



Windlesham Parish Council

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MINUTES OF A MEETING OF WINDLESHAM PARISH COUNCIL'S PLANNING COMMITTEE

Held on Wednesday 14th February 2024 at All Saints' Church Hall, Broadway Road, Lightwater

Bagshot Cllrs		Lightwater Cllrs		Windlesham Cllrs	
Willgoss	P	Turner	P	Marr	P
White	P	Stevens	P	Richardson	P
Du-Cann	P				

In attendance: Sarah Wakefield– Assistant Clerk
 Cllr White took the Chair

P - present A – apologies PA – part of meeting - no information

		Action
PLAN/23/133	Apologies for absence No apologies for absence.	
PLAN/23/134	Declarations of interest Cllr White declared a non-pecuniary interest in applications 24/0056/FFU and 24/0055/CES as the applicant is known to her.	
PLAN/23/135	Public question time No public were present.	
PLAN/23/136	Exclusion of the press and public. There were no matters to be dealt with after exclusions to the press and public.	
PLAN/23/137	To consider a response to the Surrey Heath draft Local List consultation. Members unanimously resolved not to respond to the consultation as a Council.	

	Members expressed a wish to comment as individuals/residents.	
PLAN/23/138	<p>To consider a response to the Royal Borough of Windsor & Maidenhead Consultation.</p> <p>Members unanimously resolved to not to respond to the Consultation but did have the following comments:</p> <ul style="list-style-type: none"> • If it can be demonstrated that buildings can be utilised as office buildings, then those sites should be kept as areas for employment. • The buildings should be thoroughly assessed to ensure that they are fit for purpose as residential dwellings. 	
PLAN/23/139	To consider planning applications and planning appeals received prior to this meeting:	

	Bagshot Applications	
24/0009/FFU	<p>Solstrand, Station Road, Bagshot, Surrey, GU19 5AS Demolition of existing dwelling and erection of 3 detached dwellings with associated car parking and landscaping.</p> <p>Objection for the following reasons:</p> <ul style="list-style-type: none"> • Reduction in parking spaces from 7 to 5 (30% reduction). There is no other available parking available in the near vicinity. • Conversion of garage to living accommodation on plot 2. There had been a previous condition to keep the garages on all plots. • Drainage issues- the site has been found to be impermeable and reports suggest soak aways are not feasible. Members were very concerned that any excess water will be pumped offsite to an area which is already susceptible to flooding (Hart Dene). <p>Members queried the need for another FPA.</p>	FPA
	Lightwater Applications	
24/0040/FFU	<p>69 Curley Hill Road, Lightwater, Surrey, GU18 5YH Erection of a first-floor roof extension to provide habitable accommodation.</p> <p>No objection with the following comments:</p> <p>Members had concerns over the size, bulk and scale of the proposed development.</p>	FPA
24/0050/GPT	<p>Telephone Pole Ullswater Road Lightwater Surrey Erection of a telecommunications pole 10m in height.</p> <p>Members noted that this application had already been rejected by SHBC due to insufficient information regarding the poles.</p>	General Permitted Development Telecoms

24/0065/GPT	<p>Telephone Poles Copthorne Drive Lightwater Surrey Erection of 3 telecommunications pole 10m in height.</p> <p>Members noted that this application had already been rejected by SHBC due to insufficient information regarding the poles.</p>	General Permitted Development Telecoms
24/0058/FFU	<p>195 Ambleside Road, Lightwater, Surrey, GU18 5UW Erection of part ground floor, part first floor rear extension, including addition of rooflights and fenestration alterations, following demolition of existing conservatory.</p> <p>No objection.</p>	FPA
24/0052/CES	<p>110 Ambleside Road Lightwater Surrey GU18 5UL Application for a certificate of lawful development (proposed) for the use of the dwellinghouse to provide Children Homes Services.</p> <p>COMMENT as follows:</p> <p>The committee had concerns over business use in a residential area and any potential parking issues.</p>	Certificate Proposed Development
	Windlesham Applications	
24/0047/CEU	<p>Windlesham Court Cottage, London Road, Windlesham, Surrey, GU20 6LJ Certificate of lawfulness (existing) for conversion of car port on the east side of the building to living accommodation, provision of a single-storey garden room extension with roof lantern, extension featuring first floor bedroom accommodation within the roof space (following demolition of 3 garage bays and two lean-tos; together with the entrance hall and bedroom comprising part of the original dwelling).</p> <p>Objection for the following reasons-</p> <p>These appear to be substantial building works, although no plans have been submitted for the previous layout and elevations. The works have been carried out without planning permission and the applicant seeks a certificate of lawfulness to legitimise the works retrospectively, on the grounds that more than 4 years have passed since completion of the works.</p> <p>We request SHBC to scrutinise this claim. We do not have access to all relevant information and the statutory declarations of the applicant, and his builder have not been uploaded. We suggest that SHBC should make a site visit, especially as it is admitted that further works have been carried out within the last 4 years which may have required planning permission. The covering letter refers to a canopy over the patio constructed in April 2020.</p> <p>It is noted that the applicant has previously applied retrospectively for a certificate of lawfulness in relation to this</p>	Certificate of Existing Use

	<p>same property (16/0277) for previous works and change of use, on the same basis that the enforcement period of 4 years had passed.</p>	
24/0056/FFU	<p>Vanya Cottage, 1 Orchard Hill, Windlesham, Surrey, GU20 6DB Erection of a timber single storey granny annexe for ancillary use to the main dwelling.</p> <p>Objection for the following reasons:</p> <p>We understand that this application is for the same structure as the one in the application 24/0055/CES, where it is described a mobile home.</p> <p>The annexe is 80m², which is a substantial size. The height does not seem to be stated but it appears from the plans to be approximately 4m high. The annexe is located close to the boundaries with neighbours, especially to either side. The distance is not given but it appears from the plans to be less than a metre.</p> <p>Members also questioned if there would be a need to remove any trees.</p> <p>There is a concern that the annexe could have a negative effect on the residential amenity of neighbours, reducing light and impacting privacy. In view of its footprint and height, there are also issues of scale and dominance.</p> <p>We disagree with the comment in the Design and Access Statement that there is a strong material consideration that if the height were reduced, the annexe could potentially be constructed without planning permission under Class E Permitted Development Rights. Government guidance states that Class E rights do not cover “separate self-contained accommodation” or “the use of an outbuilding for primary living accommodation such as a bedroom, bathroom or kitchen.” The annexe has two bedrooms, a bathroom and a kitchen/living area.</p> <p>If planning permission is granted, we request conditions that the annexe should only be used for purposes ancillary to the main dwelling and should not be let out or separated from the main dwelling and sold.</p>	FPA
24/0055/CES	<p>Vanya Cottage 1 Orchard Hill Windlesham Surrey GU20 6DB Certificate of Lawfulness for the proposed stationing of a mobile home for purposes ancillary to the main dwelling.</p> <p>Objection for the following reasons:</p> <p>We understand that this application is for the same structure as the one in the application 24/0056/FFU, where it is described as a granny annexe.</p>	Certificate Proposed Development

	<p>We request that SHBC establish whether full planning permission is required. This home does not have the appearance of a typical caravan. We request that SHBC confirms whether it complies with the relevant legal definition of a caravan in terms of size, construction and mobility. We are concerned about the height of the home, which appears to be approximately 4m high externally. In addition, we understand that the foundations are a screw pile system and we query whether this means that the home would be fixed to the ground and so would not meet the mobility test.</p> <p>We also note that the home will be used as permanent residential accommodation for the applicant's elderly parents. The applicant quotes in support the case of 164 Guildford Road, West End (23/0422/CES), where it was recommended that a certificate of lawfulness be granted. However, in that case, family members merely visited. In the Officer's Delegated Report in that case, it was stated that the home should "not at any time be used as primary accommodation" and "it should not be used for permanent residential use".</p> <p>If a certificate of lawfulness is granted, we request conditions that the home should only be used for purposes ancillary to the main dwelling and that it should not be let out or separated from the main dwelling and sold.</p> <p>Members also questioned if there would be a need to remove any trees.</p>	
24/0095/DTC	<p>Heathpark Wood, East Of Heathpark Drive, Windlesham, Surrey Submission of details to comply with conditions 23 (landscape and ecological management plan), 26 (bat survey) and 27 (dormice survey) pursuant to outline planning permission 15/0590 allowed on appeal dated 26 July 2017.</p> <p>COMMENT as follows:</p> <p><u>Background</u></p> <p>This highly controversial development within the village of Windlesham, was rejected by SHBC Planners and received objections from over 300 local residents. However, planning permission was granted on appeal to Charles Church Southern Ltd & Sentinel Housing Association in July 2017 and was subject to a schedule of 32 conditions. The site still remains undeveloped. Heathpark Woods is a much-loved area of woodland which protects the village of Windlesham from noise and air pollution generated by the M3 SMART motorway. It is also an important habitat for local wildlife. The development is still strongly opposed by residents and local community groups. Many of the objections consistently raised by residents and SHBC planners relate to concerns about the potential impact of this development on the environment, ecology and biodiversity in the local area.</p>	Details to Comply

As such, it is essential that Charles Church/Persimmon Homes, the developer, adheres in full to the Schedule of conditions as outlined in the Appeal decision including conditions 23, 26 and 27 which are now being considered.

Bat and dormouse surveys carried out pursuant to Conditions 26 and 27 were previously found to be acceptable by SHBC (20/0318/RRM), although it was recommended that more up to date bat and dormouse surveys should be performed before any works commenced. Further surveys have been carried out and the findings included in this LEMP.

Law and policy

National Planning Policy Framework (December 2023) specifically supports the conservation and enhancement of the natural environment (section 15) and the protection and enhancement of habitats and biodiversity (section 16). In our view, this development contravenes these principles. Of particular relevance are clauses 180(a), (b) and (d), which state that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity, recognising the benefit of trees and woodland and minimising impacts on and providing net gains for biodiversity.

The emerging Local Plan recognises the value of biodiversity. The draft Local Plan which was the subject of consultation in 2022 committed SHBC to ensuring that trees will be protected and the potential for green infrastructure and habitats increased.

This development contravenes the stated objectives of the Windlesham Neighbourhood Plan concerning green spaces, (for which the surveys confirmed there is very strong community support), these being to “protect the biodiversity of our area, our wildlife and its habitat and our trees”.

Trees and general habitat

Notwithstanding mitigation measures, we have a real concern about potential harm to wildlife on the site caused by the removal of a significant part of their habitat, particularly mature trees. The site is currently a haven for wildlife, with several badger setts, various types of bats and at least 30 species of bird. The eco-system on site undoubtedly also supports numerous other plant and animal species which are not specifically referred to.

The removal of significant numbers of mature trees will result in the loss of a valuable carbon sink, which cannot be replaced by the planting of saplings, thus contributing to the nation’s carbon footprint at a time when we are being encouraged to plant more trees.

We are concerned about the possible implications of the removal of large sections of Scots pine, to open up the canopy and allow for areas of new planting of different types of trees. These trees appear to be at the centre of the eco-system, offering roosting and foraging habitat for the resident species, some of which are protected.

Birds

We are particularly concerned about the lack of attention given to the presence of red kites on the site. Red kites are a protected species in the UK and it is acknowledged in the LEMP that they have been observed on the site and their breeding status is described as “possible” in the table at point 84 of the Ecology Survey (Appendix 1). We have noted a reference in a resident’s objection letter to Application 20/0318/RRM that at least two pairs of breeding red kites have been observed on the site in recent years and that local residents have photographic evidence of the nests with chicks.

We feel that the comment at point 93 of the Ecology Survey, that many of the birds found are common and widespread, is rather dismissive. Of the 30 species of bird recorded, itself a significant number, 7 are classified as amber on the Bird of Conservation Concern list and 2 are classed as red. The red kite and the fieldfare are both protected species. Other than the Canada goose and the fieldfare, all were assessed as possibly or probably breeding on the site.

Bats

There are a number of concerns regarding bats, which are a protected species in the UK. The survey results in Appendix 1 record large numbers of bats, predominantly the common pipistrelle, but also several other varieties, including serotine. In their letter of 9 July 2020, the Surrey Bat Group rated the foraging habitat on site as of “county importance” for common pipistrelle and serotine bats. They were so concerned that they stated that in their opinion, the decision to grant planning permission should be reviewed in light of the findings and the likely impacts of developments on bat populations.

Bat boxes are part of the mitigation measures set out in this LEMP. However, the Surrey Bat Group have queried the extent to which the loss of trees with roosting potential can be replaced with bat boxes. They state that the common pipistrelle (which is the dominant population) uses bat boxes “occasionally, either singly or in small groups, but it is unlikely that large colonies would use them”.

The fragmentation of the bat habitat and light overspill are still issues. The Surrey Bat Group points out that there will only be a narrow band of woodland left between existing houses and the new development, which the group says will be “of little use as commuting routes or foraging areas for light-sensitive species”.

	<p><u>Badgers</u></p> <p>There are 8 badger sets on site. Although some are no longer in use, the site has clearly been used by badgers for many years. The main sett, sett 4, has 9 entrances which are actively in use (point 39 of the LEMP Appendix). There is a concern that this sett is located in a small parcel of land sandwiched between existing houses to the west and the new development. There are only two narrow corridors of woodland leading out of this parcel of land, one of which terminates in Woodland Lane.</p> <p>It is stated (point 39 of the Appendix) that this parcel of land will be “retained and enhanced”. However, it appears that this sett would be hemmed in (Plan EC03 of the LEMP) and as such, we are concerned that it will no longer appeal to badgers, despite the enhancements. There must also be an inherent risk in the fact that one of the corridors directs badgers towards the busy Woodlands Lane, notwithstanding any measures implemented to “safeguard” badgers crossing Woodlands Lane from traffic (point 5.34).</p>	
24/0071/DTC	<p>30 Atfield Grove Windlesham Surrey GU20 6DP</p> <p>Submission of details to comply with condition 4 (Tree Protection) attached to planning permission 23/0634/FFU for the erection of a single storey rear extension following demolition of existing conservatory.</p> <p>COMMENT as follows:</p> <p>The Tree Protection Plan consists of a single page diagram. We request that SHBC confirms that it meets requirements and oversees the Tree Protection Plan and that SHBC’s Tree Protection Officer confirms that he is happy with the arrangements.</p>	Details to Comply

There being no further business, the meeting closed at 11:31