

Planning Department
Corporate and Community Services
Royal Borough of Windsor and Maidenhead
Town Hall
Maidenhead
SL6 1RF

9th May 2018

Dear Sirs

17/01188: Ben community health centre

We understand that this application has been amended and will be determined shortly, following a year's delay. The amendments are limited and do not change our objections to the original submission. However our Parish Council wishes to restate our core objections in the context of the recent amendments.

- a. The proposal doesn't comply with Green Belt policies, and should be rejected.
- b. Neighbourhood Plan consultations showed a very high support for retaining this only gap between Sunninghill and Ascot.
- c. The case for very special circumstances (VSC) has still not been made.
- d. We are seriously concerned that the application is by BEN, Lynwood, who are the land owners. They are proposing to retain ownership of both the site and the development and stand to gain financially from a health centre on this site. They may also receive DoH Estates and Technology Transformation Fund (ETTF) grants.

If the facilities are key to delivering the Ascot Vision for health care the application should provide evidence of this and of support by the appropriate Health Care authorities. In the absence of this evidence we are left with the view that the proposals may include a large speculative element. If so then VSCs cannot exist.

- e. The portal doesn't include any documentation to show support for the submitted proposals from the Health Trusts CCGs or from King's Corner Surgery.
- f. The Lynwood Care Centre has failed to provide adequate on-site parking for staff, with the result that the site is currently being used for overspill parking (without planning approval) for a significant number of cars, 87 on 9th May. Approval to this application will potentially legitimise this parking.
If consented a condition should be included to prohibit overspill parking.
- g. There is no traffic study on the planning portal. The traffic impact and compliance with NP/SV1 – Sunninghill Village Centre policy cannot therefore be assessed.

We are also concerned that:

- Our Parish Council wasn't advised of the amended drawings, despite the impact of the development on our parish.
- 3 key documents were only posted on the planning portal on 3rd May '18, very close to the day by which submissions are required.

Objections:

The application doesn't comply with green belt policies.

The application site is in an important green belt gap between Sunninghill and Sunningdale, and fulfills two of the 5 core purposes of the green belt. During the extensive consultations for the AS&S Neighbourhood Plan, adopted at referendum in April 2014, there was very strong support for retaining all the gaps shown in the NP, but the support for retaining this gap was particularly strong (over 70%).

We list below the relevant GB policies with which it is non-compliant, and why.

VSCs can't over ride all the GB policy non compliances, and the application should be refused.

The application is contrary to the following NPPF Green Belt policies in Paragraphs 80, 81 and 89, and BLP Green Belt Policies.

- NPPF Paragraph 80 lists the 5 purposes of the green belt, including:
 - To check the unrestricted sprawl of large built up areas, and
 - To prevent neighbouring towns merging into on another.

By definition any development on this site, which clearly delivers 2 key purposes of the Green Belt, is inappropriate.

This is supported by the briefing notes for Councillors for the meeting to approve the Regulation 19 BLP [Agenda Item 3 for meeting of 19th June 2017 to consider the Borough Local Plan]. Paragraph 2.14, page 8 states "...On the basis that one of the purposes of the green belt is to prevent the coalescence of settlements it was not considered necessary to identify strategic green gaps".

- NPPF Paragraph 81 states that once revised green belts have been defined local planning authorities "should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access...etc."

The emerging BLP proposes changes to the green belt boundaries, but this site will remain in the green belt. The site should therefore be enhanced and public access provided, not developed.

- NPPF Paragraph 83 states that once GB boundaries have been established they should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. Allowing this development would de facto alter the green belt boundaries.
- NPPF Paragraph 88 states that "local planning authorities should ensure that substantial weight is given to any harm to the green belt. "very special circumstances" will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations".

In our view the environmental and other harms caused by such a large development in this gap, which fulfills a core GB role, overrides the benefits of the development.

- NPPF Paragraph 89 of the NPPF states that "Local planning authorities should regard construction of new buildings as inappropriate in Green Belt.

*This development doesn't fall within the listed exceptions.
Nor does it lie within the exceptions listed in BLP policy GB1.
A case for VSC haven't been made.*

- BLP policy GB2 states that permission will not be granted for new developments within the GB if it would impact on the openness of the GB.

The scale of the buildings and the associated parking are such that it impacts severely on the openness of the site.

Permission should also not be granted if it would harm the character of the green belt, harm the character of the area because of its scale, siting or design, results in a material intensification in the level of activity on the site, a material increase in the scale of development, or harm to residential amenities in the locality.

As the site is currently undeveloped, the proposals don't comply with this policy in all respects.

- Contrary to NP/EN1.
The intent of this policy is to retain the separation between the villages in the NP area. This policy requires development proposals to be located and designed so as to maintain the separation between villages. This is the only gap that separates the villages along the main road linking Sunninghill and Sunningdale, It is relatively narrow and the proposals cut through the site severely, reducing the separation.
(The statement that the NP shows that the gap includes the existing care village is clearly incorrect. It only includes a narrow strip of undeveloped land).

In any event this part of the gap is within the green belt and any development must comply with green belt policies.

- The Lynwood care home development, which is in the green belt, has had a huge negative impact upon the openness of the green belt and represents a major intensification in the use of this part of the green belt. The gap is therefore the only scrap of green belt left and must be retained.
- The borough hasn't undertaken a green belt assessment of the site.

We take the view that by contravening the above policies the application should be dismissed.

If the Planners don't agree then we ask for the following objections, and those set out in our letter of 19th May 2017, to be also taken into account:

The case for VSC hasn't been made:

The initial application included a report by Grimes that sought to establish Very Special Circumstances. Our objections dated 19th May 2017 set out why the report failed to do so, and is appended to this letter. The borough also agreed and gave the applicant time to submit a stronger VSC case. They have failed to do so.

An updated Grimes VSC report was added to the planning portal on 3rd May 2018, a year later. It shows very little change to the VSC case initially presented. The main changes are that it has been updated to take account of the emerging BLP and the greater definition of the 'Ascot Vision' health programme since the first report.

It doesn't change our view that the case for VSCs hasn't been made.

The VSCs must demonstrate that:

- The proposals meets a clear need, no more and no less.
- There aren't alternative sites within the two villages that could accommodate the facilities.
- The proposed site has overriding advantages over other locations for the facilities.

- The harm to the green belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”.

The arguments in support of the applicant’s case for VSCs are presented in section 3, pages 31 to 33 of the updated grimes Report dated 10.10.2017, and reproduced below.

VSCs 1, 2 and 4 seek to demonstrate the nature and scope of the facilities are needed to meet the healthcare needs of the Sunninghill and Sunningdale communities.

VSCs 3 & 7 seek to show that the Lynwood site is the only sustainable site for these services and is supported by the borough IDP.

VSCs 5 & 6 seek to demonstrate that there aren’t any other sites available to accommodate the facility that meets the selection criteria

There is no VSC that demonstrates that the harm to the green belt and other harm resulting from the proposal is outweighed by other considerations.

VSC 1: There is a need to increase primary care facilities for Sunninghill and Sunningdale to meet the current and future needs of the existing aging population and the needs of an increasing number of new residents, including those moving into new housing:

Whilst we support the principle of enhanced primary care services in the Ascot / Sunninghill / Sunningdale area the Grimes report doesn’t present any details of the Ascot Vision or any evidence to show how the various CCGs propose to deliver this vision. In particular:

- No evidence is presented to show what primary care facilities the CCG’s propose in their Ascot Vision, how these facilities will be shared between the approved Heatherwood facility, the current Brants Bridge facility, the catchment area they will serve, or the time frame over which they are to be provided.
- There is no evidence to support the assumption that the proposed facility must cater for the Longcross Garden Development and other areas outside Berkshire.
- The Grimes report says that the required primary care facilities will be split equally between the Lynwood gap and Heatherwood sites, but does not present evidence to support this statement.

Our understanding is that the Heatherwood facility will be between 700 sq. m and 1000 sq., compared with the 2070 sq. at Lynwood, not a 50:50 split. At both sites an area of around 650 sq. is needed to accommodate the relocated existing surgeries. The residual space at Heatherwood is therefore severely limited and most of the additional services will need to be on the Lynwood site.

It would be reasonable to question why, as Heatherwood site is owned by the NHS it hasn’t been considered for delivering a larger proportion of the services.

The report doesn't include any documents of support for the application and the facilities offered from either the CCGs or Kings Corner Surgery.

- **VSC 2: There is a need to replace the existing primary care facilities which are no longer fit for purpose and unable to meet current nor future needs:**

Whilst there is evidence that Magnolia House isn't fit for purpose the time frame for replacing Kings Corner and for its growth isn't evidenced.

It is accepted that the local population will grow, but we consider the growth forecasts for Sunninghill and Sunningdale are significantly over stated. The emerging BLP identifies a sites for development within the plan period, with housing allocations. Even allowing for over provision and windfalls the housing numbers will only grow by approx. 600 homes in the Sunnings, owing to the green belt constraints. This is a quarter of the assumptions made in the Grimes Report.

- **VSC 3: New facilities need to be in Sunninghill or Sunningdale to ensure local access to GP and community health services which are the most widely used health services:**

The parishes of S&A and S are small in area, so it isn't obvious that it is necessary to provide the same services at both Heatherwood and Lynwood as journey times are short.

No evidence is presented to show which are the most widely used services and which services aren't location dependent. For example, in the community care, minor operations, etc.

- **VSC 4: Without a new health centre development of additional services such as physiotherapy, talking therapies and minor operations can't be provided locally:**

See above. The distance from the proposed site to the Heatherwood site is only 3.5 km, and much of the Sunninghill catchment is as close to Heatherwood as to Lynwood. It isn't therefore necessary to duplicate the lesser used or support services at the two sites.

- **VSC 5: The NP has not identified or designated any sites development land in Sunninghill or Sunningdale for D1 institutional use at an affordable price for the NHS.**

Why is this a VSC?

The AS&S NP didn't include proposals for new medical services as it preceded the NHS 5 year review and neither of the GP practices responded to the extensive consultations by the NP group or through the Borough's consultation to identify a requirement for D1 premises.

- **VSC 6: Ongoing site reviews have not identified any other land or buildings of sufficient size or at appropriate cost to be suitable for the NHS"**

There is no evidence to show that the applicant has continued the search for alternative sites since the original report. The AS&S NP identified a number of potential development sites of adequate size. However none seem to have been seriously investigated, and / or have been dismissed on flimsy evidence. The reason is that there was a criterion that the land should be cost neutral to the NHS or at least affordable. There is no indication of what cost neutral or appropriate cost mean. Financial reasons are not a VSC.

The required size for the facility isn't well evidenced, so some dismissed sites may be of adequate size.

- **VSC 7: The Borough Infrastructure Plan has identified the BEN Lynwood Site as suitable for healthcare use.**

Why is this a VSC?

The report refers to paragraph 7 of the NPPF, which requires local plans to make proactive proposals to deliver sufficient medical services. *We agree with this, but any proposals must be compatible with the other BLP policies.*

The report refers to Appendix C of the Borough Infrastructure Delivery Plan (May 2017), which identifies possible new Health Provision on the Heatherwood Site and on the Lynwood site to replace existing surgeries.

This IDP is a draft and is not a policy. The application must be determined according to current policies, and the NPPF policies take precedence.

The IDP hasn't been consulted on, and there is no edge of settlement Green Belt Assessment to justify its suitability.

The IDP proposals are at variance with the briefing notes for Councillors for the meeting to approve the Regulation 19 BLP [Agenda Item 3 for meeting of 19th June 2017 to consider the Borough Local Plan]. Paragraph 2.14, page 8 states "...On the basis that one of the purposes of the green belt is to prevent the coalescence of settlements it was not considered necessary to identify strategic green gaps".

Site sustainability:

The Report argues that the site will meet the sustainability criteria of the NPPF in balancing social economic and environmental needs by:

- Providing improved medical facilities and services.
- Using land not available for commercial or housing development.
- Minimising the impact of the development on the local environment and minimizing the generation of additional car journeys.

Meeting the 3 NPPF dimensions to sustainable development in paragraph 7 of the NPPF cannot over ride other core NPPF policies, otherwise all green belt would be open to challenge.

The NPPF recognizes 5 core purposes of the green belt, and this site delivers 2 of them. It must therefore remain as a key gap.

The argument that the site will minimise car journeys is also spurious.

- Both parishes are divided by the railway, making walking distances excessive for those south of the railway.
- The additional 700m walk from Sunninghill puts it outside reasonable walking distance, particularly owing to the poor and hilly nature of the additional walk.
- The majority of Sunninghill lies to the West and south of the High Street.

The Report also states that the site is the only one that has met the sequential testing of options, but no evidence of this is available.

The NPPF classifies this proposal as an inappropriate development in the green belt. A site that serves a core purpose of the green belt and complies with green belt policies must be highly sustainable, while inappropriate development cannot be sustainable.

In any event we don't agree with the list of benefits claimed for the site.

The Application Description has misled the community and the application should have been resubmitted.

- The scope of the application is defined as:

“Erection of a community health centre to accommodate the relocated King’s Corner and Magnolia House surgeries alongside a pharmacy alongside a pharmacy and associated parking and landscaping”.

The application goes far beyond this.

From a review of the many letters of support of the application it is clear that they support the application because they want an improved Magnolia House. Few mention the wider services. There are very few letters of support from the patients of King’s Corner.

The revised Very Special Circumstances submission confirms this as the title has been changed from *“Report on the relocation of GP Surgeries to Rise Road”* to *“Relocation of GP surgeries to Rise Road and provision of additional healthcare services”*.

The justification for the application as presented in section 1.4 of the Grimes Report dated 19/06/2016 identified 5 key influences that gave rise to the original application and makes it clear that it is for the benefit of the local community.

1.1 of the revised document (placed on the planning portal on 3rd May 2018) identifies the additional services now provided, including physiotherapy, talking therapies, self-care prevention and minor operations. It doesn't mention the other services identified in the Frimley Health and Care System Sustainability and Transformation Plan.

- The size of the development and its location will have a serious impact on the openness of the green belt. In the winter months the facility will be lit and this too will adversely affect the character of the green belt and street scene.

Please also refer to our Parish Council's letter of objection dated 19th May 2017.

Yours Faithfully

Cllr Peter Deason
on behalf of Sunninghill & Ascot Parish Council