



SUNNINGDALE PARISH COUNCIL

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Clerk: Ruth Davies

15th September 2023

Briony Franklin
Case Officer
RBWM

Dear Briony,

23/02160PT20A - 56 - 78 Beverley Court Cedar Drive Sunningdale Ascot

Construction of additional storey to provide 4 no flats

and

2302163/PT20A - 26 - 54 Beverley Court Cedar Drive Sunningdale Ascot

Construction of additional storey to provide 5 no flats

The previous applications were:

20/02444/PT20A - 56 - 78 Beverley Court Cedar Drive Sunningdale Ascot

Construction of additional storey to provide 4 no flats

and

20/02445/PT20A - 26 - 54 Beverley Court Cedar Drive Sunningdale Ascot

Construction of additional storey to provide 5 no flats

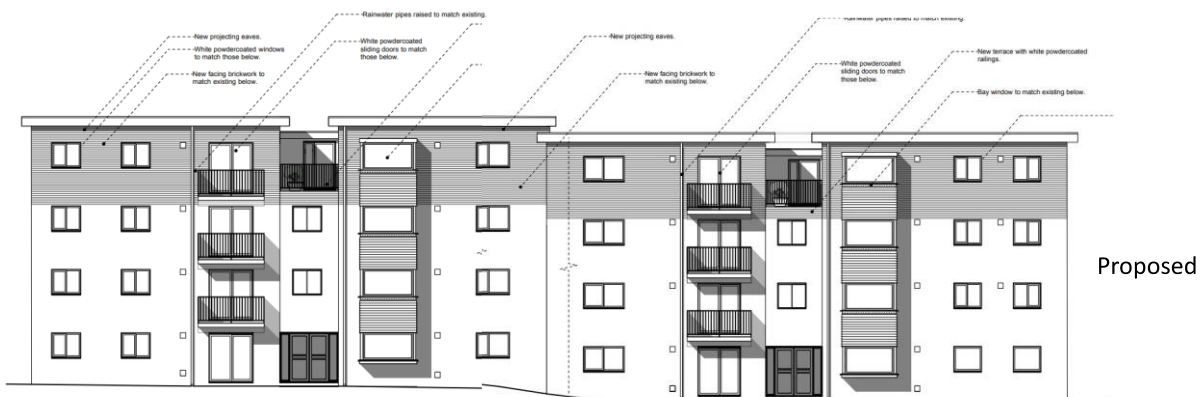
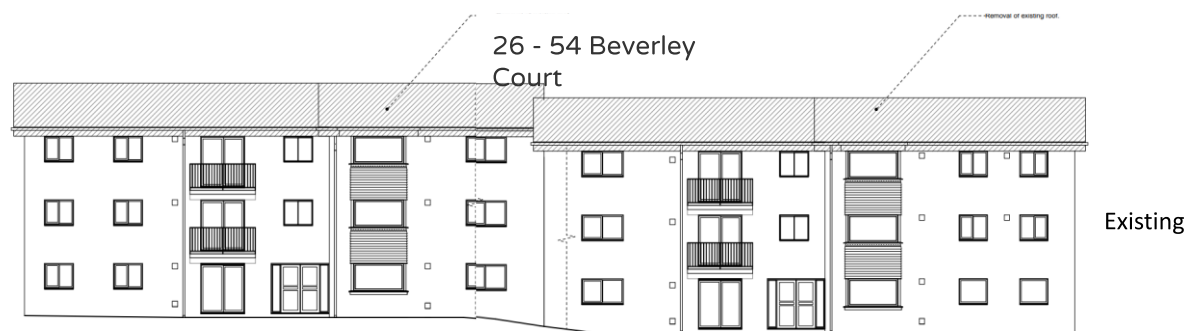
The Planning Committee **STONGLY OBJECTS** to these applications.

The Parish Council notes that these applications are being made under the 'The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020' and are applications for prior approval under Part 20.

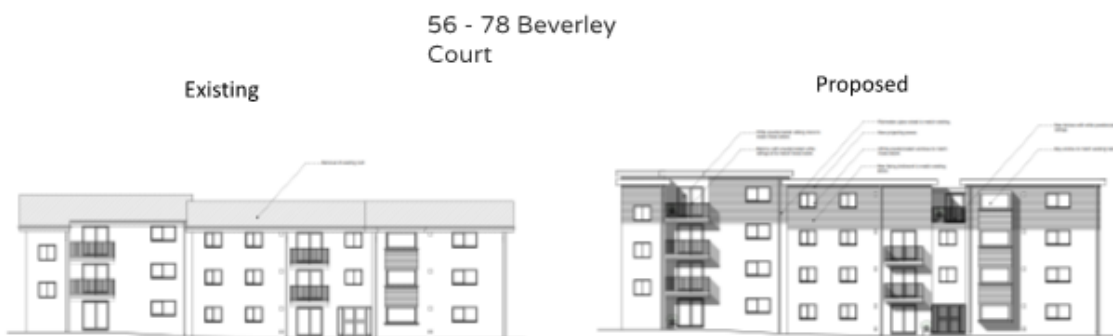
Although the proposed works fall within the scope of this new regulation it is our understanding, that any proposed works (even if they fall within this new definition of 'permitted development') must still comply with other Planning Regulations, via NPPF, Neighbourhood Plan and Local Plan (**Refer - 'The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020' Part 20 (Class A) 5b**).

The proposed works relate to two blocks of flats in Cedar Drive. These applications propose the building of an addition storey on both these blocks, turning them from 3 storey blocks to 4 storey blocks.

Below is the current 26-54 Beverley Court and the proposed:



And



Below are some views of the existing flats showing trees and the surrounding houses:



Our objections are as follows:

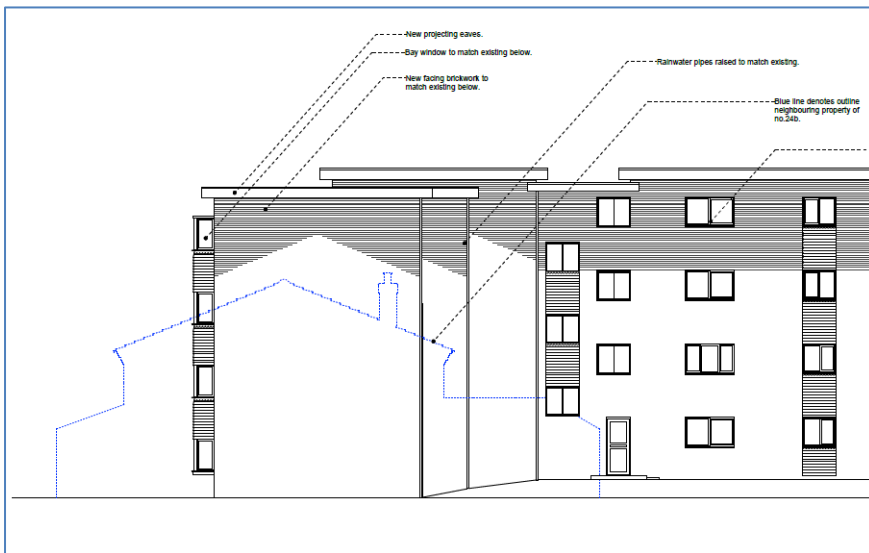
- **Bulk and Scale**

These two blocks of flats are already the tallest buildings in the road. With the additional storeys the Bulk and Scale of these two blocks would be out of character with the surrounding area and neighbouring properties (Refer - **The Ascot, Sunninghill and Sunningdale Neighbourhood Plan (NP) Policies NP/DG2**).

The additional storeys would also cause a loss of light to the adjacent neighbouring properties.

As a result of the increased height more properties in the street would be overlooked by the apartments on the 4th storey.

The contrast in adjacent roof heights is marked. This can be seen in the eaves height of the house 24B Cedar Drive (shown below in blue outline) and the proposed Eastern elevation of the new block which is only metres away. The height of the new storey will be more than twice the height of the eaves of 24B and the garden would be cast into shade for a greater part of the day.



- **Respecting the Townscape**

To protect the character and distinctiveness of the area, development proposals should respond positively to the local townscape. Cedar Drive is classed as Late 20th Century Suburbs (1960s onwards).

Because of the overall scale and bulk of these blocks of flats, the proposed development would appear dominant and incongruous within its surroundings. The development would result in the overdevelopment of Cedar Drive which would be at odds with the character of the immediate area.

(Refer - **Saved Policies DG1, H10 and H11 of the Royal Borough of Windsor and Maidenhead Local Plan (Local Plan)** and **The Ascot, Sunninghill and Sunningdale Neighbourhood Plan (NP) Policies NP/DG1, NP/DG2 and NP/DG3**).

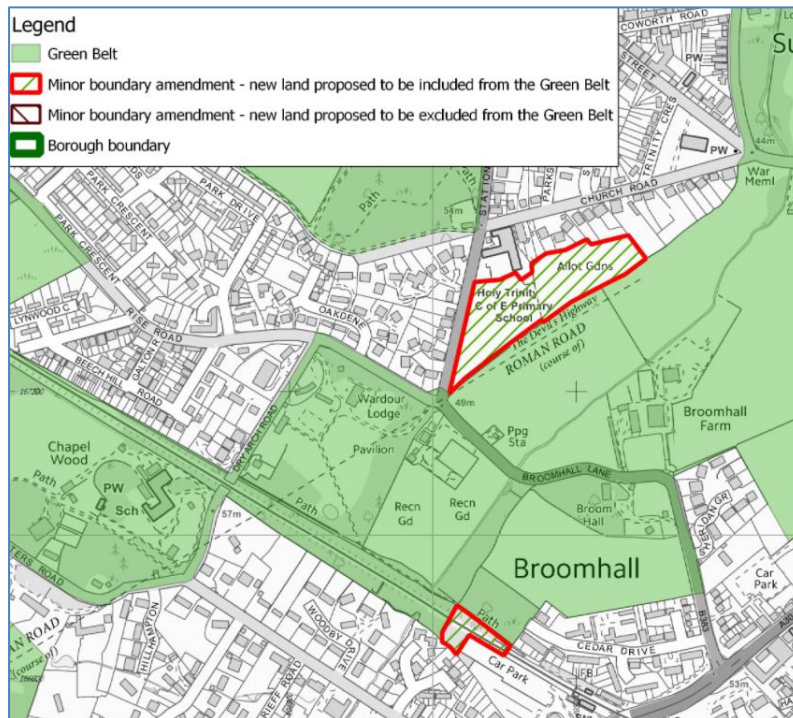
The National Planning Policy Framework (NPPF) policy 118 (e) states.....

*".... support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions **where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene**, is well designed (including complying with any local design policies and standards) and can maintain safe access and egress for occupiers".* We do not believe this is the case here, and that these developments are wholly inconsistent with the overall street scene.

- **TPO Trees**

In 2022 a variety of TPOs were put on the trees in Cedar Drive and this has not been addressed in the current application. Therefore, the documentation for this application is not updated. (It should be noted that the Design and Access statement still has 2020 on its front cover).

- **Green Belt Impact**



The entire area to the north of Cedar Drive is Green Belt as shown in the picture above.

While this means that these applications do not have to comply with the green belt restrictions, the very fact that the grounds of these blocks share a boundary with the green belt has a significance.

NPPF 133 states "The government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence".

With the additional storey added, both these blocks would have ridge heights which extend above surrounding trees. From the Green belt they would be quite visible and out of keeping with the 'openness' of the Green Belt.

- **Residents Objections**

The local residents of Cedar Drive are outraged by these plans. This is evidenced by the large number of objection letters lodged against these two applications on the RBWM Planning Applications website and the previous applications in 2020.

Referencing the 'The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020' Part 20, B (15)a

"The local planning authority must, when determining an application
 (a) take into account any representations made to them as a result of any consultation under sub-paragraph (5), (6), (7) or (10) and any notice given under sub-paragraph (12)".

Whilst a formal consultation has not taken place, the views of the residents clearly indicate a need to consider their comments and concerns before any recommendations are made.

At various planning meetings, the residents raised a number of significant concerns:

1. Parking

Parking is a **major** problem in Cedar Drive. Most roads have single yellow lines. Although residents in Beverley Court have a combination of garages and parking spaces, the garages are small compared to the modern size of cars and perhaps only 25% of owners are parking cars in their garages. The overspill means that they park in the parking spaces, and when they are full, they park on the streets and across pavements. Adding eight new spaces for these proposed new flats would simply exacerbate the existing problem.

As a result of the current parking congestion lorries, fire engines, refuse lorries and emergency vehicles have difficulty accessing Cedar Drive. This is therefore a safety issue. There are also no spaces for visitors.

Although the provision of parking may seem appropriate on paper this does not reflect the experience of the residents and any additional cars will create further problems.

2. Traffic

The junction of Cedar Drive with Broomhall Lane is very close to the junction of Broomhall Lane with the A30 (London Road) and the slip road to the train station. This junction can become congested in periods of heavy traffic, especially when the railway crossing is closed. Residents expressed problems with getting onto the A30 when traffic is heavy. By introducing nine additional dwellings, the load on this junction (and Cedar Drive itself) increases and will make the situation worse.

3. Structural Concerns

There are several structural concerns with the proposed works.

- The applicant wishes to remove the roof and replace with a single storey of flats. The flats on the top floor currently have individual loft access into the existing roof space, with access through a loft ladder. These loft spaces currently contain water tanks as well as providing a storage space for the flat owner. The proposed works seem to imply that the roof space is empty and can simply be removed and extended. Given that the flats have had this loft space amenity for over 20 years, it cannot be assumed that the works can be carried out as proposed.
 - The water and waste ducting for these blocks sits at the back on the blocks (where the existing kitchens and bathrooms are). The proposal for these new flats shows the kitchens at the front of the building. Has any real thought been given to how the water and waste ducting for these new flats will connect into the existing ducting – or indeed where new downpipes/ drains will be built?
 - There are potential issues with waste drainage. Residents have indicated that the waste flow into the drains is already very poor – and the added load of nine additional flats may exceed the operational capacity of the existing drains.
 - Under the Equality Act, developers should comply with Part M of the Building Regulations, particularly with regards to disabled access. The design and access statements refer to these regulations with regard to switches, entry phones, tv sockets, ventilation, and service controls etc. No mention is made of disabled access to the new fourth storey.
 - Under the Part 20 conditions, *“the roof pitch of the principal part must be the same”*, yet the applicant has chosen to put forward a design which is a flat roof and not in keeping with the existing ridge roof.
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Examples of previous refusals

There are examples of planning applications in Sunningdale that have recently been refused at appeal because they conflict with the National Planning Policy Framework as well as the Local Plan and the Neighbourhood Plan. For example, Sandhills, Cross Road, Sunningdale, (19/00414) was refused at Appeal in February 2020 and Taymount, Lady Margaret Road, Sunningdale, (17/02721) was refused at Appeal in February 2019.

With both Taymount and Sandhills the reasons stated by the Inspector for refusal were as follows:

- *Scale, bulk, and width of building.*
- *Proposed building would result in dominant feature within street scene.*
- *Building would be incongruous within street scene.*
- *Effect of the proposed apartments on character & appearance of the area.*
- *Development would be a significantly bulkier building than the ones to either side.*
- *Negative effect on character of the area.*

It is evident that all the above reasons stated by the Inspector for refusing Sandhills and Taymount are exactly the ones being quoted now by concerned residents when objecting to the proposed increase in height of these two blocks of flats at Beverley Court.

Therefore, it could be argued that, using the above two judgements by the Inspector as a benchmark, that if the Beverley Court proposals were a 'normal' planning application it is reasonable to assume that they would probably be refused by RBWM. If the applicant was then to go to appeal, it could also be argued there is a precedent for refusal given the two very recent examples cited above.

Conclusion

As previously stated, the Part 20 regulations specifically reference conformance to the Framework (NPPF). The Parish Council and residents have outlined multiple reasons why these additional proposed storeys at Beverley Court fail to conform to the Framework.

Therefore, the Parish Council **strongly requests this application is REFUSED.**

Yours sincerely

Cllr Anne-Catherine Buxton
Chair of Planning Committee
