



Consultation on Regulation 19 Borough Local Plan and Supporting Documents

Representations submitted by: Sunninghill and Ascot Parish Council

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INTRODUCTION

Our parish council understands the need for more houses and jobs, and supports the delivery of the objectively assessed housing need (OAHN) in our area. We are very mindful of the need for sustainable development and are concerned that our area is not able to deliver more than the OAHN sustainably. We therefore propose that development is capped at the OAHN level.

Our representations on the Borough Local Plan (BLP), presented in detail below, include the following key areas:

- The BLP has not been objectively prepared and is not soundly based.
- The Council failed to engage with our parish council in accordance with its own procedures, the NPPF and DCLG guidance.

- The proposed green belt boundary amendments are excessive and not soundly based. *As a result approx. 745 houses are proposed on land currently in the green belt.*
- The Plan potentially allows the delivery of far more homes than the OAHN and this would be unsustainable. The site allocations should be capped. *HA10 is of particular concern in this respect.*
- The RBWM Strategic Highway Model does not identify the cumulative **local** impact of all the developments in and around our area on the congestion and parking in our villages. As a result the IDP fails to identify any mitigation measures.
- The housing allocation for Sunningdale Park is too high in relation to its historic setting.

We do not wish to see the plan thrown out, but we do want changes, and we have identified these in our recommendations presented at the end of each representation.

Had the Council engaged proactively with our parish council and other community bodies in a constructive manner, we believe our concerns could have been addressed without undermining the plan objectives. This would have avoided the huge public dissatisfaction at the way the plan has been prepared. We hope that we can now have that dialogue and work together to deliver a plan we can all support.

REPRESENTATION 1

The Council has failed to follow due process from the date it issued the Draft Regulation 19 BLP for consultation in June 2016, up to and including the announcement of the Consultation on the Submission Version of the BLP in June 2017.

The key areas where the council has failed to follow due process are set out below.

Representation 1A

The Council's Consultation on the Draft Regulation 19 BLP of June 2016 did not follow due process.

The consultation period was to run from 13th August 2016 to 23rd September 2016.

Representations on the soundness of the plan were invited [*Reference: Forward by Leader of Council – draft local plan (June 2016)*].

- **In limiting the scope of the consultation, the Council acted improperly.** “*There are no limitations... as to what topics of the plan residents may comment on*” [Reference Secretary of State’s letter to Theresa May dated 17th July 2017].

The Ascot, Sunninghill and Sunningdale Neighbourhood Plan Delivery Group (AS&S NPDG) and Society for Protection of Ascot and Environs (SPAЕ) submitted representations on wider issues, in particular the BLP proposals for Ascot Town Centre [Reference: NPDG letter of 6th August 2016].

Cllr Peter Deason, Sunninghill and Ascot Parish Council (S&A PC) also submitted a representation [Reference: email dated 8th August 2016].

- **No Statement of Consultation was issued.**

Representation 1B

The Draft Regulation 19 BLP and the earlier Regulation 18 BLP (2015) were not soundly based.

Reference:

Cabinet meeting of 29th September 2016 - supporting papers paragraphs 2.4–2.6 and 2.17.

A legal compliance review was instructed in July 2016, and the Draft Regulation 19 BLP was put on hold while this was undertaken. This took some time, and when available it found that **there were many legal issues with the plan.**

On 29th September 2016, Council took the decision to carry out further work to make the Draft Regulation 19 BLP robust and then proceed with a new Regulation 18 BLP and consultation.

It was agreed by Council that the Draft Regulation 18 BLP would explain the decision-making choices and reasonable alternatives since 2014, but it failed to do so.

Representation 1C

The new Regulation 18 BLP (December 2016) was not soundly based.

Reference:

Cabinet meeting of 29th September 2016 – supporting papers section 15.

The timetable agreed by Council on 29th September 2016 allowed 11 days for the further work to strengthen the Draft Regulation 19 Plan and supporting documents [29th September – 10th November 2016] and prepare the new Regulation 18 version. It then allowed a further 14 days for Cabinet approval.

Within this timetable, the following revisions were required:

- Extensive changes to address the legal compliance issues.
- Changes to respond to Council's decision of 29th September 2016, to deliver the full OAHN, compared with 66% of the OAN of the previous version of the plan. To accommodate the full OAHN, the Regulation 18 BLP (December 2016) allocated a further 28 new housing sites and revised others. It also included new major green belt boundary changes to allow higher housing allocations on green belt sites.

These changes rendered much of the evidence gathered from earlier consultations out of date.

The programme did not allow time for any further consultations/ options consultations on the changes to inform the new Regulation 18 BLP, and as a result it was not soundly based.

The revised BLP also failed to explain the decision-making choices and reasonable alternatives since 2014, as agreed by Council on 29th September 2016.

The BLP was not accompanied by an Infrastructure Delivery plan (IDP) or supported by an up-to-date traffic study and other relevant supporting documents.

Representation 1D

When setting the consultation period for the new Regulation 18 BLP, the Council failed to abide by its own procedures by not granting a 2-week extension as it spanned the Christmas and New Year period.

Reference:

Statement of Community Involvement for the RBWM, dated October 2016

The consultation ran from 2nd December 2016 until 13th January 2017.

The Council's Statement of Community Involvement states, "*The Council may have to*

Consultation on Regulation 19 BLP: Sunninghill and Ascot Parish Council Representations *consult over summer holidays and the Christmas period. Where this is the case a further 2 weeks **will** be added to the minimum consultation period.” **but no extension was granted.***

This impacted upon the ability of the community to review and absorb both the BLP and the high volume of supporting documentation and make representations within the required timescale.

This was compounded by the lack of clarity regarding the amendments proposed to the green belt boundaries, which were shown only in a separate document.

Representation 1E

The Statement on Regulation 18 Consultation (December 2016), issued in May 2017 was not soundly prepared.

Reference:

Statement on Regulation 18 Consultation (December 2016), dated May 2017

Approximately 6000 representations to the Regulation 18 BLP consultation were received from 2148 individuals. All of these may be viewed on the RBWM website [<http://consult.rbwm.gov.uk/portal/blp/blp/blp>]. A significant number of the responses were related to development in our parish and the neighbouring parish of Sunningdale.

They included substantial representations from:

- The Society for the Protection of Ascot and Environs (SPAЕ).
- Sunninghill and Ascot Parish Council (S&A PC).
- The Ascot, Sunninghill and Sunningdale Neighbourhood Plan Delivery Group (AS&S NPDG).
- Mr Martin Baker.
- The Campaign for Protection of Rural England (CPRE).
- Many other individuals.

A full review of the Statement on Regulation 18 Consultation is presented in the Appendix to this document, and shows that it:

- Failed to identify and respond to many of the key issues raised in the representations.

- Failed to respond appropriately to those it did identify. Many of the issues are not answered, some answers are not correct, and few are presented in a way that helped to identify the need for further consultation or changes to the BLP.

Overall, the analysis shows that the Statement of Regulation 18 Consultation was rushed and is not fit for purpose.

Representation 1F

The Regulation 19 BLP (Submission Version) issued in June 2017 is not soundly based as it failed to take proper account of the many representations to the Regulation 18 BLP.

References:

Documents for Council Decision of 19th June 2017 – paragraphs 2.1 - 2.3, 2.5 - 2.7 and 2.23 and Appendix B – Table of Changes – Regulation 19 Borough Local Plan 2017. Statement on Regulation 18 Consultation, May 2017 – paragraphs 8.5–8.8.

The Regulation 18 BLP Consultation closed on 13th January 2017 and the Statement on Regulation 18 Consultation was issued in May 2017.

The detailed comments and representations to the Consultation were issued on 26th June 2017, which was after approval of the Regulation 19 BLP by Cabinet (19th June 2017).

It was not therefore possible for Cabinet to judge whether the Statement on Regulation 18 Consultation was sound or to judge the accuracy of the summary of the representations presented in the Cabinet papers.

Representation 1E, above, shows that the Statement on Regulation Consultation was not sound and as a result it did not provide a sound basis for considering what changes to the Regulation 19 BLP were appropriate.

The Report to Cabinet or the meeting of 19th June was also unsound.

Despite the 6000 representations, the Council only considered it necessary to make only limited changes to the Regulation 18 BLP, as evidenced in sections 2.5-2.7 of the Report to Council for the meeting of 19th June 2017 and in paragraphs 8.5-8.8 of the 'Borough Local Plan 2017 Consultation Statement, May 2017'.

Proforma HA10 – Ascot Centre is a good example of the failure of the Regulation 19 BLP to reflect the representations. It is a large development site, which straddles the High Street, and will have a major impact on both the village and its community.

There were a significant number of representations on this proforma, many of which are not identified on page 48 of Appendix 6 of the Regulation 18 Statement of Consultation. There was also a petition signed by 1374 people. Despite this paragraph 2.23 dismisses them in a few lines.

If the Statement on Regulation 18 Consultation had been sound, it would have been possible to have made changes to HA10 that would have met the concerns identified in the representations, while still delivering the housing allocation for the site.

It is clear from these dates, the Council's actions and from paragraphs 2.1 - 2.3 of the Documents for Council Decision of 19th June 2017 that the Council was determined to deliver the BLP for examination at the earliest possible date, for fear of the Government taking control of the plan. As a result, shortcuts have been taken throughout the process.

Representation 1G

The Council wrongly constrained the scope of the Regulation 19 BLP consultation to matters of legal compliance or soundness.

References:

BLP Submission Version – making representations.

Statement of Representation Procedure and statement of fact – Regulation 19.

Secretary of State's letter to Theresa May dated 17th July 2017.

The section on 'Making Representations' in the BLP Submission Version stated that representations may only be made on the legal compliance and soundness of the plan and sets the consultation end date as 25th August 2017.

Following community representations and the Secretary of State's letter to Theresa May the Council was forced to extend the consultation period by a month, from 25th August until 27th September 2017, and to allow representations on any aspect of the plan.

Representation 1H

From the issue of the Draft Regulation 19 BLP in June 2016 to the present, the Council has failed to engage with the local community and parish councils, except through the formal Regulation 18 BLP Consultation, contrary to their own procedures, the NPPF and DCLG guidance.

References:

Statement of Community Involvement for the RBWM dated October 2016.

National Planning Policy Framework (NPPF) March 2012.

DCG Guidance.

Section 1 of the 'Statement of Community Involvement for the RBWM' dated October 2016 emphasises the importance of good community engagement in planning, as set out in the National Planning Policy Framework (NPPF), March 2012. The NPPF promotes early consultation with neighbourhoods, local organisations and businesses in the production of local plans.

The Council has not consulted with our parish council or other community groups in our area since it took the decision to prepare a new Regulation 18 BLP on 29th September 2016, except through the formal Regulation 18 BLP Consultation. This has been a clear breach of the NPPF and the Council's own procedures.

The Council also failed to follow the Department for Communities and Local Government (DCLG) guidance that local planning authorities should work with the qualifying bodies for neighbourhood plans (NPs) to produce complementary BLPs and NPs. Since the Ascot, Sunninghill and Sunningdale Neighbourhood Plan (AS&S NP) was adopted in April 2014, there has not been any direct engagement by the Council with either S&A PC or Sunningdale Parish Council during the re-development of their emerging BLPs with a view to harmonising the BLP and NP policies. The result is that, in the opinion of many people, key AS&S NP policies are overridden by the Regulation 18 BLP.

On 22nd March 2017, Sunninghill and Ascot Parish Council (S&A PC) wrote to the RBWM head of planning to express its concern on several aspects of the Regulation 18 BLP and to request a meeting. The head of planning's response was received on 8th June 2017, the day the Regulation 19 BLP was issued, so was pointless.

Note: This reply wrongly stated the S&A PC letter was sent on 23rd May 2017.

S&A PC Recommendations in relation to Representations 1A to 1H

The above failures result in a BLP that is not aligned with the community wishes for our area, as evidenced in the AS&S NP evidence base and the many representations to the Regulation 18 BLP consultation.

The S&A PC does not wish to have the BLP thrown out, but feels that the plan can be made stronger and respect localism more positively if modest changes are made. We do not believe these changes will need to impact in any significant way on the delivery of the OAHN for our NP area, but they will align the NP and BLP policies more closely, ensure the development is sustainable, and preserve the character and wellbeing of our area, while meeting the BLP objectives. This will put people first, a key borough objective.

The key areas where we believe changes are required are presented in Representations 2 - 5.

We are also seeking other minor revisions, including

- Strengthen the policies to ensure affordable homes are delivered.
Strengthen the policies on parking and ensure the borough parking standards are updated to reflect the parking issues in our villages, the high level of car ownership, the increasing size of vehicles and the growth in internet shopping deliveries.
- Reinstate policy regulation 18 policy SP3.4.c.
- Make the green belt gap between Sunninghill and Sunningdale a strategic gap and remove reference to the Health Centre from the IPD [Appendix C item 29, page 69].
- Invoke the Townscape Assessment and not undermine it-see 6.4.4 and SP3.1.d.
Assign townscape characters to all the housing sites.

We recommend a meeting between the Borough Council, S&A PC, Sunningdale Parish Council, SPAE and the NPDG to discuss these proposals and agree changes. We believe the proposed changes are supported by evidence and will only result in a small delay to the BLP.

REPRESENTATION 2

The proposed green belt boundary amendments are excessive and are not soundly based.

References:

BLP 2013-2033 Submission Version

- Appendix B - Green Belt Boundary Amendments

- 6.8.24 and 6.8.25 - Amendments to Green Belt Boundaries

Paragraph 85 of NPPF

Paragraphs 6.8.24 and 6.8.25 of the Regulation 19 BLP set out the exceptional circumstances for the proposed boundary amendments shown in Appendix B. The justifications presented are:

- To facilitate the growth that is needed.
- To promote sustainable patterns of development.
- To ensure green belt boundaries are readily recognisable.
- The area to be removed from the green belt is small.

Many of the representations from residents in our NP area, in response to the Regulation 18 BLP Consultation (December 2016), dated May 2017 argue that the BLP has not made an adequate case for most of the changes shown in Appendix B. These include the representations from the AS&S NPDG, SPAE, the CPRE, and Mr Martin Baker, among others. These may be inspected on the RBWM website.

The key argument is that the Council has not made a case for exceptional circumstances, for the reasons shown below on a site-by-site basis for our NP area [*Reference: Appendix D of the BLP 2013 - 2033 Submission Version*].

HA30 Ascot Station

The EoS study part 1-1, section 4.7 identifies the site as playing a strong role in preventing merging between villages and urban sprawl. It is promoted for development in the AS&S NP. This site is previously developed land (PDL) in the green belt and may be developed without removing it from the green belt.

S&A PC Recommendation

The site remains in the green belt.

The Shorts Site (Parcel A8 and part of the HA10: Ascot Centre site)

This site plays an important green belt role, and has biodiversity constraints that make it inappropriate to remove it from the green belt [*Reference: eos study 1-1 green belt purpose assessment, section 4.7 and eos part 2 – constraints, opportunities and delivery, page 59*]. Its removal would result in a large incursion of non green belt land into the green belt (see BLP Appendix B, page 173).

S&A PC Recommendation

The site remains in the green belt.

HA31 Englemere Lodge

This site:

- Is an important gap
- Has not been consulted upon or subjected to a green belt assessment.
- Is within 200 m of Englemere Pond, a SSI and local nature reserve.

The current green belt boundary in the area has logical and recognisable boundaries. The site's removal from the green belt makes the boundary less recognisable and logical and would divide a large area of green belt into two (see BLP Appendix B, page 173).

The 10 dwellings proposed could easily be distributed across the other proforma sites.

S&A PC Recommendation

The site is removed from the BLP and the housing re-allocated to HA35, Gasholder site, Sunninghill.

HA32 Heatherwood Hospital.

This site is currently washed over by the green belt and its removal from the green belt would result in an island of non green belt land within the green belt. Also, the resulting green belt boundary would be irregular and less clearly defined/recognisable.

S&A PC Recommendations

The site to remain in the green belt.

(The site was not removed from the green belt when a hybrid planning application for the site was approved on 22nd August 2017, making removal unnecessary).

HA34 Sunningdale Park

This is a long thin development, which lies between an Historic Park and Gardens in the green belt and Larch Avenue, which is categorised as 'Villas in a Woodland Setting' in the RBWM Townscape Assessment. It is therefore inappropriate to remove it from the green belt and to do so would result in an irregular green belt boundary, which is less recognisable. The site is a major developed site in the green belt, so may be redeveloped without removing it from the green belt. Furthermore, it has not been assessed for its contribution to the green belt.

S&A PC Recommendation

The site remains in the green belt.

General note:

While the land to be removed from the green belt is a small percentage of the total green belt, the scale of each site is not small, and in the AS&S NP area alone the sites to be

REPRESENTATION 3

Our parish council understands the need to deliver the objectively assessed housing need (OAHN), but asks that the Submission BLP places a cap on the housing allocation for each site at or close to the BLP site allocation numbers, or otherwise puts in place measures to limit the housing numbers.

Reference:

Housing Allocation Proformas, Appendix D of BLP 2013-2033 Submission Version

Recent consultations with developers in relation to four of the HO1 housing development sites in the AS&S NP area indicate that they want to deliver many more homes than allocated in the BLP Housing Proformas - 50% more on two of the sites. Our concern is that this will result in significant over-development, which will change the character of our area and place excessive pressure on the Victorian highway infrastructure.

The NPPF allows councils to deliver fewer homes than the OAHN where there are legitimate constraints. Many BLPs that have chosen to take this route have successfully passed inspection.

In 2016 the Council assessed that green belt and other constraints limited the sustainable housing numbers to 66% of the OAHN. The Council subsequently decided that the BLP should deliver the full OAHN, a 60% increase in housing numbers. The current BLP releases the minimum necessary amount of land from the green belt to enable the extra housing numbers to be delivered. The housing numbers are therefore still constrained by the green belt and are on the margin of sustainability. A cap is necessary to ensure sustainability and preserve the character and wellbeing of our area and its community.

HA10 Ascot Centre is a site of particular concern. The BLP has chosen to merge two of the sites identified separately in the AS&S NP, and add further previously developed land south of the High Street, which has not been put forward for development. The BLP removes the whole site south of the High Street from the green belt.

This land is in multiple ownership, yet a single housing allocation has been assigned to the whole site, making it difficult to manage housing numbers. Currently 455 houses are being proposed by developers, without taking account of the potential housing on the added land (the site allocation is 300). The site area is around 7 times the area of the High Street that will remain outside the HA10 site. If its development is not controlled there is a risk of serious damage to this historic and internationally renowned village.

The vision for Ascot was developed by the community and facilitated by the Prince's Foundation. Its focus was to enhance the High Street and make Ascot a hub for the community. The proposed housing was to fund the infrastructure enhancements and provide footfall [*Reference: AS&S NP and Prince's Foundation Report*].

The draft Housing White Paper [*Fixing our broken housing market – Feb 2017, paragraph 1.33*] encourages the sub-division of large sites, and this should be done here, with a separate housing allocation for each part.

S&A PC Recommendations

Housing allocations on all sites are capped at the current allocation, or other measures are taken to achieve the same result.

HA10 is amended as follows:

- Take only the area called 'Ascot Green [*Reference: AS&S NP*]' out of the green belt.
- Separate the HA10 site into appropriate plots according to the developers, and divide the housing allocation of 300 between them.
- Exclude the land not included in the AS&S NP development site proposals for Ascot, for which no development proposals have been submitted.
- Amend the site proforma to include the following:
 - A requirement for all the developers to liaise to ensure their proposals fit together as a harmonious whole.
 - A requirement for all the developers to contribute in an equitable manner to the enhancements to the High Street (including parking) and the provision of the Community Centre and Town Square.
 - A requirement for a design panel to work with the developer and stakeholders to advise and oversee development (see policy SP3.4 c of the Regulation 18 BLP).
 - More detailed site-specific requirements, such as boundary treatments, open space requirements, important trees to be retained, townscape character(s), site vision and objectives (refer to Prince's Foundation report) etc.

REPRESENTATION 4

The BLP and IDP are not positively prepared, as these documents fail to properly assess / identify the highway improvements required to mitigate the impact of the planned developments in our area and set a sound strategy to deliver them.

References:

Borough Local Plan: Infrastructure Delivery Plan – May 2017 [Appendix E Report to Council 19th June 2017].

Royal Borough of Windsor and Maidenhead Local Plan Assessment using RBWM Strategic Highway Model – June 2017

In particular:

- The IDP was delivered too late for its findings to have been fully taken into account, and had not been consulted upon.
- The traffic model on which the highway infrastructure mitigation measures are based is strategic and does not look at local highway networks.
- No parking studies have been undertaken to assess the impact of the new developments on parking demand in the AS&S NP area. There has been a longstanding parking deficit in Sunninghill and Sunningdale, and there are no proposals to address this.

Both the BLP and IDP were issued on 9th June 2017. This was before the ‘RBWM Local Plan Assessment using the RBWM strategic Highway Model’ dated June 2017 was finalised (26th June 2017). The draft for comments of this model was issued on 15th June 2017. Neither document could therefore have taken full account of the findings.

Section 14.1.1 of the BLP states, *“The timely provision of suitable and appropriate infrastructure is crucial to the wellbeing of the borough’s resident population... Infrastructure has not always historically kept pace with development and there are some parts of the borough where infrastructure demands are near to or at full capacity. Fundamental to delivering the spatial strategy is ensuring that the necessary social, physical and green infrastructure is in place to support the level of growth proposed...”*

Section 1.2.1 states, *“The primary purpose of the IDP is to identify the infrastructure considered necessary to support the development proposed in the BLP and to outline how and when this will be delivered. The IDP plays a key role in demonstrating that planned growth can be accommodated in a sustainable manner, through the timely and coordinated delivery of critical and strategic infrastructure.”*

This infrastructure takes time to put in place and needs to take account of the cumulative impact of all the developments in and around the borough during the plan period. The infrastructure needs cannot be developed incrementally at the planning application stage, as is proposed, but must be secured by the time the plan is adopted, or shortly thereafter.

The traffic model undertaken by the borough to identify the highway infrastructure needs is 'strategic' so only looks at those mitigation schemes that are key to connectivity between the borough and beyond. It does not look at local schemes, which improve connections between or within neighbourhoods in the borough, and cannot therefore identify the local infrastructure needs. In particular it fails to assess the impact of the increased traffic and parking on Sunninghill Village, as required by NP/SV1 of the AS&S NP. This village already suffers from congestion and a parking deficit, and both are getting worse.

Paragraph 2.4.2 of the Strategic Traffic Model states, *"RBWM jointly with PBA analysed the junctions list produced and after removing junctions from this list for various reasons (they had already been reviewed in previous studies, they were local road issues only that were not considered to impact on the main road network, or the junctions had already been previously analysed and there were not considered to be any possible improvements available)"*.

Paragraph 5.1.13 states, *"The model is strategic in nature and local junction validation may be required if model outputs are to be used in detailed junction assessment."*

This strategic model examines the journey times along selected routes within the borough, and how they are affected by the planned developments over the plan period. The route most relevant to our AS&S NP area is JT7 (Figure 15).

Table 3.4 of the Strategic Highway Study shows that for this route the journey time increases by 9 seconds (2%) by the end of the plan period compared with the current journey times.

This finding is not considered credible as there will be an increase over the plan period of over 800 new houses inside/on the outer edge of the circular journey route, and 1200 houses and a new hospital with associated facilities within/adjacent to the JT7 loop or within 0.5 km of the loop. There will also be increased traffic flows along the A329 to and from Bracknell, and along the A30 through Sunningdale from the large Longcross development. (Note: the housing numbers include windfalls).

The model is also theoretical, and does not take account of the effect on traffic flows of the narrow roads, on-street parking, road narrowing and pedestrian crossings, or of the level crossing along the JT7 route.

S&A PC Recommendations

The Council develops a further traffic model that looks at the impact of the proposed developments over the plan period on the local road network. This study should:

- Take account of the physical nature of the highway infrastructure.
- Comply with AS&S NP policy SV1.1.
- Include the impact of the proposed hotel, equestrian and other facilities proposed on the racecourse, the increased school provision and the new leisure centre in Sunningdale.

The Council also

- Undertakes a full parking study of the impact of the proposed development on the parking provision in Sunninghill, which is already in deficit.
- Identifies the infrastructure requirements to mitigate the identified impacts.
- Sets a programme to ensure the mitigations are in place in a timely manner.

REPRESENTATION 5

The following housing sites in the AS&S NP area are unlikely to be able to deliver the housing numbers presented in Policy HO1: Housing Development Sites without damaging the character of our NP area [Reference: Appendix D Site Allocation Proformas HA31 and HA34, BLP Submission Version 2017].

HA31 Englemere Lodge (10 dwellings)

See Representation 2.

S&A PC Recommendation

The site is removed from the BLP and the 10 dwellings are allocated to the Gasholder site HA35.

HA34 Sunningdale Park (230 dwellings)

This is a narrow site, which is bounded on the northwest side by large houses in an area characterised as 'Villas in a Woodland Setting' [Reference: RBWM Townscape Assessment] and on the southwest side by Historic Parkland and Gardens.

BLP paragraph 7.11.2 states, "*Lower density schemes below 30 dph will only be acceptable where character or amenity or where site constraints, for example, heritage issues result in a lower....capacity.*"

In order to preserve the character of the area and the historical setting, the development density would need to be below 30 dph and nearer 15 dph. This would reduce the site allocation to between 150 and 70 houses.

S&A PC Recommendations

- The site allocation is reduced from 230 to 175 houses.
- A Townscape Character is assigned to the site (preferably in the BLP proforma).

Cllr P M Deason

For and on behalf of Sunninghill and Ascot Parish Council.

20th September 2017

Appendix

Review of Statement on Regulation 18 Consultation

Representation 1E argues that the Statement on Regulation 18 Consultation (December 2016), issued in May 2017, was not soundly prepared.

This appendix presents the evidence to support this representation.

In particular, it finds that the Statement of Consultation:

- Fails to identify and respond to many of the key issues raised in the representations.
- Fails to respond appropriately to those it did identify. Many of the issues are not answered, some answers are not correct, and few are presented in a way that helped to identify the need for further consultation or changes to the BLP.

Overall the analysis shows that the Statement of Consultation was rushed, flawed and is not fit for purpose.

This appendix is in two parts.

- 1) A summary of the key issues raised in representations in the Ascot and Sunnings area, and the responses made to each. The responses are from Appendix 6 of the Statement of Consultation.
- 2) An extract from Appendix 6 to demonstrate examples of the failure to respond to the identified issues in a constructive manner.

1. SUMMARY OF THE KEY ISSUES RAISED IN REPRESENTATIONS IN THE ASCOT AND THE SUNNINGS AREA, AND THE RESPONSES TO EACH.

Table 1: Statement of Consultation responses to the key representation issues (representations presented below table)

Key representation issues	Council response	Comments
<p>Process:</p> <ul style="list-style-type: none"> • Plan preparation process unsound (J McCarten rep 1; Bell-Cornwell rep; S&A PC reps; NPDG rep 3). • Consultation period too short (NPGG rep 18; S&A PC reps). • Consultation website impossible to use (J Tomlinson rep). • Failure to cooperate (Bell-Cornwell rep 2.7). • Failure to engage meaningfully with Parish Councils, local organisations etc. (NPDG rep 2). 	<p>None</p>	<ul style="list-style-type: none"> • See Representation1 in this document and the Regulation 18 representations. • Many plan support documents were either not provided, were out of date or were flawed, e.g. IDP, HELAA, SA, strategic flood assessment, transport assessment. • In not considering these issues the Council lost the opportunity to review their process and take steps to ensure that due process was followed when drafting the Regulation 19 BLP and that the plan and supporting evidence was robust.
<p>Too many BLP policies are strategic, including the design policies and site proformas. (SPAЕ rep 9; NPDG rep 15, 16 and 27; J McCarten rep 3).</p>	<p>As a result of the simplification and merging of policies to aid clarification, reduce conflict and provide a more holistic approach, the number of policies has reduced.</p>	<p>The changes made to S3 are constructive. An offer to meet the qualifying body for the AS&S NP would have ensured the changes were supported, as is the Council’s duty.</p>
<p>Review of strategic and non-strategic policies is required to ensure NP policies can take precedence for local issues.</p>	<p>Design policies in the Submission Version have been rationalised and clarified. The BLP now sets a sustainable framework for placemaking within which detailed and area-specific guidelines can be created (through NPs).</p>	<p>The changes are constructive. A meeting as proposed above would have been useful to ensure HO1 proformas and NP site policies were harmonised.</p>

<p>BLP fails to show which sites are to be removed from the green belt.</p>	<p>Corrected in Submission Version.</p>	<p>Agree, but the lack of clarity made it difficult for the community to make Regulation 18 representations on the boundary changes.</p>
<p>Exceptional circumstances case for removal is not proven. (SPAЕ rep 2; NPDG rep10; Bell-Cornwell rep 3.10 and others).</p>	<p>Council satisfied the case has been achieved. Set out in Submission BLP and supporting evidence.</p>	<ul style="list-style-type: none"> • Disagree_(see Representation 2 in this document). • There were many detailed representations to the consultation, which set out valid reasons why the land to be removed from the green belt in our area should not be removed. None of these reasons are addressed in the response.
<p>Excessive land is removed from the green belt unnecessarily and against the green belt assessments. (NPDG reps 11 and 12; CPRE representations).</p>	<p>The amount of green belt land released is a small percentage of the total area of the green belt.</p>	<ul style="list-style-type: none"> • The response does not answer the representations (see Representation 2 in this document). • In Ascot and the Sunnings all but one of the green belt sites is to be removed from the green belt and these have a housing allocation of 725 houses. This is not a small change.
<p>BLP fails to deliver Objective 1 of the BLP. (SPAЕ rep 5; NPDG rep 7; P Davies rep).</p>	<p>None</p>	
<p>Site proformas should include NP open space requirements. (Appendix 6, page 18).</p>	<p>Will be in BLP open space requirements.</p>	<ul style="list-style-type: none"> • Open space requirements are not in the submission BLP. Submission BLP Policy IF 4.2 states that the open space requirements will be as set out in the housing site proformas, but they are not. 14.10.5 of the BLP identifies an under-provision of open space and it is important the proformas address this in areas of shortfall.

		<ul style="list-style-type: none"> The NP requirements were accepted by the Council when adopting the AS&S NP and should be included on the site proformas as a minimum, to avoid potential conflict.
<p>Housing numbers are too high and not sustainable. (SPAЕ rep 6; NPDG rep 14; J Tomlinson rep 1; J McCarten rep 4; J Tomlinson reps 1 and 2).</p>	<p>The spatial strategy and site allocations set out in the Consultation BLP are considered sustainable and robust approach to accommodate growth over the plan period. The distribution of allocated development sites across the borough, and the level of development proposed for them are considered to be an appropriate response in the light of the identified growth needs.</p>	<p>The response simply restates the Council’s position, and does not respond constructively to the issues raised in the representations. No reasons for the Council’s position are given.</p>
<p>Housing numbers should be capped. (S&A PC rep; CPRE rep).</p>	<p>All the site proformas have been amended from firm housing allocations to “approximate allocations.”</p>	<ul style="list-style-type: none"> The Council has failed to respond to the issue. The change allows more than the housing allocation for each site to be delivered (see Representation 3 in this document). The sustainability of delivering the OAN is marginal and the housing numbers need to be capped at this number (see below). Representation 5 in this document points to the HA34 Sunningdale Park site being unable to deliver the OAHN allocation.
<p>Affordable homes:</p> <ul style="list-style-type: none"> Sufficient commitment to affordable housing provision has not been expressed (Appendix 6, page 20). All development should contribute to affordable housing. Commuted sums in lieu of affordable homes in Ascot and the Sunnings should not be accepted. 	<ul style="list-style-type: none"> The Council is committed to ensuring increased levels of affordable housing across the borough. Council considers the inclusion of a policy that specifically supports affordable housing is sufficient. Viability evidence has shown that the affordable housing threshold is justified. It has been lowered to take account of planning practice guidance. 	<ul style="list-style-type: none"> HO3 should make it clear that commuted sums in lieu of affordable homes will be acceptable only in exceptional circumstances. HO3 has been breached before it becomes a formal policy. The Heatherwood planning application for a hospital and 230 houses has been approved (22nd August 2017) without any affordable

<ul style="list-style-type: none"> Provision of off-site affordable homes is unworkable owing to land supply constraints. (CPRE rep; NPDG rep 18; S&A PC rep). 	<ul style="list-style-type: none"> Policy HO3 Affordable Housing states that commuted sums will only be acceptable in certain circumstances. HO3 states that the onsite provision of affordable homes is the priority. 	<p>homes on the grounds that to deliver them would not allow adequate funding of the hospital.</p> <ul style="list-style-type: none"> There is nowhere in our parish for the shortfall of 80 affordable homes to be delivered. Without a stronger policy on affordable homes, it will be a constant battle to deliver the need.
<p>HO2.2 Residential Care. Policy needs to be strengthened to include a requirement to demonstrate local need for residential care facilities. (S&A PC rep; NPDG rep 17).</p>	<p>HO2 has been adjusted to take account of local community need.</p>	<ul style="list-style-type: none"> The revised policy does not give the community a say where their provision meets local commissioning priorities. Ascot and the Sunnings has been, and continues to be flooded with new care homes. The number is disproportionate and they are not affordable for many local people.
<p>No IDP (CPRE rep). BLP fails to deliver objectively assessed infrastructure needs (SPAE rep 7). No strategy to deliver the assessed need. Traffic model (2012) out of date (SPAE rep 10). (NPDG reps 25 and 26; J McCarten reps 1, 6 and 7; J Tomlinson reps 1 and 2; Bell-Cornwell reps 3.7 and 3.8; S&A PC rep and others).</p>	<p>The submission Plan evidence base includes an IDP.</p>	<p>This IDP and the 2017 Transport model on which the highway infrastructure proposals are based on are considered flawed (see Representation 4 in this document).</p>
<p>Traffic studies do not address parking in the AS&S NP area.</p>	<p>Parking has been considered in the infrastructure section of the BLP and more detailed consideration will be given to the design of parking through the Design Supplementary Planning Document.</p>	<p>Section 14.6.3 of the BLP addresses only the onsite parking requirements for new developments, not the issue of on-street parking. This is a serious problem in our Victorian villages, and will get worse owing to</p>

		<p>the planned development in the plan period.</p> <p>Policy IDF 2 is weak and does not address the cumulative impact of development on the infrastructure needs or require parking studies in the AS&S NP area, as required by NP/SV1.</p> <p>The Council's parking strategy is out of date and needs updating in line with the high level of car ownership and increasing vehicle sizes etc.</p>
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Representations on the HO1 housing site proformas as presented in Appendix E to the Regulation 18 BLP

Only three housing development sites are reviewed below. They are representative of the shortcomings in the assessment of the representations for all the HO1 sites in the Ascot and the Sunnings area.

HA10 Ascot Centre

This site proforma attracted the highest number of representations.

Page 48, Appendix 6 of the Statement on Regulation 18 Consultation lists a number of the issues raised in the HA10 representations, but examination of the representations shows the list is not comprehensive. It is also considered that many of the responses fail to address the issues, but merely reiterate the information from the site proforma.

The HA10 proforma amalgamates the following two sites proposed for development in the AS&S NP, together with additional partly developed green belt land.

- NP/SS1 and Project 9.1-Ascot Centre/High Street Rejuvenation. This is in two sections, Ascot Village to the north of the High Street and Ascot Green to the south of the High Street as shown in Map 15 of the NP.

The NP proposals should be read in conjunction with the Prince's Foundation Report. The proposals were developed in conjunction with the local community, and facilitated by the Prince's Foundation. The Council was involved throughout and supported the resulting proposals. The vision was to rejuvenate Ascot as a retail destination and community hub. The housing was secondary, to help fund the infrastructure and provide footfall to the high street.

- NP/SS3 – Shorts site as shown in map 17 of the NP.

This NP policy states that redevelopment should be considered only in accordance with the relevant green belt policies.

The NP received 93% support at referendum and was adopted in April 2014.

Neither the BLP nor the Statement of Consultation explains the rationale behind this amalgamation and there was not any consultation on the proforma before its inclusion in the Regulation 18 BLP.

It is disappointing to find that the NP proposals have been changed significantly from the NP intent without the required consultation with S&A PC as the NP qualifying body. This is a clear breach of its own rules and of the NPPF.

The result is a site of 7 times the area of the part of Ascot High Street that lies outside the proforma site. The combined site will significantly increase the potential for overdevelopment of Ascot and destroy the character of this internationally recognised village. Developers are already proposing 455 houses vs the proforma allocation of 300.

A review of the representations in relation to HA10 show that they cover many issues, including but not limited to the following:

- a. The HA10 proforma overrides the AS&S NP policies, yet was not consulted upon and is not supported by evidence.

- b. The NP proposals were for the *rejuvenation* of Ascot, and not “*regeneration*” as stated in the BLP, which is very different in scale.
- c. The site proforma does not make reference to or deliver the community aims and aspirations, as presented in the Prince’s Foundation Report/AS&S NP.
- d. The site is in multiple-ownership, and this complicates delivery (housing allocations, harmonisation and infrastructure contributions).
- e. HA10 includes land not included in AS&S NP and not presented for development. It should be removed.
- f. No ‘exceptional circumstances’ case has been made for releasing all the land from the green belt. Its removal would leave an illogical hole in the green belt.
- g. The release of all the land south of Ascot High Street included in proforma HA10 will allow significant expansion of the existing settlement of Ascot, contrary to the Council’s decision.
- h. The Shorts site to be separated from the Town Centre as per the NP.
- i. The Shorts site is PDL in the green belt and may be developed without its removal. It should remain in the green belt as it plays an important green belt role and its removal would leave a hole.
- j. The site known as Ascot Green (plot A7) in AS&S NP may be removed from the green belt subject to certain safeguards.
- k. The proforma should be replaced by two sites as presented in the AS&S NP [NP/SS1 Ascot Village + Project 9.1 Ascot Centre, High Street and Ascot Green and NP/SS3 Shorts site] and separate housing allocations assigned to each.
- l. The proformas should include the ‘open space’ requirements of not less than those in the NP.

The Appendix 6 schedule, page 48, does not list many of the above issues, and yet they are important and deserve a considered response.

The responses to those issues that are listed are either wrong or will not deliver the required infrastructure in a timely manner, as required by the BLP. For example they state that:

- The IDP sets out the likely infrastructure to support cumulative development proposed across the borough.
The IDP identifies only one highway improvement in our parish, and this is on the parish boundary. No improvements are proposed for the High Street, yet this is a key feature of the NP aspirations.
- Further information regarding site-specific infrastructure requirements will be developed as the site comes forward for development.
Ascot High Street will be affected not only by the Ascot Centre development, but also by the many other developments within and close to our AS&S NP area. The High Street infrastructure requirements therefore need to be developed from a model that looks at the cumulative impact of all these developments, and they need to be delivered to suit the phasing of the new developments. The 2017 transport model is strategic and does not look at local infrastructure issues.
- Other issues will be considered as part of the usual range of concerns considered through the application of all development plan policies, including the NP for this area, as part of the development management process.
This is not appropriate for such an important, large and complex project. The NP calls for a development brief to be prepared and consulted upon and this is not reflected in the BLP policies.

It is clear that the Statement of Consultation has not:

- Understood the importance and complexity of this mixed development site to the very character of Ascot.
- Understood the depth of concern within the local community regarding the BLP proposals for this site.
- Properly identified and responded to the representations on this site. In the responses to this and other sites, many of the issues listed appear to have been extracted from one of the template representations and include issues not relevant to the site.

It is considered totally unacceptable, and a breach of due process, that the many representations regarding this site are just brushed aside and the site proforma taken forward unchanged without any dialogue with the S&A PC (the NP qualifying body) and other community groups.

HA31 Englemere Lodge (Appendix 6, page 89).

A review of the representations on this site identifies the following issues:

- a. The inclusion of this green belt site has not been consulted on.
- b. The site has not been assessed for its green belt role or development capacity.
- c. The site is only approximately 200 m from Englemere Pond, which is a SSSI and local nature reserve.
- d. It includes a green corridor to/from Englemere Pond as established in the NP.
- e. The A329 and A332 form clear boundaries for the site, which would be lost if it were removed from the green belt.
- f. There cannot possibly be 'exceptional circumstances' for removing this site from the green belt.
- g. The site should be removed entirely from the BLP.

Page 69, Appendix 6, identifies issues e and f only.

Again, some of the issues listed appear to have been extracted from a 'template' representation that covers many sites as they are not applicable to this site. For example:

- The development will adversely impact on the existing transport and education infrastructure.
- The spatial distribution does not recognise existing constraints to development.
- The site proforma should be in accordance with the NP...

Most of the responses to the listed issues simply replicate the site proforma requirements, with a few additions.

It is therefore clear that the Statement of Consultation has not fully analysed the representations relating to this site. As a result, not all the issues raised in the representations have been included in the Appendix 6 table, so are not addressed, and the responses to the listed issues either do not answer them, are wrong or are bland and unhelpful.

HA33 Silwood Park (Appendix 6, page 72)

There were many representations in relation to this site as shown in the Regulation 18 BLP. These are now worthless as the proforma site has changed significantly in the Submission Version.

- No reason for the change is given.
- Half the site is no longer PDL.
- No consultations with the S&A PC or other community groups have been undertaken to obtain feedback on the change.

As with the above sites some of the issues listed are incorrect. For example:

- Exceptional circumstances for the removal of the site from the green belt have not been demonstrated.
The BLP does not propose the removal of this site from the green belt.
- One of the suggestions for guidance is that “the proforma should take account of the current planning application”.
There is no planning application.

It is worrying that such errors, of which there are a number, have not been picked up in the responses.

2. EXAMPLES OF ISSUES NOT PROPERLY ADDRESSED IN THE RESPONSES IN APPENDIX

The table below demonstrates the poor quality of the Council's responses. They either do not address the issues, are incorrect or are misleading. This provides further evidence in support of Representation 1E of this document.

Issue	Council response	Comments
Spatial strategy issues		
<p>The preservation of strategic gaps is supported... The separation of Ascot from Sunninghill and Sunningdale is vital to the character of the area.</p>	<p>One of purposes of the green belt is to prevent coalescence of settlements and thus it is considered unnecessary to identify strategic green gaps.</p>	<p>Why therefore does the IDP include the provision of a large primary healthcare centre in the strategic gap between Sunningdale and Sunninghill, which was strongly supported in the AS&S NP? (IDP Appendix C- item 29, page 69).</p> <p>The BLP fails to mention that a high level of support for this gap is evidenced in the AS&S NP evidence base.</p> <p>The BLP should make this gap 'strategic' and remove the healthcare centre from the IDP.</p> <p>A planning application has been made for a primary healthcare centre in this gap, and the IDP effectively pre-judges the application.</p>
<p>The green belt constraint should be used to justify a housing requirement below the OAN.</p>	<p>The 2016 SMA sets out the objectively assessed housing need for the borough. The Council considers it provides the most up-to-date and reliable assessment of the full housing need for the borough.</p>	<p>The response does not answer the question. The NPPF allows delivery of less than the OAN where there are real constraints to delivery, and many BLPs that deliver less than the OAN have been approved. Our area has such constraints.</p>
<p>The OAHN should be reduced to 13,200</p>	<p>The 2016 SMA sets out the objectively</p>	<p>It is understood, from Council Documents, that</p>

<p> dwellings. The Council should object to the inclusion of a market uplift figure of 8% in the OAN. The desirability of the area means that prices are high. The uplift will do little to address affordability or aid delivery.</p>	<p> assessed housing need for the borough. The Council considers it provides the most up-to-date and reliable assessment of full housing need for the borough.</p>	<p> the plan period was extended by 1 year and the OAN increased to ensure a constant 5-year housing supply.</p>
<p> The level of development proposed for Ascot and the Sunnings is too high and unsustainable, and would destroy the semi-rural character of the area. The existing transport and education infrastructure could not support any further development in this area.</p> <p> Sites proposed for development by the plan could be reassigned as appropriate development within the green belt to ensure that defensible, appropriate green belt boundaries are maintained in Ascot and the Sunnings.</p>	<p> The spatial strategy and site allocations set out in the Submission BLP are considered a sustainable and robust approach to accommodate growth needs in the borough over the BLP period to 2033.</p> <p> The distribution of allocated development sites across the borough, and the levels of development proposed for them are considered to be an appropriate response in light of the identified growth needs.</p>	<p> The response is bland and does not begin to answer the question re inadequacy of infrastructure. For example:</p> <ul style="list-style-type: none"> Why does the reply not refer to the IDS to answer the question re. educational infrastructure? Why does it not answer the statement that the sites could be reassigned as appropriate development in the green belt? <p> (See Representation 4 in this document).</p>
<p>Quality of place issues</p>		
<p> A review of strategic and non-strategic policies is required to ensure NP policies can take precedence for local issues.</p>	<p> The importance of neighbourhood planning in undertaking local place making has been recognised in the Submission BLP.</p> <p> As part of the rationalisation and clarification of policies in the BLP to deal with duplication, a review of the strategic/non-strategic policy split has been undertaken. The number of strategic policies has been reduced as a result.</p>	<p> A study of the various versions of the BLP show that references to NPs have reduced and the description of the role of NPs has been watered down.</p> <p> 6.2.4 of Regulation19 BLP states, “Work undertaken by communities through neighbourhood planning has helped to refine understanding of some of the areas of the borough and the qualities that make these smaller places unique and distinct.” This demeans the work of 50 volunteers who</p>

		<p>supported the development of the AS&S NP, which covers over 16% of the borough, hardly a “smaller place”.</p> <p>Having said this, the changes to BLP policy SP3 and its change to a non-strategic policy help to ensure most, but not all, the NP design policies will take precedence.</p> <p>The AS&S NP Policy NP/DG1 – Respecting the Townscape has been successful in ensuring that developments respect local character by invoking the RBWM Townscape Assessment, but the importance of this is downgraded by BLP paragraph 6.4.4 and SAP3.1 d. Strategic BLP policy HO5 - Housing_Density also impacts upon the effectiveness of AS&S NP/DG1.</p>
<p>Housing issues</p>		
<p>Site assessments lacked robustness and selection/non-selection of sites with very similar strengths and weaknesses is not consistent.</p>	<p>The Council considers the site assessment and selection process suitably robust.</p>	<p>A bland statement, and one S&A PC does not agree with.</p> <p>For example, the inclusion of HA31 Englemere Lodge is not accompanied by a green belt, biodiversity or other suitability assessments and was not consulted upon. Despite major representations against its inclusion, it remains in the BLP.</p> <p>The assessment of the Shorts site, included as part of HA10 in the BLP, does not support its removal from the green belt; HA 32 Heatherwood cannot sustain the retention of the</p>

		hospital facilities and 250 houses on the proforma site; and HA 34 Sunningdale Park proforma sets a housing allocation inconsistent with its location alongside an Historic Park and Gardens (see Representations 2 and 5 in this document).
Site allocation proformas need to be strengthened with all development levels set out as maxima rather than minima	Site proformas have been amended to include reference to “approximate” levels of development.	This does not address the issue, as the addition of the word “approximate” will allow both more and less development. The issue was that the allocation should be the maximum allowed (see Representation 3 in this document).
Site proformas should include open space requirements in accordance with neighbourhood plan requirements.	Allocated sites will need to comply with the open space requirements set out in the BLP.	<p>The submission BLP does not set out the open space requirements.</p> <p>The Council has said that the BLP does not override NPs, but this statement does just that.</p> <p>The proformas should include the open space requirements, in accordance BLP policy IF4.2, but not less than the area stated in the NP.</p>

Cllr P M Deason

For and on behalf of Sunninghill and Ascot Parish Council.

20th September 2017.