ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

WINDSOR RURAL DEVELOPMENT CONTROL PANEL

30 April 2014	Item: 1
Application	13/03515/FULL
No.:	
Location:	Englemere House Englemere Estate Kings Ride Ascot SL5 7TB
Proposal:	Redevelopment to provide 17 apartments with basement car park and associated works following demolition of existing buildings and removal of hardstanding areas.
Applicant:	Millgate Developments Ltd
Agent:	Mr Paul Dickinson- Paul Dickinson And Associates
Parish/Ward:	Sunninghill And Ascot Parish

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

1. SUMMARY

1.1 The proposals are for the demolition of the existing buildings on the site and provision of a new building of classical design, comprising 17 apartments (10 x 3-bedroom and 7 x 2-bedroom) and car parking. The building is of some historic interest, and is considered to be a non-designated heritage asset. There are a number of issues that require clarification including whether the proposed building is of sufficient design quality to justify the replacement of this heritage asset, and whether the building represents appropriate development in the Green Belt (it is not considered that there is a robust very special circumstances argument that would justify the building if it is judged to be inappropriate).

It is recommended the Panel authorises the Head of Planning & Property Services:

- 1. To grant planning permission subject to satisfying heritage, design and Green Belt criteria, and on the satisfactory completion of an undertaking to secure the infrastructure, mitigation and an appropriate level of off-site affordable housing contributions in Section 7 of this report and with the conditions listed in Section 10 of this report.
- 2 To refuse planning permission if heritage, design and Green Belt issues have not been satisfactorily resolved, and / or an undertaking to secure the infrastructure, mitigation and off-site affordable housing contributions in Section 7 of this report has not been satisfactorily completed by 7th May 2014.

2. REASON FOR PANEL DETERMINATION

• The Council's Constitution does not give the Head of Planning & Development 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 property consists of a substantial former country house with ancillary buildings, set in landscaped grounds of almost 5 ha - about 10 acres - and located to the south-west of Heatherwood Hospital and a little over one kilometre from the centre of Ascot village. The property is bounded by King's Ride (the A332) on its northern side and by the Waterloo to Reading railway line to the south. It is located within the Green Belt, sharing boundaries to the west with two detached dwellings located in the adjacent cul-de-sac known as Englemere Park, and a cluster of office buildings to the east which appear to have once formed part of the Englemere House property. Three ancillary buildings within the site are grouped close to these office buildings; one is derelict and the other two are in reasonable repair; these are known as 'The White House' and 'The Wee Flat'. Within the adjacent south-eastern part of the grounds,

there is also a squash court that is understood to date from the 1930s and a pair of tennis courts. Along with 'The White House' and 'The Wee Flat', the main building has been in office use for many years, most recently by the Chartered Institute of Building.

- 3.2 The main building is of considerable historic interest, and its history is discussed in some detail in the Heritage Statement that forms part of the application. This sets out that the main building was constructed during the Regency period as an Italianate style villa, and it was subsequently remodelled and extended during the mid 19th century and again in the first decade of the 20th century. The Statement notes that existing pattern of gardens were laid out in the 1930s, when a swimming pool as well as the squash court and tennis courts already noted were all constructed; further remodelling also took place at that time.
- 3.3 The historic interest in the building includes former residents of considerable note, including the then-well known Field Marshall Lord Roberts who owned and lived at the property between 1903 and his death in late 1914, and Princesses Helena Victoria (1870-1943) and Marie Louise (1872-1956), who were both grand-daughters of Queen Victoria and Prince Albert and who lived here from 1940 (Princess Marie Louise returned to London at the end of the Second World War).
- 3.4 Lord Roberts was a well known personality during the Edwardian era, following his retirement from a military career that covered half a century from 1851 to 1901. Prior to this he attended Eton College before entering Sandhurst. He was awarded the Victoria Cross in 1858 during service in India, and finished his career with notable military successes during the Boer War. While Englemere House was essentially his retirement home, he actively maintained his army connections during the years up to his death, which was on a visit to review the Indian front line troops in France in November 1914, (although from pneumonia rather than as a result of direct military engagement). His local associations during his period of residence in Ascot are largely unresearched, but it is of interest that one of his portraits hangs in the Guildhall in Windsor, where it is understood to have been for many years.
- 3.5 The Heritage Statement notes that Earl Roberts extended the property with a large three-storey wing constructed on the northern end of the building. This extension was designed to be in keeping with the style of the original Regency villa, being faced with plain render and having the same low-pitched hipped and slated roof form with wide projecting eaves. This part of the house can be visually distinguished from the original section of the house by the sash windows which are grouped in pairs, whereas in the original early nineteenth century part of the building the windows are evenly spaced. There is a RBWM Blue Plaque on the front entrance porch of the main building commemorating his residence here.
- 3.6 The residence at the property of Princesses Helena Victoria and Marie Louise during the Second World War followed the bombing of their house in 1940, when they were offered the use of Englemere House by the owners who were subsequent to Lord Roberts.
- 3.7 The buildings are set within extensive mature landscaped grounds in which all of the trees are protected by Tree Preservation Order 19 of 2012. These include an avenue of limes lining the entrance driveway from the gated entrance on Kings Ride. There is also an extensive area of paved car parking adjacent to the building on its north-western side.

Ref.	Description	Decision and Date
08/001919/FULL	Replacement single storey rear extension	Permitted, 28.2. 2008
08/002619/FULL	Replacement of site entrance timber gated barrier with double metal gate and associated brick piers, walls and railings.	Permitted, 18.12. 2008
13/02640/CLASSJ	Change of use of building and outbuildings for offices to 17 flats	Permitted, 07.11.2013

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposals include the demolition of the existing buildings on the site with the exception of a brick-built maintenance shed close to the front drive. A single new building would be provided, comprising 17 apartments (10 x 3 bed and 7 x 2 bed), largely in the same location as the existing Englemere House, although with a larger footprint that would extend out from the narrower rear part of the building to form a generally rectangular building as viewed on plan. The accommodation would be provided on four levels, including within the roof, which would include dormer windows and, in common with the first and second floor levels, balconies and terraces to the rear and sides. The building's height would be similar to that of the existing building, which is three storeys in height with unutilised roof space; the design relies on a lower domestic floor to ceiling heights as compared to those of the existing building to allow the additional level of accommodation to be provided.
- 4.2 Car parking would be provided in a basement, allowing for a reduction in hard-paved surfaces including the existing car park which is located on the north-western side of the building. Two spaces would be allocated to each apartment, a total of 34 spaces in all, and the basement would also provide storage areas for residents. Ten visitor parking spaces would also be provided at the front of the building. Existing roads leading to the outbuildings on the north-eastern side of the site would also be reinstated to soft ground. A walled garden would replace the main existing car parking area, and a swimming pool would be provided for residents, reinstating the 1930s former swimming pool that has subsequently been filled in. This is to the south of the main building site.

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

The Development Plans

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

	Green Belt	Housing	Protecte	Energy			
High		mix,	d trees	efficiency	Highway		Developer
quality		affordability			s and	Biodiversit	Contribution
design		and design			parking	У	S
✓	✓	✓	✓	✓	✓	✓	✓
DG1	GB1, GB2,	H3, H10,	N6		P4, T5		T6, R3,
	GB3, GB4	H11					IMP1
NP/DG1,		NP/H1,	NP/EN2	NP/DG5	NP/T1	NP/EN4	
NP/DG2,		NP/H2					
NP/DG3							

The above table include the relevant policies from the Ascot, Sunninghill and Sunningdale Proposed Neighbourhood Plan. This has successfully passed through its referendum stage, and as such should be given substantial weight when determining planning applications within the Neighbourhood Plan area.

- 5.2 Supplementary planning documents adopted by the Council relevant to the proposal are:
 - Planning Obligations and Developer Contributions
 - Interpretation of Local Plan Policy H3 Affordable housing
 - Interpretation of Policy F1 Areas liable to flooding
 - Interpretation of Policies R2 to R6 Public Open Space provision
 - 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 Landscape Character Assessment view using link at paragraph 5.2
 - RBWM Parking Strategy view using link at paragraph 5.2
 - National Planning Policy Framework

Core Planning Principles

Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision taking. These twelve principles are that planning should:

- be genuinely plan-led, empowering local people to shape their surroundings with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
- not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas promoting the vitality
 of our main urban areas, protecting the Green Belts around them, recognising the
 intrinsic character and beauty of the countryside and supporting thriving rural
 communities within it;
- support the transition to a low carbon future in a changing climate, taking full account of
 flood risk and coastal change and encourage the reuse of existing resources including
 conversion of existing buildings and encourage the use of renewable resources (for
 example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land or development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage or food production);
- conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable; and

 take account of and support local strategies to improve health, social and cultural wellbeing for all and deliver sufficient community and cultural facilities and services to meet local needs.

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:
 - i. The significance of Englemere House as a non-designated heritage asset, and whether the principle of the loss of the existing buildings is acceptable.
 - ii. The design and appearance of the building.
 - iii. Whether the proposal would be appropriate development in the Green Belt, and if not whether there are any very special circumstances that would clearly outweigh the harm caused to the Green Belt by reason of its inappropriateness and any other harm caused by the proposed development.
 - iv. Impacts on the amenities of neighbouring occupiers.
 - v. The provision of affordable housing.
 - vi. Impacts upon wildlife within or adjacent to the site and within the Thames Basins Heaths SPA.
 - vii. Whether the proposal would have an acceptable impact on trees.
 - viii. Car parking and highway safety.

Principle of the loss of the existing buildings

- 6.2 As noted above, the Heritage Statement sets out a case that while the house was built in the early nineteenth century, it has been considerably altered and extended since then with the majority of the alterations having been undertaken during the twentieth century. Its development has been rather organic in nature, reflecting the wishes and needs of successive occupiers, and while it is of some architectural interest, due to the extent of the alterations it was not considered suitable for listing when considered by English Heritage in 2004. The building is not subject to any other planning heritage designation, and during pre-application discussions with the Council during 2013, no objection was raised to its replacement with a building that would not be materially larger. However, further assessment of its heritage values have been undertaken during the course of this application by the Council's Conservation Officer, and a further response to this has been provided by the applicant. The house is considered to be a non-designated heritage asset.
- 6.3 The NPPF requires that

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (para. 135).

The framework goes on to say that

Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred (para. 136).

6.4 The application would result in an almost total loss of this non-designated heritage asset. The significance of that loss would be much lower than in the case of a listed building or of a significant building within a Conservation Area (i.e. assets that are designated as such). Discussion has taken place with the applicants as to whether there is viable scope for the reuse of the building, and as noted above in the planning history at Section 4 of this report the property was recently subject to a Class J certificate of lawfulness for conversion to flats. This would include twelve units within the main house and five within 'The Wee Flat' and 'The White House', resulting in a total of seventeen flats. However, the applicant has now commissioned a chartered surveyor to look at the viability of such a conversion. A report has been submitted that shows that, to make a conversion scheme viable, further enabling development in the form

of a significant extension or separate building would need to be constructed with a total floor area very nearly the same as that of Englemere House itself. In determining whether the loss of the existing principle building is therefore acceptable, members will need to consider whether the design of the building and the impacts of the additional development proposed within the Green Belt would be justified in view of the fact that a heritage asset would be lost, and whether the evidence submitted for a lack of viability for a conversion scheme in the absence of an enabling development provides a clear and convincing justification for the building's loss.

- 6.5 While the viability assessment compares the existing proposal with a scheme to retain and convert the buildings as provided by the Class J certificate, it is considered that further information should be provided, to assess the viability of retaining the most historic parts of the building while replacing the more recent twentieth century extensions at the rear of the building. The most historic parts of the building are considered to be the original early nineteenth century villa and the extensions undertaken by Lord Roberts. Any additional information will be provided in an update report.
- 6.6 The applicant has also provided additional supplementary evidence from their heritage consultant. This largely reiterates the case already made that the disparate nature of the building has resulted in its possessing relatively minor significance in historic terms, which (as the case goes) is comparable to many buildings that are of some age but that have been substantially added to and altered over the course of occupation by many successive owners. The additional report suggests that the main building's historic interest and significance should be recorded and interpreted by way of a written scheme, and that this should be agreed prior to demolition. The applicant also notes that there is an opportunity to maintain the historical associations of the site through a scheme of interpretation in the landscape, plaques or a local historical publication, including information made available to successive owners. In the consultant's view, the RBWM plaque should be relocated on to the replacement building, in an appropriate place. Members will therefore also need to determine whether this provides sufficient means of mitigating for the loss of the building.

The design and appearance of the building

- Following earlier comment from the Council's Conservation Officer in which a number of issues 6.7 were raised on the appropriateness of replacing the heritage asset with a building of classical but non-historic idiom, the proposal's design has been revised by reworking and improving the window proportions on all floors and improving the articulation of the front of the building. The Conservation Officer has commented that the elevations succeed in introducing a clear hierarchy of window sizes that is closer to the classical style that the building seeks to represent. However, the upper storey, comprising accommodation within the roof, clearly remains as a fourth storey with overly dominant dormers that take up too great a proportion of the roof plane as opposed to a more authentic classical roofscape, which should read as a subservient element in the overall composition of the building design, or alternatively should sit behind a parapet that forms part of the facade. The desire to achieve four floors of accommodation prevents the design of correctly proportioned classical facades, and further design changes would be required for this idiom to be correctly executed. A different architectural solution to allow the opening up of the accommodation at roof level needs to be better resolved.
- 6.8 It is noted that the incorporation of rear dormer windows is a feature that is not uncommon in the many classically proportioned dwellings and apartment buildings that have been approved in the Ascot area in recent years. However, this is a much larger building than those that have been approved either by Members or on appeal, and the building will be visible in views from the countryside to the south over a considerable distance. Loss of the heritage asset should only be considered acceptable if a replacement building of very high design quality is provided at the site, and further amendments have therefore been requested. Any amended drawings that are submitted with the intentions of addressing the above concerns will be reported in an update. In order to approve this application, Members will need to be satisfied that the application will provide an appropriate replacement building of the high design quality that is sought by officers.

Green Belt

- 6.9 NPPF Paragraph 89 regards the construction of new buildings within the Green Belt as inappropriate with a few exceptions. These exceptions include limited infilling or the partial or complete redevelopment of previously developed sites, provided that it does not have a greater impact on the openness of the Green Belt and the purpose of including land within it, than the existing development. The proposal is intended to comply with this requirement by centring the replacement building within the previously developed part of the site, although it should be noted that the rear part of the building, in particular, would be significantly larger than the building that it would replace. The issue of whether it would be inappropriate in Green Belt terms therefore depends on whether it would have a greater impact on openness than the existing development.
- 6.10 The application makes a case that it succeeds in this respect on the basis of the following:
 - Development on the site would be consolidated into one location and a single building. The White House, The Wee Flat and the other outlying buildings would be demolished and these areas landscaped.
 - The proposed building is in the same location as the existing building to be demolished and generally no wider than the existing building in all four elevations, with an overall height slightly lower than the height of the existing building to be demolished.
 - Provision of an underground car park allows removal of the existing surface car park and other hardstanding areas and creation of the walled garden which will enhance the openness and visual appearance of this part of the property.
 - Extensive parkland including landscaped gardens and protected trees will be retained and managed (including management of invasive rhododendron and bamboo found within woodland areas) to provide an attractive and spacious setting for the proposed building and communal gardens for residents.
 - The proposal represents an 8% increase in building volume, and the consolidation of built form at the site into a single building minimises any actual impact arising from a small increase in volume.
 - The application statement also notes that the NPPF and Local Plan policy would allow the existing building to be extended if this does not result in disproportionate additions over and above the size of the 'original building'. The existing building is the 'original building' in that it has not been extended since 1 July 1948. Such extensions in the Green Belt are typically at least 10-20% without being considered disproportionate, so the proposed increase is therefore less than what is likely to be considered acceptable as an extension to the existing main building.
 - Reduction in traffic that will result from a change from office to residential use at the site.
- 6.11 The most significant benefit is considered to be the existing car park on the north-west side of the property; other hard-surfaced areas are largely comprised in the driveway to the Wee Flat and The White House, and being linear are not particularly prominent either within or from outside the site. Demolition of the Wee Flat, The White House and other buildings on the eastern side of the site are considered to make less of a contribution to Green Belt openness because they are unobtrusive, and because for the most part they form part of another cluster of buildings, the remainder of which are outside the application site. (This leaves open the possibility that The White House, the Wee Flat and / or the squash court building could be retained.) While the volumetric increase in built development put forward in the application is only 8%, in the case officer's estimation this would be approximately 22% with the proposed demolitions taken into account, and 41% as compared to the existing building only. Clarification on this point has been sought from the applicant, and will be provided in an update. The argument that the landscaped gardens and protected trees will be retained and managed is not considered to be an additional benefit of the scheme, as this would be secured by a conversion and these features of the site would only be endangered if the site was abandoned completely. which is a highly unlikely scenario.

- 6.12 The applicant also makes a case that, should the Council determine the proposal is inappropriate development, the potential harm to the Green Belt by reason of inappropriateness and the lack of any actual harm would be outweighed by the benefits listed above together with the opportunity to provide additional residential units to meet needs in a sustainable location. This in itself is not considered to represent a compelling VSC case, given that the case involves the loss of a heritage asset, however altered and reduced in historical significance by its twentieth century alterations it may be, and equally by the fact that the built volume to be relocated into the new building would be in a more prominent location than it is at present.
- 6.13 On balance, the argument that the proposed building would largely be contained within the footprint of the existing building and that (subject to satisfactory design) the building could reasonably be extended without being considered to result in disproportionate extensions within the Green Belt provides the best argument for the proposed replacement being appropriate development within the Green Belt. Notwithstanding the clarification that is needed to establish the extent of the volumetric increase over that of the building that it would replace, it would be contained almost entirely within the extent of the rectangle defined by its four building lines albeit with significant infilling within that rectangle. In order to provide a proper visual assessment, computer generated images of the building have been requested and if provided prior to the Panel meeting these will be circulated to Members ahead of the meeting. (In any event, they will also be provided in an update report and in the PowerPoint presentation at the Panel meeting). In order to approve this application, members will need to be satisfied that the application does not result in disproportionate impacts on Green Belt openness, or that very special circumstances exist that would outweigh the loss of the heritage asset and the other impacts of the development.

The affordable housing requirements of the development

- 6.14 The application exceeds both the 0.5 hectares and 15 unit thresholds at which the Policy H3 affordable housing requirement is triggered. This policy requires 30% of the units to be affordable housing, which in this case equates to five dwellings. While the starting position for the policy is provision of affordable units on-site, the development has clearly been designed as open-market housing. In this case, off-site provision in the form of a payment towards off-site provision is considered to be acceptable. The applicant has made a case that the Class J development should be taken into account, as this could be implemented without any affordable housing provision being made. However, an offer of funding for two affordable units off-site has been made, and while a figure has been advanced for this by the applicant enquiries are continuing as to what sum would be required in order to secure two units off-site. This will be advised in an update report.
- 6.15 There has also been some discussion with the applicant on whether there would be any scope for retention of the Wee Flat and The White House to provide a form of affordable housing on the site. The Class J certificate shows that these could be converted to provide a total of five flats, and the desirability of demolishing the buildings was questioned when they could potentially go towards meeting local housing need, perhaps under the control of the developers rather than a registered social landlord (RSL). It is not considered that any flats provided in these buildings would be likely to comply with the requirements of a RSL, and in addition there would be challenges with the managing their occupation when the development is fully occupied. The applicant expressed some interest in their retention, but then only on the basis that these flats would be occupied by employees within the development. This would not fall within the scope of affordable housing, so this has not been pursued.
- 6.16 While the offer falls short of the five units that the development should provide to comply more fully with policy H3, the offer of two units could be considered acceptable, provided that all of the other policy issues noted above have been successfully addressed.

Impacts on the amenities of neighbouring occupiers

6.17 The extensive grounds around the building results in few direct neighbours, assisting in the mitigation of impacts on the closest residential properties, which are The Brant and Manyara.

- 6.18 Minimum separation distances to the garden at The Brant would be 27m from side facing first floor level terrace to the rear of the rear garden, 40m from the closest south facing terrace (another terrace at second floor level would have screening on the side towards The Brant). The area to the rear of the house would be a minimum of 45m from the higher overlooking terraces at the application site, and separation to the rear windows at this neighbouring property would be a minimum of 52m. For Manyara, the comparable distances are 35m to the rear of the rear garden and 89m to rear of the house. The swimming pool would be a minimum of 29m from the rear garden, and 60m from the rear of house.
- 6.19 It is noted that the conversion of the existing building to flats in accordance with the Class J certificate would also result in some overlooking, although this would be from fewer windows set, in most cases, further in from the common boundaries than in the application proposal, rather than from a combination of a larger number of windows and new terraces. The windows in the existing building are, in some cases, up to 8m further in from the boundary with The Brant, and 18m further in from the boundary with Manyara. While overlooking from the distances noted in the previous paragraph would occur from heights of up to 11.5m, these distances are however significant, and it is considered that these are sufficient to make the impacts on privacy acceptable. Further mitigation could be provided by the planting of advanced grade specimen trees in the garden proposed for the existing car park, and while this would not provide immediate screening such planting would, if well managed, provide additional protection of the privacy of the adjacent occupiers while using their rear gardens.
- 6.20 One objector has noted that increased noise disturbance could result from the reinstatement of the swimming pool. This could be mitigated by the introduction of acoustic fencing along the side boundary with Manyara, with details to be submitted and approved. Such fencing is likely to be of relatively heavy timber construction, which could be a designed to compliment the setting; details would need to be submitted and approved as recommended in the landscaping condition that is recommended below.
- 6.21 It is also noted also that these properties are subject to increases in bulk, and while this in itself is not considered to constitute a reason for refusal, Members may wish to consider this point when considering further information on the impacts on Green Belt openness.

Impacts upon wildlife within or adjacent to the site and within the Thames Basins Heaths SPA

- 6.22 A Phase 1 ecology report has been carried out, which has established the presence of bats in two of the smaller buildings to be demolished the squash court and the derelict building noted above. Further survey work including an emergence / re-entry survey for bats has been requested, although no additional information had been received at the time of writing. Any additional information submitted will be reported at the Panel meeting, and in the event that planning permission is granted, provision for submission and approval of a wildlife mitigation strategy is recommended in the conditions below.
- 6.23 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 (Part 1) sets out the preferred approach to ensuring that new residential development provides adequate mitigation, which for residential developments of between one and 49 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.

6.24 The Council has an adopted Suitable Alternative Natural Greenspace (SANG), Allen's Field, and financial contributions within a s106 planning obligation would provide the mitigation required to ensure that future residents would not impact adversely on the SPA, so satisfying the requirements of the regulatory framework and SPD that are discussed above. This requirement is included in Section 7 of this report.

Whether the proposal would have an acceptable impact on trees

6.25 The proposal provides for the retention and protection during construction of the significant trees within the site, which are covered by an Area Tree Preservation Order. As such any application should be accompanied by a BS5739:2013 Tree Survey. The Arboricultural Officer has no objections in principle to the scheme, subject to the conditions recommended below.

Car parking and highway safety

6.26 The application would result in a decrease in traffic movements when compared to the existing office use. The car parking and turning areas are acceptable, with two spaces provided for each apartment and an additional 10 visitor spaces provided. The Council's Highways Officer offers no objection to the proposals, although a number of conditions are requested.

Other Material Considerations

- 6.27 To comply with the Council's Sustainable Design and Construction SPD, the development would need to meet at least level 3 of the code for Sustainable Homes and o provide 10% of energy demand from on-site renewable sources. Additionally Neighbourhood Plan policy NP/DG5 now requires all new housing to reach Code Level 4. The development should also meet Lifetime Homes Standards and the other criteria set out in the SPD on Planning for an Ageing Population.
- 6.28 As the size of the site is over 1 hectare a flood risk assessment was required with the application. However, there are no flooding issues identified with the site.

7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

7.1 This development would place additional pressure on local services and infrastructure. The Council requires local services and infrastructure to be improved alongside development and to be funded by the developer in accordance with its Supplementary Planning Documents setting out the relevant costs (see paragraph 5.3). In this case these improvements can be secured through an undertaking under S106 of the 1990 Planning Act completed before planning permission is granted. Details of the funding and projects are shown below.

Affordable housing	The provision of off-site affordable housing in place	To be
Anordable housing	of on-site provision.	advised
Allotments	Appropriate, related allotments projects including but not limited to Ascot area allotment provision.	£1,020.00
Community Facilities	Related community and youth projects including but not limited to the Council's Mobile Project and Parish Youth Outreach scheme.	£10,336.00
Education	 Projects that are identified in accordance with the published SPD for the local primary and secondary schools and SEN provision listed below. Where appropriate, monies may also be directed towards the provision of an entirely new school to serve this area or, on rare occasions, to expanding schools in neighbouring localities that will then serve this area. 1. St Francis Catholic Primary School; 2. The Ascot Subarea Primary Schools; 3. Charters School; and 4. SEN Provision, including Manor Green School. 	£41,536.91

	The 'Ascot Subarea' listed above refers to Cheapside CE Primary School, Holy Trinity CE Primary School - Sunningdale, St Francis Catholic Primary School, St Michael's CE Primary School and South Ascot Village Primary School.	
Libraries	 Some or all of the following appropriate, related Mobile and Home Library Services projects: 1. Replacement Mobile Library; 2. Link mobiles to Library Management System; 3. Mobile ICT training on new vehicle; 4. Additional stock; and 5. RFID. 	£5,928.73
StrategicAccessManagementandMonitoring(SAMM)Contribution		£10,792.00
Suitable Alternative Natural Green Space (SANG) Contribution		£133,166.00
Waste disposal and recycling	Provision of refuse bins and recycling boxes	£1,275.00
	Contributions (excluding off-site affordable housing)	£204,054.64
	Monitoring and Management Fee	£720.00
	Total excluding a sum to be advised for off-site affordable housing	£204,774.64

8. 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 17th December, and the application was advertised in the Maidenhead & Windsor Advertiser on 19th December 2013.

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

Со	nment	Where in the report this is considered
1.	Loss of privacy through overlooking from the terraces and from the increased number of windows that would be within the new apartment building.	6.17- 6.19
2.	Much larger footprint	6.9 - 6.13 and 6.21
3.	The application emphasises decrease in car parking and traffic movements, but as a direct neighbour there has never been very much disturbance from this	6.25
4.	Concerns about noise from reinstatement of a swimming pool. This was removed about 20 years ago; up until that time the neighbour suffered considerable noise disturbance from this pool.	6.20

Consultee	Comment	Where in the report this is considered
Parish Council:	No objection.	Noted.
Environment Agency:	No objection.	Noted.
Natural England:	No objection, but advise the LPA to follow standing advice in regard to potential presence of protected species, and to take the opportunity for improvements in the biodiversity / habitat value of the site.	6.21

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Conservation Officer:	The revised designs for front and rear fanades appear to have reworked the window proportions on all floors and the ground floor footprint at the front of the building as well as re distributing the rustication of the lower floors and creating an articulated ground floor footprint at the front of the building.	6.7- 6.8
	The re working of the window sizes has introduced a clear hierarchy which begins to be more faithful to the classical idiom however the upper storey (roof) remains clearly a fourth storey (the dormers are too tall, proportionately taking up too great a proportion of the roof plane) rather than a true, classical roofscape which whilst employing ornate classical language from the building's facades should read as a subservient element in the overall composition or sit behind a parapet that forms part of the facade. The fundamental problem of the need or desire to achieve four, equal, C21 height floors of accommodation is still clearly evident and is preventing the design of correctly proportioned classical facades. Unless that problem is recognised and somehow resolved the issue of proportions for example of rusticated plinths and parapets will always remain.	
	Furthermore if the classical proportions are to be faithfully represented, panes should be vertical rectangles not horizontal as illustrated on the suggested facades, and whilst I am sure that all these elements will be double or triple glazed, the designs need to take account of this fact and accommodate appropriate proportions within the scope of such modern technology.	
	The slight set back of the front ground floor to create an undercroft and reinforce the piano nobile is a positive change. This variation in the building line also helps to strengthen the significance of the central, pedimented element and the balanced wings at each end of the building fanade. Unfortunately the stricture of the modern storey heights results in awkward proportion for the rusticated plinth	

	and simply increasing it to two storeys on these prominent parts of the building doesn't really work. The oversized rear dormers are still present in the revised scheme, and despite an attempt to disguise them or bring them into line with the architectural language of the rest of the fanade they still stand out as totally incongruous elements. The desire to open up the accommodation at this roof level needs to be resolved by a different architectural solution that does not compromise the classical idiom of the building's rear fanade. The alterations to the chimneys raises the question as to whether these are to be working chimneys. If the answer is no then the vertical emphasis might be more appropriately achieved by the introduction of "stacks for natural ventilation or even mechanical ventilation. The chimney stacks illustrated appear short and placing them so that they break the front plane of the roof emphasises their slenderness as opposed to the stated intention of providing a strong vertical emphasis and adding interest to the roofline. Although there appears to have been some more careful consideration of proportions and the overall composition of the building's principal facades, fundamental issues such as storey heights, the conflict between attic and fourth storey and ignorance of established principles of glazing proportions undermine any architectural variations that have been suggested.	
Highways Officer:	No objection, subject to conditions.	6.25
Berkshire Archaeology	No objection. While the application is of a significant scale for this part of Ascot, the potential archaeological impacts are considered to be negligible as the majority of the proposed construction and landscaping works are within the existing footprints of previous works.	Noted.

9. APPENDICES TO THIS REPORT

- Appendix A Site location plan
- Appendix B Proposed elevation drawings and floor plans
- Appendix C Elevation drawings of the existing building

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 would need to be successfully resolved for planning permission to be granted.

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- The development hereby permitted shall be commenced within three years from the date of this permission.
 <u>Reason:</u> To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- Prior to the commencement of any works of demolition or construction the details shall be submitted to and approved in writing by the Local Planning Authority of proposals for recording and interpreting the historic interest and significance of the building including where practicable the preservation on-site, or at another location to be agreed, any artefacts of note from the demolished buildings. The details may include relocation of the RBWM plaque, additional plaque(s) and / or a local historical publication, and include information to be made available to successive owners.

<u>Reason:</u> In the interests of retaining a record and if appropriate artefacts associated with the non-designated heritage asset. Relevant Policy - NPPF paragraph 135.

3 No demolition works may be undertaken until written evidence of a contract for the construction of the approved building has been submitted to and approved in writing by the Local Planning Authority.
<u>Reason:</u> In the ensuring the proper replacement of the non-designated heritage asset. Relevant

<u>Reason:</u> In the ensuring the proper replacement of the non-designated heritage asset. Relevant Policy - NPPF paragraph 136.

4 No demolition shall commence in association with the development until a biodiversity mitigation strategy, including further survey work and details of habitat provision / improvements, 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 advice in the National Planning Policy Framework 2012.

5 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.

<u>Reason:</u> In the interests of highway safety and the free flow of traffic. Relevant Policy - Local Plan T5.

- 6 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.
- 7 No construction works shall commence in connection with the development until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall then 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 provided include (but are not limited to) routing of all underground services outside the root protection areas of retained trees, and boundary treatment including acoustic fencing where necessary. Other details shall include numbers and grades of each plant species / variety selected, including provision for larger growing structural planting using species, means of planting and aftercare, and details with samples if considered

necessary of hard landscaping materials and any hard boundary treatments. 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.

<u>Reason:</u> To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1 and N6.

8 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

9 No development shall commence until details of all finished slab levels in relation to ground level (against OD Newlyn) 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.

10 No development shall take place until:

(a) evidence that the development is registered with the Building Research Establishment
(BRE) under the Code for Sustainable Homes and a Design Stage Report showing that the development will achieve Code level 3 / 4 (as determined by Panel) for all of the residential units have been submitted to and approved in writing by the Local Planning Authority, and
(b) a BRE issued Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 / 4 (as determined by Panel) for all of the residential units has been submitted to and approved in writing by the Local Planning Authority.

Note: A completed pre-assessment estimator will not be sufficient.

<u>Reason:</u> To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with Requirement 1 of the Royal Borough of Windsor and Maidenhead Sustainable Design and Construction Supplementary Planning Document.

11 Within 3 months of the completion of the final dwelling a Building Research Establishment (BRE) issued Final Code Certificate confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code Level 3/4 shall be submitted to the Local Planning Authority.

<u>Reason:</u> The Code Assessor can only confirm that the site wide works are satisfactory when the whole of the development is complete. The Assessor will then write a report and submit it to the BRE. The BRE can only then verify the submission and issue Final Code Certificate. This could realistically take 3 months to achieve.

12 No part of the development shall commence until evidence to demonstrate compliance with the Lifetimes Homes standard and other details of how the development will provide for the needs of an ageing population have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development, and retained as such.

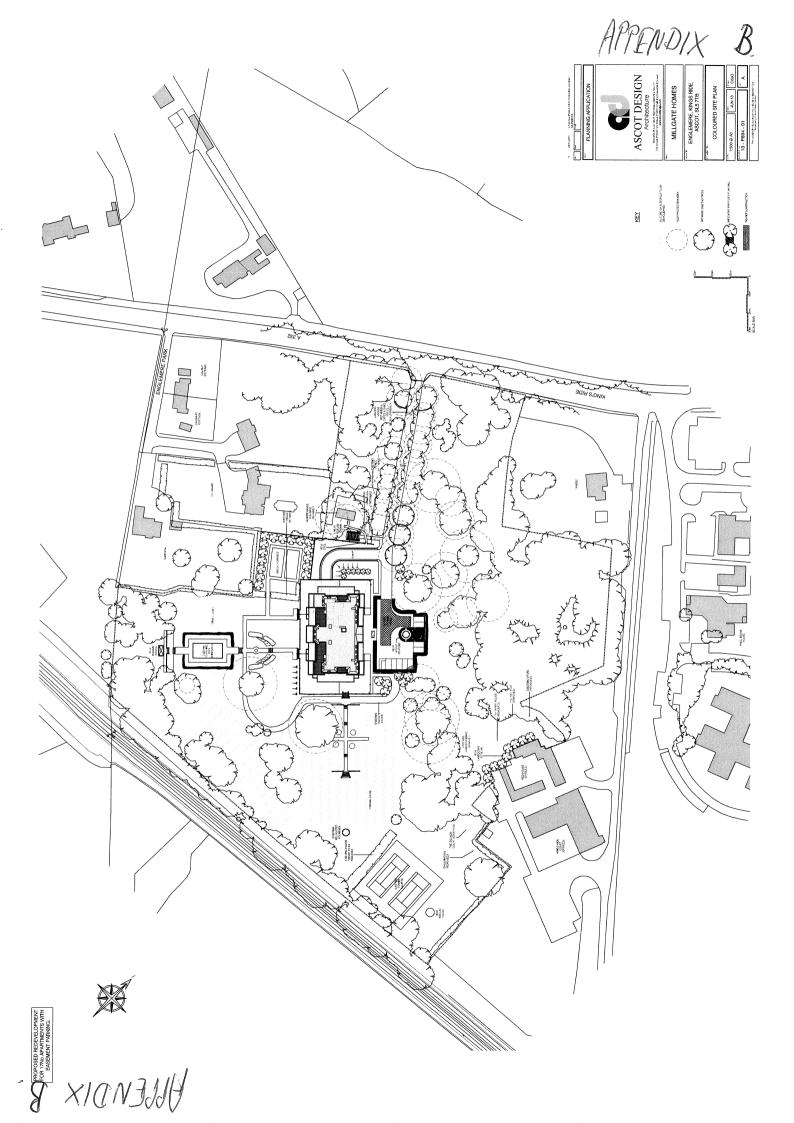
<u>Reason:</u> To ensure that the development is suitable for future occupiers, and to comply with the Requirements of the Planning for an Ageing Population SPD.

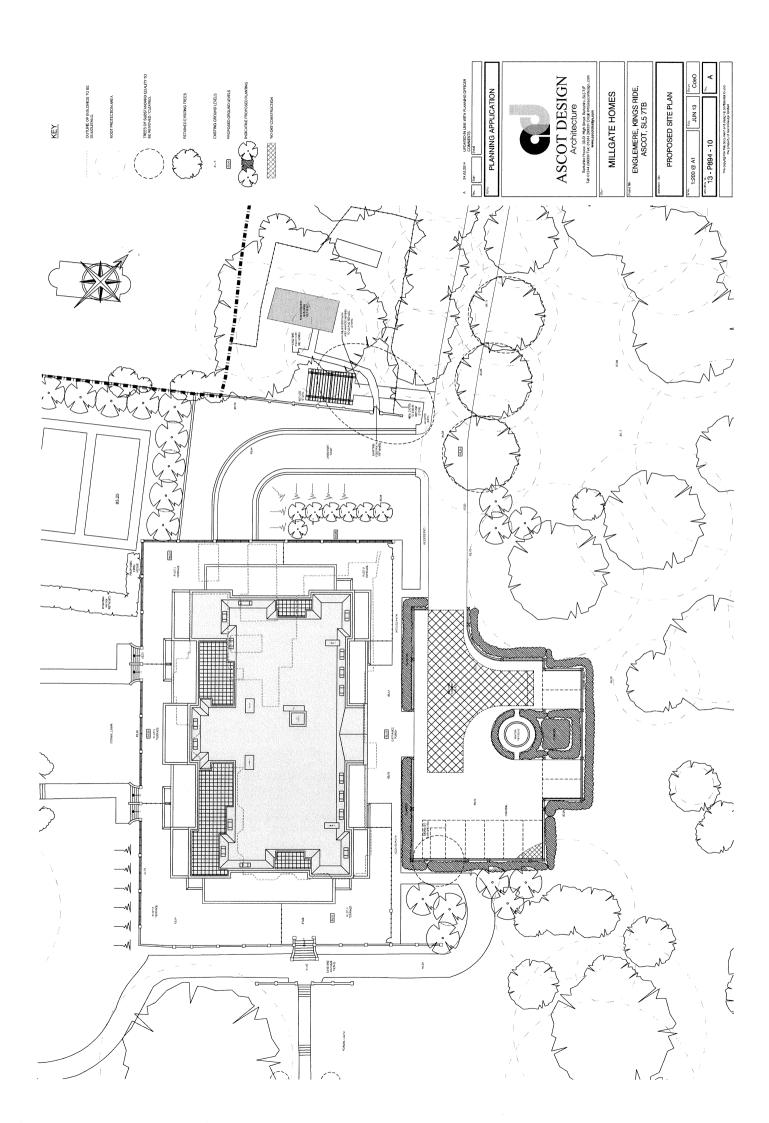
13 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development. <u>Reason:</u> To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear.

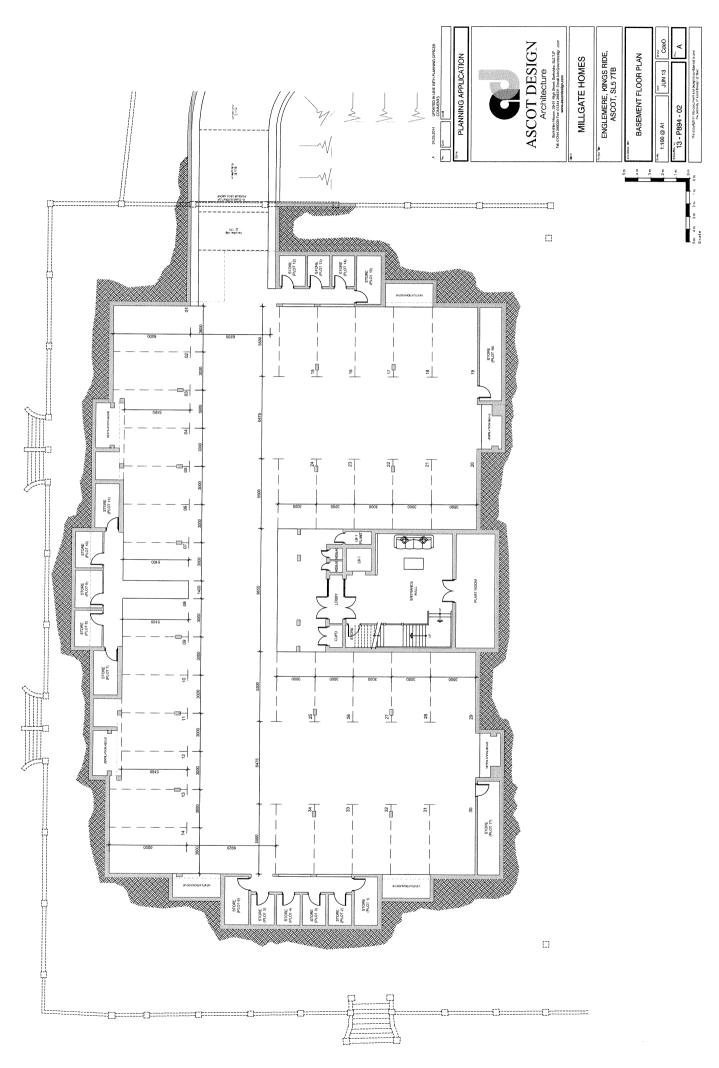
Relevant Policies - Local Plan P4, DG1.

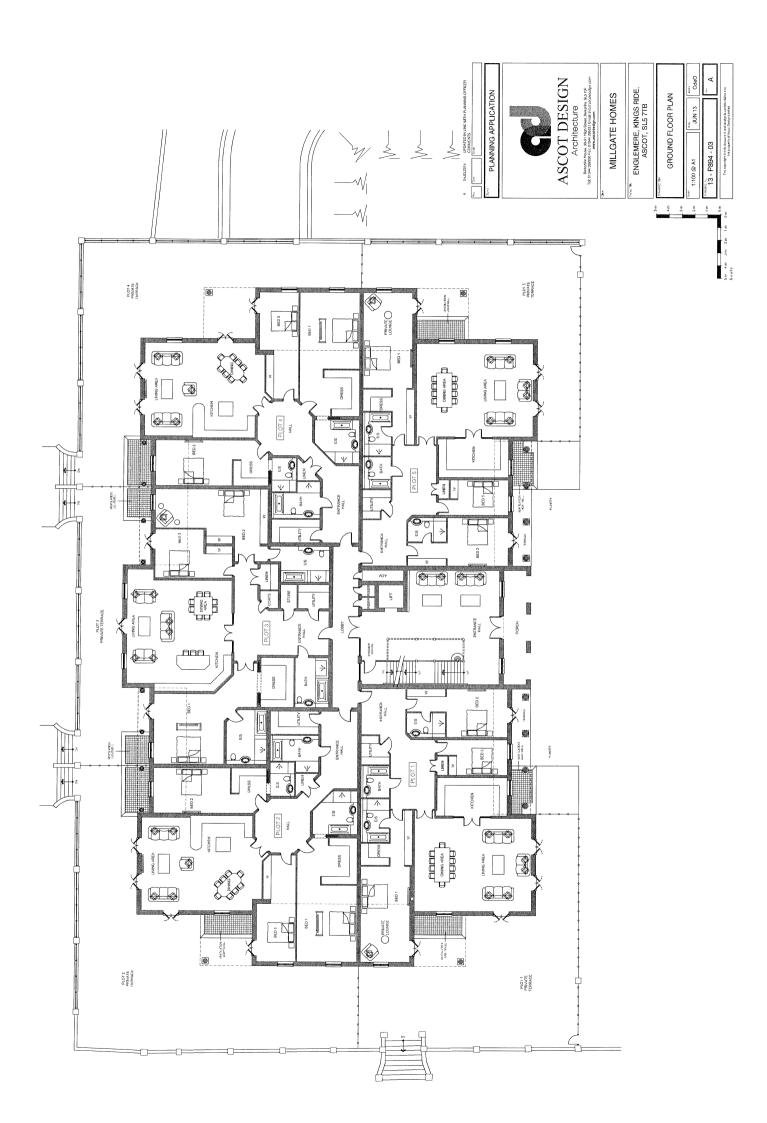
- 14 No other construction works shall commence in connection with the development until full details of enclosed refuse bin storage area and recycling facilities including elevational treatment, to be located outside the root protection areas of any retained trees, have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until these facilities have been provided in accordance with the approved details, and the facilities shall then be kept available for use in association with the development at all times. <u>Reason:</u> 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 and DG1.
- 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. <u>Reason:</u> 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.
- 16 The hard surface vehicle access and manoeuvring area 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. <u>Reason:</u> 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 part of the development shall be occupied until gate and access management details have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented and maintained in accordance with the approved details. <u>Reason:</u> To ensure that the free flow of traffic is safely managed. Relevant Policies - Local Plan P4 and T5.
- 18 Unless otherwise first agreed in writing, within one month of the substantial completion of the development the buildings shown to be removed on the approved plans, shall be demolished in its entirety and all materials resulting from such demolition works shall be removed from the site. <u>Reason:</u> To prevent the undesirable consolidation of development on the site having regard to its Green Belt location. Relevant Policies Local Plan GB1 and GB2.
- 19 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. <u>Reason:</u> To provide a development that is complementary to the Green Belt location. Relevant Policies - Local Plan DG1, GB1 and GB2,

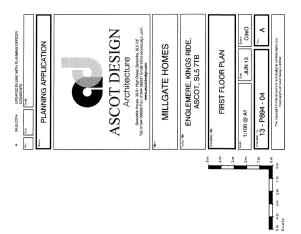


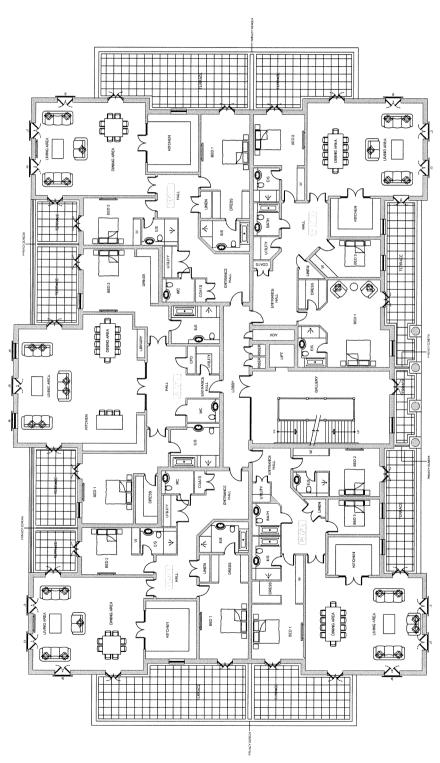


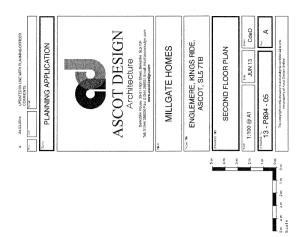


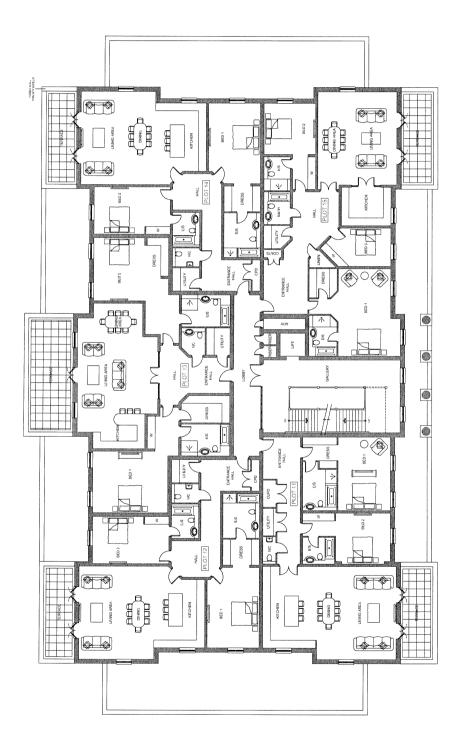


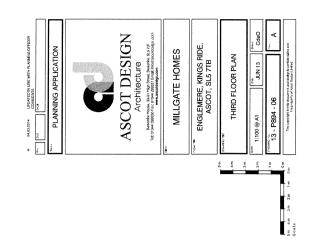


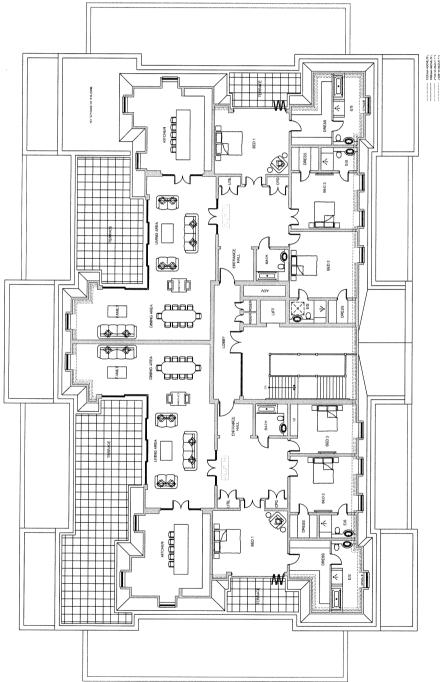


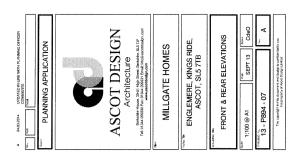


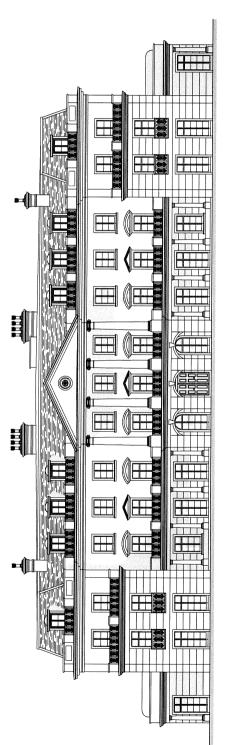




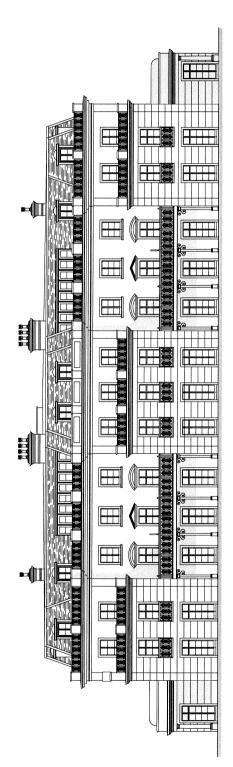




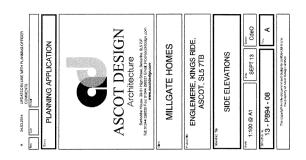


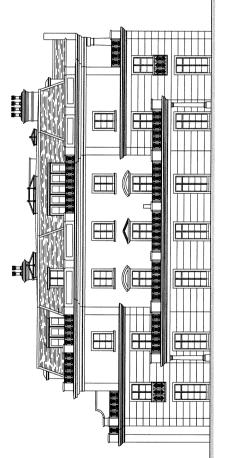


FRONT ELEVATION



REAR ELEVATION





SIDE ELEVATION

