FULL

Location: Land At Hill House Cross Road Sunningdale Ascot
Proposal: Erection of 5 x apartments with associated works
Applicant: Mr Mills - Kebbell Developments Ltd
Agent: Mr Paul Dickinson - Paul Dickinson And Associates
Parish/Ward: Sunningdale Parish

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1. SUMMARY

- 1.1 This report deals with two current applications for apartments at the same site. Application 1 is for four apartments and the more recent Application 2 is for five. The applications were previously considered at the Windsor Rural Development Control Panel meeting on 1st June, when members deferred decisions pending a site visit. The report has been reproduced below with amendments to reflect the Panel Update issued on 1st June 2016.
- 1.2 The two applications follow three previous applications for apartments and, prior to that, for a single house on the same site. The single house proposal was approved and remains extant, while all of the apartment proposals have been refused. Two of these refusals were the subject of recent appeals, which were considered concurrently. Like the current pair of applications, the dismissed recent appeals were also for apartment buildings, one to accommodate four flats (Appeal A) and the other for five (Appeal B). Both were refused for a range of reasons but the Inspector dismissed them primarily on just one issue. This was the impacts to the future health and viability of a protected oak tree to the rear of the proposed building. For Appeal B only, the Inspector did not consider that the Council's approach in regard to provision of mitigation for the Thames Basin Heaths SPA was robust. The other reasons for refusal were considered to be overcome by the appeal Inspector, so the consideration below is largely limited to the points on which the appeals were dismissed.
- 1.3 The site of the proposed building comprises a tennis court and adjoining garden land within the grounds of Hill House, including a woodland garden on the rear part of the site. Trees here are protected by TPO, and include the English oak referred to above together with a mix of native and non-native pine species. Other trees within the garden of Hill House, to the east of the application site, are also covered by TPO.
- 1.4 The site is within a 'leafy residential suburbs' townscape character area as defined by the Council's Townscape Assessment. Neighbourhood Plan Policy NP/DG1 supports single detached dwellings in this character area, unless it can be satisfactorily demonstrated that other forms of development would retain the identified character of the area (Policy NP/DG1.2) or where it can be demonstrated that the proposed development would not harm local character (Policy NP/DG1.2). The intensification of the use of the site that would result from apartment development of the type proposed here formed part of the basis for refusal of the previous applications, but this was not upheld by the Inspector at the subsequent appeals.

- 1.5 It is understood that Application 1 is now subject to an appeal to the Planning Inspectorate on grounds of non-determination, although at the time of writing this report no start letter for the appeal had been received by the Council.

Application 1: 16/00266/FULL

It is recommended the Panel grants planning permission subject to the conditions listed in Section 9 of this report OR, if the appeal is registered before a decision is made, that a 'would have approved' decision be noted.

Application 2: 16/01179/FULL

It is recommended the Panel authorises the Borough Planning Manager:

- | | |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | To grant planning permission subject to demonstrating that the roof terrace at Apartment 5 will not result in loss of privacy to neighbours and with the conditions listed in Section 9 of this report. |
| 2. | To refuse planning permission if drawings to demonstrate that the roof terrace at Apartment 5 will not result in loss of privacy to neighbours have not been provided by 1st June 2016, for the reason that the would result in an unacceptable loss of residential amenity to neighbouring properties. |

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is part of the larger Hill House property, which is located on the northern side of Cross Road. It consists of a tennis court and ground around it and to the rear including woodland garden land, all of which currently forms part of the extensive garden at Hill House. Hill House itself is a two-storey house of an attractive design that appears to be of late Georgian or early Victorian origin, with more recent single storey rear extensions to the rear. The attractive grounds include many large and significant trees, many of which are subject to Tree Protection Orders, and some of which are within the rear part of the application site. Apart from one Scots pine tree identified for removal in the extant permission; this application would not require the felling of any of these significant and important trees.
- 3.2 The property lies near the edge of the settlement area approximately 150m to the east of the A30 London Road, within walking distance of the shops and railway station in Sunningdale. Land to the west and north is predominately residential in character, with large dwellings and, particularly on the northern side of Cross Road, flatted developments at Hillside Park - these include Richmond House, Fisher House and Beaufort House - and Dorchester Mansions. On the opposite side of Cross Road there are a number of large detached dwellings, which include Fairways and its annex - this is located close to the Cross Road frontage - and Queenswood, with other relatively closely spaced detached house towards the A30 London Road.
- 3.3 The Sunningdale Ladies Golf Club course lies to the south-east balance beyond Hill House itself, and is within the Green Belt.
- 3.4 Apart from this nearby area of the Green Belt, the site and its immediate surroundings are classified within a "leafy residential suburb" townscape type in the Council's Townscape Assessment, specifically as character area 13E (Sunning Avenue and London Road, Sunningdale). Some nearby properties to the south-west are within the "villas in a woodland setting" townscape type, although these do not form part of the immediate context for the application site.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 Both proposals are for the construction of apartments with basement car parking, both in a building of very similar design to that of the extant permission for a single dwelling. The differences are as follows:

- i. The basement would be considerably larger in order to accommodate the required number of car parking spaces.
- ii. The roof of the main element of the building would be more steeply pitched to form a mansard roof with rear facing dormer windows, as compared to the approximately 45-degree pitch of the crown roof in the extant permission.
- iii. There would be one external parking space provided for delivery vehicles.
- iv. For Application 1 - the four apartment scheme - there would be two each flats on each level of accommodation (referred to as lower ground and ground floor on the submitted drawings).
- v. For Application 2 (five apartments) the provision of two each flats on each of the lower ground and ground floors would be replicated in the five apartment scheme, and in addition there would be a fifth apartment within the roofspace. Part of the roof would be cut away at the rear to provide a terrace for this flat.

There would also be some other minor changes to fenestration on the flank walls, with more windows to be provided on the flank walls on both elevations and more particularly on the north-west elevation facing towards Richmond House.

4.2 Relevant recent planning history is as follows:

| Ref. | Description | Decision and Date |
|---------------|-------------------------------------------------------------------------------------|---------------------------------------------|
| 13/01206/FULL | Construction of a detached house. | Permitted, 15.08.2013 |
| 14/00451/FULL | Construction of five apartments. | Refused, 06.06.2014 |
| 14/03591/FULL | Construction of 4 no. apartments. | Refused, 10.02.2015 and dismissed at appeal |
| 15/01199/FULL | Construction of 1 apartment block comprising of 4 x 2 bed and 1 x 3 bed apartments. | Refused, 05.06.2015 and dismissed at appeal |

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 6, 7, 8, 9, 10, 11 and *Decision-taking*

Royal Borough Local Plan

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

| | Within settlement area | Highways and Parking | Protected Trees | Biodiversity | Energy efficiency |
|--------------------|------------------------------------------|----------------------|-----------------|--------------|-------------------|
| RBWM Local Plan | DG1, H10, H11 | P4, T5 | N6 | | |
| Neighbourhood Plan | NP/H2, NP/DG1, NP/DG2, NP/DG3 and NP/EN3 | NP/T1 | NP/EN2 | NP/EN4 | NP/DG5 |

Supplementary planning documents

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Sustainable Design and Construction
- Planning for an Ageing Population
- Thames Basin Heaths SPD

More information on these documents can be found at:

http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration in both applications are:

- i. Character issues as determined in the recent appeal decisions;
- ii. Impacts on the protected oak tree at the rear of the property;
- iii. The mitigation of impacts on the Thames Basin Heaths SPA;
- iv. Impacts on protected wildlife within the site; and
- v. for Application 2 only, the impacts of the roof terrace on neighbouring properties.

Impact on the character of the area

6.2 The recently appealed schemes were refused on several issues, including the following character issue which was the same in both decisions:

The intensification of the use of this site, as compared to the extant permission for a single detached house (RBWM ref. 13/01206/FULL), would result in the continued erosion of the character of this village-edge location, which is very close to the Green Belt boundary, contrary to Policies NP/DG1.1, 1.2, 1.3 and 1.6 and NP/DG3.2 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2011 - 2026, and advice in the National Planning Policy Framework.

6.3 For both appeals, the Inspector concluded that the apartment use would not be harmful to the character and appearance of the area as compared to the extant permission for a single house. The inspector noted that the design and siting of the building in both schemes would respect the character and appearance of the area. The decision noted the conflict with the objective of Policy NP/DG1.2 to provide for detached houses in this townscape character area, but also noted that the policy accepts that alternative forms of development may be acceptable where it can be satisfactorily demonstrated that the identified character of the area would be retained. The Inspector considered that the density of both schemes would be low, and comparable to the adjacent apartment development at Hillside Park. While there would be more vehicle movements into and out of the site as compared to an individual dwelling, the level of activity associated with the proposed use would not be so significant that it would result in harm to the tranquil environment of this part of Cross Road. The Inspector also considered that the size of the garden would be suitable for the enjoyment of future occupiers. Use by a greater number of occupants than in a single dwelling was also not considered to be likely to result in a materially greater

intensity to that of the approved scheme, and as such the tranquil character of the area would be sustained.

- 6.4 The Council's reason for refusal cited above was not therefore supported by the appeal Inspector. The two current applications are not significantly different in terms of their streetscape appearance from the appeal schemes, and the levels of activity at the site that they would generate are the same as for the previous schemes that had the same levels of accommodation. For that reason it must be considered that this issue has been satisfactorily resolved, and no objection to either of the current proposals is raised. Density was also considered, and noted as similar to the neighbouring flats.
- 6.5 Differences in the appearance from the extant permission, including the numbers of windows on flank elevations of the building, were not considered further by the Inspector as there was no objection to these points in the Council's decisions on the appealed schemes. Impact on light were also not considered in the appeal decision, but this has not been an issue objected to by the Council in any of the application for the site, and it continues to be the case that the current applications would not result in any material difference in this respect from the extant permission. The Neighbourhood Plan objection letter notes the lack of windows in the south elevation for Apartment 5 and considers that this is poor design, but this was not objected to in the application that led to Appeal B as there are sufficient other windows to ensure an appropriate level of amenity for this apartment, and no objection is raised.

Impacts on the protected oak tree at the rear of the property

- 6.6 While the appeal decisions did not consider that additional future residents at the property would result in significant detriment to the character of the area because of the intensification of activities and traffic, the decision did however agree that additional impacts on the mature Oak to the rear of the building site would result, as compared to the extant permission for a single dwelling. Both appeals were dismissed for that reason. This is a protected tree (TPO No. 17 of 1998) and is an attractive, mature tree in good condition that is visible from neighbouring properties and from Cross Road.
- 6.7 The Royal Borough of Windsor and Maidenhead Local Plan (Local Plan) Policy N6 and Policy NP/EN2 of the NP seek to protect significant trees within and outside of development sites. Policy NP/EN3 of the NP requires proposals for new dwellings on private residential gardens to have, amongst other things, an acceptable impact on the landscape and environmental value of the site. The stem diameter of the Oak tree is an indication that it is an Ancient Tree; NPPF 118 advises that planning permission should not result in the loss of aged or veteran trees found outside ancient woodland, unless the need for and benefits of the development in that location clearly outweigh the loss.
- 6.8 In both applications, the apartment building would have the same footprint as the previously approved dwelling on the site. In considering the single-house application at the site, it was accepted that a development in this location could be implemented without causing significant damage to the tree, providing appropriate precautions and controls to protect the tree including its root protection area are put in place. However, in both appeal proposals parts of the living accommodation to Flat 3 would have been closer to the Oak tree than in the approved scheme. This resulted from the infilling of a rear-facing balcony in the extant permission, which resulted in Apartment 3 having windows approximately 9 metres from the canopy of the tree, including a Juliet balcony for Bedroom 1, and the main windows serving Bedroom 2 and also a dressing room which would be built into the space where the balcony would previously have been provided. In the five apartment scheme (Appeal B) the main outlook for the roof-level Apartment 5 would have been into the canopy of the tree.
- 6.9 In this pair of applications, the balcony in the extant permission would be reinstated, and Bedroom 1 would have a pair of glazed doors to this balcony, set perpendicular to views to the oak tree and providing an alternative outlook to the rear facing windows. The rear facing windows for Bedroom 2 is in this application by another pair of glazed doors to the same balcony; these are 2.5m further from than the tree canopy than the windows in both of the Appeal proposals. In this pair of applications, the primary outlook for Bedroom 1 would now be perpendicular to the oak tree. Notwithstanding that the use of these rooms could potentially be

changed (albeit that the provision of en-suite bathrooms for both bedrooms would make that less likely), it is considered that this improves the living conditions for future occupiers of Flat 3 sufficiently to make the threat of future detrimental pruning works to the tree less likely. The balcony would provide 12 sq.m. of private outdoor amenity space that was absent in the two appeal schemes.

- 6.10 In Appeal B, the five unit scheme, proximity of Flat 5's rear-facing windows to the canopy of the protected oak tree was not a matter of concern for the Inspector, presumably because they would be an additional 7.5m from the tree than the windows serving the refused scheme (a total distance of almost 20m). The current Application 2 has added a large roof terrace adjacent to the lounge by cutting into the roof on this part of the building, which would however remain at full height so that the appearance of the front of the building would remain largely as in the extant permission. (This would also prevent any direct views to the west towards the adjacent flats at Hillside Court.) The addition of this terrace results in an alternative direction of outlook from Flat 5's open plan kitchen lounge in this application, and the terrace itself would provide about 45 sq.m. of outdoor amenity space for future occupiers.
- 6.11 Provision of a private balcony or terrace for Flats 3 and 5 would reduce pressure on the use of the rear garden. Plot 2 would also have a more enclosed patio area as compared to those shown in the Appeal proposals. This area of about 37 sq.m. was shown as partially enclosed with a low wall in the appeal schemes, and this wall is extended further along the back of this flat to provide a more delineated private amenity area of this flat. Both this and the other lower ground floor flat (Plot 1) would retain direct access into this garden, while and the other 'upper floor' flat, Plot 2, would have Juliet balconies overlooking the garden at a distance of approximately 12m from the oak tree. The additional amenity spaces for Plots 3 and 5 and improved delineation for the patio at Plot 2 would reduce pressure on the use of the rear garden area adjacent to the oak tree as compared to the schemes in the dismissed appeals.
- 6.12 The Tree Officer's comments take a different approach to the two applications. For Application 1, he notes that the changes that have been made in relation to Plot 3 secure a similar level of tree protection as in the previously approved scheme, and therefore he did not object to this application. For Application 2, he comments that:

The additional accommodation in the roof space together with the subdivision of the property into flats would worsen the spatial relationship between the building and the adjacent protected oak tree. This would result in more principal accommodation being occupied in close proximity to this significant and important tree and will lead to future pressure to prune it in a way that would be detrimental to its character and long term viability.

- 6.13 However, as discussed above, the additional accommodation, Plot 5, has a large outdoor terrace, and the windows facing the oak tree canopy would be approximately 20m distinct from the canopy. It is noted also that the flats are not of the type that are generally occupied by families. Greater use of the woodland area on the north side of the oak tree, which extends for another 40m north of the oak tree, could also be provided by the requiring details of sitting out areas within this area to be provided as part of the landscaping requirements in any permission that is granted. On balance, it is considered that the impacts of the proposals in regard to the protected oak tree have been sufficiently addressed in both applications to have overcome this objection in both of the refused schemes. Pruning and removal of other trees at the site including a protected oak tree were previously agreed in the extant permission.

The mitigation of impacts on the Thames Basin Heaths SPA

- 6.14 The Thames Basin Heaths Special Protection Area (SPA) was designated in 2005 to protect and manage the ecological structure and function of the area to sustain the nationally important breeding populations of Nightjar, Woodlark and Dartford Warbler. As such it has statutory protection under the Conservation of Habitats and Species (Amendment) Regulations 2012. National planning policy in respect of conserving and enhancing the natural environment is contained within NPPF 11 of and further guidance is provided within Circular 06/2005. Whilst the South East Plan has been revoked, Policy NRM6 remains in force and requires new residential development to demonstrate adequate measures to be taken to mitigate the effects of the

development on the SPA. The Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document provides further guidance in respect of such mitigation.

- 6.15 The appeal site is located within the 400m - 5 km buffer zone around the SPA, where it is considered that additional residential development would result in additional recreational demands on the SPA. Since the provisions of the Community Infrastructure Levy (CIL) Regulations 2010 now prevent the Council from seeking pooled Section 106 financial contributions, the Council has used the alternative mechanism of using a condition to require a scheme to be put in place to mitigate impacts on the SPA. This is generally achieved through a planning obligation completed under section 111 of the Local Government Act (LGA). While the Inspector for two appeals noted that Planning Practice Guidance discourages the use of negatively worded conditions, condition 19 below would provide for SPA mitigation in the event that permission is granted.
- 6.16 The Council's ecologist considers that Natural England should be consulted for the applications due to the site's proximity to the Thames Basin Heaths SPA. However, provided that the applicant complies with the Council's agreed approach on mitigation of impacts on the SPA, as noted above, it is considered that Natural England no longer needs to comment individually on applications with respect to this issue.

Impacts on protected wildlife within the site

- 6.17 A survey has been undertaken at the site that has been reviewed by the Council's ecologist, who recommends appropriate conditions in the event that planning permission is granted.

For Application 2 only, the impacts of the roof terrace on neighbouring properties

- 6.18 The roof terrace for Flat 5 would be approximately 17m at its closest point from the closest windows at Richmond House, to the north-west, and from Hill House. As this terrace would be cut into the roof slope it appears that the roof itself would screen Richmond House from any direct views.
- 6.19 Views to habitable room windows at Hill House would be more direct; windows in the north-west elevation of Hill House directly face the roof terrace. While the distance between the two buildings may be sufficient to ensure that there would be no adverse impacts buildings, further clarification of this issue is required and it would the recommendation at Section 1 takes this into account.

Other material considerations

- 6.20 The Highways Officer has not objected, but has requested a number of conditions in the event that planning permission is granted, including provision of visibility splays commensurate with the 40mph speed limit on Cross Road and gradient for the access ramp to the basement car parking.

Housing Land Supply

- 6.21 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that applications for new homes should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. The Borough Council cannot demonstrate a 5 year housing land supply.
- 6.22 It is acknowledged that this scheme would make a contribution to the Borough's housing stock and it is the view of the Local Planning Authority that that the socio-economic benefits of the additional dwelling(s) would also weigh in favour of the development.

7. CONSULTATIONS CARRIED OUT

20 occupiers were notified directly of both applications.

The planning officer posted site notices for application ref. 16/00266/FULL at the site on 01.02.2016 and for application ref. 16/01179/FULL on 28.04.2016

Neighbour letters and consultation responses for the two applications are listed separately below:

Comments from interested parties for Application 1: 16/00266/FULL

Four letters were received objecting to the application, including one from an individual and one each from the Society for the Protection of Ascot and Environs and the Neighbourhood Plan Delivery Group. These are summarised as:

| Comment | Where in the report this is considered |
|----------------------------------------------------------------|----------------------------------------|
| 1. Impacts on privacy at Hillside Park. | 6.5 |
| 2. Impact on protected oak tree. | 6.6 - 6.13 |
| 3. Density of the development | 6.4 |
| 4. Previous appeals for similar proposals have been dismissed. | 6.2 - 6.13, 6.15 |

Consultees' responses for Application 1: 16/00266/FULL

| Consultee | Comment | Where in the report this is considered |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| Parish Council: | The revised application continues to be out of character for the area and the Inspector's main issues identified in the Appeal Decision rejections have not been addressed. | 6.2 - 6.13 |
| | Seek clarification that the gradient/angle of the short driveway to access the basement parking area is compliant as the building line is now further forward. | 6.20 |
| Highways Officer: | No objection; conditions requested in the event that planning permission is granted. | 6.20 |
| Trees Officer: | No objection subject to conditions. | 6.6 - 6.12 |
| Ecologist: | No objection on ground of impacts on protected wildlife within the site, subject to conditions. Considers that Natural England should be consulted for this application. | 6.16, 6.17 |

Comments from interested parties for Application 2: 16/01179/FULL

Six letters were received objecting to the application, including one from an individual and one each from the Society for the Protection of Ascot and Environs and the Neighbourhood Plan Delivery Group. These are summarised as:

| Comment | Where in the report this is considered |
|---------------------------------------------------------------------------------------------------------------|----------------------------------------|
| 1. Overdevelopment of the site and adverse impact on the character of the area including increase in density. | 6.2 - 6.15 |
| 2. Adverse impact on residential amenity and privacy. | 6.5 |

| | | |
|----|--------------------------------------------------------------------------------------------------|------------------|
| 3. | Impact on daylight to neighbouring apartments. | 6.5 |
| 4. | Adverse impact on the protected oak tree. | 6.6 - 6.13 |
| 5. | Removal of other trees. | 6.13 |
| 6. | Impacts on protected wildlife. | 6.17 |
| 7. | Highways safety including difficulty of access to the A30. | 6.20 |
| 8. | The proposal does not overcome the Inspector's reasons for refusal. | 6.6 - 6.13, 6.15 |
| 9. | Poor level of amenity for future occupiers of Flat 5 due to their being no south-facing windows. | 6.5 |

Consultees' responses for Application 2: 16/01179/FULL

| Consultee | Comment | Where in the report this is considered |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| Parish Council: | Concerns with impact on the protected oak tree noted in the appeal decision, and that the number of windows facing the tree is likely to lead to its future pruning. Seek clarification that the gradient/angle of the short driveway to access the basement parking area is compliant as the building line is now further forward. | 6.2 - 6.13 6.20 |
| Highways Officer: | No objection; conditions requested in the event that planning permission is granted. | 6.20 |
| Trees Officer: | Objection. | 6.6 - 6.12 |
| Ecologist: | No objection on ground of impacts on protected wildlife within the site, subject to conditions. Considers that Natural England should be consulted for this application. | 6.16, 6.17 |
| Thames Water: | No objection. | Noted. |

8. APPENDICES TO THIS REPORT

- Appendix A - site location plan
- Appendix B - site layout, elevation drawings and floor plans for application ref. 16/00266/FULL (Application 1)
- Appendix C - site layout, elevation drawings and floor plans for application ref. 16/01179/FULL (Application 2)
- Appendix D - elevation drawings and floor plans for extant permission 13/01206/FULL
- Appendix E - elevation drawings and floor plans for dismissed appeal ref. 14/03591/FULL
- Appendix F - elevation drawings and floor plans for dismissed appeal ref. 15/01199/FULL
- Appendix G - appeal decision for previous applications ref. 14/03591/FULL and 15/01199/FULL

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues are considered able to be successfully resolved.

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. No site clearance or excavation shall commence in association with the development until a biodiversity mitigation strategy, including details of provision of nesting boxes and other habitat provision / improvements (which should be incorporated into the landscaping proposals for the site), has been submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall then be implemented in their entirety within the timescales approved within the strategy.
Reason: In order to comply with Neighbourhood Plan Policy NP/E4 and with advice in the National Planning Policy Framework 2012.
3. Prior to any equipment, machinery or materials being brought onto the site and prior to any demolition works in connection with the development, details of the measures to protect, during construction and demolition, the trees to be retained within the development shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any demolition works or before any equipment, machinery or materials are brought onto the site, and shall then be maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837:2012. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written approval of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1 and N6.
4. Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
5. No development shall take place until detailed drawings of the access have been submitted to and approved in writing by the Local Planning Authority, including details that demonstrate that the ramp to the basement parking does not exceed 1:12 (with adequate transitions) to ensure that safe and satisfactory access can be provided and assist with refuse / cycle access. The access shall then be constructed in accordance with the approved details and retained as such.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5 and DG1.
6. No development shall take place until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy DG1
7. No development shall take place until details of measures to ensure that the proposed apartments are suitable for occupation by people of all age groups, including the elderly, have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would meet the standards, including the Lifetime Homes standard, as set out in the Royal Borough of Windsor and Maidenhead Planning for an Ageing Population Supplementary Planning Document. The development shall be carried out and subsequently retained and maintained in accordance with the approved details.

Reason: To ensure that measures to make the development accessible for all age groups are included in the development and to comply with the Royal Borough of Windsor and Maidenhead Planning for an Ageing Population Supplementary Planning Document.

8. No development shall take place until full details of both hard and soft landscape works, including boundary treatment, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. Details to be included in the submission shall include plant numbers, grades and densities, and materials to be used in hard surfaced areas and any fences or walls. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policy - Local Plan DG1.

9. Prior to the commencement of development, a plan showing the position of all underground services in relation to the root protection areas of retained trees and hedges and proposed soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. All underground services shall then be provided only in accordance with the approved details and maintained as such, unless otherwise first approved in writing by the Local Planning Authority.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1 and N6.

10. No other part of the development shall commence until the access has been constructed in accordance with the approved drawing. The access shall thereafter be retained.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1

11. No development shall commence until details of all finished slab and roof levels in relation to ground level (against OD Newlyn and including roof levels for Richmond House and other buildings close to the application site) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

Reason: In the interest of the visual amenities of the area. Relevant Policy Local Plan DG1.

12. No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.

13. No part of the development shall be commenced until visibility splays of 2.4m metres by 43m metres have been provided at the site entrance. All dimensions are to be measured along the edge of the driveway and the back of footway from their point of intersection. The areas within these splays shall be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.

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

14. No part of the development shall be occupied until a refuse bin storage area and recycling facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept available for use in association with the development at all times.

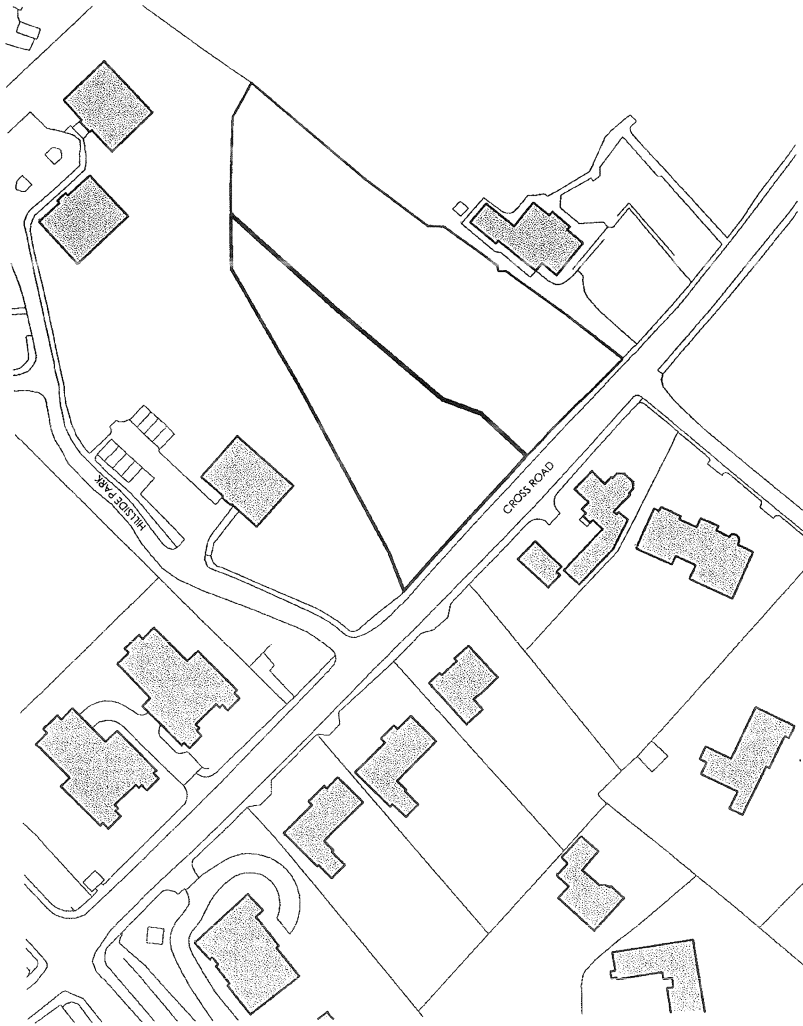
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.

15. No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.
16. The hard surface shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with Requirement 5 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.
17. No outdoor lighting may be provided at the site unless details have first been submitted to and agreed in writing by the Local Planning Authority. The development shall then be implemented and maintained in accordance with the approved details.
Reason: To provide a development that is complementary to this edge of settlement location. Relevant Policy - Local Plan DG1.
18. No development shall take place until a scheme for the mitigation of the effects of the development on the Thames Basin Heaths Special Protection Area has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for the delivery of Suitable Alternative Natural Greenspace (SANG) and for provision towards Strategic Access Management and Monitoring (SAMM). In the event that the proposal is for the physical provision of SANG, the SANG shall be provided in accordance with the approved scheme before any dwelling is occupied. Reason: To ensure that the development, either on its own or in combination with other plans or projects, does not have a significant adverse effect on a European site within the Conservation of Habitats and Species Regulations 2010.
19. The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

APPENDIX A.

Rev. Description

Date



Status: PLANNING

Scale: 1:1250 Date: Oct 2014

Revision: A3 Sheet: A3

Dwg No: FD 14-1220 P2-50

Planning
This drawing is intended for planning purposes only and is not for use for construction.

Client: KEBBELL DEVELOPMENT LTD.
Project: Land at Hill House, Cross Road, Sunningdale
Title: Site Location Plan

100%

| Rev | Description | Date |
|-----|-----------------|----------|
| A | Balcony removed | 18.05.16 |



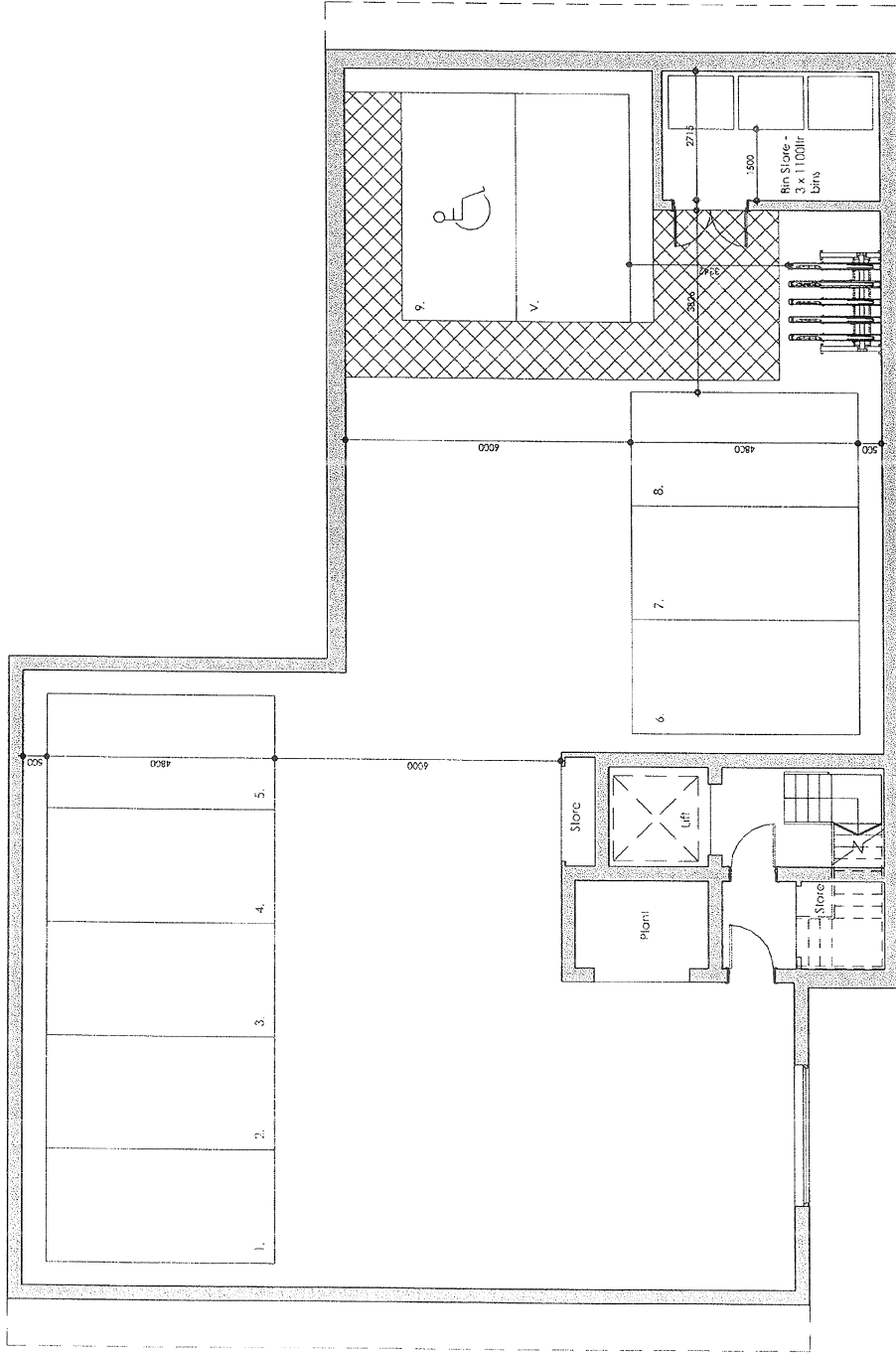
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|-----------|----------------------|-----------|----------|
| Status: | PLANNING | Date: | Oct 2014 |
| Scale: | 1 : 500 | Revision: | A |
| Revision: | A | Sheet: | A3 |
| Dwg No: | FD 14 - 1220 P2 - 55 | Planning | |

Application 1: 16/00266/FULL

Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Proposed Site Layout

Drawings & documents for PLANNING PURPOSES only and to be used for INFORMATION ONLY.

| Rev. | Description | Date |
|------|-------------|------|
| | | |



Folco stacking, bike rack
10 x lockable bike spaces

BASEMENT PLAN



Status: PLANNING

Scale: 1:100 Date: Oct 2014

Revision: A3 Sheet: A3

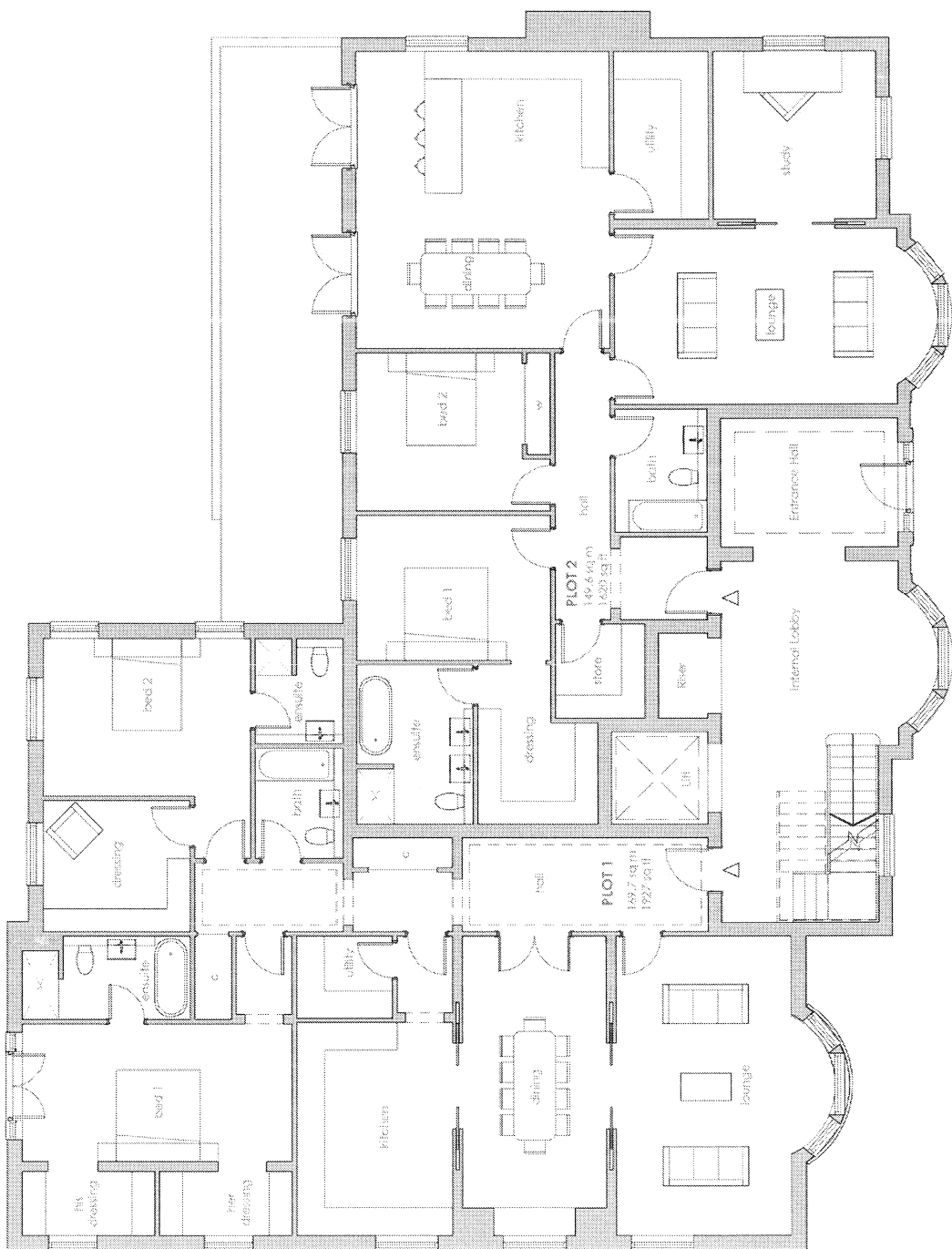
Drng No: FD 14-1220 P2-100

Prepared by: [Name]
Checked by: [Name]

Application 1: 16/00266/FULL

Client: KEBBELL DEVELOPMENT LTD.
Project: Land at Hill House, Cross Road, Summingdale
Title: Basement Plan

Rev: Description Date
 A retaining wall above 16/02/16



LOWER GROUND FLOOR PLAN

Client: KEBBELL DEVELOPMENT LTD.
Project: Land at Hill House, Cross Road, Sunningdale
Title: Lower Ground Floor Plan

Application 1: 16/00266/FULL

Status: PLANNING

Scale: 1 : 100 **Date:** Oct 2014

Revision: A **Sheet:** A3

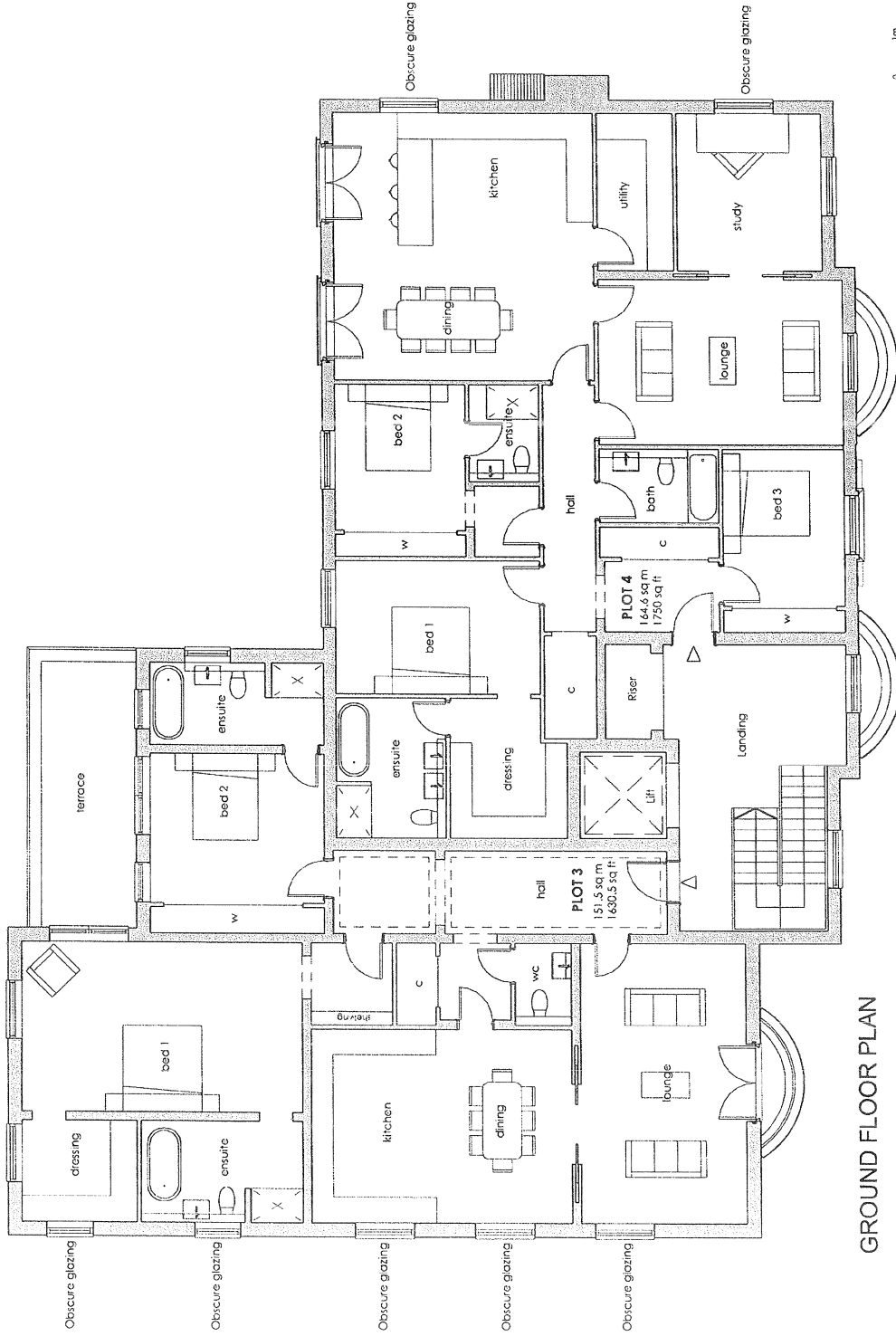
Drwg No: FD 14 - 1220 P2 - 101

PLANNING
 CONSULTANTS
 100, QUEEN'S ROAD, LONDON SW14 7UL

Notes

Rev. Description

Date



GROUND FLOOR PLAN



Status: PLANNING

Scale: 1:100

Date: Oct 2014

Revision: A3

Sheet: A3

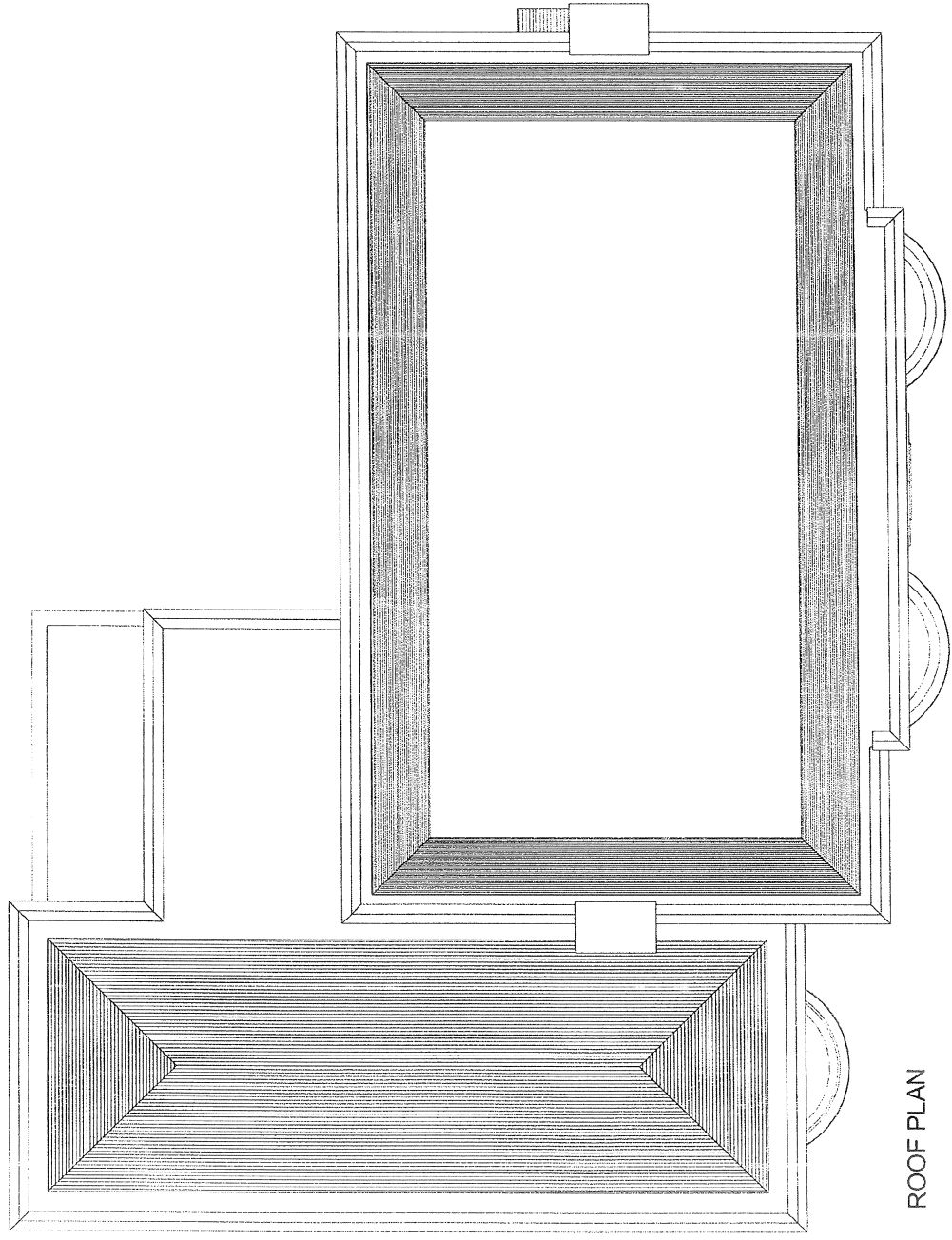
Drng No: FD 14-1220 P2-102

Planning
This drawing is produced for PLANNING PURPOSES ONLY and is not valid for construction.

Application 1: 16/00266/FULL

Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Ground Floor Plan

| Rev | Description | Date |
|-----|-------------|------|
| | | |



ROOF PLAN



Status: PLANNING
 Scale: 1:100
 Date: Oct 2014
 Revision: A3
 Sheet: A3
 Drg No: FD 14-1220 P2-104
 Drawing
 This drawing is intended for PLANNING PURPOSES ONLY and is not to be used for construction.

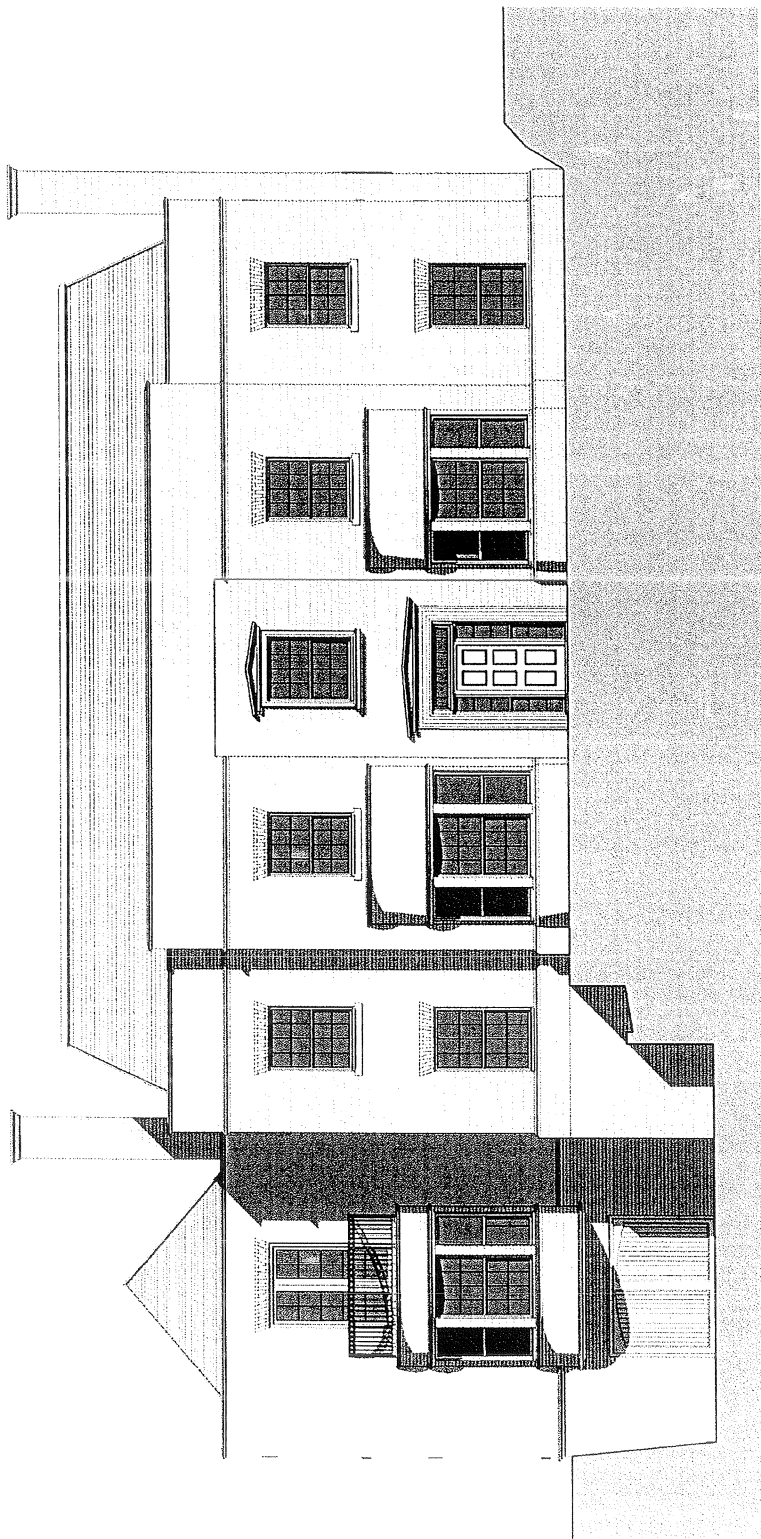
Application 1: 16/00266/FULL

Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Roof Plan

North

Rev. Description

Date



FRONT ELEVATION



Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Front Elevation

Status: PLANNING

Scale: 1 : 100 Date: Oct 2014

Revision: A3

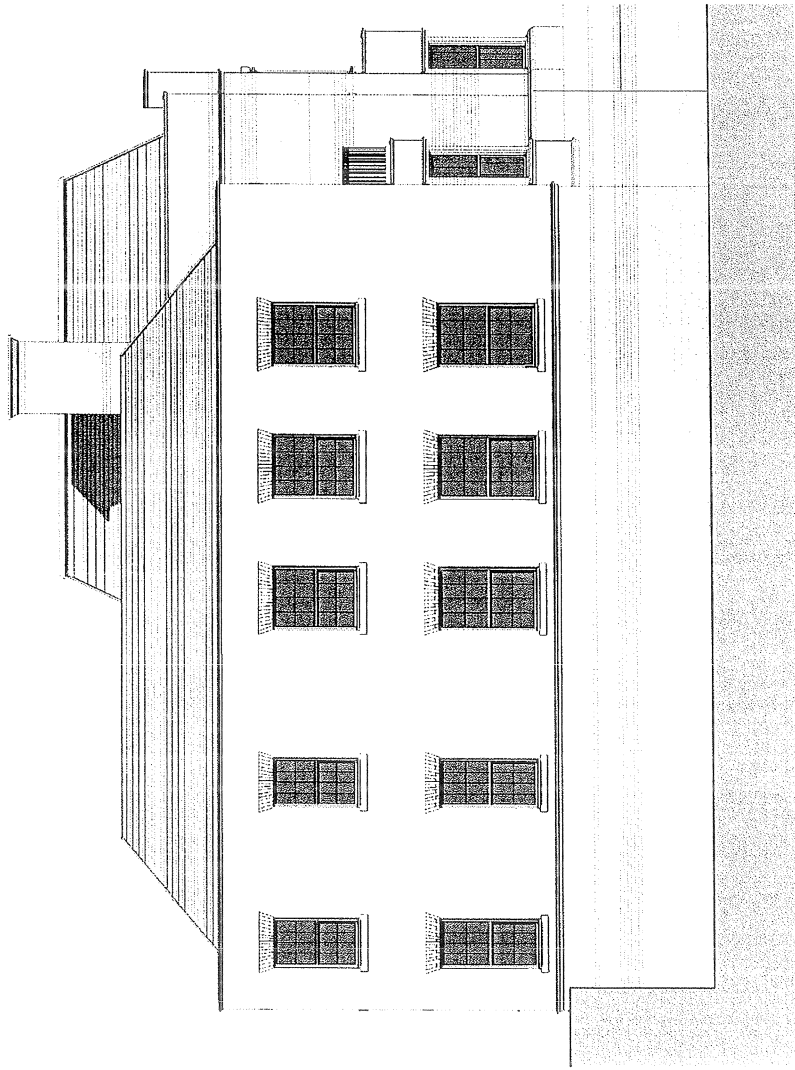
Drwg No: FD 14 - 1220 P2 - 110

Planning
 The drawings & documents to PLANNING & PROSS ONLY ARE NOT TO BE USED FOR CONSTRUCTION

Application 1: 16/00266/FULL

10000

| Rev | Description | Date |
|-----|-------------|------|
| | | |



LEFT FLANK ELEVATION



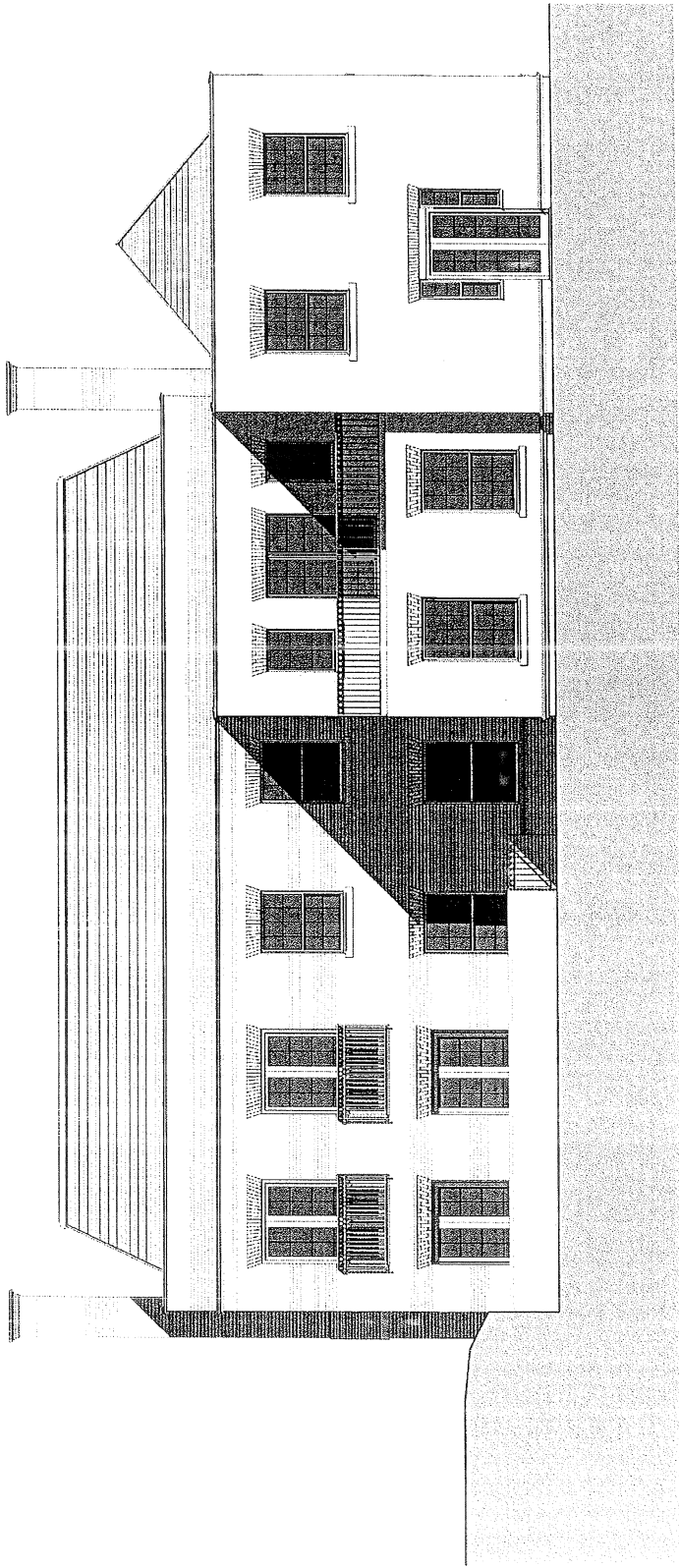
Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Left Flank Elevation

Status: PLANNING
 Scale: 1 : 100 Date: Oct 2014
 Revision: Sheet: A3
 Dwg No: FD 14-1220 P2-111
 Revision
 This drawing is prepared for PLANNING PURPOSE ONLY and is not to be used for construction.

Application 1: 16/00266/FULL

Notes

| Rev | Description | Date |
|-----|-------------|------|
| | | |



REAR ELEVATION



Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Rear Elevation

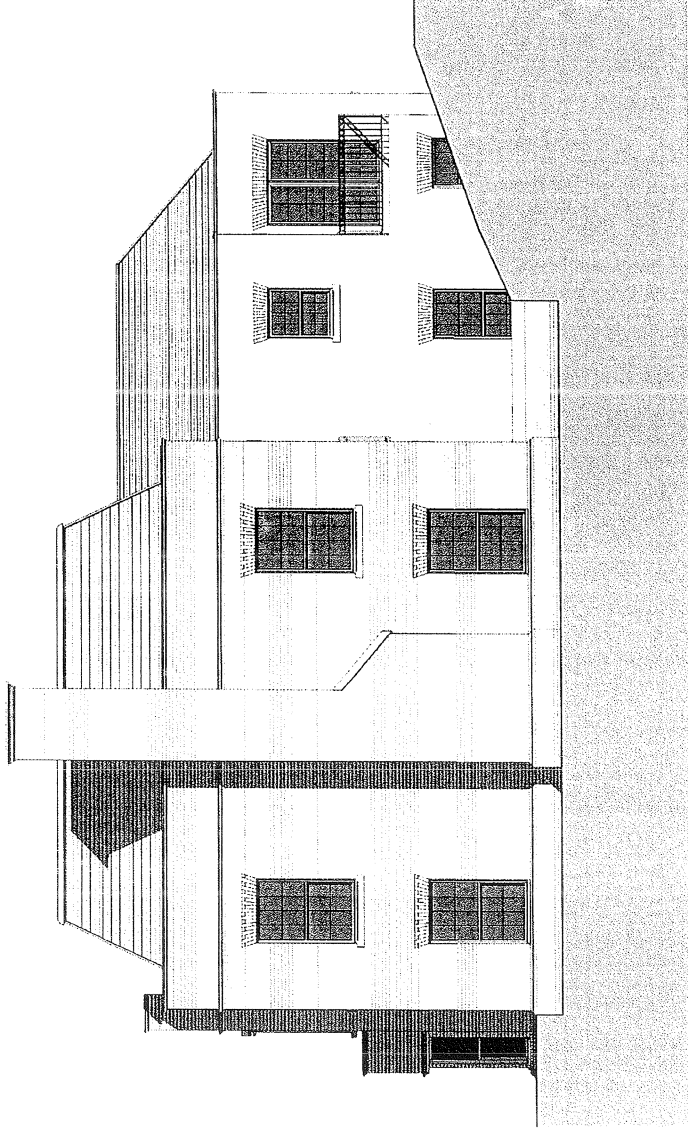
Status: PLANNING
 Scale: 1:100 Date: Oct 2014
 Revision: A3
 Drg No: FD 14-1220 P2-112

Application 1: 16/00266/FULL

This drawing is prepared for PLANNING PURPOSES ONLY and is not to be used for CONSTRUCTION

MM-1

| Rev. | Description | Date |
|------|-------------|------|
| | | |



RIGHT FLANK ELEVATION




Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Right Flank Elevation

Application 1: 16/00266/FULL

Status: PLANNING
 Scale: 1 : 100 Date: Oct 2014
 Revision: A3 Sheet: A3
 Dwg No: FD 14-1220 P2 - 113
This drawing is produced for PLANNING PURPOSES ONLY and is not intended for construction.

Rev: Description
 A Balcony removed

Date: 19/05/16



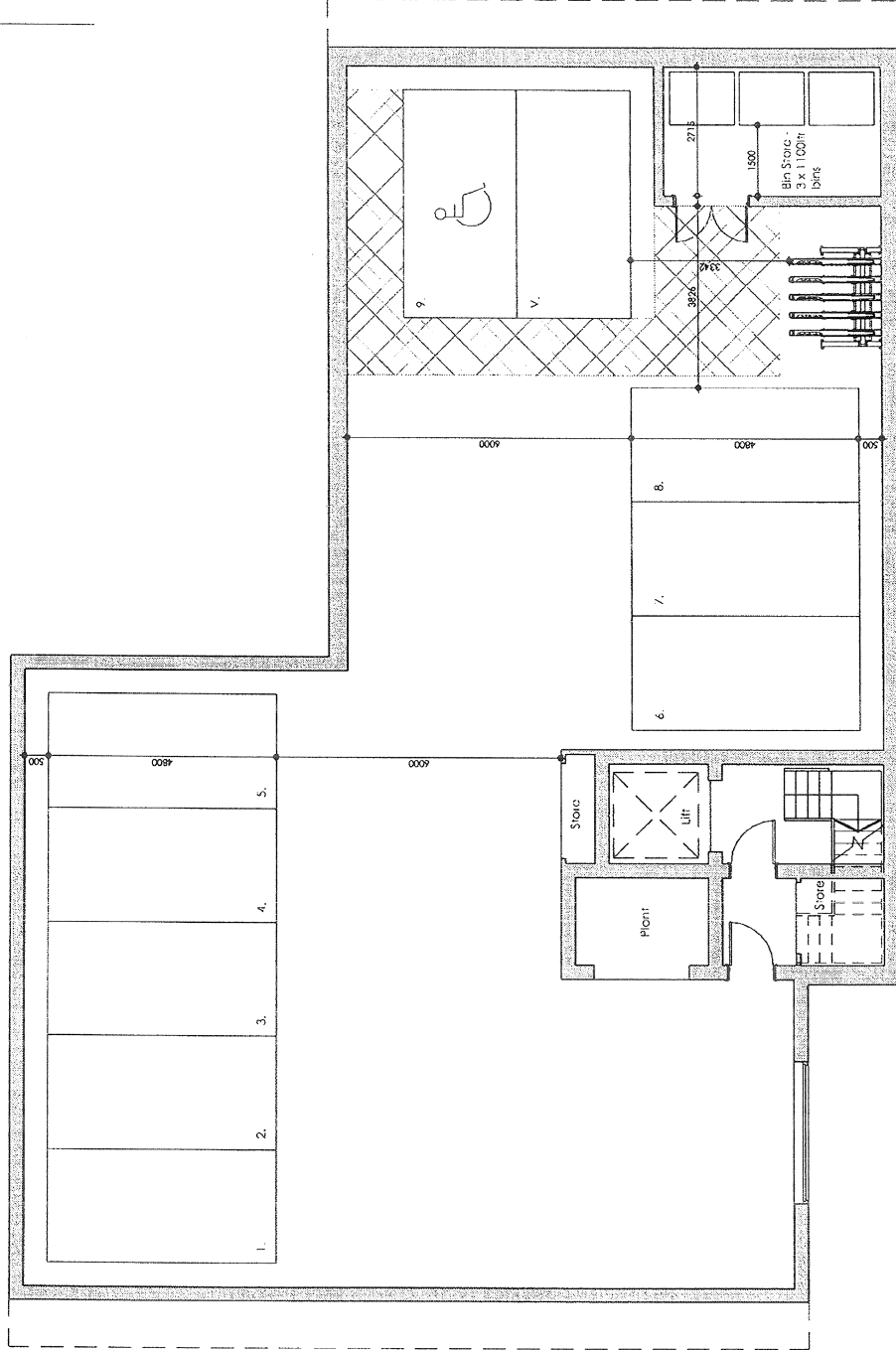

Status: PLANNING
 Scale: 1:500 Date: April 2016
 Revision: A Sheet: A3
 Drg No: FD 14-1220 P3-55
 Drawing
 This drawing is prepared for PLANNING PURPOSES ONLY and is not to be used for CONSTRUCTION.

Application 2: 16/01179/FULL

Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Proposed Site Layout

Rev. Description

Date



Ventilation to be located along this wall

Ventilation to be located along this wall

Table parking bike rack
10 x lockable bike spaces



BASEMENT PLAN

Status: PLANNING

Scale: 1 : 100

Date: April 2016

Revision: A3

Sheet: A3

Drng No: FD 14 - 1220 P3 - 100

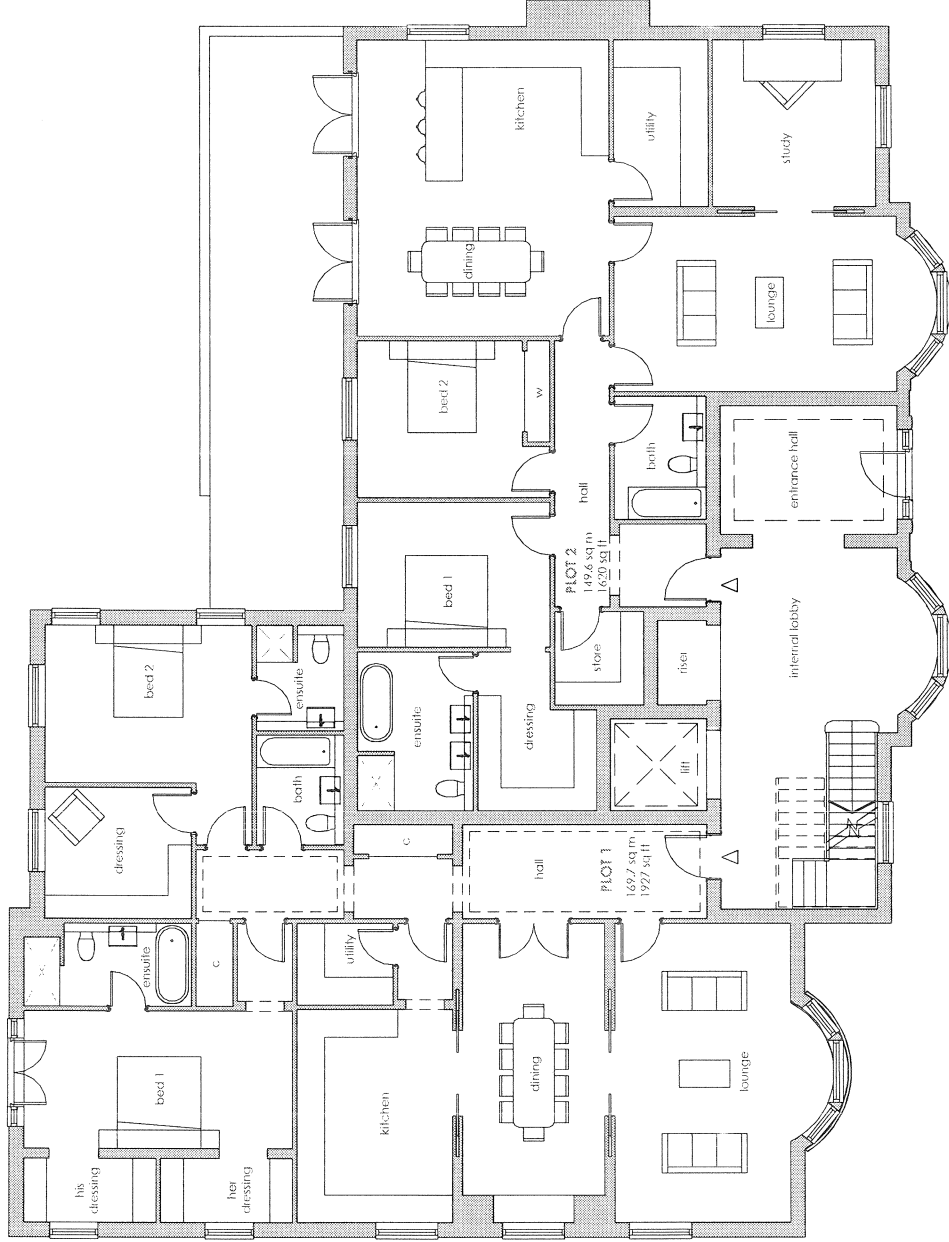
This drawing is produced for PLANNING PURPOSES ONLY and is not for construction.

Application 2: 16/01/179/FULL

Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Basement Plan

Rev. Description
A Retaining wall shown

Date
19.05.16



LOWER GROUND FLOOR PLAN

Status: PLANNING

Scale: 1 : 100 Date: April 2016

Revision: A Sheet: A3

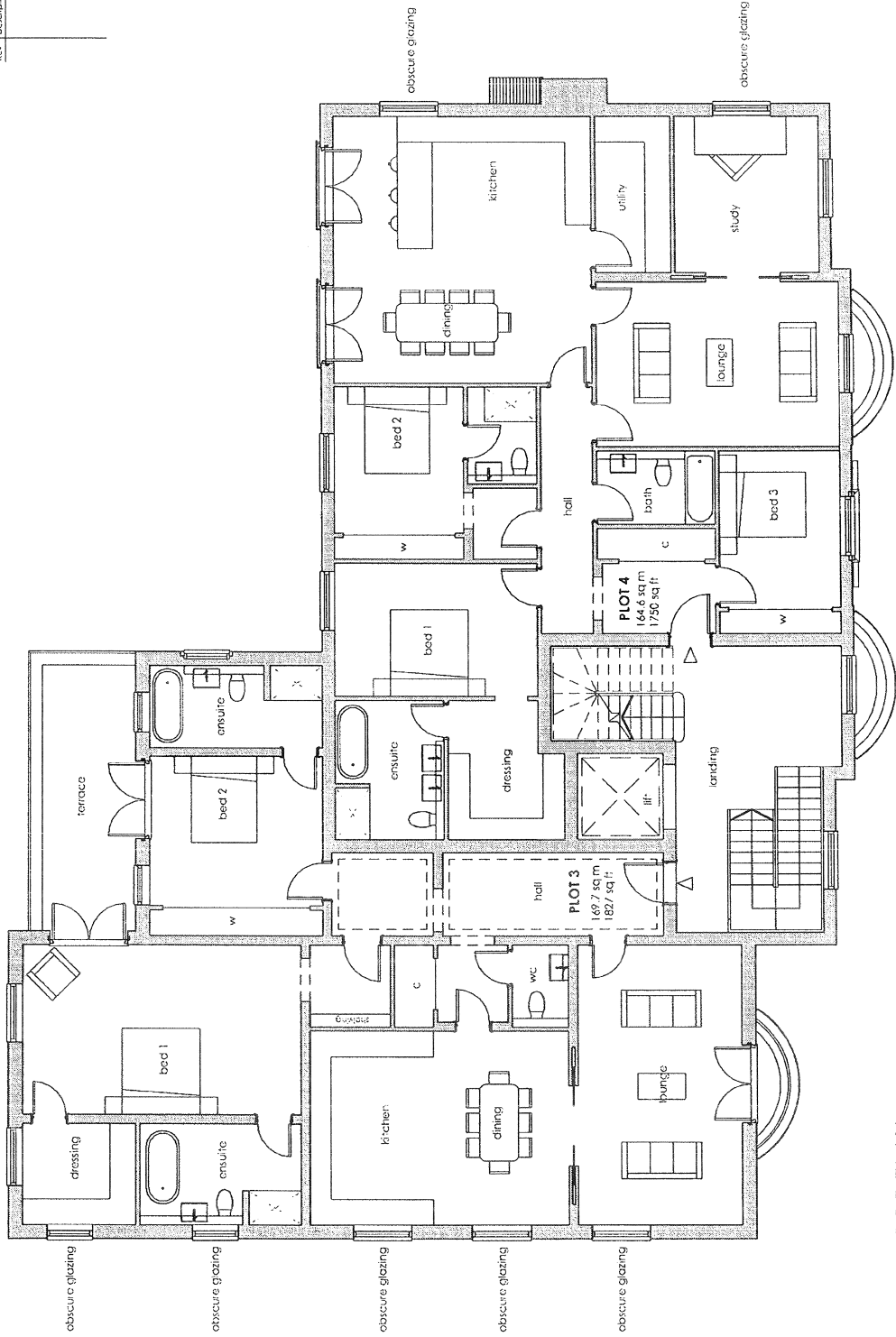
Drng No: FD 14-1220 P3 - 101

Warning: This drawing is intended for planning purposes only and should not be used for construction.

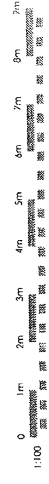
Application 2: 16/01179/FULL

Client: KEBBELL DEVELOPMENT LTD.
Project: Land at Hill House, Cross Road, Sunningdale
Title: Lower Ground Floor Plan

| Rev | Description | Date |
|-----|-------------|------|
| | | |



GROUND FLOOR PLAN



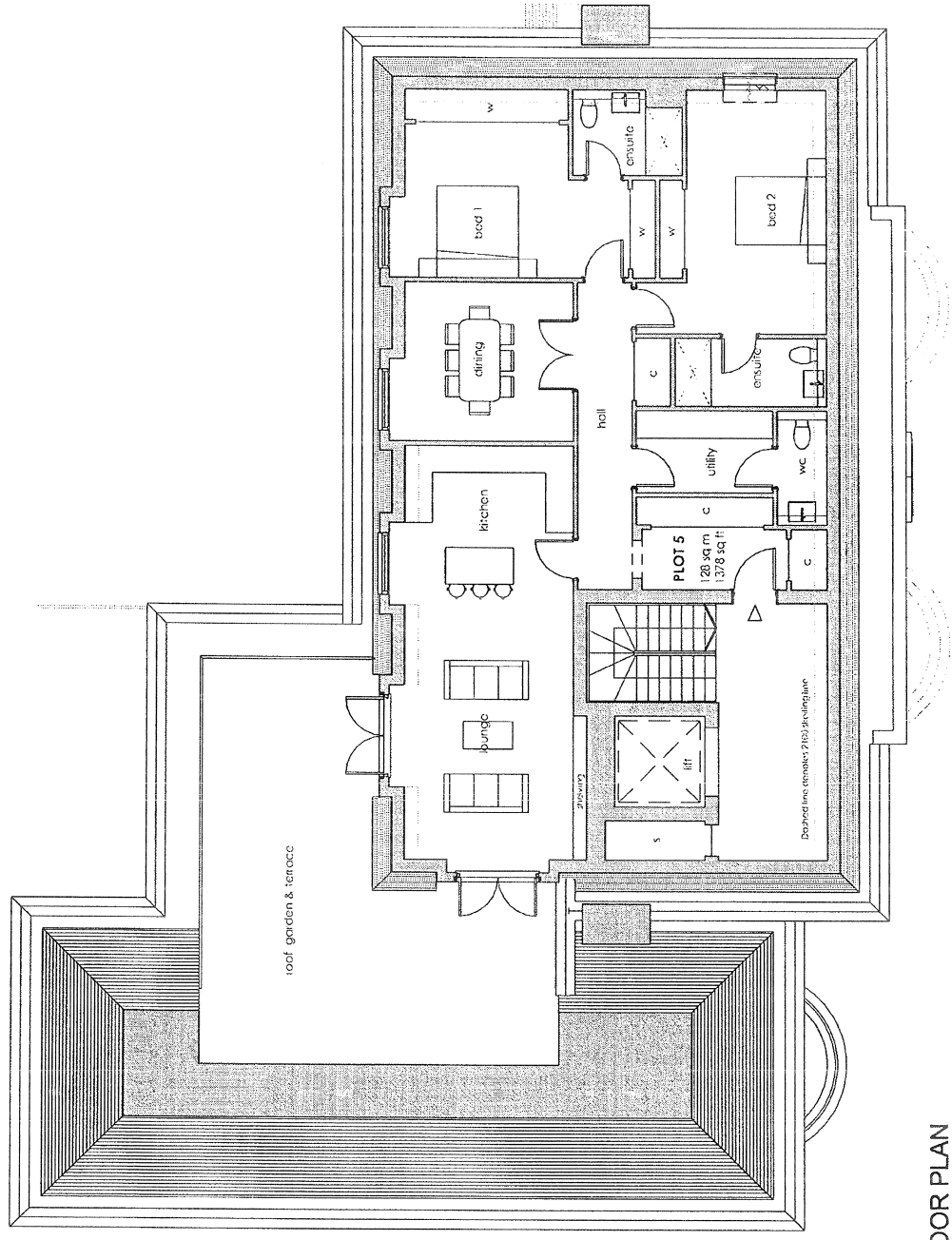
Status: PLANNING
 Scale: 1 : 100
 Date: April 2016
 Revision: A3
 Sheet: A3
 Drg No: FD 14 - 1220 P3 - 102
 This drawing is produced for PLANNING PURPOSES ONLY. IT MAY BE USED FOR CONSTRUCTION.

Application 2: 16/01179/FULL

Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Ground Floor Plan

1:100

Rev. Description Date



FIRST FLOOR PLAN

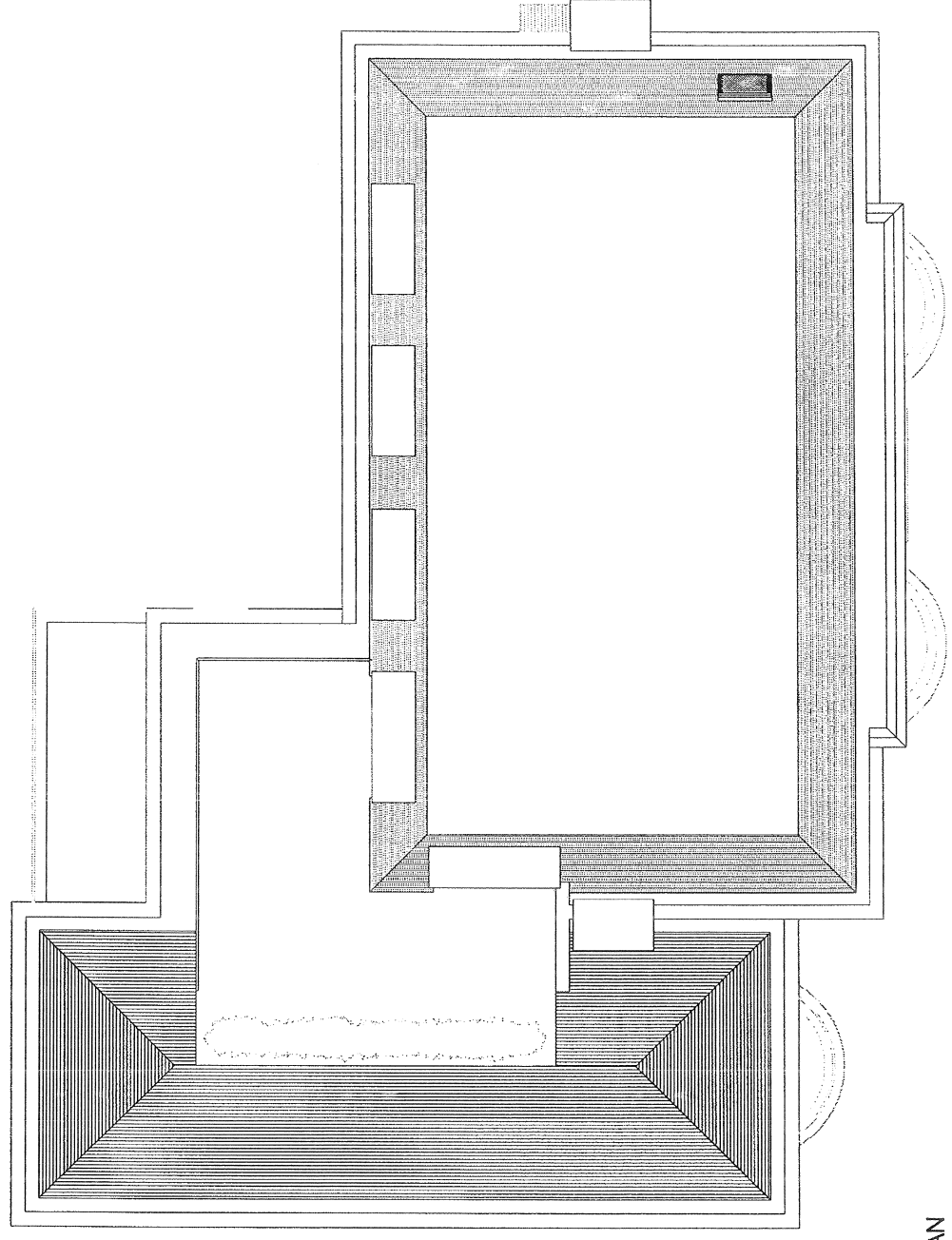
Application 2: 16/01179/FULL

Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: First Floor Plan

Status: PLANNING
 Scale: 1 : 100
 Revision: AS
 Date: April 2016
 Sheet: AS
 Drg No: FD 14 - 1220 P3 - 103
 Planning
 This drawing is produced for PLANNING PURPOSES ONLY and is not to be used for construction.

North

| Rev. | Description | Date |
|------|-------------|------|
| | | |



ROOF PLAN

0 1m 2m 3m 4m 5m 6m 7m 8m
 1:100
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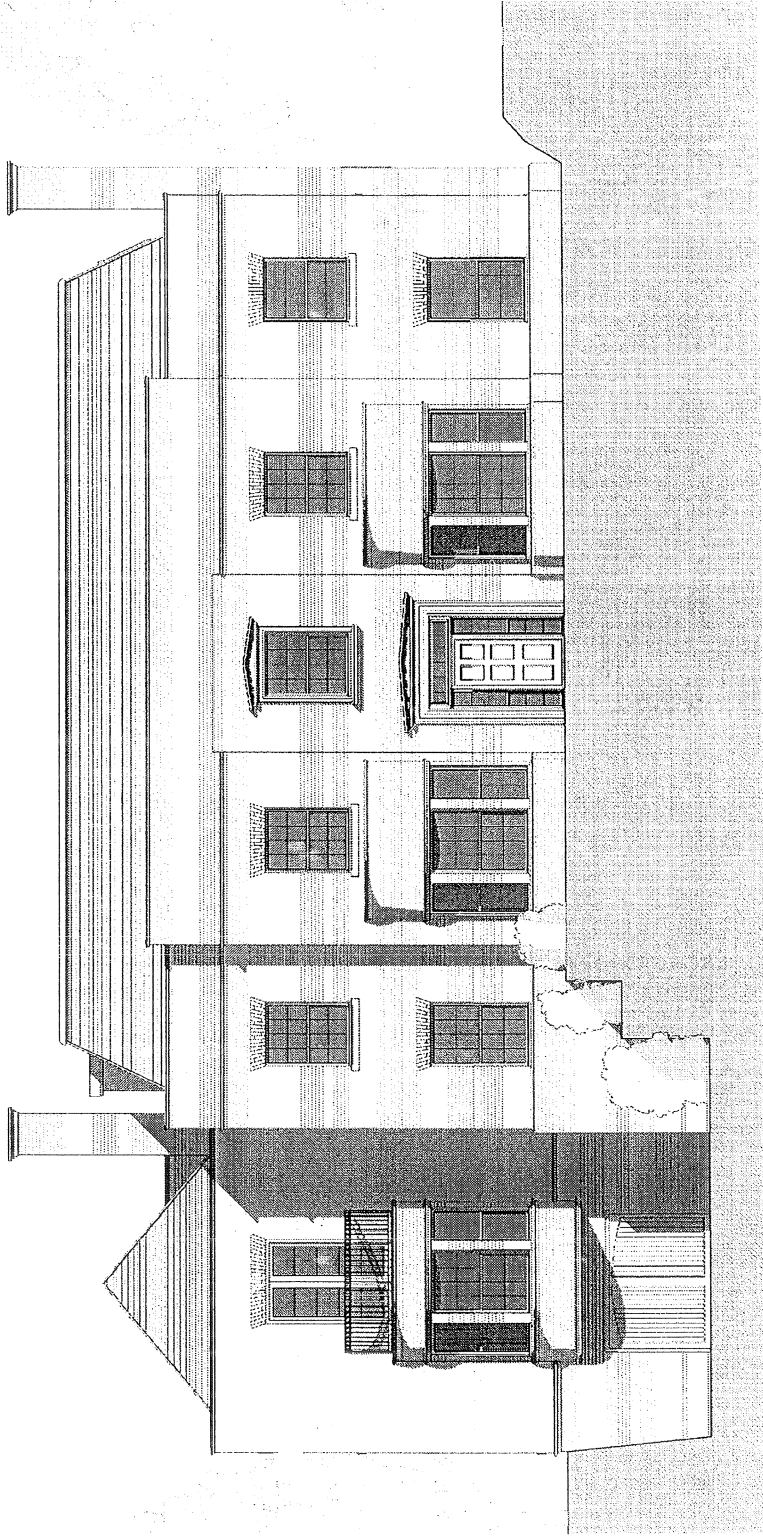
Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Roof Plan

Status: PLANNING
 Scale: 1 : 100
 Revision: A3
 Dwg No: FD 14 - 1220 P3 - 104
 Date: April 2016
 Sheet: A3
 Planning
 This drawing is produced for PLANNING PURPOSES ONLY and is not to be used for construction.

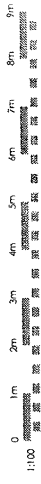
Application 2: 16/01179/FULL

10/11/14

| Rev. | Description | Date |
|------|-------------|------|
| | | |



FRONT ELEVATION



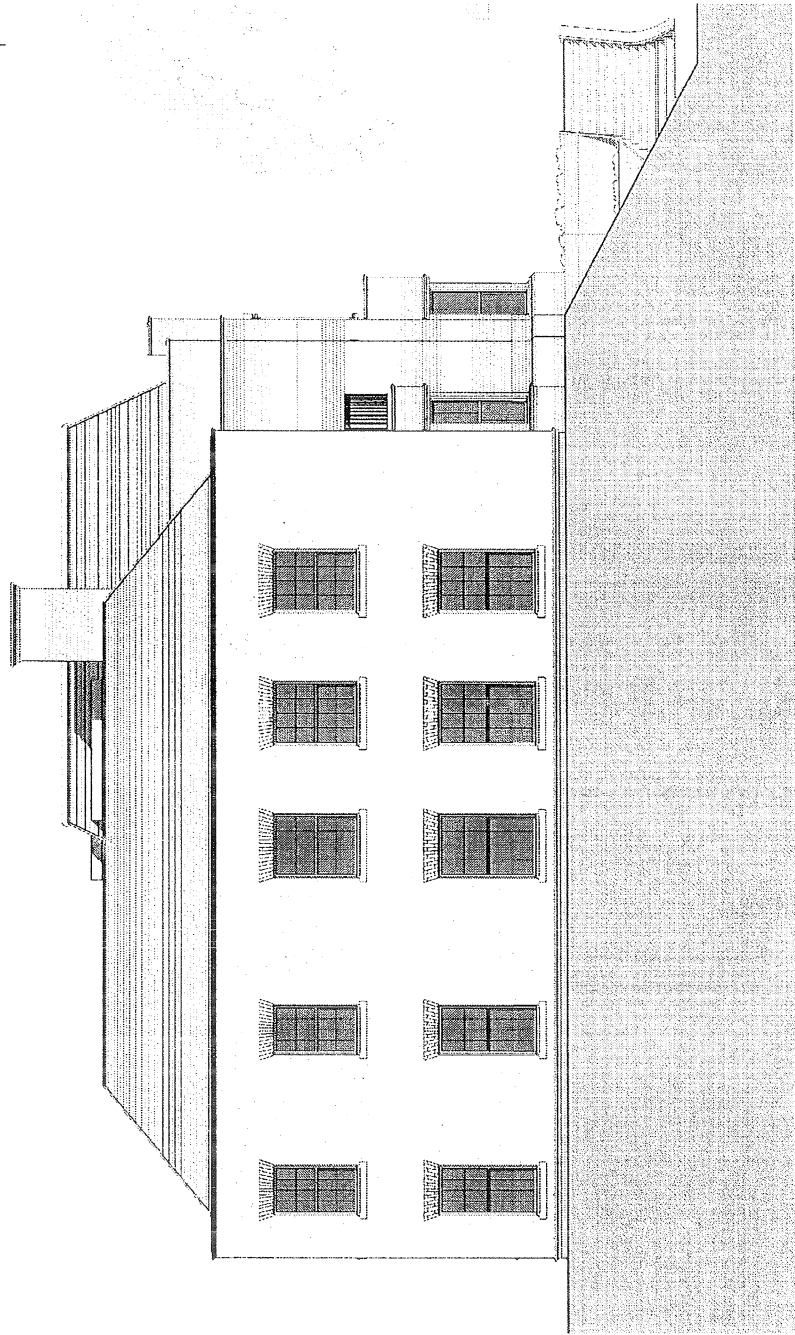
Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Front Elevation

Application 2: 16/01/179/FULL

Status: PLANNING
 Scale: 1:100 Date: April 2016
 Revision: Sheet: A3
 Drg No: FD 14-1220 P3-110
Prepared by: [unreadable] Checked by: [unreadable] Drawn by: [unreadable]

Notes:

| Rev. | Description | Date |
|------|-------------|------|
| | | |



LEFT FLANK ELEVATION



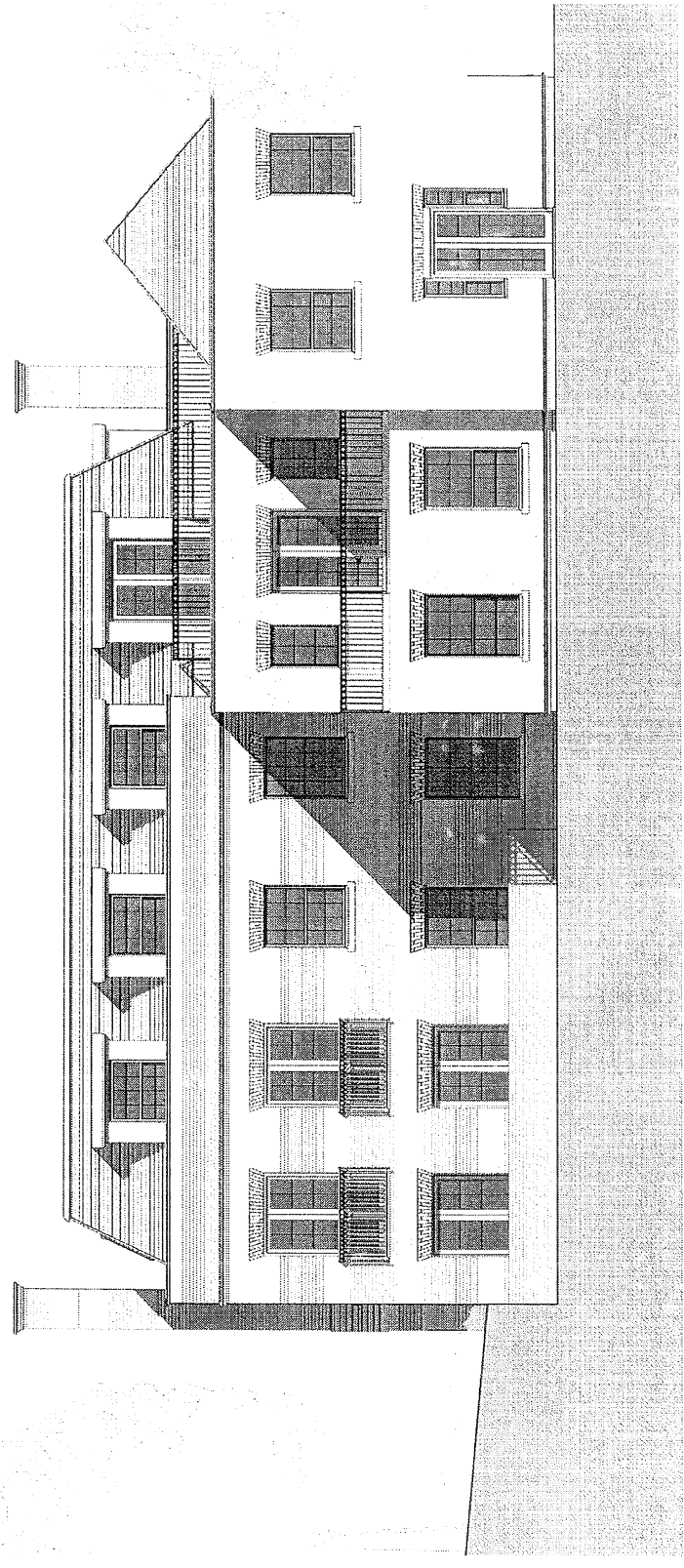
Status: PLANNING
 Scale: 1 : 100
 Revision: A3
 Date: April 2016
 Sheet: A3
 Drg No: FD 14 - 1220 P3 - 111
 Drawing
 This drawing is produced for planning purposes only and is not for construction.

Application 2: 16/01179/FULL

Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Left Flank Elevation

MARK

| Rev. | Description | Date |
|------|-------------|------|
| | | |



REAR ELEVATION

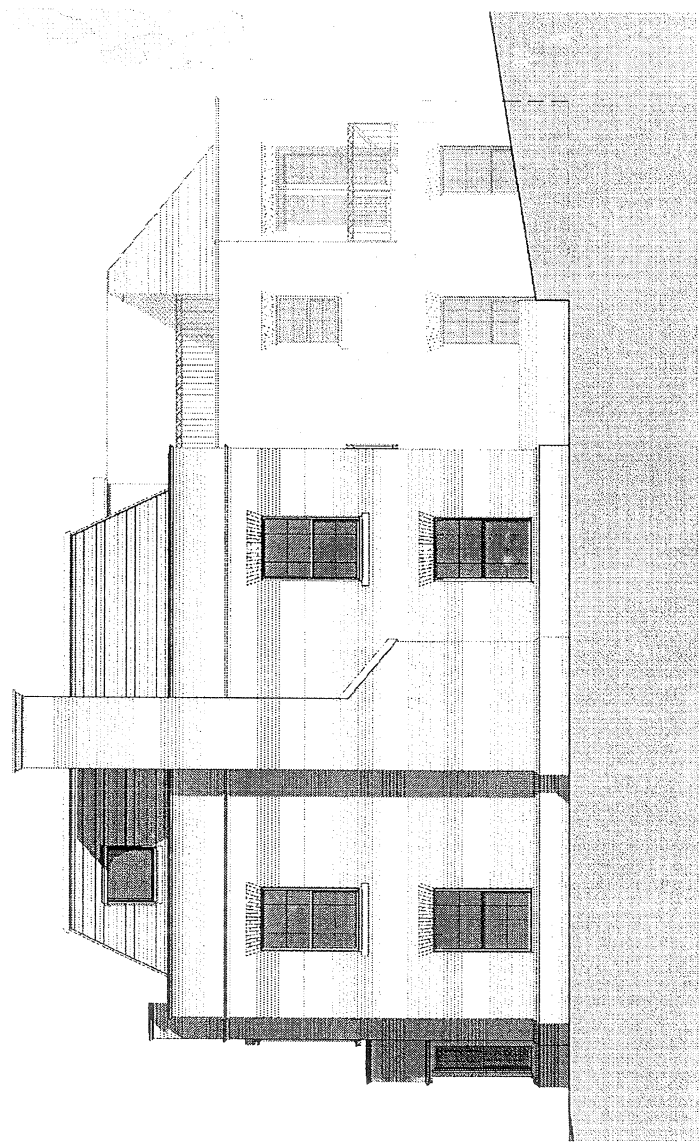
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Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Rear Elevation

Application 2: 16/01179/FULL

Status: PLANNING
 Scale: 1 : 100
 Revision: A3
 Date: April 2016
 Sheet: A3
 Drg No: FD 14 - 1220 P3 - 112
 Planning
 For details & conditions of PLANNING PERMISSIONS ONLY, ENQUIRE OF THE ARCHITECT'S OFFICE.

| Rev. | Description | Date |
|------|-------------|------|
| | | |



RIGHT FLANK ELEVATION



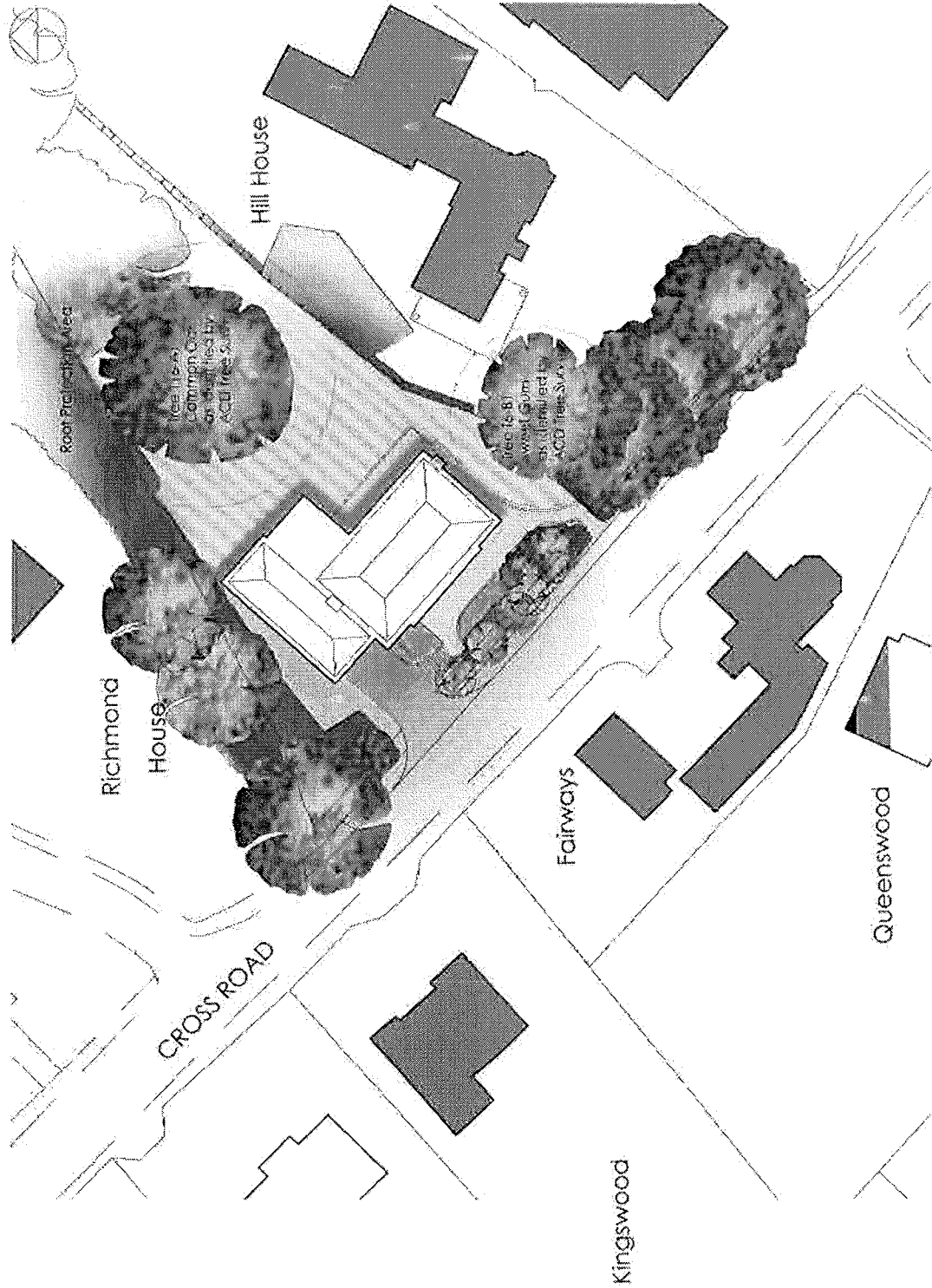
Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Right Flank Elevation

Application 2: 16/01179/FULL

Status: PLANNING
 Scale: 1 : 100
 Date: April 2016
 Revision: AS
 Sheet: A3
 Drg No: FD 14 - 1220 P3 - 113
 Planning
 The company's products are for PLANNING PURPOSES ONLY and not for construction.

APPENDIX D.

| No. | Description | Date |
|-----|---------------------------------|----------|
| 1 | Approved by Planning Commission | 10/04/13 |
| 2 | Approved by City Council | 10/04/13 |
| 3 | Approved by Planning Commission | 10/04/13 |
| 4 | Approved by City Council | 10/04/13 |
| 5 | Approved by Planning Commission | 10/04/13 |
| 6 | Approved by City Council | 10/04/13 |
| 7 | Approved by Planning Commission | 10/04/13 |
| 8 | Approved by City Council | 10/04/13 |
| 9 | Approved by Planning Commission | 10/04/13 |
| 10 | Approved by City Council | 10/04/13 |

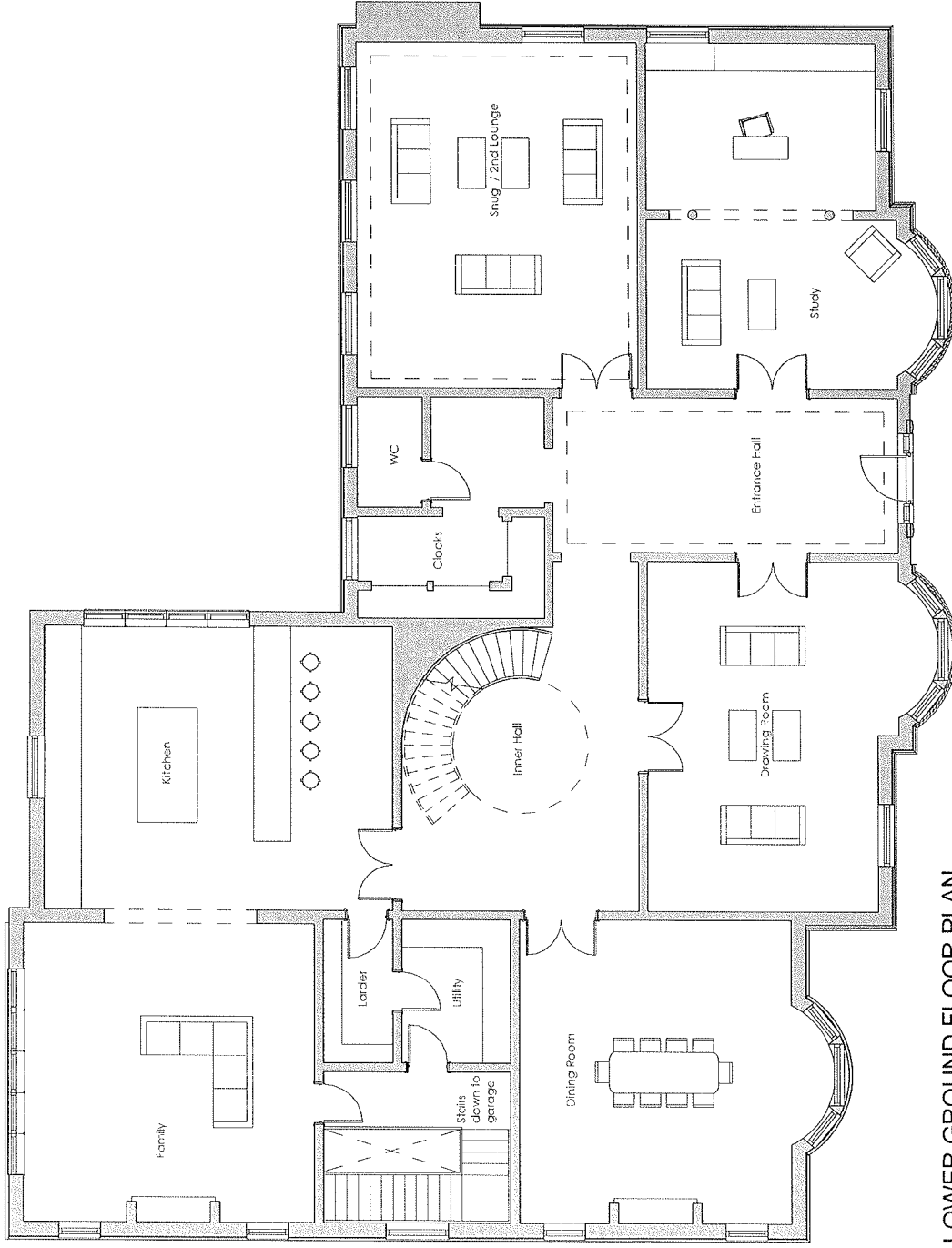


Status: PLANNING
 Scale: 1:500
 Revision: C
 Date: 02/08/13
 Sheet: A3
 Drg No: FSW 13-1031-55

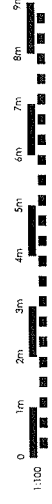
Extant permission: 13/01206/FULL

Client: MR AND MRS WHEATON
 Project: Land at Hill House, Cross Road, Surringdale
 Title: Proposed Site Layout

| Rev | Description | Date |
|-----|--------------------------------------------------------------------------------------------------------------------|----------|
| A | Amended further to client comments and scheme progression | 16.04.13 |
| B | Amended further to client comments | 17.04.13 |
| C | Amended further to client comments | 29.04.13 |
| D | Addition of kitchen window | 29.04.13 |
| E | Change of window | 30.04.13 |
| F | Change of window | 24.07.13 |
| G | Change of window Closets to be placed as requested by client Kitchen amended, balcony removed, chimney moved | 24.07.13 |



LOWER GROUND FLOOR PLAN



Status: PLANNING

Scale: 1 : 100

Date: 02/28/13

Revision: G

Sheet: A3

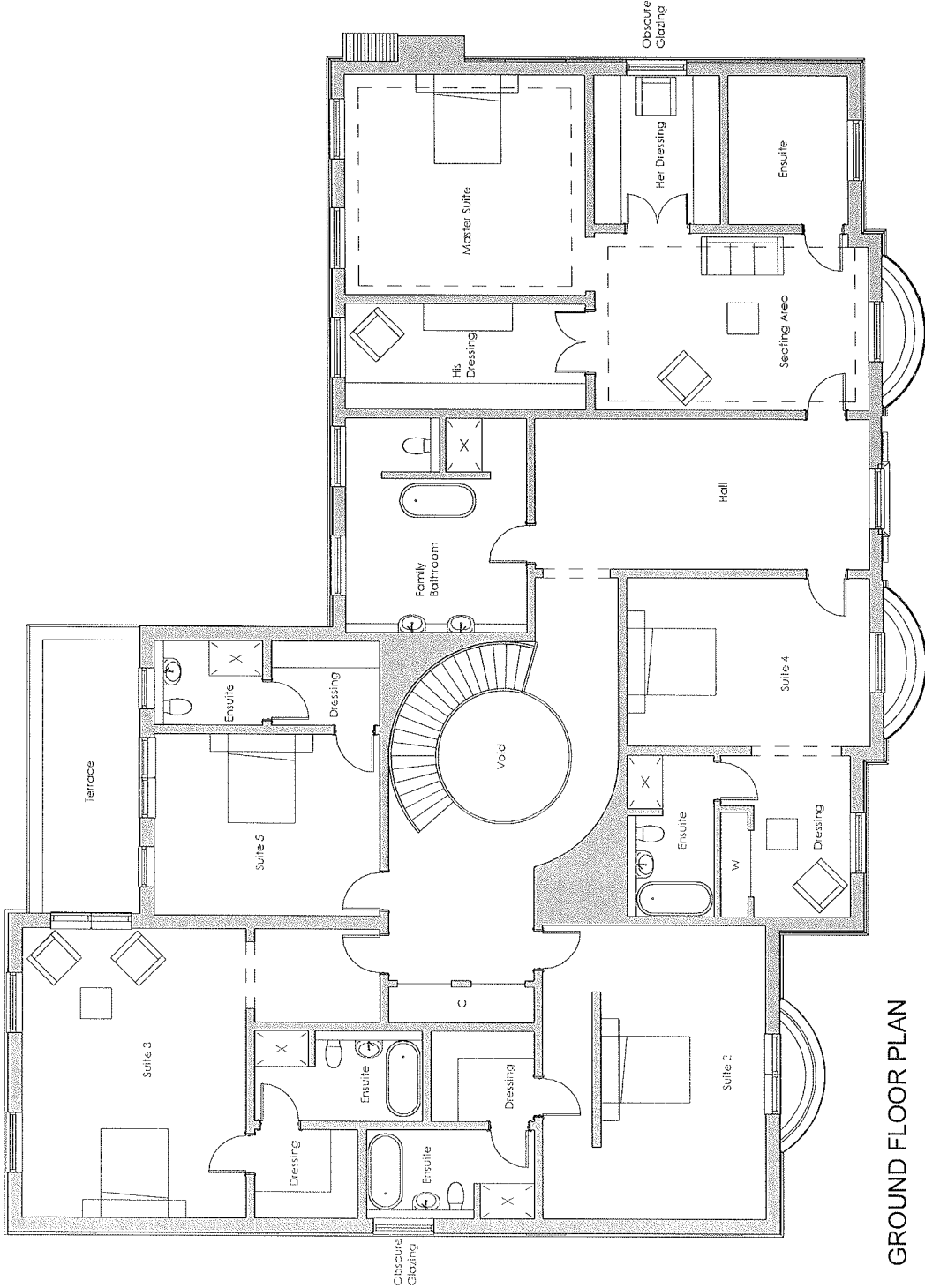
Drwg No: FSW 13 - 1031- 101

Planning
This drawing is prepared for PLANNING PURPOSES ONLY and is not to be used for construction.

Exant permission: 13/01206/FULL

Client: MR AND MRS WHEATON
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Lower Ground Floor Plan

| Rev | Description | Date |
|-----|-----------------------------------------------------------|----------|
| A | Amended further to client comments and scheme progression | 16.04.13 |
| B | Amended further to client comments | 17.04.13 |
| C | Amended further to client comments | 29.04.13 |
| D | Kitchen amended, balcony removed, chimney moved | 24.07.13 |



GROUND FLOOR PLAN



Status: PLANNING

Scale: 1 : 100

Date: 02/28/13

Revision: D

Sheet: A3

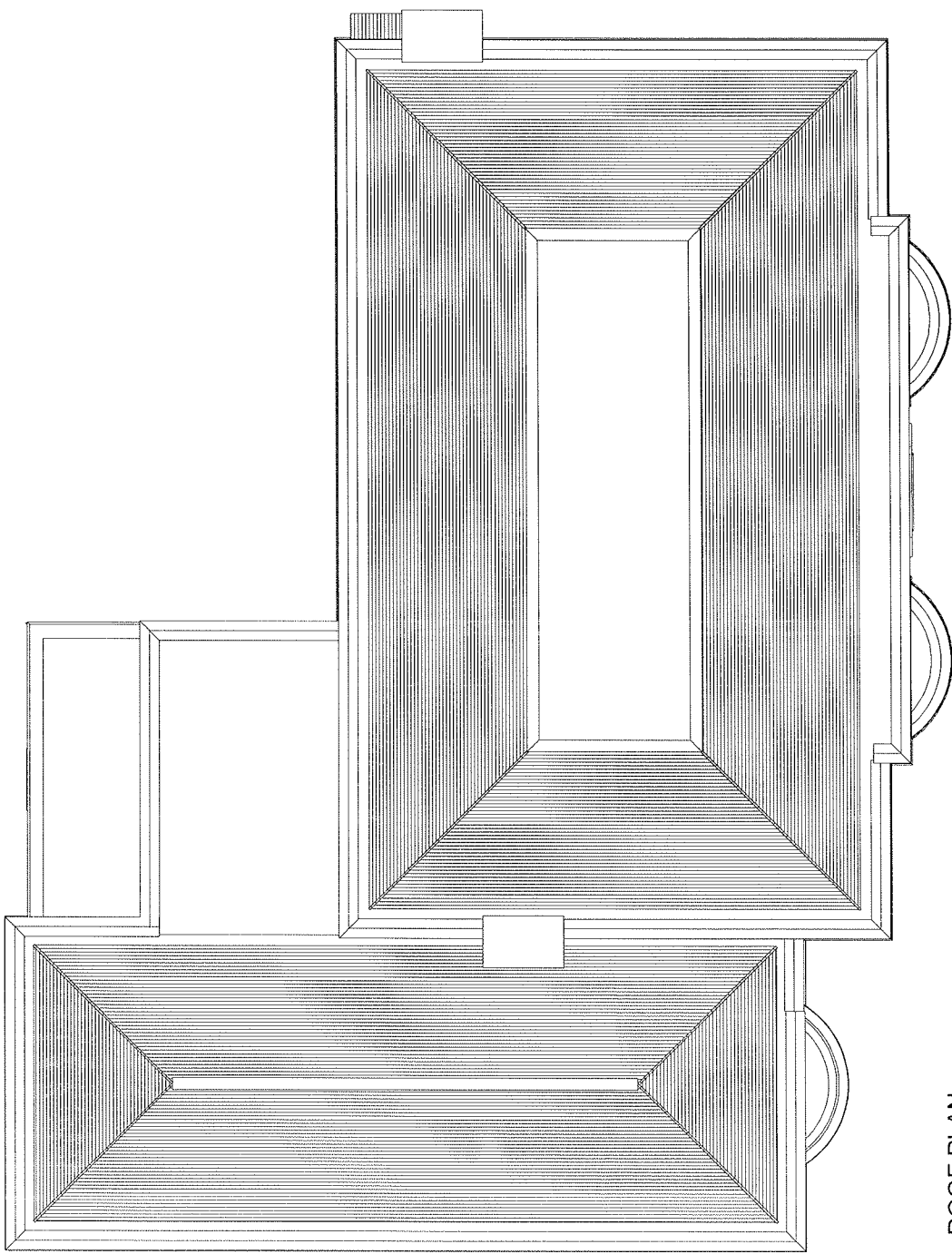
Drng No: FSW 13 - 1031- 102

Planning
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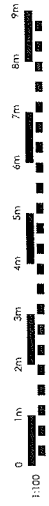
Exant permission: 13/01206/FULL

Client: MR AND MRS WHEATON
Project: Land at Hill House, Cross Road, Sunningdale
Title: Ground Floor Plan

| Rev | Description | Date |
|-----|-------------------------------------------------|----------|
| A | Kitchen amended, balcony removed, chimney moved | 24.07.13 |



ROOF PLAN



Status: PLANNING

Scale: 1 : 100

Date: 02/28/13

Revision: A

Sheet: A3

Drwg No: FSW 13 - 1031- 104

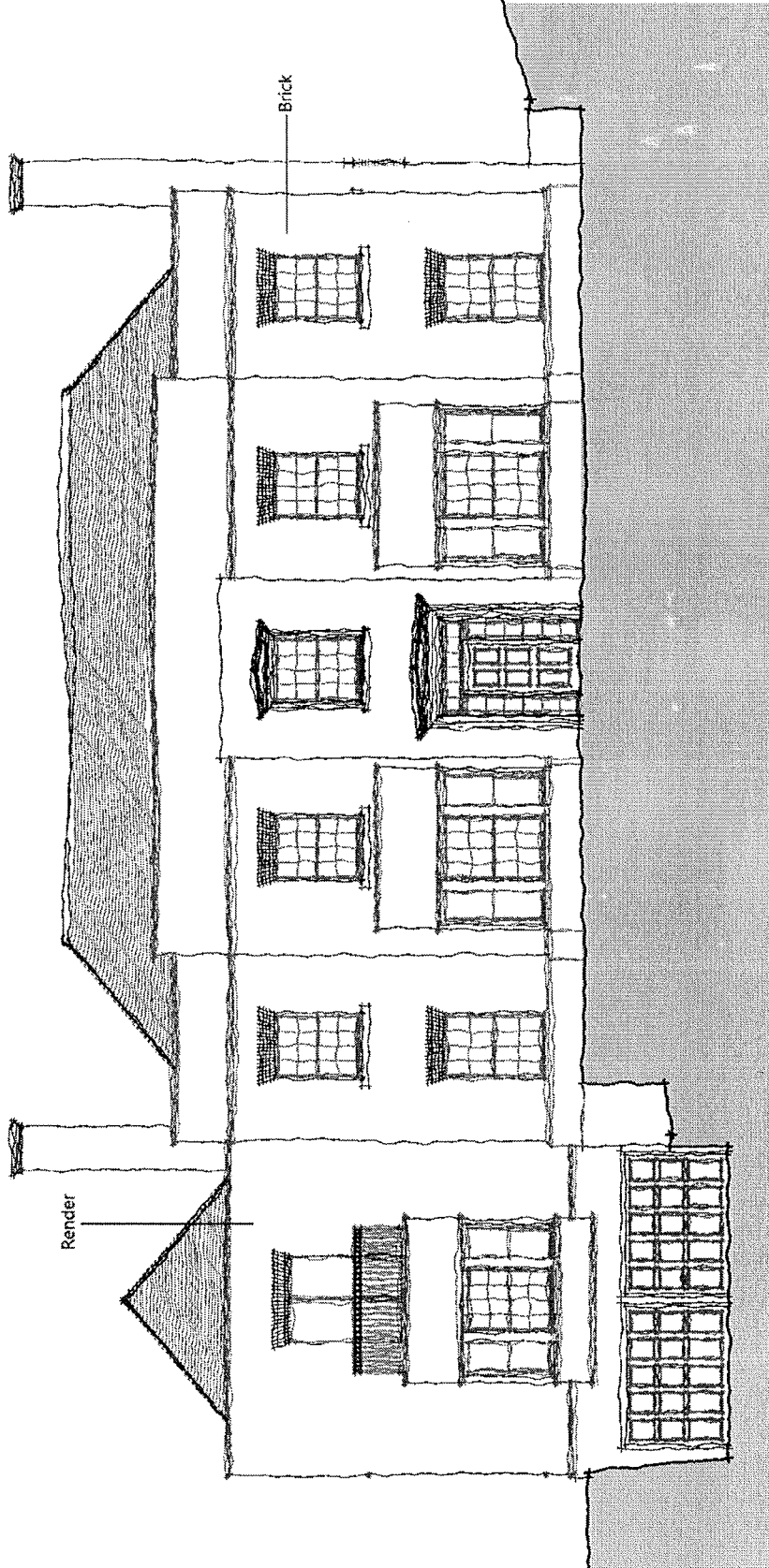
Drawings produced for PLANNING PURPOSES ONLY and not to be used for construction.

13/01206/FULL

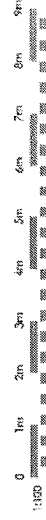
Extant permission:

Client: MR AND MRS WHEATON
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Roof Plan

| Rev. | Description | Date |
|------|-----------------------------------------------------------|----------|
| A | Amended further to client comments and scheme progression | 16.04.13 |
| B | Amended further to client comments | 17.04.13 |
| C | Amended further to client comments | 17.04.13 |



FRONT ELEVATION



Status: PLANNING

Scale: 1 : 100

Date: 02/28/13

Revision: C

Sheet: A.3

Dwg No: FSW 13 - 103F 110

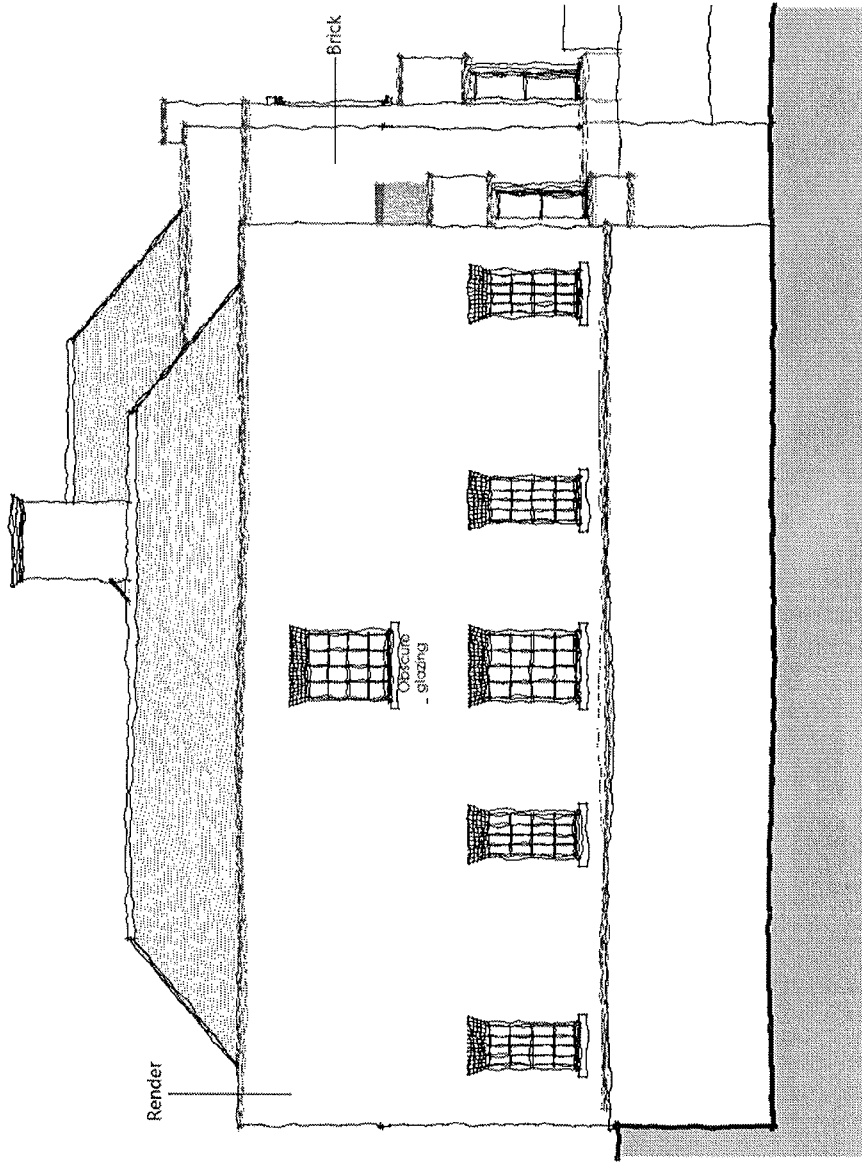
Planning

This drawing is intended for PLANNING PURPOSES ONLY and is not to be used for construction.

Extant permission: 13/01206/FULL

Client: MR AND MRS WHEATON
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Front Elevation

| Rev | Description | Date |
|-----|------------------------------------------------|----------|
| A | Approved further to client comments and scheme | 16.04.13 |
| B | Approved further to client comments | 17.04.13 |
| C | Approved further to client comments | 29.04.13 |



LEFT FLANK ELEVATION



Status: PLANNING

Scale: 1:100

Date: 02/28/13

Revision: C

Sheet: A3

Draw No: FSW 13 - 103F-111

Planning

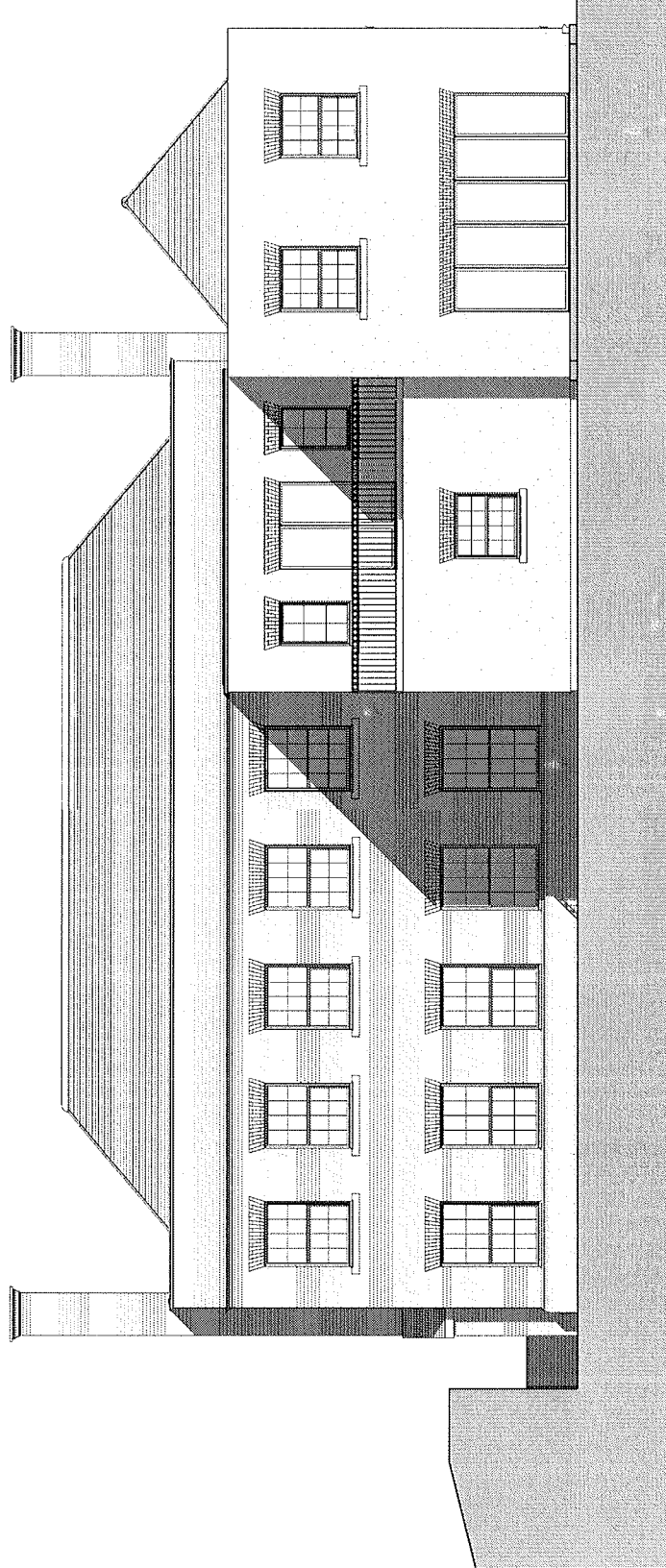
This drawing is prepared for PLANNING PURPOSES ONLY and is not to be used for construction.

Client: MR AND MRS WHEATON
 Project: Land at Hill House, Cross Road, Summingdale
 Title: Left Flank Elevation

13/01206/FULL

Exant perm: Non:

| Rev. | Description | Date |
|------|-----------------------------------------------------------|----------|
| A | Amended further to client comments and scheme progression | 16.04.13 |
| B | Amended further to client comments | 17.04.13 |
| C | Doors added to kitchen as requested by council | 24.07.13 |
| D | Kitchen amended, balcony removed, chimney moved | 24.07.13 |



REAR ELEVATION



Status: PLANNING

Scale: 1 : 100

Date: 02/28/13

Revision: D

Sheet: A3

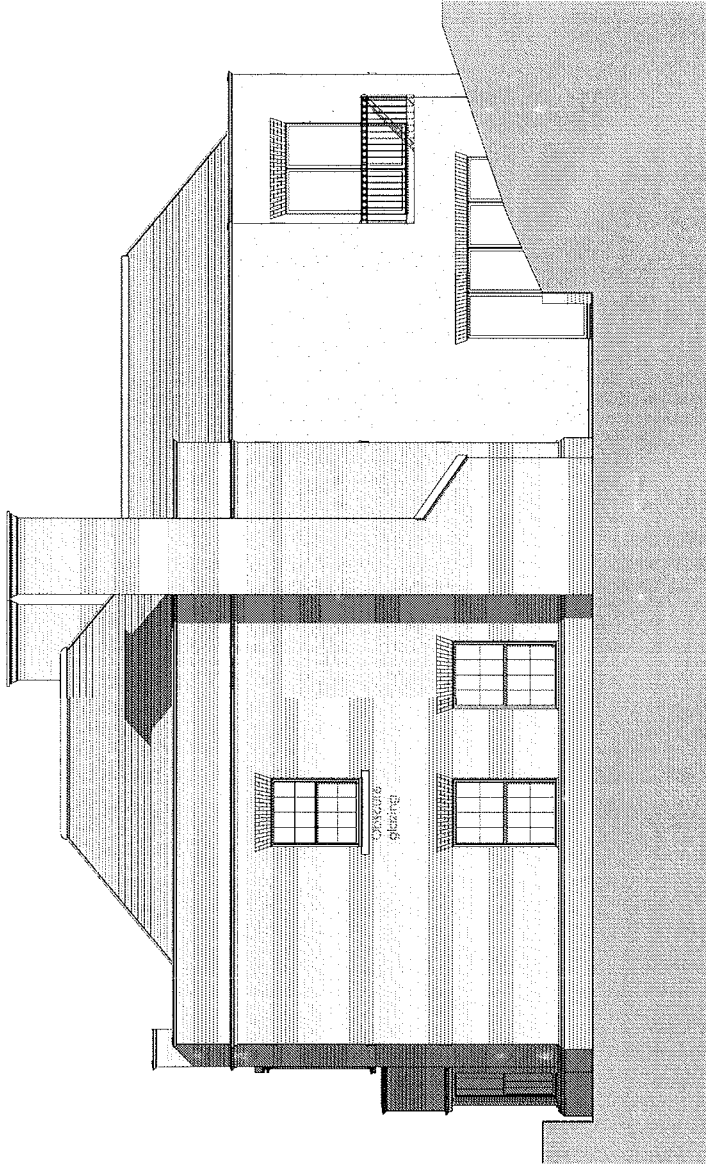
Dwg No: FSW 13 - 1031-112

Planning permission is produced for PLANNING PURPOSES ONLY and is not to be used for construction.

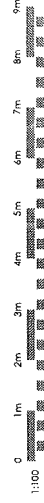
Client: MR AND MRS WHEATON
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Rear Elevation

Extant permission: 13/01206/FULL

| Rev. | Description | Date |
|------|-----------------------------------------------------------|----------|
| A | Amended further to client comments and scheme progression | 16.04.13 |
| B | Amended further to client comments | 17.04.13 |
| C | Amended further to client comments | 28.04.13 |
| D | Addition of lounge / lounge windows | 30.04.13 |
| E | Kitchen amended, balcony removed, chimney moved | 24.07.13 |



RIGHT FLANK ELEVATION



Client: MR AND MRS WHEATON
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Right Flank Elevation

Exempt permission: 13/01206/FULL

Status: PLANNING

Scale: 1 : 100

Date: 02/28/13

Revision: E

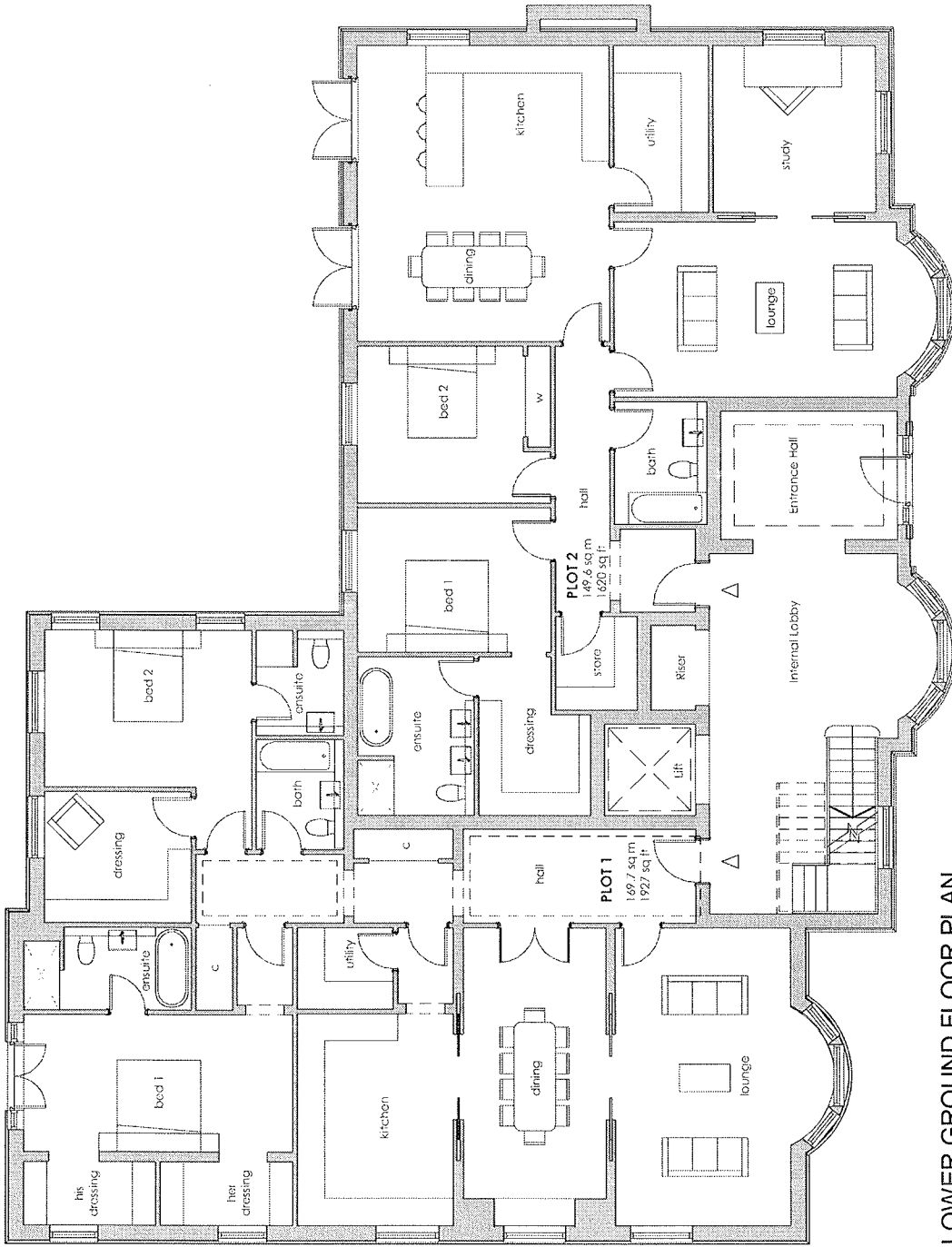
Sheet: A3

Drwg No: FSW 13 - 1031- 113

Planning
 Permission is processed for PLANNING PURPOSES ONLY and is not to be used for
 construction

APPENDIX E.

| Rev | Description | Date |
|-----|-----------------------------------------------------------------|----------|
| A | Amendments made in line with clients comments received 16.01.15 | 18.01.15 |



LOWER GROUND FLOOR PLAN

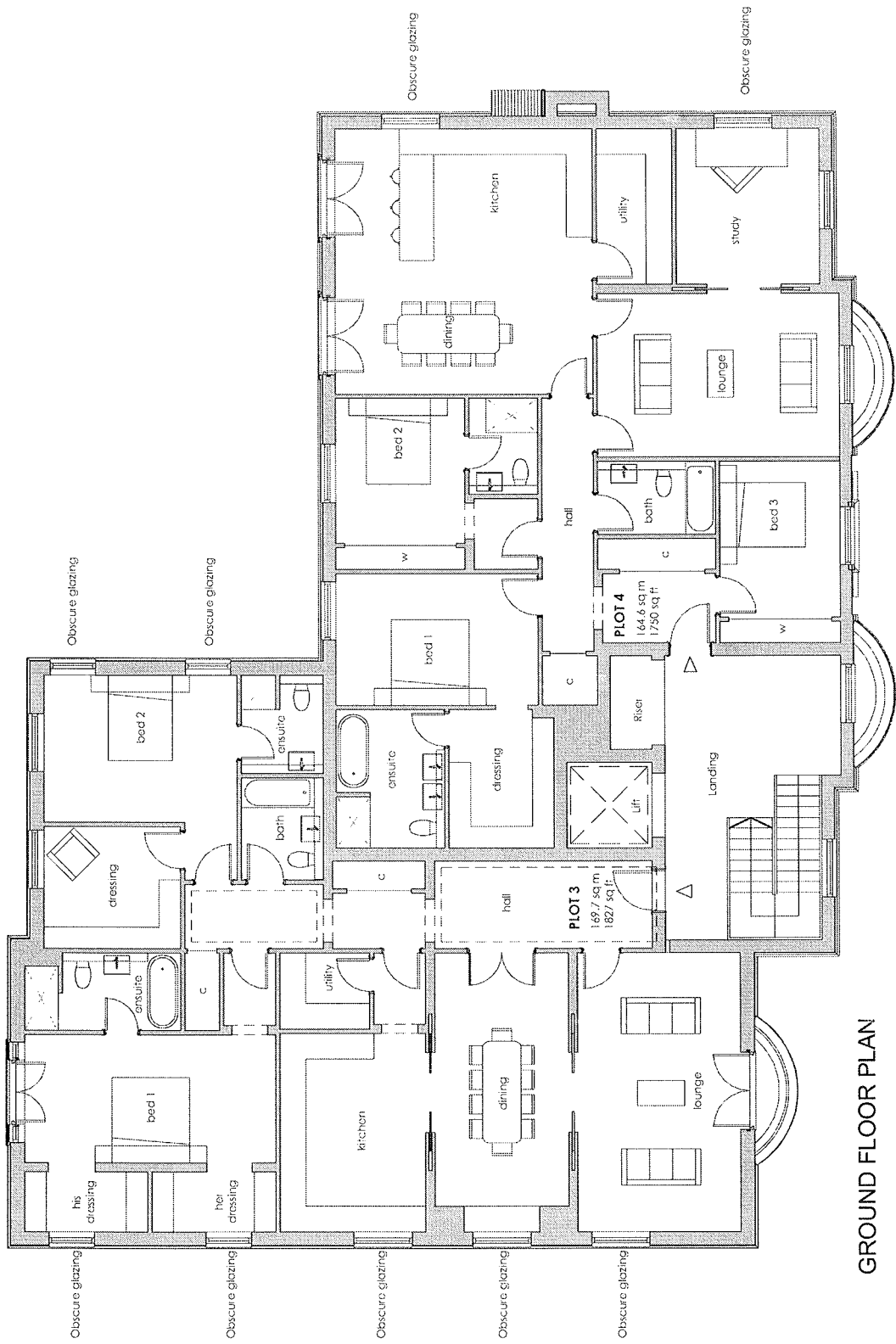
14/03591/FULL

Status: PLANNING
 Scale: 1 : 100
 Revision: A
 Date: Oct 2014
 Sheet: A3
 Dwg No: FSW 14 - 1220-101

Client: MR AND MRS WHEATON
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Lower Ground Floor Plan

This drawing is produced for PLANNING PURPOSES ONLY and is not to be used for construction.

| Rev | Description | Date |
|-----|--------------------------------------------------------|----------|
| A | Amendments further to clients comments | 16.10.14 |
| B | Amendments made further clients comments received | 20.10.14 |
| C | Amendments made in line with clients comments received | 19.01.15 |



GROUND FLOOR PLAN



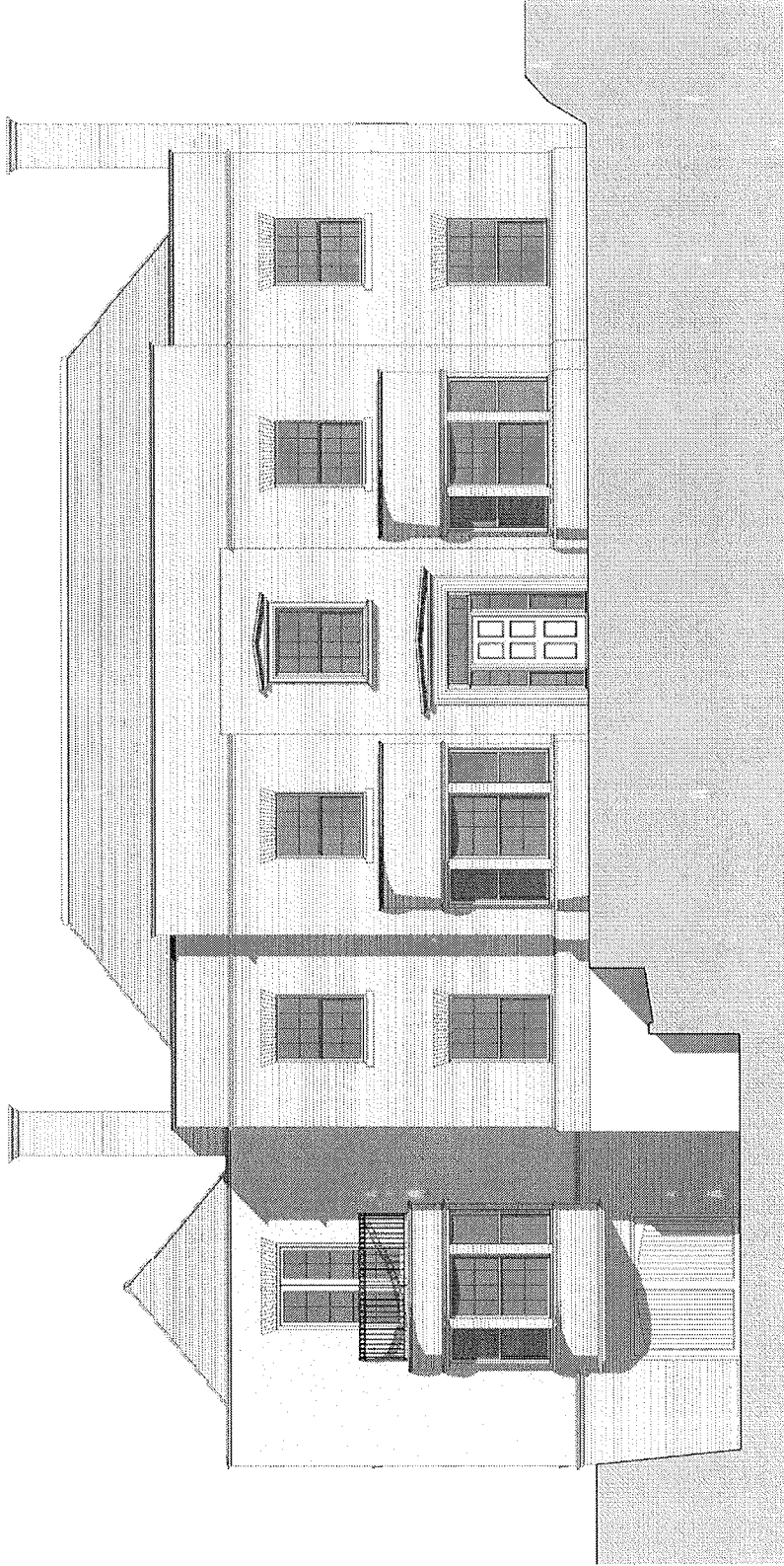
14/03591/FULL

Status: PLANNING
 Scale: 1 : 100
 Revision: C
 Date: Oct 2014
 Sheet: A3
 Drg No: FSW 14 - 1220-102

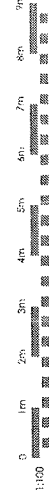
Client: MR AND MRS WHEATON
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Ground Floor Plan

This drawing is produced for PLANNING PURPOSES ONLY and is not to be used for construction.

| Rev. | Description | Date |
|------|--------------------------------------------------|----------|
| A | Amendments made further client comments received | 26.10.14 |
| B | Final approved | 10.11.14 |



FRONT ELEVATION

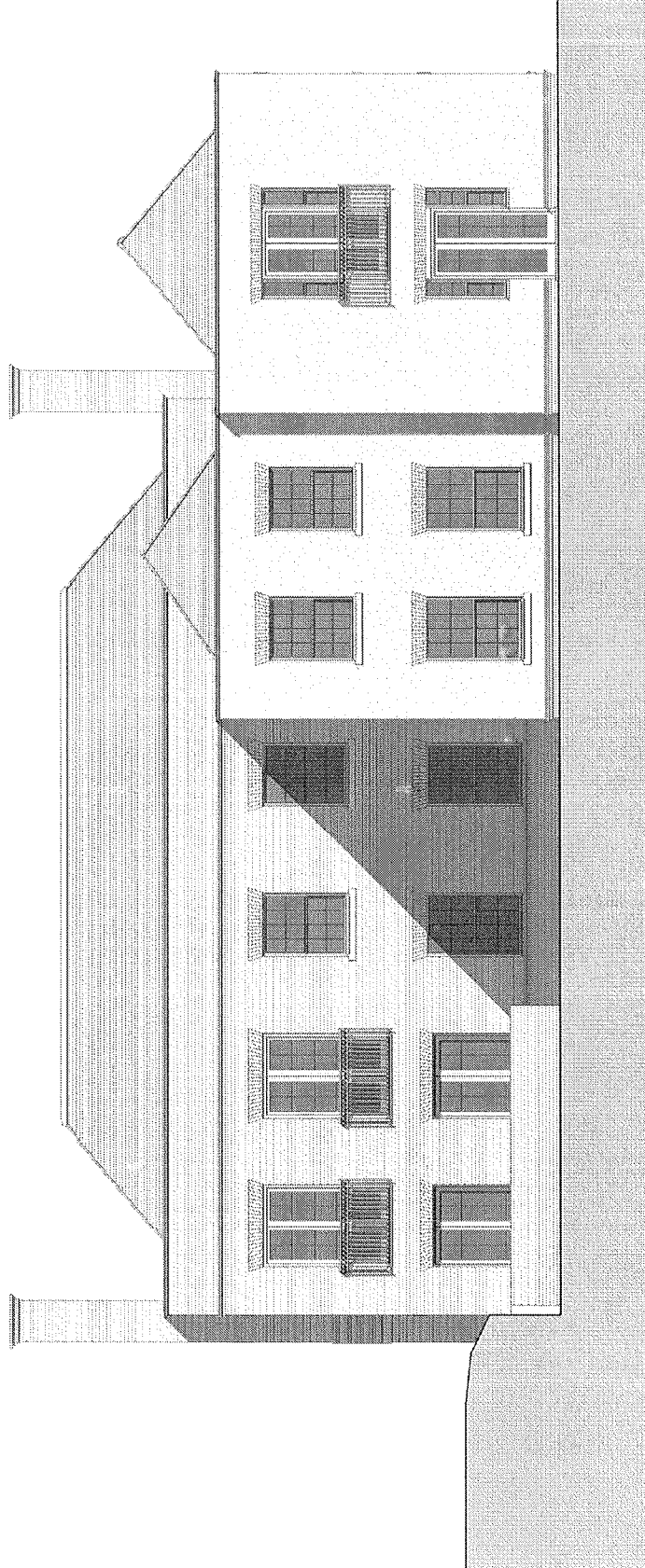


14/03591/FULL

Status: PLANNING
Scale: 1 : 100
Revision: B
Revision: A3
Date: Oct 2014
Sheet: A3
Drwg No: FSW 14 - 1220-110

Client: MR AND MRS WHEATON
Project: Land at Hill House, Cross Road, Sunningdale
Title: Front Elevation

| Rev | Description | Date |
|-----|-----------------------------------------|----------|
| A | Amendments further to clients comments. | 16.10.14 |
| B | Plan removed | 10.11.14 |



REAR ELEVATION

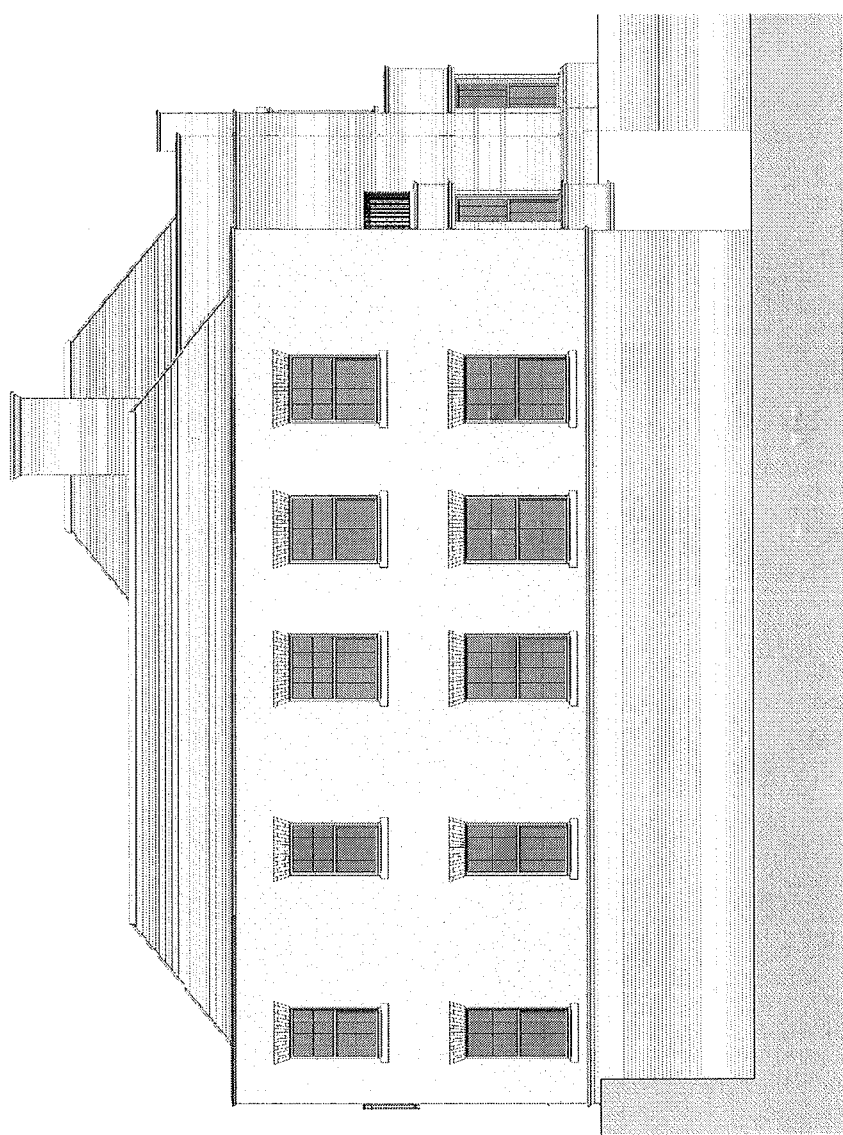


14/03591/FULL

Status: PLANNING
Scale: 1:100
Revision: B
Revision: A3
Date: Oct 2014
Sheet: A3
Drwg No: FSW 14 - 1220-112
Planning
 This document is produced by HARRISON WORLDWIDE
 CONSULTANTS

Client: MR AND MRS WHEATON
Project: Land at Hill House, Cross Road, Sunningdale
Title: Rear Elevation

| Rev | Description | Date |
|-----|--------------------------------------------------------|----------|
| A | Amendments made further clients comments received | 20.10.14 |
| B | Amendments made in line with clients comments received | 19.01.15 |



LEFT FLANK ELEVATION



14/03591/FULL

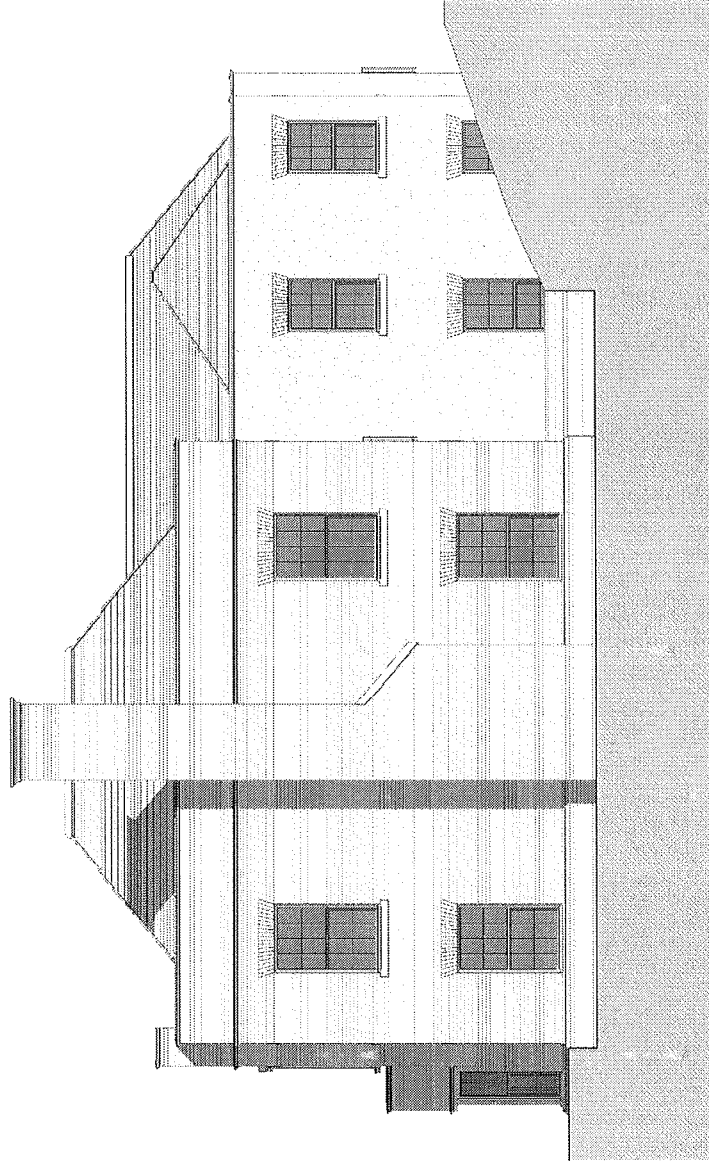
Client: MR AND MRS WHEATON
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Left Flank Elevation

Status: PLANNING
 Scale: 1 : 100
 Revision: B
 Date: Oct 2014
 Sheet: A3
 Drg No: FSW 14 - 1220-111

Planning
 The drawings are provided for information purposes only. They are not to be used for construction.

Notes:

| Rev. | Description | Date |
|------|--------------------------------------------------------|----------|
| A | Amendments further to clients comments | 16.10.14 |
| B | Plan removed | 10.11.14 |
| C | Amendments made in line with clients comments received | 19.01.15 |
| | | 16.01.15 |



RIGHT FLANK ELEVATION



14/03591/FULL

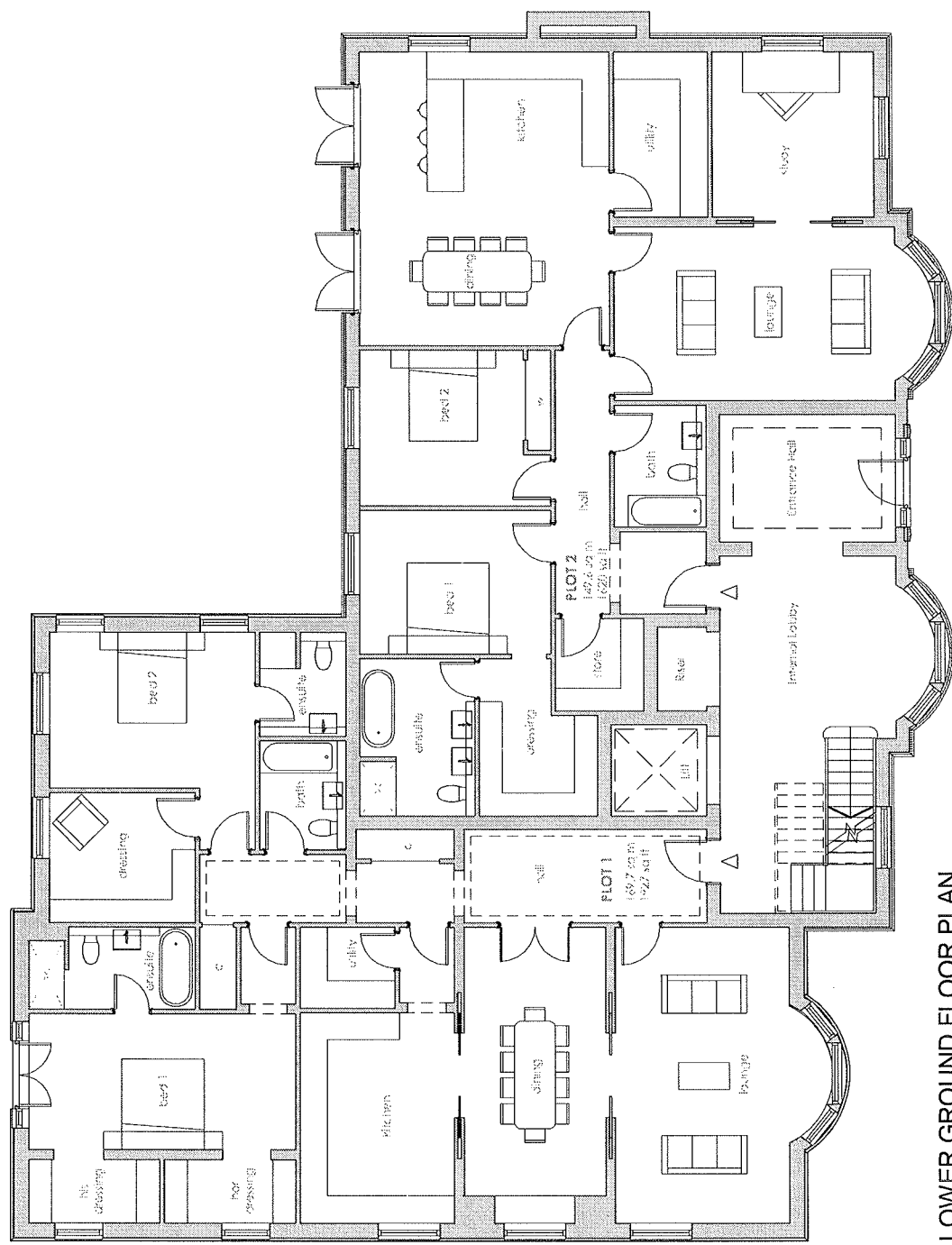
Status: PLANNING
 Scale: 1 : 100
 Date: Oct 2014
 Revision: C
 Sheet: A3
 Dwg No: FSW 14 - 1220-113

Client: MR AND MRS WHEATON
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Right Flank Elevation

This drawing is prepared for planning purposes only and is not to be used for construction.

APPENDIX F.

| Rev | Description | Date |
|-----|-----------------------------------------------------------------|----------|
| A | Amendments made in line with clients comments received 16.01.15 | 19.01.15 |
| B | Amendment in roof added | 02.06.15 |



LOWER GROUND FLOOR PLAN

15/01199/FULL

Status: PLANNING
 Scale: 1:100
 Revision: B
 Drg No: FSW 14-1220-101

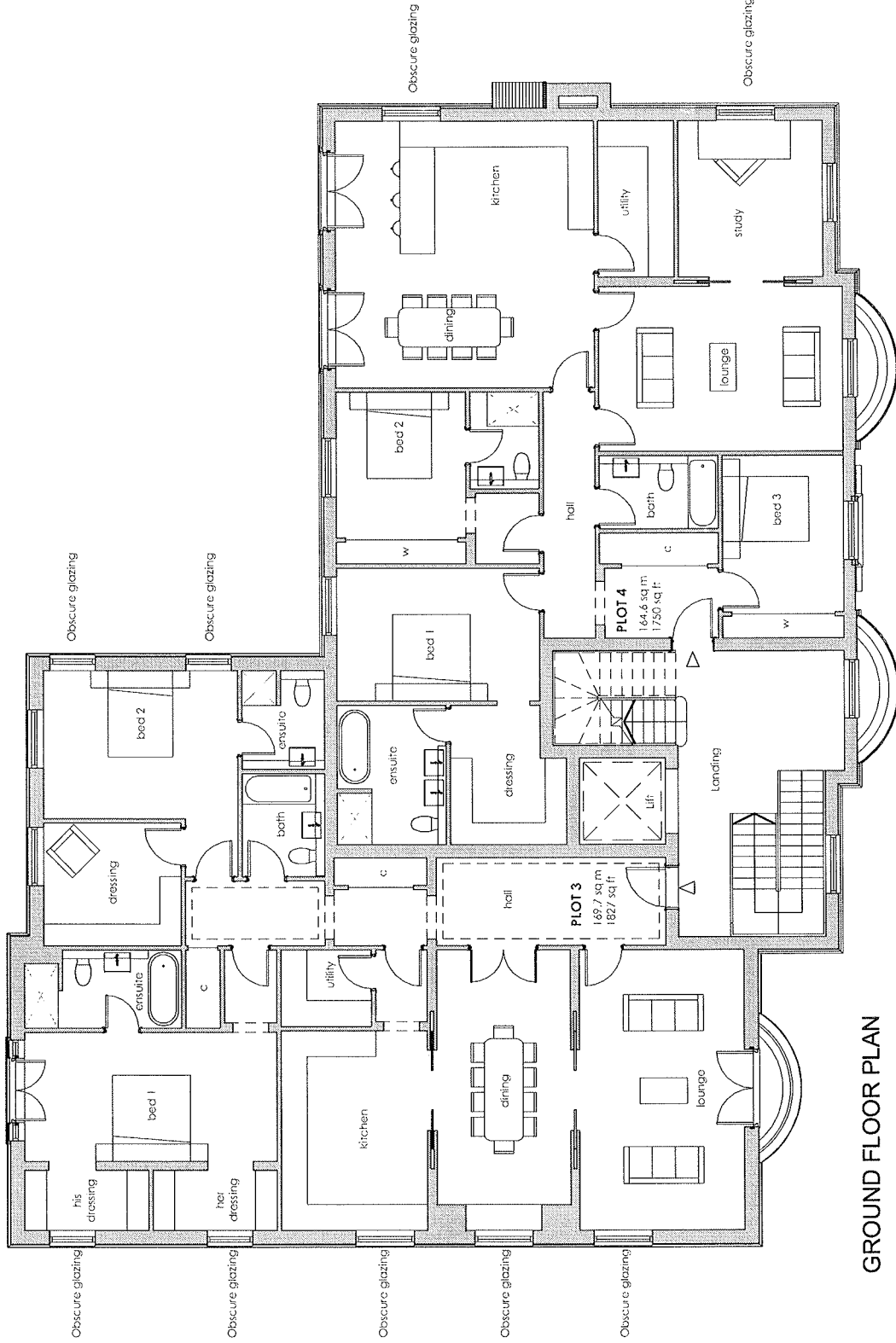
Date: Oct 2014
 Sheet: A3

This document is intended for PLANNING PURPOSES ONLY. It may not be suitable for construction.

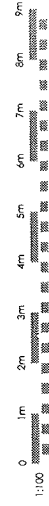
Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Lower Ground Floor Plan

Notes:

| Rev. | Description | Date |
|------|--------------------------------------------------------|----------|
| A | Amendments turner to clients comments | 16.10.14 |
| B | Amendments made further clients comments received | 20.10.14 |
| C | Amendments made in line with clients comments received | 19.01.15 |
| D | Apartment in roof added | 02.03.15 |



GROUND FLOOR PLAN



Status: PLANNING

Scale: 1 : 100 Date: Oct 2014

Revision: D Sheet: A3

Drwg No: FSW 14 - 1220-102

This drawing is produced for PLANNING PURPOSES ONLY and is not to be used for construction.

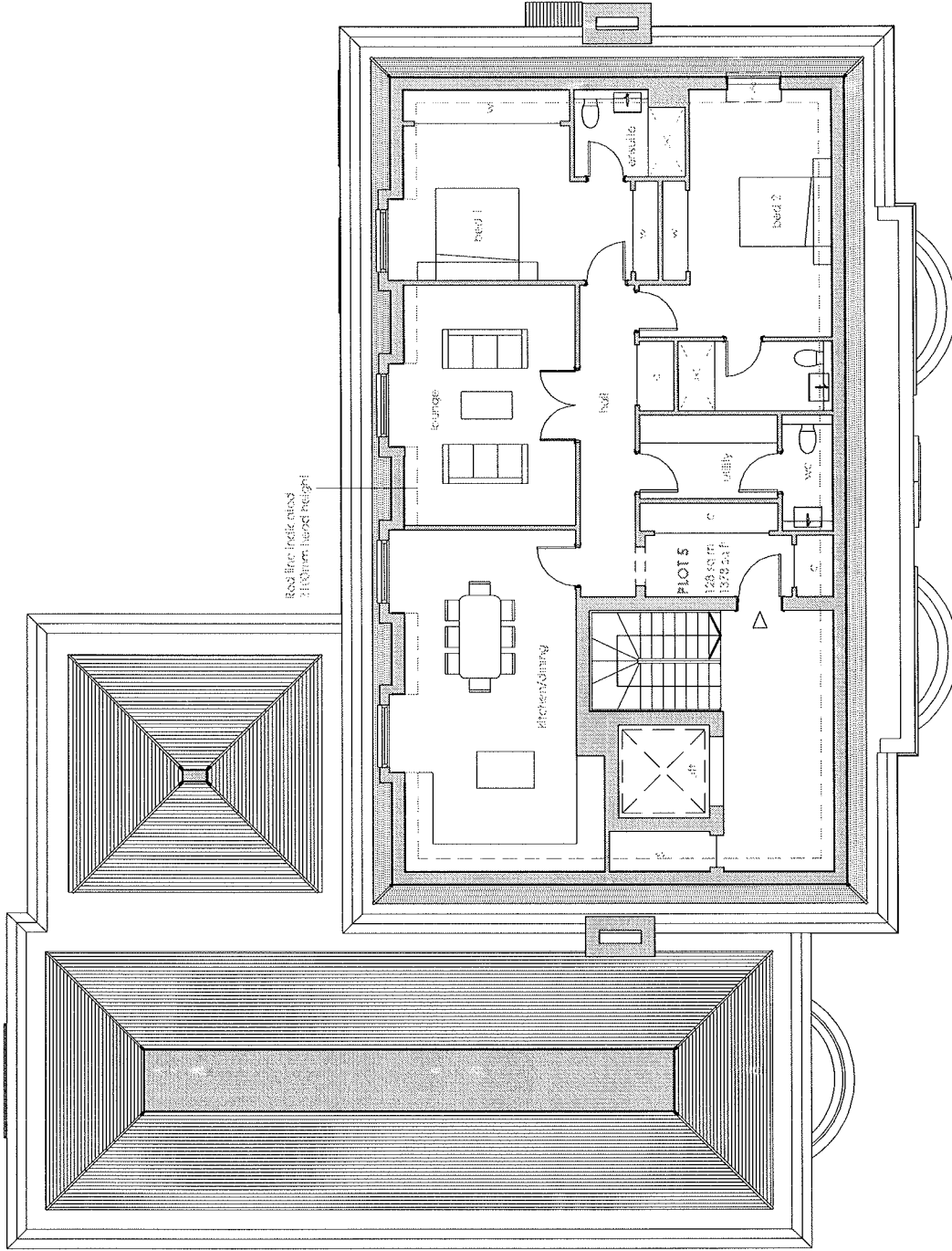
15/01199/FULL

Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Ground Floor Plan

Rev. Description
 A Apartment in roof added

Date:
 02.03.15

Notes:



FIRST FLOOR PLAN

Status: PLANNING

Scale: 1 : 100

Date: 03/02/15

Revision: A

Sheet: A3

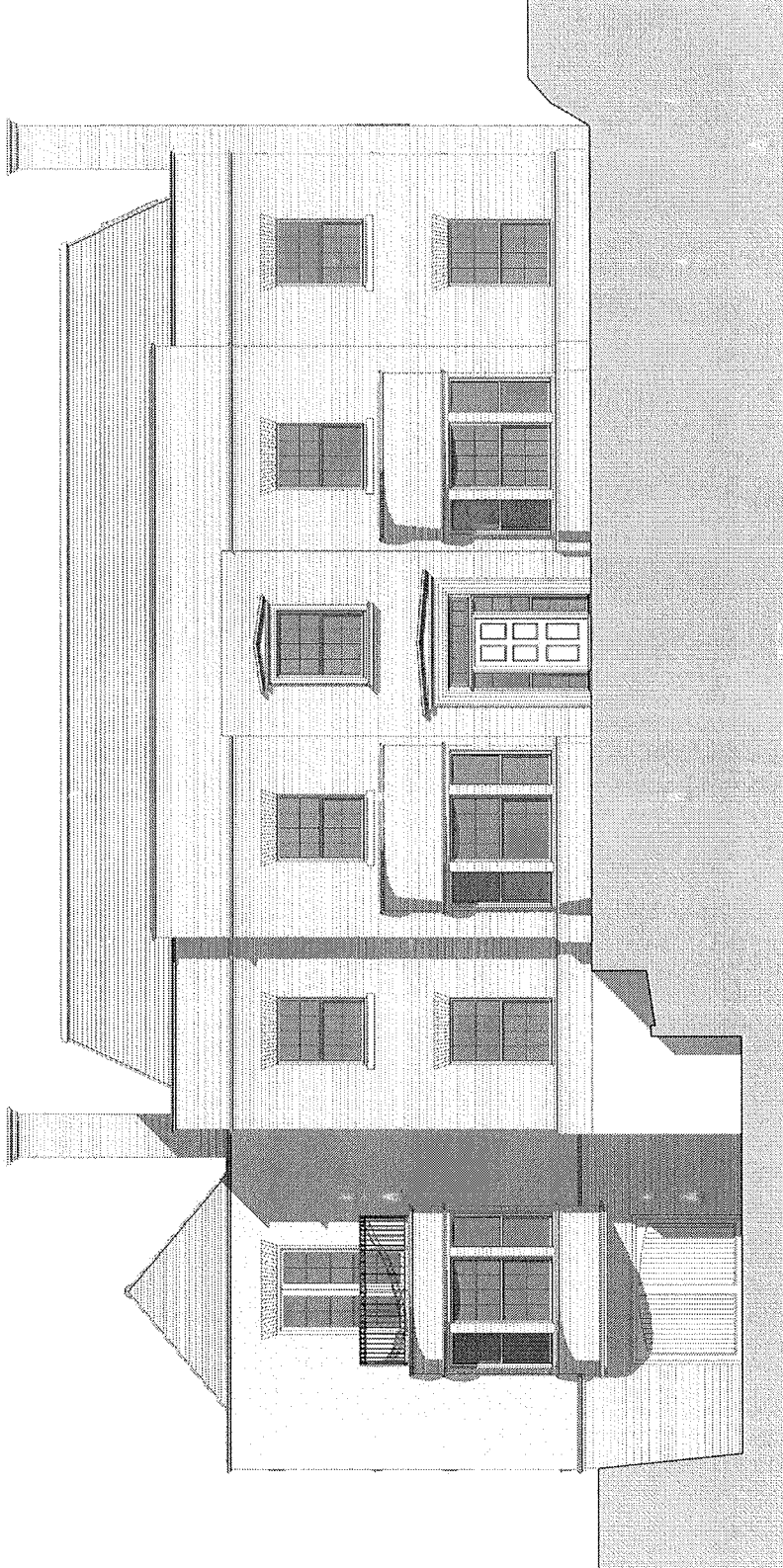
Drwg No: FSW 14 - 1220-103

This drawing is prepared for PLANNING PURPOSES ONLY and is not valid for construction.

15/01199/FULL

Client: KEBBELL DEVELOPMENT LTD.
Project: Land at Hill House, Cross Road, Sunningdale
Title: First Floor Plan

| Rev | Description | Date |
|-----|---------------------------------------------------|----------|
| A | Amendments made further clients comments received | 20.10.14 |
| B | Path removed | 10.11.14 |
| C | Apartment in roof added | 02.03.15 |



FRONT ELEVATION



Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Front Elevation

Status: PLANNING

Scale: 1 : 100 Date: Oct 2014

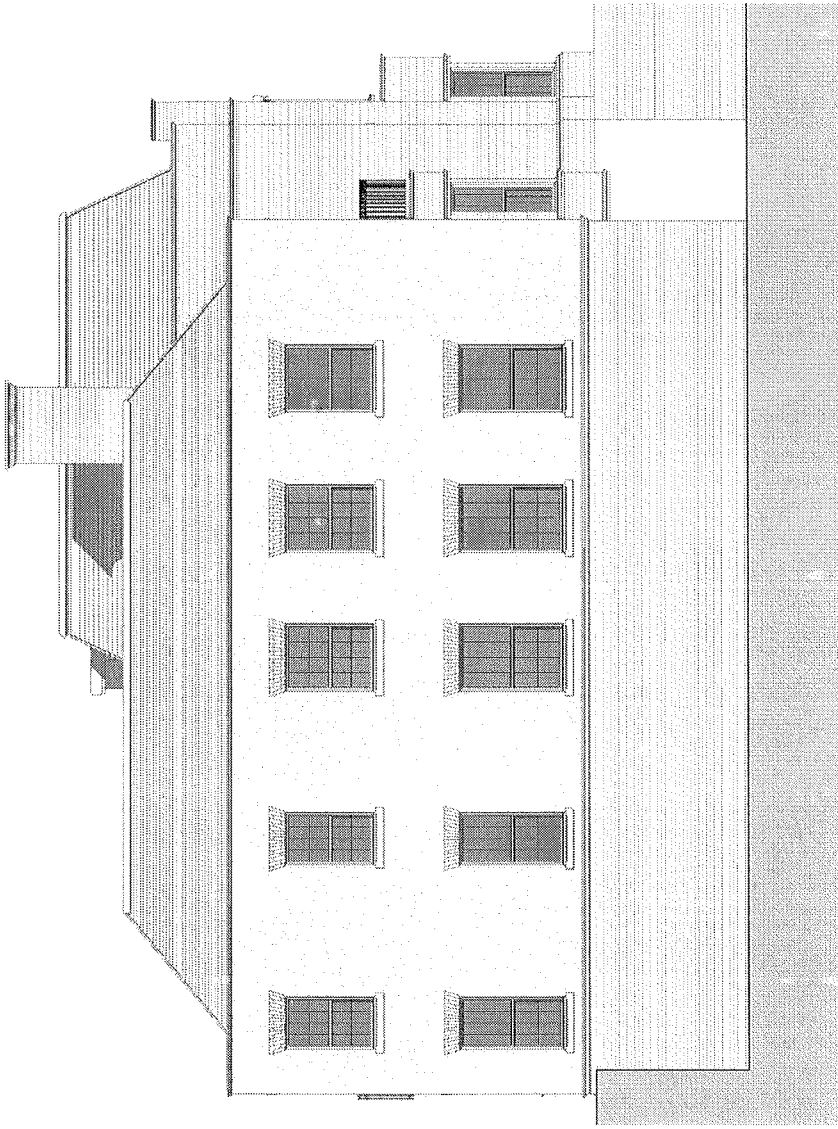
Revision: C Sheet: A3

Drwg No: FSW 14 - 1220-110

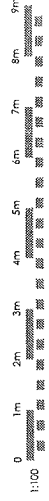
Planning
 This drawing is produced for PLANNING PURPOSES ONLY and is not for construction.

15/01199/FULL

| Rev. | Description | Date |
|------|--------------------------------------------------------|----------|
| A | Amendments made further clients comments received | 20.10.14 |
| B | Amendments made in line with clients comments received | 19.01.15 |
| C | Amendment in roof added | 02.03.15 |



LEFT FLANK ELEVATION



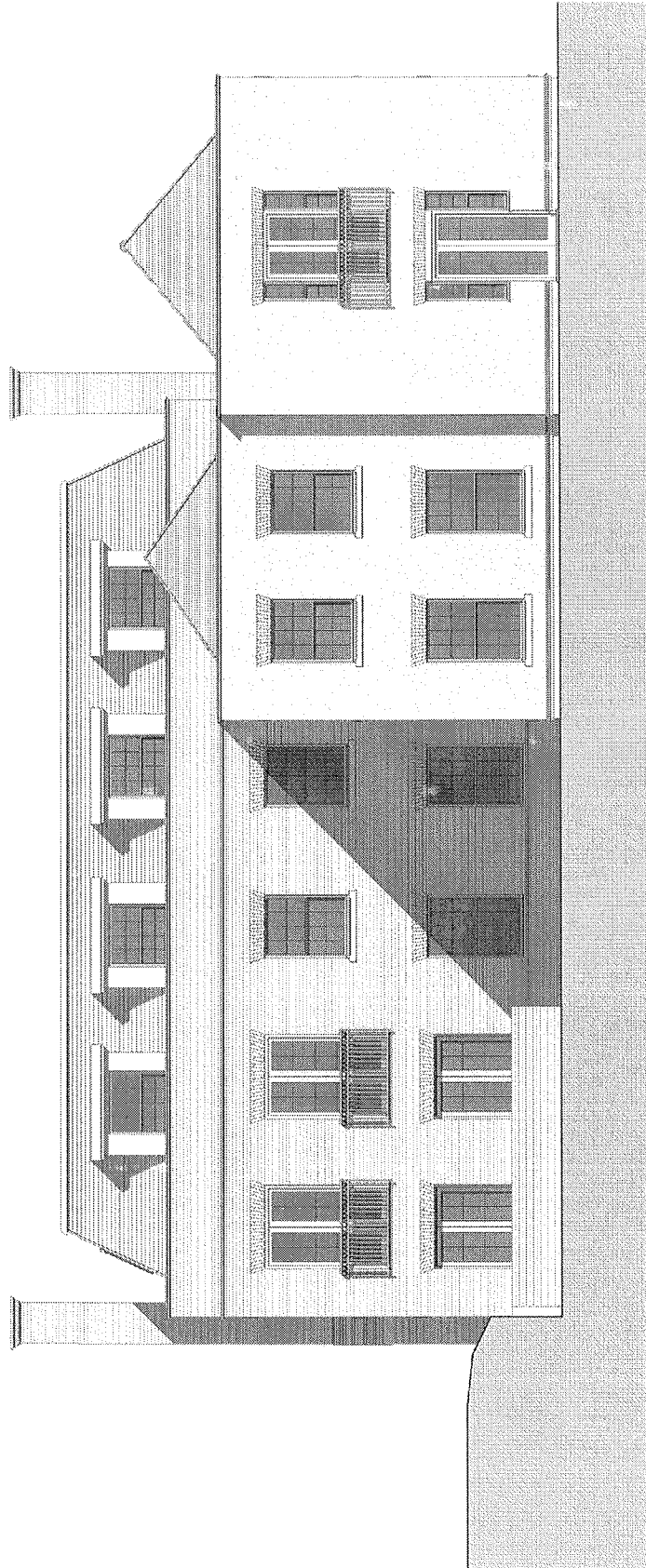
Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Left Flank Elevation

15/01199/FULL

Status: PLANNING
 Scale: 1 : 100 Date: Oct 2014
 Revision: C Sheet: A3
 Dwg No: FSW 14 - 1220-111
 Planning
 The drawings are provided for PLANNING PURPOSES ONLY and are not to be used for CONSTRUCTION.

Notes:

| Rev. | Description | Date |
|------|----------------------------------------|----------|
| A | Amendments further to clients comments | 16.10.14 |
| B | Path removed | 10.11.14 |
| C | Apartment in roof added | 02.03.15 |



REAR ELEVATION

Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Rear Elevation

Status: PLANNING

Scale: 1 : 100

Date: Oct 2014

Revision: C

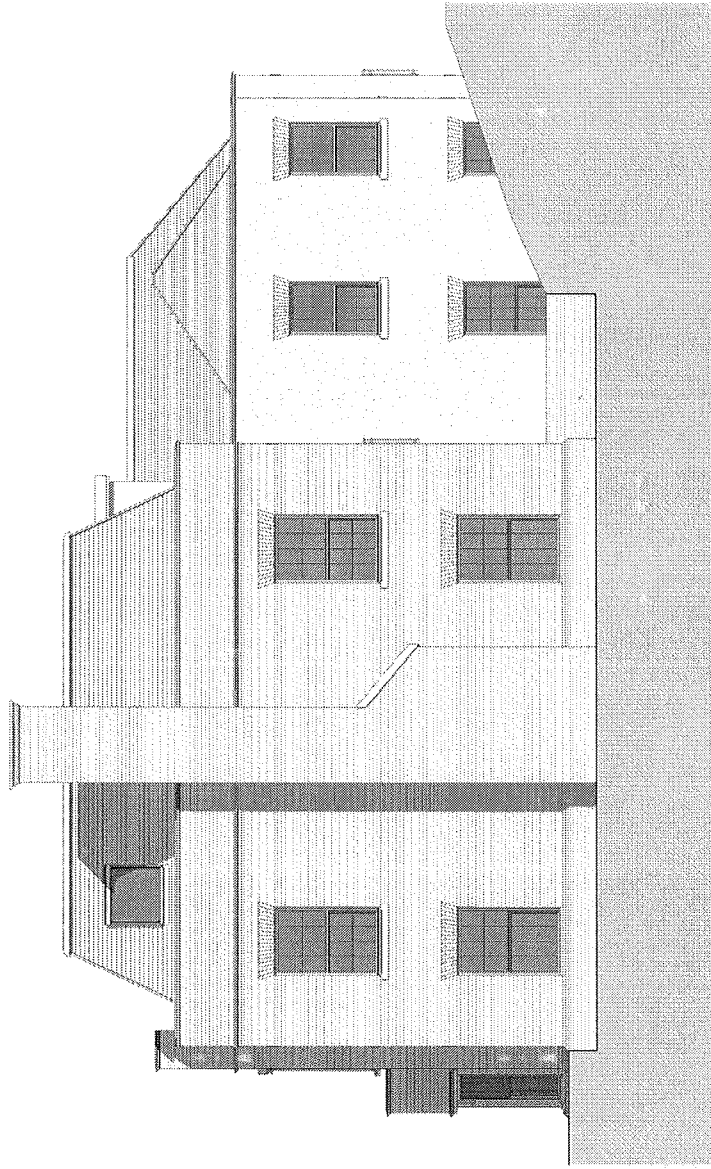
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Drng No: FSW 14 - 1220- 112

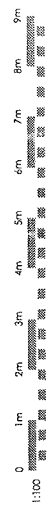
Warning
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15/01199/FULL

| Rev | Description | Date |
|-----|-----------------------------------------------------------------|----------|
| A | Amendments further to clients comments | 16.10.14 |
| B | Path removed | 10.11.14 |
| C | Amendments made in line with clients comments received 16.01.15 | 19.01.15 |
| D | Apartment in roof added | 02.03.15 |



RIGHT FLANK ELEVATION



Client: KEBBELL DEVELOPMENT LTD.
 Project: Land at Hill House, Cross Road, Sunningdale
 Title: Right Flank Elevation

15/01199/FULL

Status: PLANNING
 Scale: 1 : 100 Date: Oct 2014
 Revision: D Sheet: A3
 Drg No: FSW 14 - 1220-113
 Planning
 The services of ARCHITECTS FOR PLANNING PURPOSES ONLY must not be used for construction.

WINDSOR RURAL DEVELOPMENT CONTROL PANEL

29 June 2016

Item: 3

| | |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Application No.: | 16/01127/FULL |
| Location: | Sandhills And Sandhills Cottage And The Sunningdale Osteopathic Sandhills Cottage Cross Road Sunningdale Ascot |
| Proposal: | 2 No. new dwellings with basement, garage and associated landscaping following demolition of existing 2 No. dwellings and associated garaging. |
| Applicant: | Mr Smith |
| Agent: | Mr Ben Willcox |
| Parish/Ward: | Sunningdale Parish |

If you have a question about this report, please contact: Claire Pugh on 01628 685739 or at claire.pugh@rbwm.gov.uk

1. SUMMARY

- 1.1 The application site is situated within the townscape of '*Leafy Residential Suburbs*' within the townscape assessment. The character of the area tends to comprise large detached dwellings situated in fairly spacious plots. The dwellings in the area are two and two have storey in height.
- 1.2 The proposed dwellings would be two and a half stories in height, with crown roofs. However, the size of the crown roofs have been reduced and it is not considered that they would look overly bulky in the context of this large site. The dwellings are of a mock Georgian design and they are considered to be of an acceptable design within this area. The building to plot ratio on both plots, would be larger than some of sites within the local area. There is considered to be sufficient spacing between the dwellings and the boundaries for the development to fit in with this townscape.
- 1.3 It is not considered that the proposal would result in any adverse impacts on neighbouring properties, and there is sufficient space on the driveway to accommodate at least 3 cars, with space for visitors or tradesmen to park.

It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Hilton if the recommendation is for approval, for the reason that the Neighbourhood Plan Delivery Group has concerns over the size of the proposed development, the impact on the character of the area, the terracing effect, the limited garden areas and the inadequacy of the drainage proposals.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises three buildings; Sandhills (a detached dwelling), a detached garage (with floorspace in the roof), and Sandhills Cottage (a fairly narrow detached two storey building) which is used as an independent dwelling. The buildings are not particularly imposing with the streetscene, owing to the fairly low eaves heights and style of roofs. There is strong tree and landscaping cover along the site boundaries, particularly along the south, east and western boundaries.
- 3.2 The style of houses in the area varies, but they tend to comprise two storey or two and half storey dwellings. The dwellings tend to be set in ample plots. The area is characterised as '*Leafy Residential Suburbs*' within the Townscape Assessment. The key characteristics of '*Leafy Residential Suburbs*' are:
 - i. Low to medium density residential suburbs with characteristic 'leafy' streets.

- ii. Built form is defined by suburban style detached two storey houses, on medium to large plots.
- iii. A variety of architectural styles, reflecting a range of periods, includes early 20th century houses (including Victorian, Edwardian, and Arts and Crafts style), plus more recent development.
- iv. The leafy suburban character is reinforced by well established private gardens (including mature trees/shrubs), that are often bounded by tall beech or laurel hedges.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

| Ref. | Description | Decision and Date |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| 15/02799/CLU | Certificate of Lawfulness to determine whether the use of the first floor and part ground floor as a separate dwelling is lawful. | Permitted on the 5 th November 2015. |

- 4.1 The application seeks planning permission for the demolition of the existing buildings on site, and the erection of 2 new dwellings, with basements and garages. The dwelling on plot one would have an attached garage which projects forward of the dwelling; the garage would have parapet walls with a shallow roof. The dwelling on plot two would have a detached garage located to the side of the dwelling; this garage would have parapet walls with a shallow roof. Two existing accesses of Cross Road would be utilised to serve each of the dwellings. Existing trees and hedging on the boundaries would be retained.
- 4.2 The dwellings would have a height of circa 9.8 metres, and a height to the eaves of 6 metres. The dwellings would have crown roofs, although the size of the crown roofs has been reduced from that shown in the originally submitted plans. The walls of the dwellings would be finished in a white render. Each dwelling would have small flat roof dormer windows within the roofspace.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections:

Paragraphs 60, 61 and 64- Design

Royal Borough Local Plan

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

| Within settlement area | Highways and Parking | Trees |
|------------------------|----------------------|-------|
| DG1, H10, H11 | P4, T5 | N6 |

Supplementary planning documents

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Sustainable Design and Construction

More information on these documents can be found at:
http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy – view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i. Impact on the character and appearance of the area;
- ii. Impact on neighbouring occupiers;
- iii. Impact on trees;
- iv. Parking and highway safety;
- v. Thames Basin Heaths Special Protection Area;

Impact on the character and appearance of the area

- 6.2 In terms of the proposed height of the dwellings, these will be higher than the neighbouring dwelling (The Coach House), which is around 7.5 metres in height. Given the spacing (5 metres) between the proposed dwelling (at two storey height) on plot one, with the neighbouring boundary, it is considered the proposed height of the dwelling would be acceptable. Also, corner plots can sometimes accommodate taller buildings as it can help emphasise the corner within the streetscene. In addition, Derry House (on Ridgemount Road) is of a larger scale, and this forms part of the local character of the area.
- 6.3 As acknowledged the style of dwellings varies within the local area, and there is a mix of materials. The proposed design of the dwellings is considered to be acceptable within the area. Dormer windows are present in the locality, and the dormer windows are considered to be acceptable in this case. The use of render is evident within the local area. The proposed dwellings are similar in design, as they are both mock Georgian, however, there are differences between them. It is not considered that the two dwellings of a similar design would harm the character of the area.
- 6.4 The proposed development is considered to fit in with the townscape of *'Leafy Residential Suburbs'*. A gap of around 13 metres would be provided between the two dwellings. The detached garage on plot 2 would be situated in between these two dwellings, but would be kept lower in height at around 3.2 metres, and would have parapet walls with a shallow pitched roof. As such, this garage will not close the gap between these two dwellings when viewed in the streetscene. There would be a gap of circa 8 metres between the dwelling on plot 2 and the site boundary to Ridgemount Road. There would be gap of around 5 metres of the dwelling on plot one and the side boundary. Although the single storey garage on plot 1 would be built close up to the boundary, the existing building already is. The resultant plot sizes would not be smaller than nearby plots like the Coach House and the Belfry, and whilst smaller than The Garth, Kingshill House and other plots in the area, it is not considered that that the plots would be of a size that would be out of keeping in the area.
- 6.5 The garage on plot 1 will sit forward of the main dwelling, however, there is an example of this within Cross Road, and so it is not considered that this would be out of keeping in the area. The proposal is considered to comply with Neighbourhood Plan Policies NP/DG1 and NP/DG2.

Impact on neighbouring occupiers

- 6.6 The Coach House is situated to the west of the application site. No windows are proposed in the north west elevation of the dwelling on plot 1 which would face the Coach House. This elevation would not overlook the immediate private amenity space to this dwelling, in addition, there would be a distance of in excess of 21 metres between the first floor side elevation of the new dwelling and the first floor elevation of the Coach House, which is a more than reasonable distance for

there not to be unacceptable levels of overlooking into windows. First floor side windows in this elevation could provide views into the garden area of The Belfrey, and so for that reason, a condition is recommended to prevent first floor and second floor side windows being inserted without approval (see condition 9). Given that the new dwelling on plot 1 would be 5 metres off the side boundary, and taking into account the relationship of this new building with the Coach House, and the Belfry, it is not considered that the proposed dwelling would be unduly overbearing to either of these properties.

- 6.7 There would be a gap of 16 metres between the rear elevations of the proposed dwellings to the boundary with Kingshill House; this is considered to be a sufficient distance for there not to be unacceptable levels of overlooking to this property or its garden.

Impact on trees

- 6.8 A Tree Preservation Order (TPO) 043/2011/TPO covers Lime trees and two horse chestnut close to the rear boundary of the site, but these are within Kingshill House. These trees are outside of the application site, but tree protection fencing would be put in place to protect these trees during construction. A cypress tree (T5) and some shrubs within the site will be removed to accommodate the development. All trees and hedging on the boundaries of the site will be retained, and additional soft landscaping is proposed. The development is considered to be acceptable in this respect. Given the proximity to the dwelling on plot 2 to the protected trees, it is considered necessary to remove permitted development rights for this dwelling, as otherwise the building could have an unacceptable relationship with these trees (see condition 11).

Parking and highway safety

- 6.9 Two existing accesses which serve the site off Cross road which is an unclassified road would be utilised. It is not considered that two new dwellings would generate a significant level of traffic which would cause detriment to highway safety.
- 6.10 Each of the dwellings would have space on the drive to park at least 3 cars (which complies with the standards of the Council's parking strategy), with additional space for vehicles of tradesman.

Thames Basin Heaths Special Protection Area

- 6.11 The Thames Basin Heaths Special Protection Area (the SPA) was designated in 2005 to protect and manage the ecological structure and function of the area to sustain the nationally important breeding populations of three threatened bird species. The Council's Thames Basin Heaths SPD sets out the preferred approach to ensuring that new residential development provides adequate mitigation, which for residential developments of between one and nine additional housing units on sites located over 400 metres and up to 5 kilometres from the SPA, is based on a combination of Strategic Access Management and Monitoring (SAMM) and the provision of Suitable Alternative Natural Greenspace (SANG). The application site is within this 0.4 – 5km buffer zone around the SPA.
- 6.12 The Council has an adopted Suitable Alternative Natural Greenspace (SANG), Allen's Field. As of the 6th April 2015 the Council can no longer secure pooled developer contributions. SAMM and SANG contributions will be covered by condition to make provision for the delivery of Suitable Alternative Natural Greenspace (SANG) and for provision towards Strategic Access Management and Monitoring (SAMM). This is to ensure that the proposed development would not have a significant adverse effect on a European site within the Conservation of Habitats and Species Regulations 2010.
- 6.13 A Lawful Development Certificate was granted on the site which confirmed that the use of the first floor and part of the ground floor of Sandhills Cottage as a separate dwelling was lawful. As such two independent dwellings exist at the site, and the proposal would not result in a net gain of dwellings. As such, mitigation against the impact on the Special Protection Area is not required.

Other matters

- 6.14 In respect of biodiversity improvements, the site has mature vegetation with large trees to all boundaries. It is proposed to protect the existing trees and hedges that are proposed to be retained and the agent is proposing to install some bird boxes to further encourage wildlife onto the site and increase biodiversity.
- 6.15 The building is not Listed, and there is no objection to the loss of the buildings on site.
- 6.16 The Community Infrastructure Levy Regulations 2010 (CIL Regulations) which came in force on the 6 April 2015, allows the Council to raise funds from developers undertaking new building projects in the borough to support and fund new infrastructure that the Council and local communities may require. However, planning obligations may still be sought to mitigate local impact if they are still necessary to make the development acceptable in planning terms provided that the obligations meet the tests outlined in the CIL Regulations. In this case planning obligations would not be sought as there are not any identified projects that would not meet the tests set out in the CIL regulations at Regulation 122.
- 6.17 An objection is raised from the Local Lead Flood Authority, who requires additional information on drainage. The agent has been asked to address these comments, however, this site is not within an area at risk of flooding, and it is not a major planning application, and so the applicant is not required to provide information on Sustainable Drainage.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

8 occupiers were notified directly of the application.

The planning officer posted a site notice advertising the application at the site on 19th April 2016.

9 letters were received objecting to the application (to the originally submitted plans), summarised as:

| Comment | Where in the report this is considered |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| 1. Gross overdevelopment of the site. | 6.2-6.5 |
| 2. The dwellings would be out of keeping with the area. | 6.2-6.5 |
| 3. Overlooking and overbearing impact to the Coach House. | 6.6 |
| 4. The dwellings would have a very large footprint, would be very high and would have bulky crown roofs- they would look out of keeping with nearby houses. | 6.2-6.5 |
| 5. Proposal fails to accord with a core principle of the NPPF to always secure a high quality design. | 6.2-6.5 |
| 6. An important feature of this area is the low density housing set in large plots of a traditional two storey height and varied and interesting architecture. The proposal, in contrast will harm the character by introducing two overly large houses squeezed onto a plot. | 6.2-6.5 |
| 7. Proposal conflicts with policies NP/DG2 and NP/DG3 of the Neighbourhood Plan. | 6.2-6.5 |
| 8. The garages set forward of the dwellings would conflict with Neighbourhood Plan Policy. | 6.2-6.5 |
| 9. Whilst the proposed plot sizes at Sandhills will be similar to some others in the vicinity, the proportions of the proposed housing is grossly out of scale with the plot size. | 6.2-6.5 |
| 10. There is insufficient space between the proposed dwellings. | 6.2-6.5 |

| | | |
|-----|-------------------------------------------------------------------------------------------------------|----------|
| 11. | Development would demonstrably harm the character of the area. | 6.2-6.5 |
| 12. | The agent's description of the buildings on the existing site is misleading. | Noted. |
| 13. | The omissions of dimensions are misleading. | Noted. |
| 14. | Substantial loss of garden space is unacceptable. | 6.2-6.5 |
| 15. | Loss of biodiversity. | 6.14 |
| 16. | Referencing Derry House is misleading as it sits on a much larger plot and overlooks the golf course. | 6.2 |
| 17. | The sheer scale of the proposal would reduce sunlight to the garden of the Belfry. | 6.6 |
| 18. | Unacceptable overlooking to the Belfry. | 6.6 |
| 19. | Unacceptable generation of traffic. | 6.9-6.10 |
| 20. | The proposed dwellings are too similar in design, which is not akin the character of the area. | 6.2-6.5 |
| 21. | Loss of period house and cottage is unacceptable. | 6.15 |
| 22. | Highway safety concerns. | 6.9-6.10 |

Other Consultees

| Consultee | Comment | Where in the report this is considered |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| Highways: | Verbally advised no objection to the plans (based on the increase in the area of hardstanding). | 6.9-6.10 |
| Neighbourhood Plan Delivery Group: | <p>(Comment on the amended scheme)</p> <p>-This is a good example of an application that looks very different when viewing the plans on paper vs when seeing the site as it is in reality and in the context of the neighbourhood.</p> <p>- This section of Cross Road and Ridgemount Road consist of all individually designed houses of mixed style and size and of distinctive character, in an area designated as 'Leafy Residential Suburb'. It is precisely the type of area that our Neighbourhood Plan policies seek to protect.</p> <p>- This scheme is for two "twin" houses of virtually identical design, still of considerable scale and mass, in close proximity to each other, and positioned formally side by side. The two buildings, in combination, will have an impact that will be totally out of character with the appearance and style of the surrounding area.</p> <p>- Recognise that the applicant has made considerable efforts in the amended plans to reduce the footprint of both houses and the impact of the garage blocks, and these are welcome improvements. Unfortunately this does not address the core issue that this scheme fails to comply with policy NP/DG1.1 6 which requires development proposals to "comprise high quality design and seek to demonstrate how they will enhance the character of the local area". This scheme will be highly detrimental to the character and appearance of the area.</p> | See main report. |

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| Parish Council: | The 2 dwellings are too large for the plot, which is out of keeping with the character of the area. The two dwellings of the same appearance will result in the terraced effect. Garages forward of the build line are not in keeping with the character of the area. S106 contributions should be a consideration. The plans do not show the loss of Tree 5, and there concerns over drainage. | See main report. |
| SPAЕ: | The proposal is out of character with the area. The proposal would result in two very large dwellings, of the same design, positioned closely together. There is no other example of this in the area. Being corner plot, these dwellings will be very prominent, and this will adversely impact on the streetscene. Proposal conflicts with Neighbourhood Plan policies. | See main report. |
| Local Lead Flood Authority: | <p>I would expect the applicant to meet the following conditions from the Non-statutory technical standards for sustainable drainage systems:</p> <p>S3 For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event.</p> <p>S5 Where reasonably practicable, for developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but should never exceed the runoff volume from the development site prior to redevelopment for that event.</p> <p>S7 The drainage system must be designed so that, unless an area is designated to hold and/or convey water as part of the design, flooding does not occur on any part of the site for a 1 in 30 year rainfall event.</p> <p>S8 The drainage system must be designed so that, unless an area is designated to hold and/or convey water as part of the design, flooding does not occur during a 1 in 100 year rainfall event in any part of: a building (including a basement); or in any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.</p> <p>S9 The design of the site must ensure that, so far as is reasonably practicable, flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that minimise the risks to people and property.</p> <p>The applicant is also required to give a maintenance regime for the drainage proposals.</p> | 6.17 |

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| <p>Council's Tree Officer:</p> | <p>There is a group of Lime and Horse chestnut trees along the northern boundary of Kingshill House, immediately to the south of the site. These are covered by TPO 043 of 2011.</p> <p>The site itself contains few trees of merit, though the three Purple leaved plums adjacent to the boundary by Ridge Mount Road are important due to the lack of larger trees here. They provide some softening to the existing built form and add a little to the sylvan character of the area. There is a group of semi-mature Birch in the rear garden of plot 1. However, there will be pressure in future to remove a number of these trees to provide a larger open garden area.</p> <p>My main concern is in relation to the shading of plot 2 that will be caused by the group of TPO trees. They are mature trees and sections of the garden will be under heavy shade during mid morning through to mid afternoon, when the trees are in leaf. A few of the rear ground floor rooms will also be similarly affected. However, I note the amended plan does increase the breadth of the plot and reduces the size of the building slightly taking it further away from the southern boundary. This will ease the shading issue. However, permitted development rights will need to be removed from plot 2, to prevent development that is otherwise likely to cause an unacceptable relationship with the trees.</p> <p>There is an opportunity for some new planting to mitigate the loss of other vegetation and soften the impact of the two large buildings. In particular, tree planting in the front gardens will soften the built form and enhance the sylvan character from Cross Road.</p> <p>On balance, there are no objections to the proposal subject to conditions for:</p> <ul style="list-style-type: none"> 5 details of tree protection to be submitted, 6 retention of trees, 7 details of landscaping, 8 removal of permitted development rights for plot 2. | <p>6.8</p> |
| <p>Natural England:</p> | <p>Comment that they do not consider the proposal would adversely impact on Internationally or Nationally designated sites.</p> <p>They advise the LPA should consider biodiversity enhancements and protected species.</p> | <p>6.11-6.14</p> |

8. APPENDICES TO THIS REPORT

- Appendix A – Site location plan
- Appendix B – Proposed site layout
- Appendix C – Elevations and Floor plans

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully resolved.

9. CONDITIONS IF PERMISSION IS GRANTED

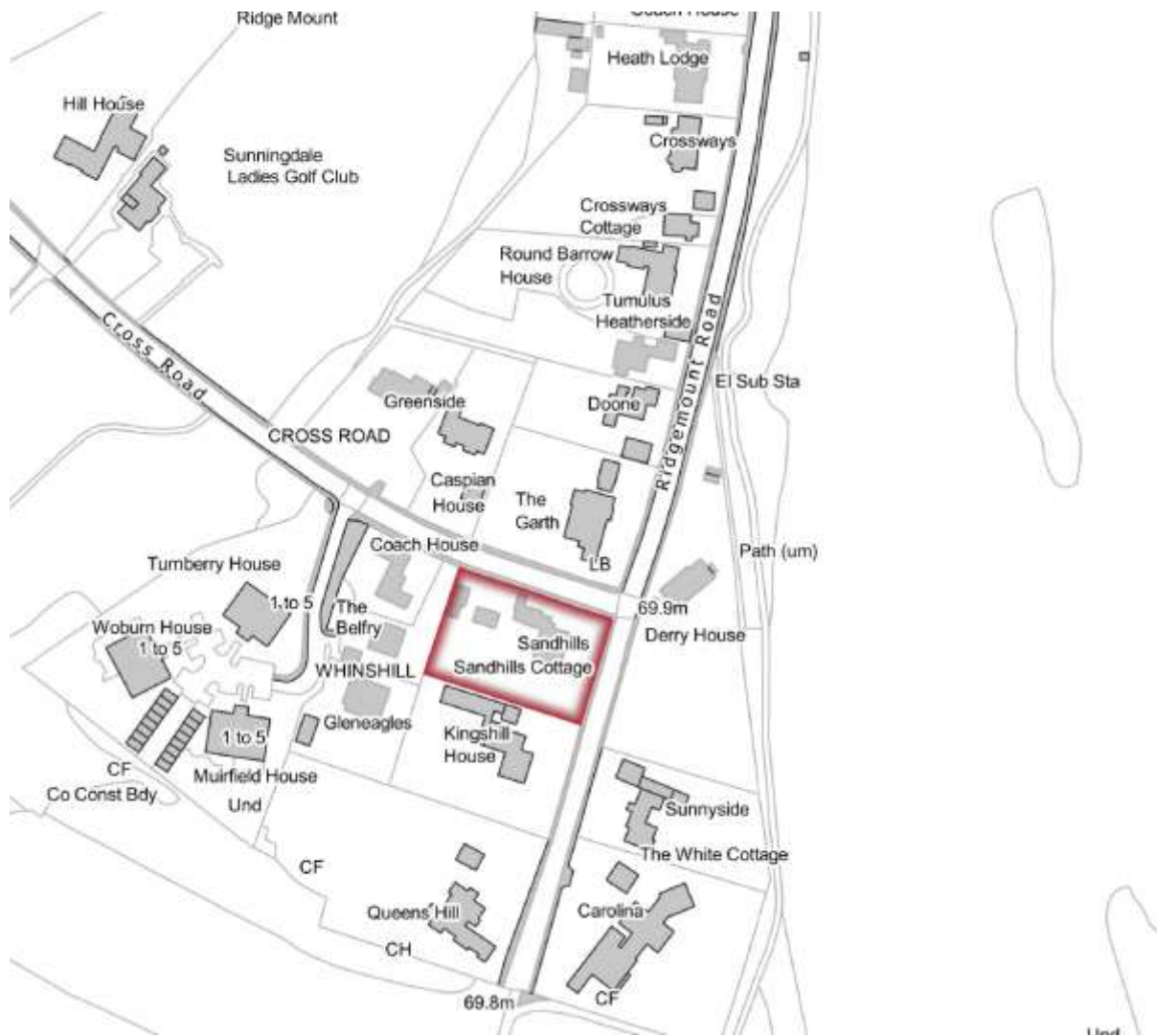
1. The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
3. Prior to the construction of the dwellings hereby approved, samples of the materials to be used on the external surfaces of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Local Plan policy DG1 and Policy NP/DG3 of the Neighbourhood Plan.
4. Prior to the construction of the dwellings hereby approved, details of all finished slab levels in relation to ground level (against OD Newlyn) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason:In the interest of the visual amenities of the area. Relevant Policy Local Plan DG1.
5. Prior to the construction of dwellings hereby approved, full details of both hard and soft landscape works, shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1, Neighbourhood Plan Policy NP/DG3 and Neighbourhood Plan Policy NP/EN2
6. Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written

consent of the Local Planning Authority.

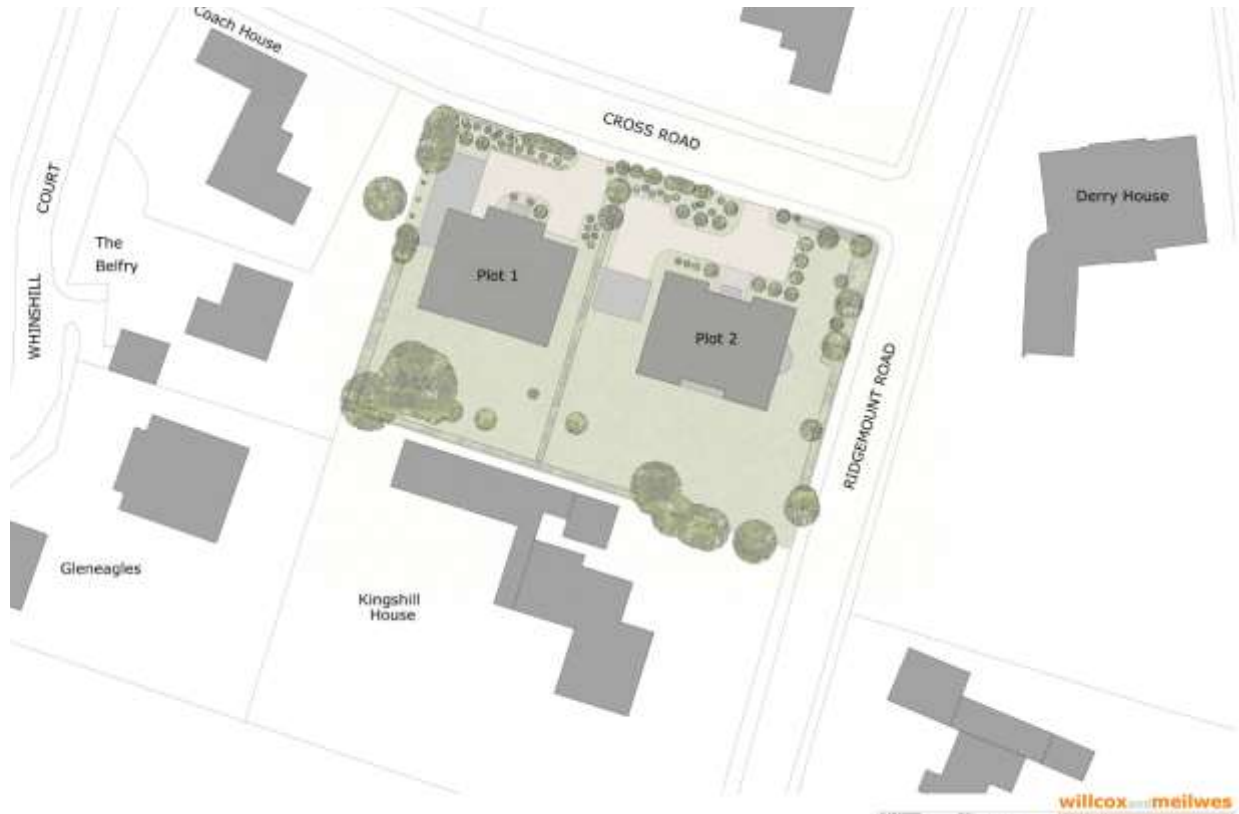
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.

7. No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or without the prior written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the same size and species unless the Local Planning Authority give its prior written consent to any variation.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6. Neighbourhood Plan Policy NP/EN2.
8. The hard surface of the access road and parking spaces shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with Requirement 5 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.
9. No window(s) shall be inserted at first floor level or above in the north western elevation(s) of the dwelling on plot 1.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. In accordance with the NPPF.
10. No part of the development shall be occupied until vehicle parking spaces have been provided in accordance with the approved drawing. The spaces approved shall be retained for parking in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.
11. Irrespective of the provisions of Classes A and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to the dwelling house on plot 2 the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.
Reason: Any further development within this plot would need to be carefully controlled given the proximity of the building to protected trees. Local Plan policy N6 and Neighbourhood Plan policy NP/EN2 of the Ascot, Sunninghill, Sunningdale Neighbourhood Plan.
12. Condition Approved Plans.

Appendix A- Site location



Appendix B- Proposed Layout



Appendix C- Elevations and Floor plans

Plot 1



Elevation facing Cross Road



Side elevation facing within site



Rear elevation



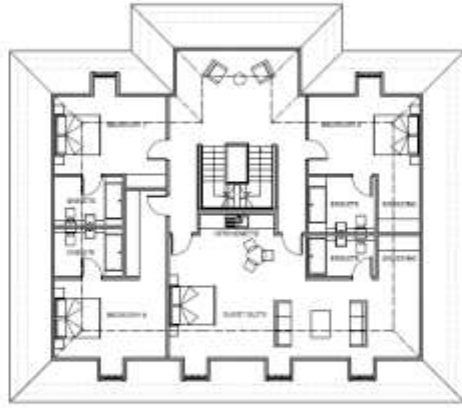
Side elevation facing the Coach House



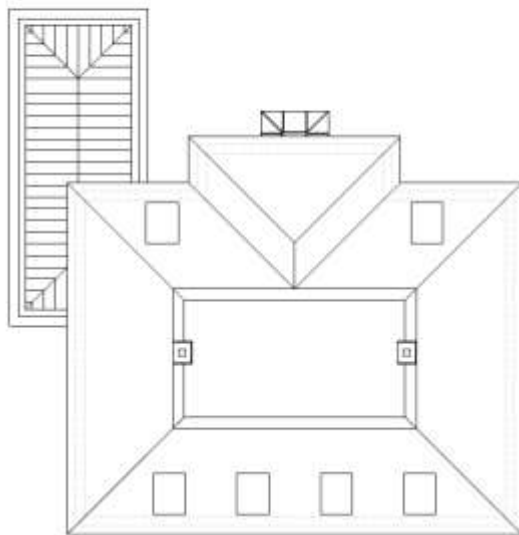
Ground floor



First floor



Second floor



Roof plan



Proposed rear Elevation



Proposed side elevation (facing within site)

Floor plans



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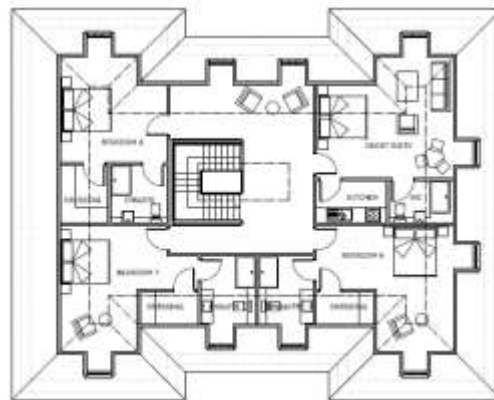
Basement plan



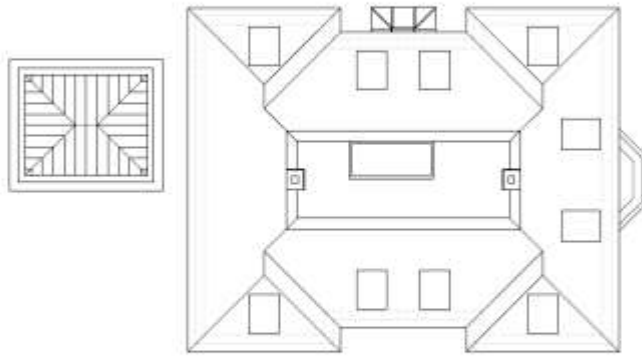
Ground floor



First floor



Second floor



Roof plan

WINDSOR RURAL DEVELOPMENT CONTROL PANEL

29 June 2016

Item: 4

| | |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Application No.: | 16/01165/FULL |
| Location: | Mandalay Burleigh Road Ascot SL5 8ES |
| Proposal: | Two storey rear, single storey rear, single storey front infill, first floor side extensions, conversion of loft to form additional habitable accommodation, 3 rear and 2 front roof lights and amendments to fenestration. |
| Applicant: | Mr Forster |
| Agent: | Mr Sam Jones - IDS |
| Parish/Ward: | Sunninghill And Ascot Parish |

If you have a question about this report, please contact: Adam Jackson on 01628 796660 or at adam.jackson@rbwm.gov.uk

1. SUMMARY

- 1.1 The proposed extensions are considered to be of a scale and design which are in keeping with the host dwelling and the street scene in general. In addition it is considered that the extensions will have an acceptable impact on the amenity of neighbouring properties. Sufficient car parking can be provided on the driveway and subject to suggested conditions the impact on important trees is also acceptable.

It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor David Hilton on behalf of the Parish Council.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is located on the eastern side of Burleigh Road in Ascot. The site is located in a residential area classified within the townscape assessment as an executive residential estate. The application property is a 2 storey detached house mainly of brick construction with partial white render and hung tiles and a pitched tile roof. The properties in the area are 2 to 3 storey detached properties which vary in style, size and materials.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

| Reference | Description | Outcome |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| 15/04267/FULL | Single storey rear extension, single storey front infill extension, first floor side extension, conversion of loft to form additional habitable accommodation, 3 rear dormers and 2 front roof lights with replacement garage following demolition of existing garage and amendments to fenestration. | Withdrawn 11.03.2016 |

- 4.1 The proposal is similar to the previous application (15/04267) which was withdrawn. The proposal is for a part two storey part single storey rear extension, a first floor side extension and the conversion of the loft into habitable accommodation.
- 4.2 The proposed first floor and two storey rear extensions are on the south side of the property above and extending behind the existing attached garage. The extension matches the existing ridge height of the property which is 8 metres and will be half hipped to match the existing roof design. The two storey rear extension extends approximately 3 metres beyond the existing rear

wall of the garage, however, does not extend beyond the existing rear elevations of the house. The extension also will not extend beyond the side elevation of the garage.

- 4.3 The single storey rear extension is 4 to 5 metres deep (4 metres along the north boundary shared with Ararat House), has a height of 3.2 metres and an eaves height of 2.6 metres. Prior to receiving amended plans the extension was 5 metres along this boundary.
- 4.4 In order to accommodate the loft extension 5 Velux windows are proposed, 3 of these are to the rear and 2 to the front. Dormer windows were proposed to the rear under the previous application.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

Royal Borough Local Plan

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

| | Within settlement area | Parking and Highway Safety | Protected Trees |
|--------------------|------------------------|----------------------------|-----------------|
| | ✓ | ✓ | ✓ |
| Local Plan | DG1, H14 | P4 and T5 | N6 |
| Neighbourhood Plan | DG1, DG2 and DG3 | T1 | EN2 |

Other Local Strategies or Publications

- 5.2 Other Strategies or publications relevant to the proposal are:
- RBWM Landscape Character Assessment
 - RBWM Parking Strategy

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:
- i. The impact on the character and appearance of the area
 - ii. The impact on neighbour amenity
 - iii. The impact on trees important to the area
 - iv. The impact on parking

The impact on the character and appearance of the area

- 6.2 The proposed single storey extension is 4 to 5 metres deep and is 12 metres wide, extending along the rear elevation of the main dwelling. The extension is just 3.2m tall and has been designed to closely match the existing dwelling. The scale is considered proportionate to the main dwelling and sufficient space remains to the rear (12 metres) and to the side (2.5 metres) to prevent the extension being cramped or resulting in an overdevelopment of the site. The extension would not be visible from public vantage points.
- 6.3 The two storey/first floor side and rear extension would mostly be above the existing garage with only a small amount extending to the rear which helps to reduce the bulk. The ridge height

matches the existing dwelling and is half hipped to match the design of the existing property as well. As with the single storey extension sufficient space remains to the side (4 metres) and to the rear (17 metres) to prevent a cramped appearance or overdevelopment of the site. Within the street there are a number of large detached houses and it is not therefore considered that the enlarged Mandalay would appear out of keeping.

- 6.4 The Velux windows are considered acceptable within the street scene and it is proposed for the materials of the extension to closely match the existing dwelling.

The impact on neighbour amenity

- 6.5 Objections have been raised from Ararat House who are concerned that the single storey rear extension will cause a loss of light to their property and will appear overbearing and enclose their rear garden. Ararat House has a living room which runs along the south side of their house; this living room has a large rear facing window which is approximately 5 metres from Mandalay's proposed single storey extension and the 60 degree light angle test is complied with. In addition to this there are also glass double doors which face north where the lounge extends beyond the rest of Ararat House, although north facing these doors do provide some additional light to Ararat's living room and will not be affected by Mandalay's single storey extension. It is accepted that Ararat House is set lower than Mandalay by approximately 1.5 metres; however, this is only to the immediate rear of the house with the rest of the rear garden being at a level which is comparable to Mandalay. Mandalay's proposed single storey extension is only 3.2 metres tall (2.6 eaves), has a depth of 4 metres and is set approximately 2.5 metres from the side boundary. In addition Ararat House's garden is 16 metres wide and has a depth of 15 metres and the main patio area is 8.5 metres from the proposed extension. It is not considered therefore that the proposed extension would appear significantly overbearing to Ararat House. Concerns were also raised that there would be a loss of light to Ararat Houses' front garden, however, the changes to the front of Mandalay are minor and any loss of light would therefore be non material. In addition front gardens are not afforded the same level of protection as a rear garden/main amenity area.
- 6.6 Concerns have also been raised that the rear facing Velux windows will cause a loss of privacy. This concern has been raised by 17 The Burlings which is located to the rear (east). There are 3 rear facing Velux windows proposed, in general Velux windows are less intrusive than windows/dormer windows and in this case they will be set 17 metres from the rear boundary. In addition there are already 3 windows and 2 Velux windows at first floor level which face towards 17 The Burlings and it is not considered that 3 additional Velux windows above this would significantly increase the existing overlooking or result in a level of overlooking that would not normally be expected in a residential area.
- 6.7 Due to the separation distance (approximately 18 metres) it is not considered that the first floor side extension would impact on the amenity of Topple Cottage to the South. It is also not considered that there would be any significant adverse effect to the sites opposite, which are over 20 metres away.
- 6.8 Concerns have been raised over the garden space that will remain for Mandalay after the extensions have been completed, however, the remaining garden space would still measure 16x23 metres. This is considered to be sufficient.
- 6.9 Concerns were also raised that the proposed extensions would result in an increase in noise on site once completed. The extensions do of course have the potential to allow for a larger family to occupy the property in the future, however, it is not considered that this would increase noise levels above and beyond what could reasonably be expected in a residential area. Noise is also not something that can be controlled by planning and instead would be an issue for environmental protection should statutory nuisance be caused.

The impact on trees important to the area

- 6.10 An arboricultural statement including a tree protection plan has been submitted with the application. It is considered that the impact on protected trees is acceptable subject to condition

4. This condition requires a revised tree protection plan to be submitted which includes protection measures for tree T2 at the front of the site. It is not considered that other nearby off site trees would be impacted by the development. The proposal is considered acceptable without the need for additional planting and as such a landscaping scheme is not considered necessary.

The impact on parking

- 6.11 The floor plans show 5 bedrooms; however, it would also possible for the games room and study to provide bedrooms in the future. However, under the borough's parking standards a 5 and 7 bedroom house would require the same number of parking spaces (3). These spaces can comfortably be provided on the front driveway or within the garage. It is not considered necessary for a traffic or constriction management plan to be submitted as the proposal is unlikely to result in a significant increase in traffic movements and there is sufficient space on site for builder's vehicles and materials to be stored.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

6 occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 29.04.2016

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

| Comment | Where in the report this is considered |
|-----------------------------------------------------------------------------------------------------|----------------------------------------|
| 1. Unacceptable loss of sunlight and daylight to our main living areas (Ararat house). | Paragraph 6.5 |
| 2. A greater sense of enclosure and loss of amenity (Ararat house). | Paragraph 6.5 |
| 3. Noise and disturbance arising after completion. | Paragraph 6.9 |
| 4. Loss of sunlight to our front garden (Ararat House). | Paragraph 6.5 |
| 5. Impact on important trees. | Paragraph 6.10 |
| 6. Being overlooked/lack of privacy (17 the Burlings). | Paragraph 6.6 |
| 7. The extension above the garage will be intrusive to the front of our property (Lansdowne House). | Paragraph 6.7 |

Other consultees and organisations

| Consultee | Comment | Where in the report this is considered |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Parish Council: | 1. The application is considered to be an overdevelopment of the site. 2. The development will lead to a loss of neighbour amenity. 3. Concerns about the potential loss of trees and the loss of garden space. 4. No landscaping or traffic management plans have been submitted. 5. Concerns about the level of parking. | 1. Paragraph's 6.2 and 6.3 2. Paragraph's 6.5 to 6.9 3. Paragraph 6.10 4. Paragraph's 6.10 and 6.11 5. Paragraph 6.11 |
| SPAE: (1) | The proposed rear extension will have an adverse impact on neighbour amenity. The proposed Velux windows will cause overlooking. | 1. Paragraph's 6.5 to 6.9 2. Paragraph 6.6 |

| | | |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| | The development will reduce the private garden amenity space. The development will have an adverse effect on the street scene. | 3.Paragraph 6.8 4. Paragraph's 6.2 and 6.3 |
| SPAE: (2) | In light of the modifications made to the single storey rear extension SPAE no longer considers that the extension would cause a significant loss of amenity to Ararat House. Concerns are still raised that the extension will result in a significant reduction in the private garden space of occupants, however, SPAE does not consider this alone merits refusal of the development. | n/a |

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Existing and proposed plans

Documents associated with the application can be viewed at <http://www.rbwm.gov.uk/pam/search.jsp> by entering the application number shown at the top of this report without the suffix letters.

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully resolved.

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The materials to be used on the external surfaces of the development shall match those of the existing building unless first otherwise agreed in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
3. Prior to the substantial completion of the development a water butt of at least 120L internal capacity shall be installed to intercept rainwater draining from the roof of the building. It shall subsequently be retained.
Reason: To reduce the risk of flooding and demand for water, increase the level of sustainability of the development and to comply with Requirement 4 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.
4. A revised tree protection plan shall be submitted to include protection for the tree, T2 (shown on plan Q87/1046 TPP in the Arboricultural Report). As a minimum this shall be fencing in accordance with British Standard 5837 to protect the soft ground within the root protection area of T2 and any other measures, such as ground protection, to ensure the root protection area is undamaged. No development shall take place until a revised plan is submitted to and approved in writing by the Local Planning Authority. The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all construction work and all

equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.

5. The development hereby permitted shall be carried out in accordance with the approved plans listed below.

Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

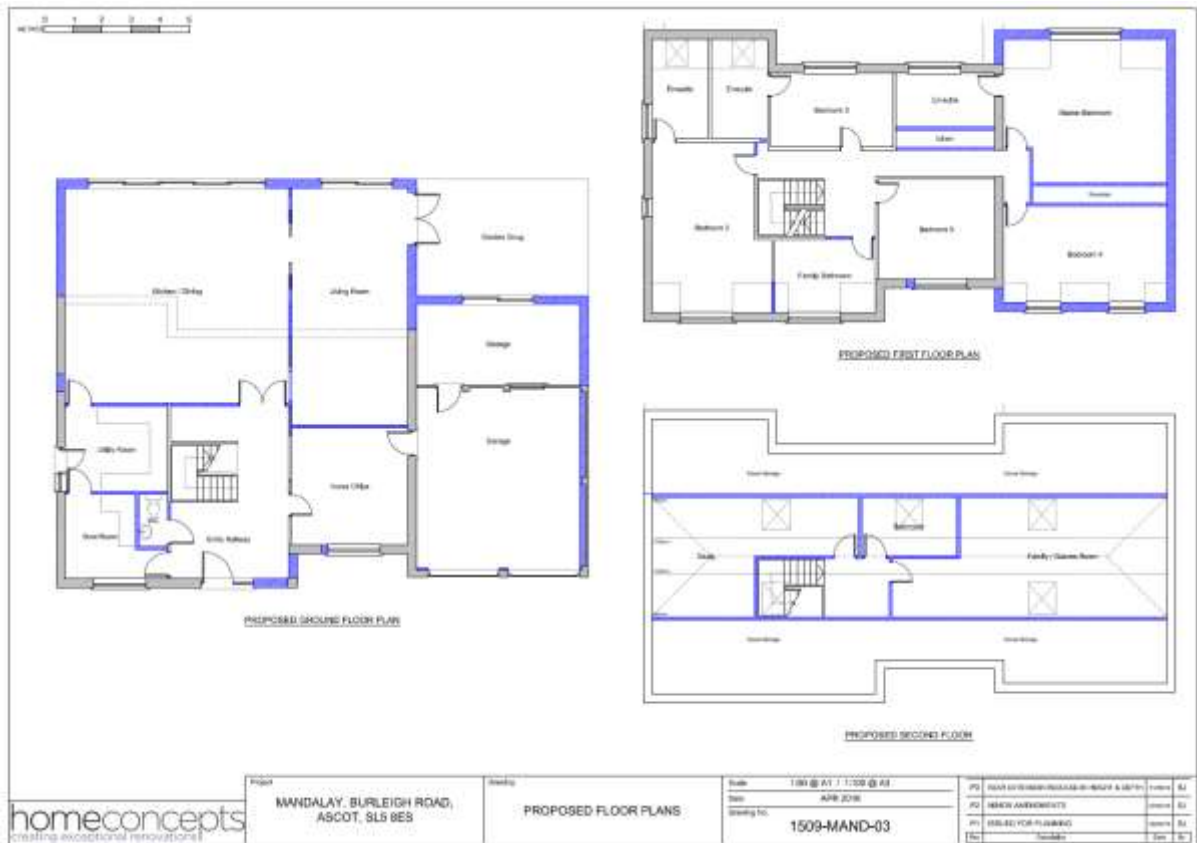
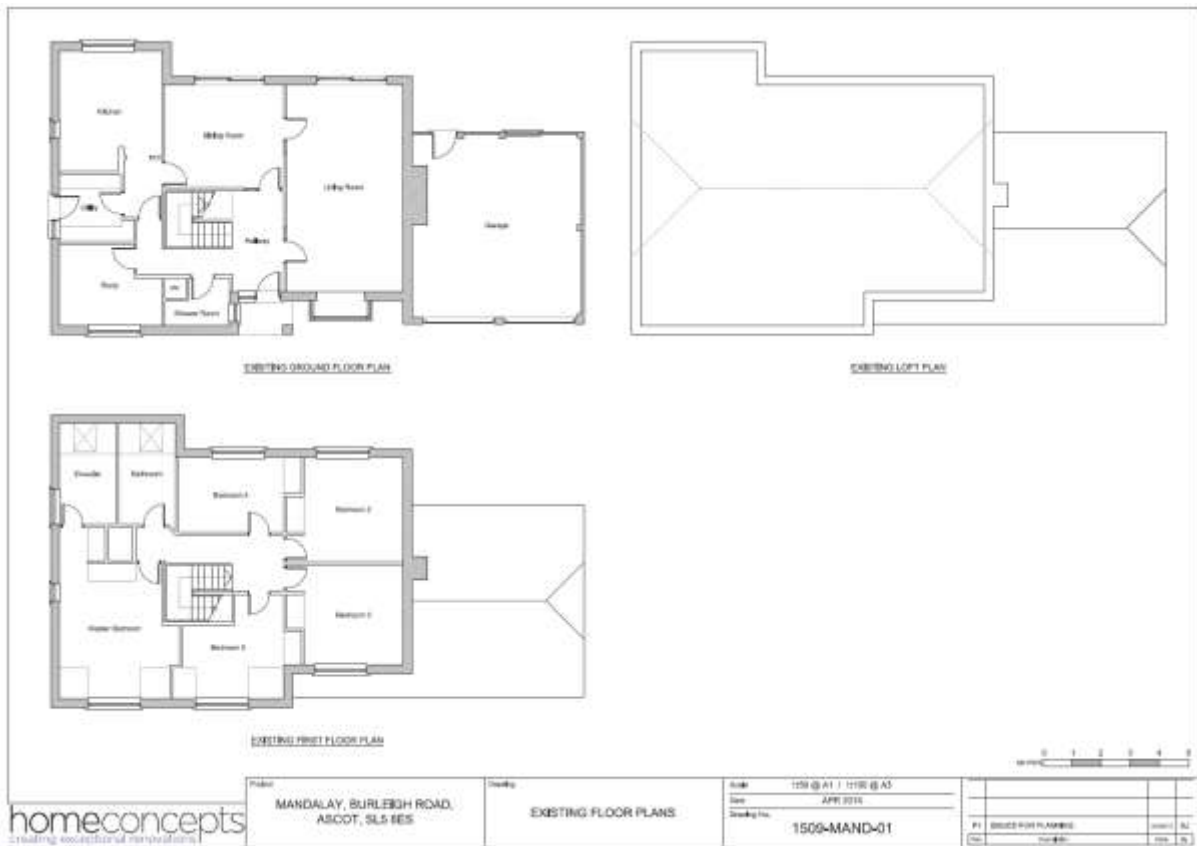
Appendix 1 – Site Location Plan



Site location



Appendix B – Existing and proposed plans



EXISTING FRONT ELEVATION

EXISTING REAR ELEVATION

EXISTING FLANK ELEVATION (Left)

EXISTING FLANK ELEVATION (Right)

homeconcepts
creating exceptional renovations

| | | | | | | | |
|---------|--------------------------------------------|--------|---------------------|-------------|------------------------|----|--------------|
| Project | MANDALAY, BURLEIGH ROAD, ASCOT, SL5 6ES | Client | EXISTING ELEVATIONS | Scale | 1:50 @ A1 / 1:100 @ A2 | | |
| | | | | Date | APR 2018 | | |
| | | | | Drawing No. | 1509-MAND-02 | | |
| | | | | | | BY | 1509-MAND-02 |
| | | | | | | BY | 1509-MAND-02 |
| | | | | | | BY | 1509-MAND-02 |

PROPOSED FRONT ELEVATION

PROPOSED REAR ELEVATION

PROPOSED FLANK ELEVATION (Left)

PROPOSED FLANK ELEVATION (Right)

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|---------|--------------------------------------------|--------|---------------------|-------------|------------------------|----|--------------|
| Project | MANDALAY, BURLEIGH ROAD, ASCOT, SL5 6ES | Client | PROPOSED ELEVATIONS | Scale | 1:50 @ A1 / 1:100 @ A2 | | |
| | | | | Date | APR 2018 | | |
| | | | | Drawing No. | 1509-MAND-04 | | |
| | | | | | | BY | 1509-MAND-04 |
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| | | | | | | BY | 1509-MAND-04 |

WINDSOR RURAL DEVELOPMENT CONTROL PANEL

29 June 2016

Item: 5

| | |
|--------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Application No.: | 16/01089/FULL |
| Location: | Rajvoog Tandoori Restaurant 4 High Street Sunninghill Ascot SL5 9NE |
| Proposal: | Single storey detached outbuilding to rear |
| Applicant: | Mr Khan |
| Agent: | Mr Graham Lake - BFM |
| If you have a question about this report, please contact: David Johnson on 01628 685692 or at david.johnson@rbwm.gov.uk | |

1. SUMMARY

1.1 The current application is a re – submission of application 14/03051/FULL, refused by panel on the 2nd February 2015. The reasons for refusal were as follows:

1).The scale, bulk and location of the building and the relationship of the door and canopy adjacent to residential properties, would result in an insensitively designed development and in an intensification of the use of the site that would be contrary to the Ascot, Sunninghill and Sunningdale Neighbourhood Plan Policies NP/DG1.1, 1.4 and 1.6., NP/DG2 and NP/DG3, The Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted 2003) Policy DG1, and advice in the National Planning Policy Framework (NPPF).

2).The use of the building during evening and early morning business hours would be detrimental to the amenities of neighbouring residents, contrary to Local Plan Policy E10, the intentions of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan Policy NP/E1.2(a), and advice in the NPPF.

The current application proposes a building measuring 5m x 4.5m and setback from the boundary by 2m at its closest increasing to 2.2m. The height of the proposed building would be between 2.15m and 2.3m and the door and main window have been moved from the side elevation facing the theatre to the front of the building facing the rear of the restaurant. There will be a small toilet window in the north elevation facing the theatre.

1.2 The existing shed was the subject of Enforcement Action in 2003 following the withdrawal of a retrospective planning application for a change of use from a storage room to a private hire (taxi) booking office. The Local Planning Authority served an Enforcement Notice (EN) requiring the removal of the shed and attached antennas from the land. A subsequent appeal against the EN was dismissed without any variation. A routine visit was carried out in 2006 to check compliance with the notice, at which time it was noted that the unauthorised use of the shed had cease and all antennas had been removed. The shed was being used as storage in connection with the restaurant. It was therefore considered that although the Enforcement Notice required the removal of the shed as the shed itself was not the main issue it was not considered expedient to take further action.

1.3 It is considered that the moving of the proposed outbuilding and the re – locating of the door and canopy to the elevation facing the restaurant away from the neighbouring residential properties would overcome the first reason for refusal of the previous application and would be an improvement to the existing outbuilding. Although the proposed building is wider than the existing building, its scale would have no significant impact on the character and appearance of the application site and the surrounding street scene.

1.4 It is not considered that the proposed outbuilding would have a significant detrimental impact on the amenities of the neighbouring property and would not result in a significant loss of light to No. 1 Kings Road. It is not considered that the increase in the width of the proposed building or its increased floor area would result in a significant increase in overlooking or loss of privacy over and above what could normally be expected within mixed commercial and residential areas.

- 1.5 The proposed building would not have any impact on pedestrian or highway safety in the area, nor would there be any impact on pa

It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Yong only if the officer recommendation is for approval, for the reason that there is uncertainty as to the use as it is not part of the lease for the restaurant and the building was used for a 24 hr taxi business in the past by the freeholder of the site.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located on the east side of the High Street at the end of a row of retail premises and next to the Novello Theatre. The neighbouring shops have residential accommodation above and there are a number of dwellings to the rear of the site that face onto Kings Road. The site also slopes away to the rear.
- 3.2 The application site consists of a ground floor restaurant with residential accommodation above. Due to the slope of the site the rear of the property has a basement at ground level with an external metal staircase providing access to the ground floor kitchen and to the floor above. A passageway shared with the theatre provides as a pedestrian access from the street.
- 3.3 A small timber outbuilding is situated between the metal staircase, and the rear boundary of the site. Sunninghill High Street is a classified numbered road (B3020) subject to a 20mph speed limit.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

| Ref. | Description | Decision and Date |
|---------------|---------------------------------------------------------------------------------|---------------------------------------------------------------|
| 03/83608/COU | Change of use from storage room to private hire (taxi) booking office. | Withdrawn 12/12/2003. Enforcement Appeal dismissed 30/03/2005 |
| 05/01991/FULL | Siting of walk-in chiller located upon raised platform to rear (retrospective). | Refused 05/10/2005 |
| 06/00432/FULL | Siting of walk-in chiller located upon raised platform to rear (retrospective). | Refused 30/03/2006. Appeal dismissed 13/12/2006 |
| 07/00297/FULL | Re-siting of walk-in chiller at first floor level. | Refused 29/03/2007 |
| 14/03051/FULL | Erection of a detached outbuilding to rear. | Refused 12/02/2015 |

- 4.1 The applicant seeks full planning permission for the erection of a single storey detached outbuilding to the rear for use as a proposed staff rest room. The existing wooden storage shed would be removed as part of this application. It is shown that the outbuilding would comprise of a staff rest room and toilet.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

Royal Borough Local Plan

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

| | Within settlement area | Highways/ Parking issues | Impact on residential amenity |
|--------------------|------------------------|--------------------------|-------------------------------|
| Local Plan | DG1 | T5 | E10, NAP3 |
| Ascot, Sunninghill | NP/DG1, | NP/T1 | |

| | | | |
|------------------------------------------|-------------------|--|--|
| and Sunningdale Neighbourhood Plan | NP/DG3, NP/E1, | | |
|------------------------------------------|-------------------|--|--|

5.2 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Sustainable Design and Construction
- Planning for an Ageing Population

More information on these documents can be found at:

http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i. Previous planning history relating to the site and its relevance to the current application;
- ii. Impact on the character and appearance of the original building and street scene;
- iii. Impact on the amenities of neighbouring properties; and
- iv. Impact on pedestrian and highway safety.

Previous planning history relating to the site and its relevance to the current application.

- 6.2 Planning permission was refused in 2003 for the change of use of the wooden shed to the rear of the site from a storage room to a private hire (taxi) booking office. The application was retrospective and so an Enforcement Notice dated 19th October 2004 was served on all parties involved in the unauthorised use. The affective date of the Enforcement Notice was the 26th November 2004, with the time for compliance being three months from when the notice took affect, unless an appeal was made before the 26th November 2004. The notice required the removal of the shed and antennas from the land and the removal of all materials arising from compliance with the removal of the shed and antennas.
- 6.3 An appeal was lodged against the issuing of the Enforcement Notice. The appeal was solely on ground (g), which is that the time given to comply is too short. The notice gave three months from the effective date of the 26th November 2004. The notice therefore gave enough time for the appellant to find the alternative premises without the need to appeal. The appeal was dismissed on the 30th March 2005 with the notice being upheld without variation.
- 6.4 Following a routine visit on the 13th July 2006 to check compliance with the enforcement notice, it was clear that the taxi business was no longer operating from the wooden shed and that all antennas had been removed. The shed was still in situ but was clearly being used as storage in connection with the restaurant. Whilst, technically the Enforcement Notice required the removal of the shed, it was considered that the shed by itself was not an issue in planning terms. The main issue was the use of the shed for the operation of a taxi business. As such it was not considered expedient to pursue the removal of the shed further.

6.5 Planning application ref. 14/03051/FULL, for the erection of a detached outbuilding to the rear was refused following consideration by the Windsor Rural Panel on the 12th February 2015, for the following reasons:

- 1 *The scale, bulk and location of the building and the relationship of the door and canopy adjacent to residential properties, would result in an insensitively designed development and in an intensification of the use of the site that would be contrary to the Ascot, Sunninghill and Sunningdale Neighbourhood Plan Policies NP/DG1.1, 1.4 and 1.6., NP/DG2 and NP/DG3, The Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted 2003) Policy DG1, and advice in the National Planning Policy Framework (NPPF).*
- 2 *The use of the building during evening and early morning business hours would be detrimental to the amenities of neighbouring residents, contrary to Local Plan Policy E10, the intentions of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan Policy NP/E1.2(a), and advice in the NPPF.*

6.6 The current application is to demolish the now dilapidated wooden shed and replace it with a larger building with a render finish to be used as a rest room for restaurant staff. The application has been amended to overcome the first reason for refusal of the previous application. The proposed building will be setback from the boundary by 2m at its closest increasing to 2.2m.

Impact on the character and appearance of the original building and street scene.

6.7 The proposal is to demolish the existing wooden storage shed with a floor area of approximately 12.25 square metres and a total height of 2.5m and erect a building with a sloping roof and floor area of approximately 25 square metres. The proposed new building would be located between 2m and 2.2m away from the rear boundary of the site, as opposed to the existing building on the site which is 1.8m from the boundary. The proposed outbuilding would have a painted render finish with a built up felt roof. The height of the proposed building would be 2.3m at its highest reducing to 2.15m at its closest point to the neighbouring property (1 Kings Road). It is considered that the outbuilding would not be readily visible from the High Street due to its location to the rear of the site. It is noted that concerns have been raised relating to the siting of the outbuilding on elevated land and the height and style of the outbuilding. However, given the reduction in height and the materials to be used in its construction it is considered that the outbuilding would be an improvement to the existing outbuilding and although the proposed building is wider than the existing building, its scale would have no significant impact on the character and appearance of the application site and the surrounding street scene.

Impact on neighbouring properties.

6.8 The proposed outbuilding would be located to the rear of the site and would replace an existing storage shed, and would be for the sole use of employees of the restaurant as a restroom. Whilst it is considered that the proposed outbuilding will be visible from the neighbouring properties, it is noted that the proposal is replacing an existing outbuilding. As such it is considered that the proposed outbuilding would not have a significant impact upon the residential amenities of neighbouring properties. Furthermore, with the outbuilding used as a restroom for staff of the restaurant, it is not considered that there would be a significant increase in noise over and above that which currently exists when staff are sat on the metal staircase or elsewhere in the rear yard of the restaurant to warrant refusal of the application. Concerns were raised that the building could be used as additional accommodation for staff or for a separate commercial use, however it is stated in the description that the application relates to the erection of a single storey detached building for use as a staff restroom and as such planning permission relates only to the use of the outbuilding as a restroom which is considered to be a use ancillary to the main A3 use of the site.

6.9 The site is an existing mixed use of residential at first floor and a restaurant at ground floor level, and is located within the commercial main street of Sunninghill. With regards to the impact of the proposed outbuilding on the residential property to the rear (No. 1 Kings Road), it is not considered that the proposed outbuilding located a minimum of 2m from the boundary would have a significant detrimental impact on the amenities of the neighbouring property and would not result in a significant loss of light to No. 1 Kings Road. It is not considered that the increase in the width of the proposed building or its increased floor area would result in a significant increase in

overlooking or loss of privacy over and above what could normally be expected within mixed commercial and residential areas. The door and main window have been relocated to the front elevation facing the rear of the restaurant and is therefore considered to reduce further the impact on neighbouring properties. The existing building is in a poor visual state demolition of this building and its replacement with a more visually attractive structure is considered to enhance the amenities of the neighbouring properties as a result of the proposal.

- 6.10 Concerns have been raised about the appearance of the existing building and that the proposed building would be sited within an area overgrown with Japanese knotweed. As previously stated the replacement of the existing building with a new building would be a visual improvement. Furthermore a condition is recommended (condition 3) requiring the applicant to carry out de-contamination works to remove all Japanese Knotweed from the site.

Impact on pedestrian and highway safety.

- 6.11 The proposed building would not due to its location within the site have any detrimental impact on pedestrian or highways safety. The proposed building would not have any implications for parking in the area.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

Five occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 18th April 2016.

Three letters have been received objecting to the application, summarised as:

| | Comment | Where in the report this is considered |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| 1. | The building is to be sited on an area contaminated with Japanese Knotweed. This was not admitted to by the applicant in part 14 of the land contamination in his application. I am given to understand that this particular species of plant has to be professionally treated with chemicals and then officially certified clear when it has been eradicated (3). | See para. 6.10 |
| 2. | We are also extremely dubious as to the usage of the proposed outbuilding. The applicant specifically told us that the purpose of the existing building was solely for storage. Upon completion this building was immediately used for an unregistered taxi business, which was later closed down by the council some years ago (3). | See para. 6.2 – 6.8 |
| 3. | We know the staff use their living quarters above the restaurant as a rest area and therefore, seriously question the need for any further rest area. Since the applicant was less than honest in relation to the first construction, we are sceptical as to what he is applying for. We urge you to look very closely at his proposal since there will be enough room in the proposed building to house two or three beds. None of us wish to endure another arduous and protracted struggle to protect our peace and quality of life. | See para. 6.7 |
| 4. | The proximity of the site is very close to the boundary of our property and is situated within a few feet of two of our bedrooms. These are occupied by our adult son and daughter. The proposed building is considerably larger than the existing structure and is also within a matter of feet from our kitchen and patio area. Whether there is to be several men resting or sleeping in the building we feel that it would be wholly unsanitary. Even if the proposed building is to be a rest room we would | See para. 6.7 – 6.8 |

| | | |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| | still be anxious regarding the impact of increased noise generated from the staff as the restaurant is open until late at night and the staff sometimes do not leave the kitchen until the early hours of the morning. | |
| 5. | The difference in height of the land at the back of 1 Kings Road and 4 High Street is over 0.5m making it higher on the site of the proposed building than 1 Kings Road. This will have to be taken into consideration, bearing in mind the close proximity of the bedrooms and the fact that our patio area is adjacent to the building. There will still be a detrimental effect to us and contravenes point 2 of the core planning principles, as we believe that it in no way enhances the environment.(2) | See para. 6.9 |
| 6. | I wanted to write to you to inform you that Rajvoog Tandoori Restaurant, 4 High Street Sunninghill Ascot SL5 9NE have already illegally intercepted our drain on our property (it runs across the front garden at 3, Kings Road, Sunninghill, Ascot). The planning application looks the Rajvoog Tandoori Restaurant will again intercept our drain for their so called "Rest Room". We are told by other neighbours that the new proprietor of the restaurant will not use or indeed ask for any rest room and it forms no part of his lease with the applicant.(2) | This is not a planning matter. |

Other consultees and organisations

| Consultee | Comment | Where in the report this is considered |
|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| Sunninghill and Ascot Parish Council: | <p>Objections as the committee considered the application to be an overdevelopment of the site which could lead to a loss of neighbour amenity, contrary to Neighbourhood Plan policies NP/DG2, NP/DG3 and Local Plan Policy DG1. The committee requested that the following conditions should be imposed, if the Borough were minded to approve the application:</p> <p><i>That the outbuilding should not be used for habitable accommodation and should only be used by restaurant staff</i></p> <p><i>That the hours of usage be specified and limited</i></p> <p><i>That the height of the outbuilding must not be higher than that shown in the drawings submitted with the application</i></p> <p><i>That permitted development rights are removed</i></p> | See para. 6.7 |
| Highways Officer | No objections subject to informatives. | Noted. |
| ASCOT, Sunninghill & Sunningdale Neighbourhood Plan Delivery Group: | <p>We note that amended plans have been submitted for this application. While these distance the proposed new building marginally from the rear fence and hence the neighbouring property, we do not believe that this addresses all our concerns and the A, S and S Neighbourhood Plan Delivery Group continues to object to this application:</p> <p>1. The proposal still represents an over-intensification of use of the site and will have a harmful impact on neighbour amenity, especially at the rear of the site, against policy NP/DG2.2</p> <p>2. This is particularly acute as the proposed use as a rest room for restaurant staff means that the building will have a high level of use during the</p> | See para. 6.7 |

| | | |
|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| | <p>evening hours – based on the applicant’s application form this will be in use up until midnight.</p> <p>3. Furthermore, despite the revised plans, this is a cramped and contrived development in a restricted space, which fails to comply with NP/DG3. We urge you to refuse this application.</p> <p>Should you nonetheless be minded to approve this application, we request that conditions are imposed as follows:</p> <p>a. That the hours of use are limited and EXCLUDE the evening hours – in order to protect neighbour amenity.</p> <p>b. That its use is linked and limited to its proposed use as a staff rest room for the Rajvoog Restaurant staff and any permitted development rights for its conversion to alternative business or habitable use are removed.</p> <p>c. That no increase in height, footprint or scale be permitted without a new planning application being made.</p> | |
| <p>SPAE:</p> | <p>The proposal still represents an over-intensification of use of the site and will have a harmful impact on neighbour amenity, especially at the rear of the site, against policy NP/DG2.2</p> <p>The design is for a facility that could potentially be habitable or usable for other business purposes. If the application is approved, we request that conditions be imposed that the structure is to be used for the business of the Rajvoog and its staff and not be permitted to become a separate dwelling or premises for a separate business.</p> | <p>See para. 6.7</p> <p>See para. 6.2 to 6.8.</p> |

8. APPENDICES TO THIS REPORT

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully resolved.

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.

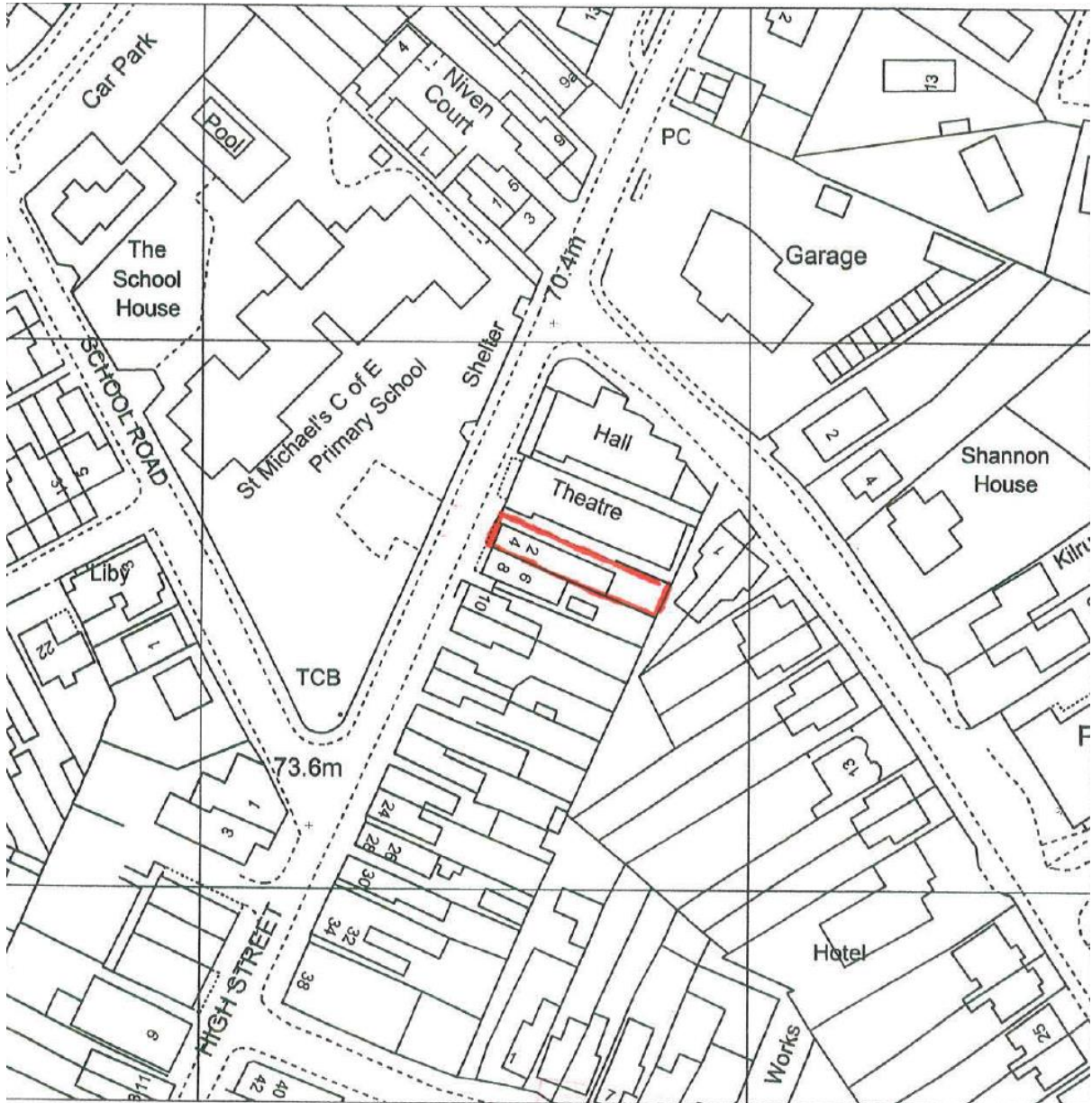
3. Before any works are undertaken, the site must be surveyed by an approved environmental consultant for the presence of Japanese Knotweed and a copy of this survey sent to the Local Planning Authority. If Japanese Knotweed is confirmed, full details of a scheme for its eradication and/or control shall be submitted to and approved by the Local Planning Authority prior to the commencement of work on site, and the approved scheme shall be implemented prior to the commencement of building works. A validation report confirming the remediation treatment carried out and that the site is free of Knotweed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To eradicate Japanese Knotweed from the development site, to prevent the spread of the plant through development works and to accord with policies DG1 and N6 of the Royal Borough of Windsor and Maidenhead Local Plan and the aims of policy NP/EN4 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2014.

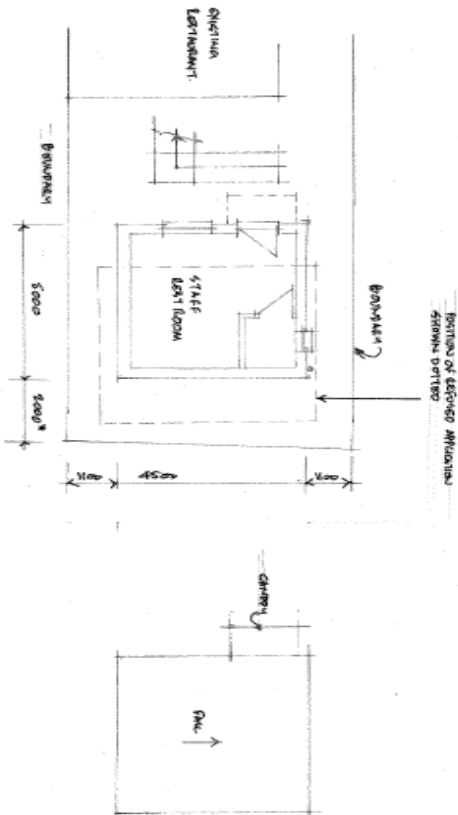
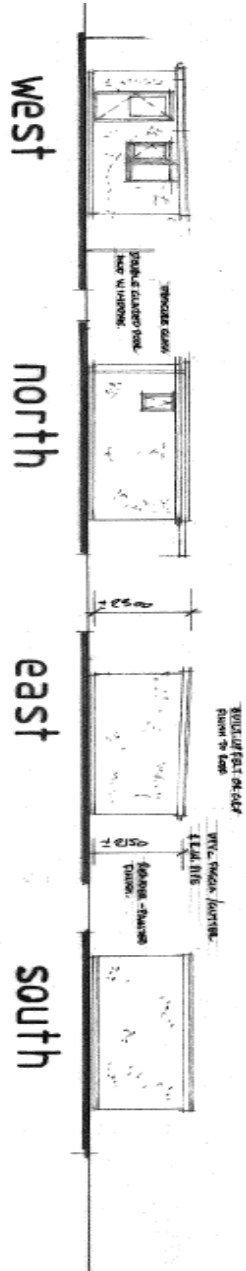
Informatives

1. The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
2. The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
3. No builders materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.

Appendix A – Site plan.



Appendix B – Plans and Elevations.



DESIGNED BY: **M. Khan**
 ARCHITECT: **M. Khan**

JOB TITLE: **RAJIVORA RESTROOMS**
 ARCHITECT: **AMIGH STURGE**
 SURVEILLANCE: **SUNNINHILL**
 ASPECT: **SUS ANE**

DRAWING TITLE: **PROPOSED STAFF REST ROOM PLANS**
 ELEVATIONS: **PREFINISHED DRAWING.**

SCALE: **1/4" = 1'-0"**
 DATE: **PERMANENT 2015**
 DRAWN BY: **PERMANENT 2015**

BFM BUILDING SERVICES
 21 DUNDAS STREET WEST, SUITE 101, TORONTO, ONTARIO M5G 1R8
 TEL: 416-593-8888
 2291 TP/3

WINDSOR RURAL DEVELOPMENT CONTROL PANEL

29 June 2016

Item: 6

| | |
|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Application No.: | 16/01120/FULL |
| Location: | Watersmeet House 18 Kingswood Creek Wraysbury Staines TW19 5EN |
| Proposal: | Single storey rear extension, replacement roof with habitable accommodation, 1 x front and 1 x rear dormers with amendments to fenestration. (Retrospective) |
| Applicant: | Mr Hothi |
| Agent: | Mr Raj Bancel - The Bancel Partnership |
| Parish/Ward: | Wraysbury Parish |
| If you have a question about this report, please contact: Haydon Richardson on 01628 796046 or at haydon.richardson@rbwm.gov.uk | |

1. SUMMARY

- 1.1 The application seeks retrospective planning permission for a single storey rear extension, replacement roof providing habitable accommodation, 1x front and 1x rear dormer with fenestration alterations.
- 1.2 On balance it is considered that the retrospective development is acceptable.

It is recommended the Panel grants planning permission with the conditions listed in Section 11 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Lenton; for the reason that the application replaces another with concerned nearby residents.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application relates to a part single, part two storey chalet situated on the east side of Kingswood Creek. The exterior of the property is grey render and the windows are upvc.
- 3.2 The property forms part of a tranquil, rural, residential settlement sited upon the banks of the river. The majority of dwellings have small to medium sized plots with onsite parking; their external finishes vary between brick and render and there is no uniformity in their colour. Ground and first floor extensions are not uncommon in the area, nor are dormers sited in the front and rear roof slopes of properties.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application seeks retrospective planning permission for a single storey rear extension, replacement roof providing habitable accommodation, 1x front and 1x rear dormer with fenestration alterations.
- 4.2 Article 3 and Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015 allows for the enlargement of a dwellinghouse which would consist of an addition or alteration to its roof. The retrospective roof alterations were made under the assumption that the works would be in compliance with Class B and thus constitute permitted development. However the roof alterations fail to comply with paragraph B.1.C as the front elevation dormer extends beyond the plane of an existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.
- 4.3 Article 3 and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 allows for the enlargement, improvement or other alteration of a dwellinghouse. The retrospective rear enlargement was made under the assumption that the works would be in compliance with Class A and thus constitute permitted development. However the single storey rear extension fails to comply with paragraph A.1.J(iii) as it extends beyond a

wall forming a side elevation of the original dwellinghouse, and would have a width greater than half the width of the original dwellinghouse.

5. Relevant Planning History

| Application number | Description | Decision and Date |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 13/90307/PREA PP | Replacement Dwelling. | Advice was given against the proposed development due to conflict with Green Belt policies contained within the Local Plan (07.08.2013). |
| 13/02694 | Construction of a new dwelling following demolition of existing. | Withdrawn (22.10.2013). |
| 13/90307/PREA PP | Demolition of existing Dwelling House and the erection of a replacement dwelling house (follow up of previous pre app). | Advice was given against the proposed development due to conflict with Green Belt policies contained within the Local Plan (06.12.2013). |
| 14/00388/FULL | Construction of a new dwelling following demolition of existing. | Refused due to conflict with Green belt, flooding and design policies (30.05.2014). |
| 14/90291/PREA PP | Demolition of existing Dwelling House and the erection (follow up of previous pre app) of a replacement dwelling house (follow up of previous pre app). | Advice was given against the proposed development due to conflict with Green Belt, design and flooding policies contained within the Local Plan (15.07.2014). |
| 15/00484/FULL | Replacement dwelling, following demolition of existing dwelling . | Approved Planning permission was granted for a dwelling that would be 79% larger in floor space and 35% larger in volume than the original dwelling. (11.05.15). |
| 15/02828/CPD | Certificate of lawfulness to determine whether the 3 single storey rear extensions, construction of porch are Lawful. | Withdrawn (22.10.2013). |
| 15/04052 | Raising and alteration/extension of the roof to accommodate one rear dormer, two front dormers and front porch. | Refused due to conflict with Green belt and design policies (26.02.2016). |

6 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

Royal Borough Local Plan

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

| | Within settlement area | Green Belt | High risk of flooding | Setting of the Thames | Provision of parking |
|------------|------------------------|---------------|-----------------------|-----------------------|----------------------|
| | ✓ | ✓ | ✓ | ✓ | ✓ |
| Local Plan | DG1, H14 | GB1, GB2, GB4 | F1 | N2 | P4 |

6.2 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Interpretation of Policy F1 – Areas liable to flooding

More information on this document can be found at:

http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

6.3 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Character Assessment – view using link at paragraph 6.2
- RBWM Parking Strategy – view using link at paragraph 6.2

7. EXPLANATION OF RECOMMENDATION

7.1 The key issues for consideration are:

- i. Impact on the Green Belt
- ii. Impact on the Setting of the Thames
- iii. Impact on flooding
- iv. Impact on the character and appearance of the host property and street scene
- v. Impact on neighbouring amenity
- vi. impact on parking

Impact on the Green Belt

7.2 Local Plan Policy GB4 identifies that within the Green Belt, residential extensions that do not result in a disproportionate addition over and above the size of the original dwelling, are considered to be appropriate development in the context of Policy GB1. Proposals that are disproportionate are inappropriate development which is by definition harmful to the Green Belt. Within the subtext of the Policy GB4 it is stated that the floor space will be a guiding factor in assessing whether a proposal is in accordance with the policy. However, percentage increases are not the sole determining factor. The bulk and scale of the proposals, their effect on the openness and the purpose of the Green Belt and their impact on the general appearance of the area as well as the individual property will all be considered in assessing a proposal.

7.3 This is consistent with the NPPF position on Green Belt Development. Section 9, paragraph 89 of the NPPF states that the construction of new buildings is inappropriate within the Green Belt with a few exceptions; the exceptions include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original dwelling.

- 7.4 The original property has a combined floor space of approximately 178m². The property was recently granted planning permission (15/00484) for a replacement dwelling that would have a combined floor space of approximately 322m²; which represents a 79% increase in floor space when compared with the original dwelling. The dwelling to which this retrospective application relates has a total floor space of 253m² (courtesy of ground floor extensions and roof alterations); representing a 42% increase in floor space when compared with the original dwelling. The existing property is also smaller in bulk, scale and height when compared with the replacement dwelling approved under planning application 15/00484.
- 7.5 It is therefore considered that it would be unreasonable to refuse the application on Green Belt grounds as a larger development has been approved at the site; a development that is still a viable fall back position for the applicant.

Impact on the Setting of the Thames

- 7.6 Local Plan Policy N2 suggests that development will not be permitted where it would 'adversely affect the character and setting of the river in both urban and rural locations' and that proposals should seek to 'conserve or enhance' such areas. The policy also states that new developments should protect views of and from the river, and that the character, height; scale and bulk of developments should respect those adjoining.
- 7.7 The dwelling to which this retrospective application relates is considered to be of an unfavourable design; its unbalanced roof form is considered to be an unsympathetic addition to the original dwelling. However it should be noted that properties within the area vary in their design, colour, material finishes and roof form. Mansard, gambrel and chalet style roofs containing gable ended or boxed dormers are visible from the river; it could therefore be considered that the dwelling would be in keeping with the appearance of the area and would preserve its character.
- 7.8 Properties within Kingswood Creek vary in their design but are generally uniform in their height; No.18 Kingswood Creek would be in keeping with the roofline of the neighbouring properties. Additionally as it stands the dwelling is considerably smaller in bulk and height when compared with the replacement dwelling approved under application no.15/00484. The replacement dwelling would have of approximately 6.85m, whereas the retrospective dwelling has a height of 6.15m.
- 7.9 Taking into consideration that a materially larger development is still a viable fall back position for the applicant and that other properties in the area vary in their design and character; it is considered that on balance it would be difficult to substantiate a reason for refusal reason which relates to impact of the development on the setting of the Thames. The proposal is therefore considered to be acceptable and would comply with policy Local Plan Policy N2.

Impact on susceptibility to flooding

- 7.10 Local Plan Policy F1 of the Adopted Local Plan is applied to all development within areas liable to flooding. The policy indicates that new residential development or non-residential development, including extensions in excess of 30m² will not be permitted "unless it can be demonstrated to the satisfaction of the Borough Council that the proposal would not of itself, or cumulatively in conjunction with other development: 1) impede the flow of flood water; or 2) reduce the capacity of the floodplain to store flood water; or 3) increase the number of people or properties at risk from flooding".
- 7.11 The Policy states that 'for a household, the gross cumulative area (GCA) would include the additions to the property that have been completed since 26th September 1978 (as per paragraph 2.4.7 of the Adopted Local Plan) which required express planning permission including any detached garage(s) together with any outbuildings that are non-floodable'.
- 7.12 The retrospective works include a single storey rear extension which would provide a 57.6m² increase in ground covered area and a 2.7m² porch; providing a cumulative GCA increase of approximately 60m²; failing to comply with Local Plan Policy F1.

- 7.13 However it should be noted that an extension of similar size and design could be constructed under Article 3 and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015; providing that a partition was made between the part of the rear extension which would extend beyond the living room and the part of the rear extension that extends beyond the kitchen. The division of the extension would ensure that the enlarged part of the dwellinghouse would not extend beyond a wall forming a side elevation of the original dwellinghouse and that the development fell within the remits of permitted development.
- 7.14 Local Plan Policy F1 explicitly states that only additions that have been granted full planning permission will be taken into account in the assessment of GCA; as such extensions granted under permitted development would not be included in the assessment.
- 7.15 Taking into consideration that minor material works are needed for the rear extensions to fall within the remits of permitted development (a viable fall back position for the applicant) , the retrospective single storey rear extension has not been included in the GCA assessment required under Local Plan Policy F1. The proposal would therefore have a GCA of 2.7m² complying with Local Plan Policy F1.

Impact on the character and appearance of the host property and street scene

- 7.16 The appearance of a development is a material planning consideration and the National Planning Policy Framework, Section 7 (Requiring Good Design) and Local Plan Policy DG1, advises that all development should seek to achieve a high quality of design that improves the character and quality of an area. Local Plan Policy H14 advises that extensions should not have an adverse effect upon the character or appearance of the original property or any neighbouring properties, nor adversely affect the street scene in general.
- 7.17 Properties within Kingswood Creek are unique in their design; their various roof forms, colours, material finishes and designs compliment a tranquil, rural, residential settlement upon the banks of the river.
- 7.18 The dwelling to which the current application relates would have multiple roof pitches similar to other properties in the area and would include a single front dormer, which sits well within the existing roof space; above the eaves and comfortably below the properties ridgeline. Not only do other properties within the area have large gable ended and or box dormers in their front and rear elevations but they are also of unique colour and design; it is therefore considered that the retrospective works sought under this application would on balance result in a dwelling that would be in keeping with the character of the area and would be of no harm the street scene.
- 7.19 It should be noted that under Article 3 and Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015, the retrospective roof alterations would fall within the remits of permitted development; if the front dormer was removed. This fall back position is still a viable option for the applicant.

Impact on neighbouring amenity

- 7.20 The single storey rear extension does not extend beyond a line drawn at 60 degrees from the centre point of the nearest habitable room opening of either neighbouring property; in compliance with the advice given in Appendix 12 (Guidance Note 1, House Extensions) of the Local Plan with regard to light guidelines. The front and rear dormers would provide similar views to those of the original dwelling. It is considered that due to the nature of the works and their siting there would be no significant harm caused to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, and sunlight or otherwise.

Impact on Parking

- 7.21 No.18 Kingswood Creek benefits from 4 bedrooms. Drawing 'RA/PP/2632 - 00-01' indicates that the property would provide 3 on site parking spaces. It is considered that sufficient space would remain on the site to accommodate the car parking for the resulting dwelling in compliance with

the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004.

8. Other Material Considerations

- 8.1 The property is located within the Wraysbury Article 4 zone; however the article 4 is not relevant to this planning application.

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

The planning officer posted a notice advertising the application at the site on **22/04/16**.

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

| Comment | Where in the report this is considered |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| <p>1. 19 Kingswood Creek –</p> <p>The development is out of keeping with other properties in the area. The reasons for the refusal of application no.15/04052 apply to this application.</p> <p>The roof structure is out of keeping with other properties in the area. The rear roof structure is not a dormer; the various pitches of the roof form an incongruous addition to the household and area.</p> <p>The ground floor extensions constructed under permitted development conflict with the green belt measurements approved in application no.15/00584.</p> <p>The proposed development would have an adverse impact on the greenbelt and flooding.</p> <p>One parking space would be lost as a result of a suspected garage conversion.</p> | <p>All comments received during the process of the application have been taken into consideration. See section 7.</p> |
| <p>2. 20 Kingswood Creek-</p> <p>The development is out of keeping with other properties in the area. The reasons for the refusal of application no.15/04052 apply to this application.</p> <p>The roof structure is out of keeping with other properties in the area. The rear roof structure is not a dormer and the various pitches of the roof form an incongruous addition to the household and area.</p> | <p>All comments received during the process of the application have been taken into consideration. See section 7.</p> |
| <p>3. No.8 Kingswood Creek -</p> <p>The area is unique in its design and location. Properties within the riverside settlement vary in design but have similar characteristics such as pitched dormers. The proposal would be out of keeping with this character; the boxlike dormers would harm the property and appearance of the area. If granted the development would set a poor precedent for the future development of the area.</p> | <p>All comments received during the process of the application have been taken into consideration. See section 7.</p> |

Statutory consultees

| Consultee | Comment | Where in the report this is considered |
|-----------|----------------------------------------------------|----------------------------------------|
| Wraysbury | Strongly object to this retrospective development. | All comments |

| | | |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| Parish Council | The proposal appears to be overdevelopment of the site in an area liable to flooding. A similar development has already been refused. | received during the process of the application have been taken into consideration. See section 7. |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|

10. APPENDICES TO THIS REPORT

- Appendix A – Site location plan
- Appendix B – Existing ground floor plan, Drawing No. RA/PP/2632 - 01
- Appendix C – Existing first floor plan, Drawing No. RA/PP/2632 - 02
- Appendix D – Existing elevations, Drawing No. RA/PP/2632 - 03
- Appendix E – Pre existing elevations, Drawing No. RA/PP/2632 - 04
- Appendix F – Pre existing ground floor plan, Drawing No. RA/PP/2632 - 08
- Appendix G – Pre existing first floor plan, Drawing No. RA/PP/2632 - 09

Documents associated with the application can be viewed at <http://www.rbwm.gov.uk/pam/search.jsp> by entering the application number shown at the top of this report without the suffix letters.

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully/unsuccessfully resolved.

11. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwelling house the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.
Reason: The site requires strict control over the form of any additional development which may be proposed. Relevant Policies - Local Plan H11, DG1.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Appendix A – Site Plan



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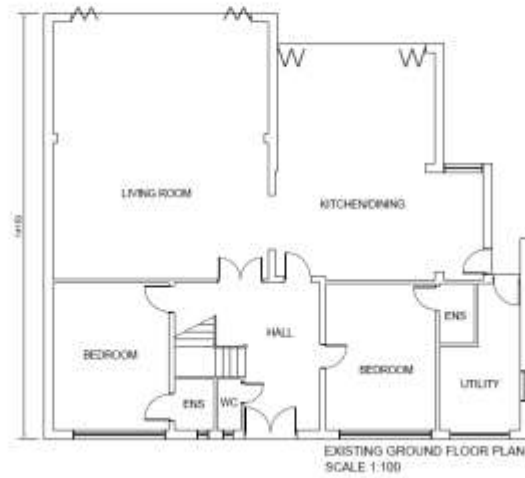
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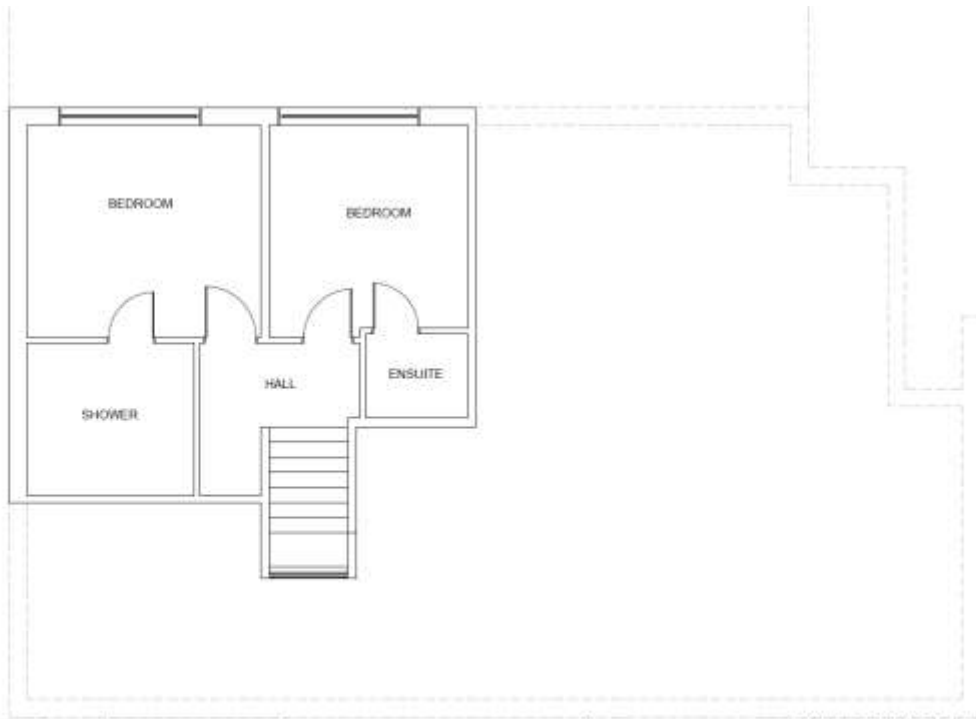
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Appendix B – Existing ground floor plan, Drawing No. RA/PP/2632 – 01



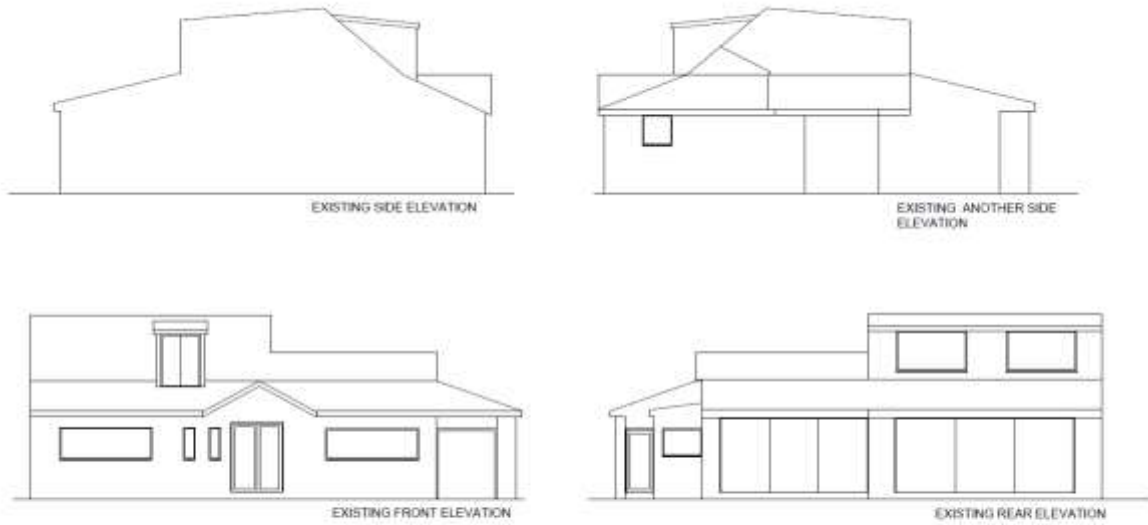
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| <p>Consent to be used as a General Building Plan Drawing No other person or firm shall be permitted to reproduce or copy this drawing without the written consent of BANCIL PROFESSIONAL LTD</p> <p>27-28 The Broadway, Southport, Merseyside, L35 1JF Tel: 020 8274 4349 Fax: 020 8274 4328</p> | Site Address | Client Details | Title | Drawn By | PP | Revisions | |
| | 19 Kingswood Creek, Wraybury, TW19 5EN | 19 Kingswood Creek, Wraybury, TW19 5EN | Existing Ground Floor Plan | Checked By | PP | Rev / Revision | Date |
| | | | Scale | Date | 30/01/18 | | |
| | | | Sheet Size | Drawing No. | RAP/2632 - 01 | | |

Appendix C – Existing first floor plan, Drawing No. RA/PP/2632 – 02



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| <p>Consent to be used as a General Building Plan Drawing No other person or firm shall be permitted to reproduce or copy this drawing without the written consent of BANCIL PROFESSIONAL LTD</p> <p>27-28 The Broadway, Southport, Merseyside, L35 1JF Tel: 020 8274 4349 Fax: 020 8274 4328</p> | Site Address | Client Details | Title | Drawn By | PP | Revisions | |
| | 19 Kingswood Creek, Wraybury, TW19 5EN | 19 Kingswood Creek, Wraybury, TW19 5EN | Existing First Floor Plan | Checked By | PP | Rev / Revision | Date |
| | | | Scale | Date | 30/01/18 | | |
| | | | Sheet Size | Drawing No. | RAP/2632 - 02 | | |

Appendix D – Existing elevations, Drawing No. RA/PP/2632 – 03



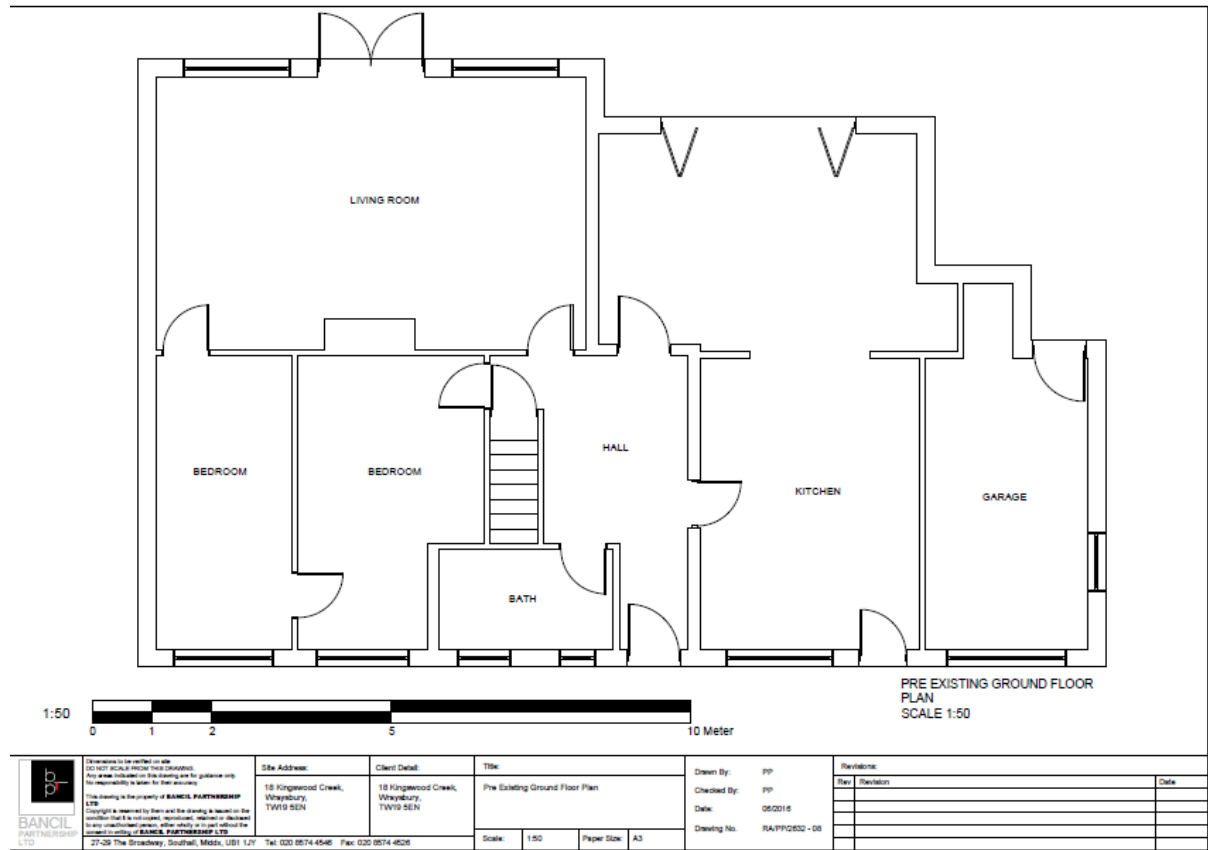
|  <p>Sean C. L. Architects Ltd. 2/24 The Promenade, Southport, Merseyside, L35 9UF Tel: 020 8174 4544 Fax: 020 8174 4533</p> | <p>Site Address: 18 Kingswood Creek, Wirral, Merseyside, TW16 5BL</p> | <p>Client Details: 18 Kingswood Creek, Wirral, Merseyside, TW16 5BL</p> | <p>Title: Existing Elevations</p> | <p>Drawn By: PP Checked By: PP Date: 24/01/18 Drawing No: RA/PP/2632 - 03</p> | <p>Revisions</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Reason</th> <th>Date</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> | | No. | Reason | Date | | | | | | | | | | | | |
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Appendix E – Pre existing elevations, Drawing No. RA/PP/2632 – 04



|  <p>Sean C. L. Architects Ltd. 2/24 The Promenade, Southport, Merseyside, L35 9UF Tel: 020 8174 4544 Fax: 020 8174 4533</p> | <p>Site Address: 18 Kingswood Creek, Wirral, Merseyside, TW16 5BL</p> | <p>Client Details: 18 Kingswood Creek, Wirral, Merseyside, TW16 5BL</p> | <p>Title: Pre Existing Elevations</p> | <p>Drawn By: PP Checked By: PP Date: 24/01/18 Drawing No: RA/PP/2632 - 04</p> | <p>Revisions</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Reason</th> <th>Date</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> | | No. | Reason | Date | | | | | | | | | | | | |
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Appendix F – Pre existing ground floor plan, Drawing No. RA/PP/2632 – 08



Appendix G – Pre existing first floor plan, Drawing No. RA/PP/2632 – 09

