

COMMITTEE AGENDA REFERENCE: 5A

APPLICATION REF:	RU.23/1214
LOCATION	Fairmont Windsor Park, Bishopsgate Road, Englefield Green, Surrey, TW20 0YL
PROPOSAL	Retention of hotel including associated hardstanding. Retention of car park extension to include the change of use of this land, formerly used as a stable block. Demolition of Parkwood Estate buildings.
TYPE	Full Application
EXPIRY DATE	22/12/2023
WARD	Englefield Green West
CASE OFFICER	Victoria Gibson
REASON FOR COMMITTEE DETERMINATION	Major Application
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

1. SUMMARY OF RECOMMENDATION

It is recommended the Planning Committee authorises the HoP:	
1.1.	To grant permission subject to i) no 'call in' being received from the Secretary of State to whom the application needs to be referred under the Town and Country Planning (Consultation) (England) Direction 2021, ii) the completion of a legal agreement to ensure that the development approved under application RU.14/1599 or any other such relevant permission is not carried out and iii) subject to the conditions in section 10 of this report
1.2.	To refuse permission should the legal agreement not proceed to his satisfaction on the grounds that there would be harm to the Green Belt

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1. The Fairmont Hotel comprises a 249 bed 5* hotel located to the east of Windsor Great Park in the Green Belt.
- 2.2. Vehicular access into the site is from Bishopsgate Road at the Lodge Entrance. Vehicles leaving the site do so via the car park exit onto Wick Lane. There is a dedicated service access further south on Wick Lane

- 2.3. The initial red line under this application relating to the hotel site has been altered from the red line agreed under the previous applications including the most recent RU.20/1088. The area has increased to encompass an area of additional unauthorised hotel staff parking/access and reduced to the north of the main car park where the tree houses subject to another planning application are located.
- 2.4. The new hotel comprises a building of up to 4 storeys plus a 2-level basement which contains a spa, banquet hall, pre function area, gym, meeting rooms and back-of-house facilities. The building is primarily constructed in orange brick with a slate roof and a Flemish design including stone mullions, quoins and curved feature gables and chimneys. Its design reflects the character of the previous Savill Court Hotel which itself had been much altered both internally and externally over the years from its original origins as a country house. The previous hotel included a variety of extensions including mansard roofs, a large solid dome above the central block plus major additions including a 4-storey bedroom block to the west side and a circular “orangery” / function room on the east side.
- 2.5. At the hotel’s entrance on Bishopsgate Road are two residential lodges in the applicant’s ownership (West Lodge and Middle Lodge). A third property (East Lodge) is a residential property in separate ownership. To the east of the hotel’s entrance driveway is open land in separate ownership. Aside from this, all other land bounding the hotel site is within the ownership of the applicant, including Oaklands Park to the east and south, Oaklands House and grounds adjoining the southern hotel boundary and much of the open land and fronting Kings Lane to the south.
- 2.6. Windsor Great Park is located some 260 metres to the west of the site, which is designated a SSSI, a Historic Park and Garden and designated Ancient Woodland. The Windsor Great Park is also designated a ‘Site of Nature Conservation Importance’ and an ‘Area of High Archaeological Potential’. The Savill Garden, a Historic Park and Garden is located some 500 metres to the southwest of the application site. The Savill Garden is also designated a ‘Site of Conservation Importance.’

3. APPLICATION DETAILS

- 3.1. This application seeks consent for the retention of the hotel, associated hard standings alongside compensatory demolition of Parkwood Estate buildings. The Parkwood Estate lies to the south of the Fairmont Hotel site. In addition to demolishing the existing structures it is also proposed to formally relinquish planning permission RU.14/1599 which granted permission for the *Demolition of existing dwelling, 3 estate cottages, pool building and ancillary estate buildings and erection of a new two storey dwelling with basement and garaging, 2 residential gate houses, new internal access road and bridge, associated landscaping and enabling works.*
- 3.2. The hotel as standing has not been built in accordance with the approved plans. The table below sets out the main floor area and external changes that have been made from the extant permission:

Floor Space	Description	Reason given by applicant for change
Single Storey Ground Floor addition.	It projects 5.83m and, as with the approved elevation, includes 8 full height glazed doors leading out onto a patio area. Part of the	Improved wedding venue with natural light and direct access to the landscaped grounds was felt to be a much more

Additional 202sqm	flat roof above is used as an external terrace area by 8 bedrooms above. The extension is designed to match with the hotel including matching brickwork, quoins, windows and rainwater goods.	attractive proposition than a basement function room, also more usable space which can also be partitioned for different events. However, the applicant considered this change needed additional breakout space at ground floor level to prevent congestion at larger events, especially those taking place in the main ballroom with a clear need to ensure unimpeded access through the main events entrance.
Single Storey 'L' shaped addition. Additional 391 sqm	On the west elevation and part indented north elevation. It projects 6.075m westwards and 9.55m northwards. The extension is designed to match with the hotel including matching brickwork, quoins, windows and rainwater goods	The change to a Fairmont brand also required a restaurant with larger tables and generally more space provision for each guest due to the nature of the very high-end brand 5*. In addition, part of the extended footprint contains a (brand required) private dining room as well as some additional back of house space.
3 Storey Additional 2,130sqm	Additional bedroom accommodation on the south elevation provides 7 ground floor bedrooms/suites, 7 on the first floor (including a balcony) and 8 on the second floor. This addition also encloses the courtyard adjacent, with a ground level walkway providing access through to the courtyard and incorporating an outdoor barbeque installation. The ground floor bedrooms facing south each have a small external landscaped private terrace area. The design theme of this addition is similar to the approved design although it changes the view of the end gable of the southeast corner of the approved hotel from a gable to a hip when viewed from the south and from a hip to a gable when	This is the largest section of the hotel which was constructed contrary to the approved plans. The Fairmont brand reviewed the need to create a number of unique larger guest suites to reflect the reputation of Fairmont as known for its "grand and awe-inspiring properties". This change allowed better circulation of upper guest room floors. By enclosing the courtyard, it created privacy to the sunken courtyard and external therapy pool at the lower ground spa and allowed for the creation of a variety of new 1- and 2-bedroom suites including a very high end

	viewed from the west. The first-floor balcony is also an additional feature constructed in white stone.	Royal suite at first floor level with its own balcony.
Roof level alterations Additional 91 sqm	39 additional bedrooms and related areas intended for staff use were repurposed for 42 guest bedrooms, adding 91 sqm of additional floorspace.	The Fairmont brand review identified that the change to a very high end 5* created an affordability constraint for some guest attending weddings and seeking an overnight stay as well as the benefits in removing staff living at the hotel. The solution identified was to repurpose the staff accommodation into guest attic rooms. (Additional 42 bedrooms)
Increase in height of building	12.9m to 14.58m and extended the main 53-degree pitch of the main slate roof and included a low level 18-degree pitch enabling the hidden valley to be created.	To provide improved floor to ceiling height for guest use and an enhanced mechanical air conditioning system, air conditioning equipment and ducting was concealed from view within a central roof valley.
First Floor Alterations Additional 148.1 sqm	3 bedrooms have been inserted as a mezzanine (148.1 sqm) within space above the ground floor delivery bay at the rear of the hotel. Externally this involved the insertion of 3 windows on the first-floor north elevation of the delivery bay in place of 3 approved louvres	Better use of space.
External Minor Changes	Minor changes have been made to some elevations of the building. The ground floor addition to the north elevation includes a small outdoor seating area on part of its flat roof for each of the 8 bedrooms above, which each have doors in place of similar height windows with a 1.1m high glass balustrade set 2.2m from the building - plus side privacy screens. The west elevation of the southern part of the hotel building has been simplified by removal of feature gables and less	Enhancements to brand.

	articulation which has also removed some limited floorspace	
Internal reconfigurations	All floors, including the basements have had internal reconfigurations to their layouts including bedrooms/suits such that their numbers and sizes have changed - but without affecting external elevations. Such internal changes to buildings are not normally taken to involve development under Section 55(2) of the T&CP Act 1991 as they amount to the maintenance, improvement, or other alteration of any building of works which (i) affect only the interior of the building, or (ii) do not materially affect the external appearance of the building.	Enhancements to brand.

Overall, the additional floorspace is as follows: 1281 sqm at ground floor level, 827sqm at first floor level, 669 sqm at second floor level and 91 sqm at third floor level which gives a total of **2868 sqm** of additional floor space.

- 3.3 Under the extant permission 254 car parking spaces and 3 coach spaces were approved but only 228 of these spaces have been constructed as the layout was reconfigured to make it more useable and to provide an additional coach bay. This change also included a small number of green spaces being retained instead of approved parking spaces.
- 3.4 However, 68 new spaces have been created which are for staff use only and all are accessed via a new tarmac roadway linking to the hotel car park. An external patio area and several paths have also been implemented.

Proposed Demolition and Giving Up of Planning Permission ru.14/1599 and any other relevant permissions/certificates.

- 3.5 Submitted with this planning application was a draft unilateral undertaking under Section 106 of the Town and Country Planning Act 1990. The undertaking relates to Parkwood Estate, Wick Lane, Englefield Green, TW20 0UJ located within the Green Belt. The Parkwood Estate is located 400m south of the hotel estate. Parkwood House is located circa 950m from the main hotel building. This 31ha rural estate is adjacent to a smaller estate known as Meadow Farm Cottage to the north, and both are in the ownership of the applicant with Parkwood benefiting from a significant implemented planning permission (Ru.14/1599) for redevelopment which is still extant which was confirmed by Certificate of Lawfulness ref RU.18/0440
- 3.6 After discussions with the Borough's solicitor it was considered that a legal agreement rather than a unilateral undertaking was a more effective way to ensure the giving up of planning permission RU.14/1599 and any other associated permissions or certificates. Once completed, this legal agreement/planning obligation will be enforceable by the Council, and legally commits the applicant (and any other future owners of the land) not to

implement or continue any works pursuant to extant implemented permission ref: RU.14/1599 granted 26 January 2015 or any subsequent application (such as RU.17/1720) and to demolish certain buildings as detailed below within 9 months of the date of the grant of planning permission in respect of this planning application. (Or such other time as agreed to allow for the bat mitigation to be put in place at the appropriate time of year.) The volume attached to buildings required to be demolished and uplift associated with those particular buildings in the permissions granted on Parkwood would be considered forfeited in planning terms by the agreement and could not be relied upon for subsequent applications at the site.

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3.8 All other approved development within the planning consent, comprising demolition of 3 estate cottages on another part of the estate (280m from the main house and on the Wick Lane frontage) plus the construction of 2 new gate houses, would not take place. In terms of existing dwellings, it should be noted that there are 7 existing dwellings at Parkwood, 5 of which front onto Wick Lane and would remain, with the Bothy bungalow (located 350m from the main house and 135m from Wick Lane) being demolished along with Parkwood House.

3.9 The Parkwood consent also includes a new access road some 650m long by 3m wide, with passing places and a new bridge over a stream, that would weave through the estate connecting the new mansion with the existing southern vehicular access point onto Wick Lane. This would not now be built but was approved to provide safer access onto Wick Lane via the removal of the existing 140m road connecting the mansion to the northern vehicular access on Wick Lane. This proposed access was to be located on Green Belt land.

3.10 During the application process a technical change was made by the applicant to the red line boundary of the application site. The effect of this change is that the Parkwood Estate is now edged in red, rather than edged in blue. (blue denotes land also in a parties ownership). As demolition is proposed to occur on Parkwood Estate, the buildings to be demolished are now shown within the amended red line plan.

3.11 Additionally, officers updated the description of development to describe the development more fully, as shown on the plans as originally submitted. The development proposed

remains as per the submitted plans. A further consultation process of 21 days was carried out which included neighbour notification, consultees where appropriate, a site notice and advertisement in the press.

4. RELEVANT PLANNING HISTORY

4.1. The following history is considered relevant to this application:

Reference	Details
Ru.22/1819	Application seeking retrospective planning permission for the change of use of existing land at Dell Park House to Hotel use (Use Class C1) and the erection of 5 detached treehouse lodges (including raised platforms) with associated access and pathways together with tennis and padel courts (including means of enclosure) an outdoor gym, children's play areas and associated equipment. Undetermined
RU.20/1088	Variation to planning condition 3 (approved drawing numbers) and 12 (hard and soft landscaping) of planning application RU.16/0824 for the redevelopment and refurbishment of the existing hotel, spa and conference facility to allow for the removal of a Wellingtonia Tree. Approved 15 October 2020. (<i>Officer Comment - the Wellingtonia Tree has not been removed</i>)
RU.18/1239	Variation to planning condition 3 (approved drawing numbers) of planning application RU.16/0824 to allow for revisions for the redevelopment and refurbishment of the existing hotel, spa and conference facility to provide a 5* facility. Granted 10 January 2019.
RU.17/1368	Variation to planning condition 3 (approved drawing numbers) of planning application RU.16/0824 to allow for revisions to the approved design for the redevelopment and refurbishment of the existing hotel, spa and conference facility to provide a 5* facility (amended plans received 23/10, 3/11 and 09/11 to include the complete demolition of the building and revisions to the floor plans and design). Approved on 23 January 2018.
RU.16/0824	Redevelopment and refurbishment of the existing hotel, spa and conference facility to provide a 5* facility, including extensions to the existing building (including the basement) to provide additional bedrooms, an improved conference facility, improved spa and banquet hall, proposed erection of a replacement roof and demolition of parts of the existing building, creation of a new service area and alterations to existing parking, hard and soft landscaping. Approved 18 November 2016.
	Parkwood Estate
RU.18/0440	Certificate of Existing Lawfulness to establish the lawful commencement of planning approval RU.14/1599 (demolition of existing dwelling, 3 estate cottages, pool building and ancillary estate buildings and erection of a new two storey dwelling with basement and garaging, 2 residential gate houses, new internal access road and bridge, associated landscaping and enabling works). Granted 8 May 2018

Ru.17/1720	Demolition of the existing dwelling known as Parkwood, 3 estate cottages fronting Wick Lane, pool building and ancillary estate buildings, to replace with new residential main estate house and two independently owned gate houses off Wick Lane, new internal access road and bridge, associated landscaping and all other necessary enabling works.(identical planning application to that approved under RU.14/1599) Granted 13 th December 20217
RU.14/1599	Demolition of existing dwelling, 3 estate cottages, pool building and ancillary estate buildings and erection of a new two storey dwelling with basement, 2 residential gate houses, new internal access road and bridge associated landscaping and enabling works. Granted 26 January 2015

5. SUMMARY OF MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

DEVELOPMENT PLAN

5.1. The Borough's current adopted Development Plan comprises of the Runnymede 2030 Local Plan which was adopted on 16 July 2020 and the policies have to be read as a whole. The main policies are considered to be:

- SD3 – Active & Sustainable Travel
- SD4 – Highway Design Considerations
- SD7 – Sustainable Development
- SD8 – Renewable & Low Carbon Energy
- SL1 – Health and Wellbeing
- SL21- Presumption against Loss of Residential
- EE1 – Townscape and Landscape Policy
- EE2 – Environmental Protection
- EE9 – Biodiversity, Geodiversity and Nature Conservation
- EE11 – Green Infrastructure
- EE13 – Managing Flood Risk
- EE14 – Extensions/alterations to and replacement of buildings in the Green Belt
- EE17- Infilling or Redevelopment on Previously Developed Land
- EE18 – Engineering Operations in the Green Belt,
- EE19 Change of Use of the Land in the Green Belt
- Policy IE4: Visitor Economy

5.2. This site also falls within the designated Englefield Green Village Neighbourhood Plan 2022–2023 (EGVNP) which was adopted on 28th February 2024 and forms part of the Development Plan. The main policies are considered to be:

- ND5 High Quality Design
- ND6 Provision of Energy Efficient Buildings
- C1 Retaining the Rural Character
- C2 Special Views
- HE2 Protecting and Enhancing Local Heritage Assets

- NE1 Green and Blue Infrastructure
- NE2 Biodiversity
- NE3 Trees, hedgerows and planting
- ES1 Supporting Local Employment
- I1 Infrastructure for New Development
- TT1 Car Parking
- TT2 Parking for Bicycles and Storage for Powered Mobility Equipment
- TT3 Provision for Pedestrians, Cyclists and Horse Riders.

MATERIAL PLANNING CONSIDERATIONS

5.3. National Planning Policy Framework (revised July 2021) acts as guidance for local planning authorities, the document, as a whole, forms a key and material consideration in the determination of any planning permission. The supporting National Planning Policy Guidance (NPPG) is also a material consideration for decision making.

- Section 2 – Achieving sustainable development.
- Section 4 – Decision-making
- Section 6 – Building a strong and competitive economy.
- Section 8 – Promoting healthy and safe communities.
- Section 9 – Promoting sustainable transport.
- Section 12 – Achieving well-designed and beautiful places.
- Section 13 – Protecting Green Belt land.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change.
- Section 15 – Conserving and enhancing the natural environment.

5.4. **SPDs which can be a material consideration in determination:**

- Runnymede Borough Parking Guidance (2022)
- Runnymede Design Supplementary Planning Document (2021)
- Green and Blue Infrastructure Supplementary Planning Document (2021)
- Infrastructure Delivery and Prioritisation (2020)
- Thames Basin Heaths SPD 2021

6. CONSULTATIONS CARRIED OUT

6.1. Consultees responses

Consultee	Comments
Highways	<p>Raises no objection on highway safety or capacity grounds.</p> <p>The Highway Authority originally objected to the proposal on the grounds that the site is in an unsustainable location. This objection</p>

	has now been withdrawn by the Highway Authority having given consideration to the lawful position of the extant consent for a hotel and giving regard to the history of the site as a hotel with a larger car park.
Surrey Wildlife Trust (SWT)	<p>Advises that all the proposed demolition of buildings and all works are assessed within an Ecological Impact Assessment including up to date bat surveys. <i>(The applicant is currently providing further information on this which will be reported in the planning addendum)</i></p> <p>Do the proposed works require disturbance of bat mitigation and compensation installed as an enhancement or under the mitigation license <i>(Officer Comment – they do not)</i></p> <p>Hardstanding are these as originally proposed or has additional tree loss taken place. <i>(Officer Comment - Additional tree loss has taken place but will be mitigated)</i></p> <p><i>(Officer Comment – A technical note has now been submitted by the applicant on Biodiversity Net Gain accompanied by the Metric Calculator. This demonstrates an uplift of 19.34% can be gained. SWT have been consulted on this and their comments will be reported to members in the Committee Addendum.</i></p>
Active Travel	No comment – but refer to their standing advice which seeks to promote walking, wheeling and cycling.
Natural England	No objection
Tree Officer	No objection subject to conditions
Surrey County Council LLFA	Although the surface water drainage strategy for this site which was previously approved showed the hotel as built no evidence has been submitted to confirm a) the approved drainage has been constructed as designed b) the approved and constructed strategy has sufficient space to accommodate the increase in impermeable areas, and c) sufficient attenuation is available to accommodate the increase in climate change provision. <i>(Officer Comment - additional information has now been submitted)</i>
RBC Drainage	No objection, the LLFA will comment on surface water drainage provision. We do recommend 2 informatives regarding soil soakage tests and basements constructed below the water table.
SCC Historic Environment Planning Archaeology	As a condition of the original planning permission an archaeological field evaluation was carried out on this site in advance of the of the alterations and extensions. The work was carried out by Oxford Archaeology and no significant archaeological remains were recorded and it appears that landscaping and the construction of the original hotel building has removed any potential for archaeological remains to be present. It is therefore unlikely that the unauthorised works will

	have disturbed archaeological remains and so no archaeological concerns regarding this application are raised.
Environmental Health	No objections to the application but would recommend suitable conditions are used to ensure an Environmental Management Plan is in place with respect of controlling dust and noise emissions during the demolition, hours of noisy work on the site should be limited to 8am to 6pm Monday to Friday and 8am to 1pm on a Saturday with no noisy works on a Sunday or Bank Holiday
Energy Officer	No objection subject to conditions
Victorian Society	Objection raised to the demolition of Parkwood House. (Officer comment – Parkwood House already has permission to be demolished and can be demolished at any time)

6.2 Comments from interested groups.

Englefield Green Village Forum Steering Committee
<p><u>Process</u></p> <p><i>We strongly believe that all the unauthorised development should be dealt with under one planning application.</i></p> <p><i>Englefield Green residents have a strong interest in defending the Green Belt surrounding the village.</i></p> <p><i>We believe that the problem is so large that innovative solutions may need to be found but they should not be allowed to set legal or planning precedent that will disadvantage the Green Belt in future cases. Simply having the Planning Department deal with this matter as a planning procedure is inappropriate.</i></p> <p><i>We believe that the current application and the Tree Houses application should be withdrawn, and that the Council should have a major rethink of its strategy. Dealing with bits at a time is confusing, adds doubt and weakness and could possibly result in expensive litigation at some time in the future.</i></p> <p><u>Comment on current application.</u></p> <p><i>The proposed demolition is too far away from the hotel and its validity should be questioned. There was a time 2014 when only buildings within 5m of the proposed development would be considered. No comparison on bulk has been provided. If this demolition is to be counted, then it must be considered an exception setting no precedent.</i></p> <p><i>The Officers report under application ru.14/1599 indicates that the total proposed floor area is 2551 sqm and the total demolition is 2000 sqm incorporating the house and adjacent buildings. However, that is not the end of the story. It was also proposed that there is 464 sqm of demolition of various buildings at a new gateway with two new gatehouses total 119 sqm being built.</i></p> <p><i>The only way, therefore, to validly use the permitted RU.14/1599 to provide demolition area to offset the Hotel extensions, is to use the total of 2464 sqm of actual demolition as intended in that approved application.</i></p>

Furthermore, the demolition of the house and the associated buildings under application ru.14/1599 contribute 2000sqm of valid demolition not 2551 sqm.

Englefield Green Village Residents Association.

In response to the initial consultation a 35-page letter has been submitted on behalf of this resident's association. Shortly before publication of this report a second 33 page letter and Counsel opinion was received from the association. Full copies of both can be read on the Council's Planning Explorer.

[Planning Application Search \(runnymede.gov.uk\)](https://runnymede.gov.uk/PlanningApplicationSearch)

In a brief summary the key representations made by the resident's association in the first letter are:

Substantial harm to the Green Belt and there are significant issues with the proposal, and any potential sustainability impacts are not considered to outweigh the other concerns and harms raised in this letter. It is therefore concluded that the applicant has failed to demonstrate any very special circumstances to justify the proposal.

This current application for the retention of the hotel includes a different red line to the original application ru.18/1239. This updated and enlarged red line enables permission to be sought for an unauthorised car park and includes the area where 2 of the unauthorised tree houses are sited.

It is considered that if the applicant were to seek to comply with the terms, conditions, and plans of permission no. RU.18/1239, as required by the enforcement notice, this would in fact not be possible, since the two unauthorised tree houses would also be within the extent of the red line, and these did not obviously form part of the 2018 permission.

Due to the considerable distance between Parkwood House over 1km from the Fairmont hotel the buildings and their plots bear no relation as such to one another, either visually or otherwise and the buildings are not readily visible from each other's plots due to intervening tree, boundary treatments, land parcels and dwellings. It would not therefore be acceptable in principle to permit such an exchange in floor area.

In any case, even if it is supposed that an exchange of floor area across the two sites were acceptable in principle, it is considered that the floor area proposed to be demolished is wholly inadequate and would not provide a sufficient very special circumstance to justify retaining the disproportionate additions to the hotel.

It is considered that the legal agreement to secure that planning application RU.14/1599 is not carried out is not a realistic fall-back position and not withstanding this a total of 2551 sqm should not be attributed to it.

The unauthorised extensions significantly increase the footprint and spread of the building. The single storey extension to the northern side of the building has a depth of 7m, and a width just under 35m, whilst the single storey dining room extension has a maximum depth of 9.5m, extending along much of the northwest elevations of the building. The wing extension to the south has a significant depth ranging from 13m to almost 20m, with a width of almost 44m. The southern wing extension has the greatest visual impact, in terms of its height, bulk and mass, given that it is 3-storey with a height of 12.9m to roof ridge level, and with a bulky crown roof design. The southern wing also brings the overall built form of the hotel closer to the southern boundary of the site. Furthermore, a significant expanse of the main roof of the building has been built higher, to an overall height of 14.6m, being 1.7m higher than that approved in RU.18/1239. The increase in the roof ridge height, as well as the mass/bulk of

the three-storey wing, have materially increased the visual prominence of the building within the Green Belt, with increased visibility in views from Wick Lane.

The Surrey Hotels Futures report, which is now over eight years old, is wholly out of date. Since the publishing of this report, Brexit has taken place, a global pandemic has occurred, there is a continuing war in Ukraine, and an ongoing cost of living crisis. It is not considered that such an out-of-date report can be used as a rationale to justify additional floor space at the hotel. It does not demonstrate as such that the original 2018 permission was incorrect or inadequate to meet the needs of a 5 facility, and it was the third application permitted by the Council to increase the size of the original hotel. As set out above, the approved floor plans show a generous layout comprising all the facilities that would be expected for such a luxury hotel operation*

The key matters raised in the second letter were:

Many of the issues raised are about Green Belt principles and impacts and have already been raised in the previous letter. The additional points in the letter with the accompanying legal opinion are set out below. A full copy can be viewed via the planning explorer.

- The revised site plan is not considered to meet the national validation requirements, the revised plan is not based on an up to date OS plan and does not show fully the extent of adjoining land/property ownership with the blue line.*
- The appended legal advice confirms that the retention of the significant areas of hardstanding is a material consideration in the impact of the proposal in the Green Belt and must be assessed in association with the unauthorised additions to the hotel. The use of the extended area of car parking also has an impact.*
- The submitted legal advice advances that in accordance with the Government Written Ministerial Statement (WMS) of 31st August 2015 on 'Green Belt protection and intentional unauthorised development' which forms part of National Policy, it is imperative that appropriate adverse weight in the planning balance is given to the intentional unauthorised development (IUD) as executed by the applicant. The applicant desired a larger hotel, received a negative response in respect to those desires, obtained planning permission for a smaller and acceptable development and then built a larger one as required, which they now seek to regularise. Should the Council fail to take into account the intentional unauthorised development, then grounds for a legal challenge would arise.*
- And in overall summary: Despite the additional information submitted by the applicant the applicant has failed to demonstrate that any sufficient very special circumstance exist that outweigh the harm to the Green Belt and this comprises definitional harm by way of appropriateness, as well as harm arising out of the impacts on openness and encroachment. It is also required by virtue of the WMS to give appropriate adverse weight in the planning balance to the matter of intentional unauthorised development, which weighs significantly against the grant of planning permission and which the applicant appears to have repeatedly committed.*

The charity **Campaign to Protect Rural England** objected on the basis of harm to the green belt by inappropriate development and considered that there were not good reasons for the breach of planning Control at the Fairmont in the first place.

6.3 38 Neighbouring properties were consulted in addition to being advertised on the Council's website, within the local press and a site notice displayed.

- 59 letters of OBJECTION have been received

- 22 letters of SUPPORT have been received

- a petition in SUPPORT has been received containing 119 signatures and addresses.

The matters in the letters can be summarised as follows (Copies of all representations received can be viewed on the Council's website using the Planning Explorer):

Summary Of Comments Objecting
<i>Harmful to the Green Belt and sets a precedent for future Green Belt developments.</i>
<i>The overbuild is very extensive.</i>
<i>Concreting over the Green Belt</i>
<i>The NPPF is clear that buildings can only be allowed in the Green Belt in very special circumstances. Nothing that has been constructed at the Fairmont amounts of a very special circumstance.</i>
<i>Has destroyed the natural surrounding and harmed wildlife</i>
<i>There are inexplicable differences between the gross external floor areas between this application and the floor plans RU.18/1239. In summary the development results in an unlawful overbuild of 5,053 square meters of which 3,367 square meters is above ground. Whilst the above ground increase has impacts upon the Green Belt the below ground over build has potential has hydrological ramifications.</i>
<i>Compensation only normally applies to buildings within the curtilage of the site, this would create a precedent in England, by extension where would the compensation line be drawn? The next village, county, continent.</i>
<i>The Fairmont is an overbearing and inappropriate hotel for the locality</i>
<i>Increase in traffic is not acceptable which is destroying the fabric of Wick Lane and makes cycling and walking dangerous.</i>
<i>The application shows a lack of real concern for improving active travel/sustainable development.</i>
<i>The hotel generates light and noise pollution</i>
<i>Harm to biodiversity on Windsor Great Park.</i>
<i>The offset is too far away and what is to stop the applicant applying to use the land for a different profitable purpose once the property is demolished.</i>
<i>Parkwood House is a historic building of historic importance and should not be demolished</i>
<i>The 30% increase in offset should not be allowed unless the applicant has built the extension to the existing property for which he applies.</i>

<i>The hotel has not provided any community benefits to local residents and the local pub has been converted into staff accommodation as well as possible local cottages.</i>
<i>Flagrant breach of planning control</i>
<i>Loss of trees</i>
<i>It has taken a fragmented approach to the consideration of several unlawful developments carried out by the applicant at Fairmont Windsor Park.</i>
<i>The hotel should be fined</i>
<i>It is planned to turn the Parkwood Estate into a golf course.</i>
<i>The basement is more than 2000m² larger than the approved plans</i>
<i>A barn cannot be counted as previously developed land and therefore should not be included</i>
<i>Nothing is being offered to offset the unauthorised car park</i>
<i>The economic benefits are completely flawed and ignores government guidelines on how to conduct an economic analysis.</i>
<i>The figures submitted in the planning statement and submitted in the Cil documents do not correlate.</i>
<i>An out-of-date report regarding hotel capacity in Surrey cannot be used to justify an enlarged hotel.</i>
<i>The whole situation appears to have been enabled by permission given by RBC for Fairmont to employ their own building inspectors in place of RBC building inspectors. In the future will this policy be reconsidered to avoid this situation happening again.</i>

Summary Of Comments Supporting
<i>Creating new and greater employment</i>
<i>A well equipped indoor and outdoor spa promoting health, fitness and mental wellbeing which is available to both hotel guests and members of the public.</i>
<i>The hotel is set in extensive well-kept grounds and is not overbearing to any neighbouring properties and does not impact the village whatsoever. It has visually improved the area</i>
<i>Having replaced the old hotel which was underused, unattractive and dated the new hotel with its facilities is an attraction for both businesses and recreational visitors as well as the general public.</i>
<i>The development of the hotel has brought new life and employment to village shops and pubs</i>
<i>As the owner of the Fox and Hounds Ltd we have benefited greatly from the trade we get from the Fairmont, both walk in customers and the hotel also offering a drop off service to their guests wishing to experience an English Pub. I for one have only seen positive benefits from the hotel.</i>

<i>I feel the planning department should consider the challenges faced during the last few years due to Covid.</i>
<i>The country is crying out for world class facilities and beautiful spots for tourism and locals to enjoy.</i>
<i>The hotel represents only the third Fairmont property in the UK, joining the Savoy and Fairmont St Andrews. International investment should be welcomed, and a Fairmont Hotel is exactly the type of company which would enhance the already prestigious image of the area.</i>
<i>Creates a social hub that residents can enjoy, through the restaurant's, sports facilities and rooms.</i>
<i>The additions improve the overall appearance of the hotel without impacting on the openness of the Green Belt as has been demonstrated through the Landscape and Visual Impact Assessment submitted with the application</i>
<i>The hotel has put the area on the global stage holding world class meetings and events.</i>
<i>Demolishing the hotel would create a huge amount of waste and a significant amount of resources and would expend large amounts of CO2, whilst retrospective applications are never desirable, it seems to me that the demolition would not be a proportionate response and would not be of benefit to the local community if carried out.</i>

6.4 The petition in support of the application which included **119 signatures** and addresses was made on the following grounds:

- i) economic benefits from increased footfall and spend in the local area*
- ii) the creation of jobs for local people*
- iii) Retaining the prestigious Fairmont brand and the 5* offering it brings for tourism*
- iv) Improvement to the Green Belt openness through the demolition of nearby buildings*

Second Consultation Process – Technical Changes

6.5 As a result of the second consultation process carried out a further 45 letters of objection have been received, a number of these are from individuals who responded to the initial consultation and a number are from households that have not previously objected. One additional letter of support has been received. However, these letters generally raise points as reported in 6.2 and 6.3, copies of these letters are available on the Council's planning explorer.

7.0 PLANNING CONSIDERATIONS

7.1 Procedural Matters

7.1.1 It is important to note that in the determination of this and any application regard must be had to the Development Plan, National policy within the NPPF and any other material planning considerations. Section 38(6) of the Planning and Compulsory Purchase Act is the legislative basis for the determination of planning applications. As such planning law is very clear, and it is a well-established legal planning principle that issues that are NOT considered material planning considerations should NOT be given any weight by the decision maker in the determining of a planning application. To do so would result

in unreasonable behaviour and perverse decision making leaving the Council open to judicial review.

- 7.1.2 Some of the issues raised by objectors regarding the applicant's alleged behaviour with regards other alleged planning matters are not material considerations and cannot be given any weight in the consideration of this planning application. A number have expressed concerns that this is a further large enforcement matter that has arisen following the Dell Park breaches of planning control. It should however be pointed out that the breach of planning control subject to this application significantly pre-dates the treehouses/Dell Park breaches of planning control. It is clear from aerial photography that construction on the unauthorised additions commenced around late 2018 and was substantially complete around late 2020 or early 2021.
- 7.1.3 A number of residents have raised concerns over this being retrospective development that in their view was carried out intentionally. Retrospective applications are however part of the planning system and still must be considered on their own merits. In August 2015 the Government did issue a new Planning Policy Statement "Green Belt protection and intentional unauthorised development" relating to unauthorised development, confirming that from immediate effect it is to be a new material consideration in the assessment of any planning application if the development was intentionally carried out in advance of obtaining planning permission. This matter is considered later in this report.
- 7.1.4 A procedural point has also been raised by objectors that this application should be taken together with the unauthorised tree houses and that they should not be considered separately. There is no requirement under planning law to require the retention of the hotel and the tree houses to be considered together under one application and the LPA has no powers to make the applicant combine all unauthorised development into one application. It is perfectly legitimate to consider them separately and each planning application must be considered on its own merits. Considering them separately does not give the applicant any advantage all proposals need to comply with planning policy unless there are material considerations to indicate otherwise.
- 7.1.5 It is accepted that there are differences in the plans submitted under this application Ru.23/1214 and the submitted plans for the tree houses application Ru.23/1819 and this point has been raised by objectors. The LPA have informed the applicant it will only determine the tree houses application Ru.23/1819 once a decision has been made on this current application ru.23/1214. It is the applicant's intention to update the plans relating to the tree houses application Ru.23/1819 showing a consistent layout between the two applications once Ru.23/1214 has been determined, if favourable.
- 7.1.6 Given that there have been disparities and an error raised between the previously approved plans under application Ru.18/1239 and floor areas quoted, officers have carried out spot checks on site and have double checked area measurements are correct. However, it needs to be understood that the Planning System does operate within a system of good faith on the basis that the details submitted to us are correct.
- 7.1.7 Some correspondence has flagged that the former Sun Pub is not shown within the blue line of the application as it is understood to be in the ownership of the applicant. A further technical matter raised is that the blue line should run against the red line where land adjoins.
- 7.1.8 An updated plan has been requested to resolve this matter. The ownership of the former Sun Public House does not have any material impact upon the matters subject to

consideration in this report, and as such the updating of this plan, if necessary, would not cause any prejudice to third parties. Similarly, the updating of the blue line adjacent to any red line would not cause any prejudice as it is clear from the current plan what land is being identified.

- 7.1.9 Some residents making representations have suggested that the owner should be fined or otherwise punished. There is no mechanism through the Town and Country Planning Act or subsequent or similar legislation which allows the Local Planning Authority acting as decision maker to impose any fines, seek monetary recompense or impose any other form of punishment through the determination of a planning application.

The purpose of Planning Enforcement is to suitably remedy breaches of planning control not to punish those who are in breach of legislation.

- 7.1.10 The key planning matters in determination of this application are:

- Whether the proposal would represent inappropriate development in the Metropolitan Green Belt (the Green Belt) and the effect of the proposal on the openness of the Green Belt
- Design and Appearance
- Highways, Parking and Sustainability Consideration
- Impact on Neighbouring Amenity
- Ecology and Biodiversity
- Trees
- Drainage and Flood Risk
- Renewable and Low Carbon Energy
- Archaeology
- Loss of Residential Units
- Other considerations
- Whether any harm by reason of inappropriateness, or any other harm is clearly outweighed by other considerations so to amount to the very special circumstance necessary to justify the development.

- 7.2 **Whether the proposal would represent inappropriate development in the Metropolitan Green Belt (the Green Belt) and the effect of the proposal on the openness of the Green Belt**

- 7.2.1 The Government attaches great importance to the Green Belt. The fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permeance. Paragraph 154 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this (a) to (g) are then listed. Relevant to the consideration of this application are the following exceptions.

154 (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

154 (g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- Not have a greater impact on the openness of the Green Belt than the existing development; or

- Not cause substantial harm to the openness of the Green Belt, where the development would reuse previously developed land and contribute to meeting an identified affordable housing need with the area of the local planning authority.

Other exceptions (a), (b), (c) (e) and (f) are not relevant considerations in the determination of this application.

- 7.2.2 There is a considerable amount of planning history on this site including the approval of previous permissions of hotel developments larger than the hotel being replaced i.e. the Savill Court Hotel as demolished. These other permissions are material considerations and part of the case for very special circumstance. They do not constitute the building being “replaced” as referred to in Paragraph 154 (d) or represent the “existing development” for the purposes of 154 (g).
- 7.2.3 Based on the proposed additional floor area above ground, positioning, scale and massing of the development the proposal clearly results in a building that is materially larger than the one it replaces and would also clearly have a great impact on openness than the existing development. The building it replaces and the existing development in both these cases being the Savill Court hotel as demolished. This conclusion is formed even making allowance for the proposed demolitions discussed further in this report.
- 7.2.4 Paragraph 152 of the NPPF stresses that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstance. Very special circumstance will not exist unless the potential harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations.
- 7.2.5 As the retention of the hotel clearly constitutes inappropriate development the development as a whole is considered inappropriate including the change of use of the stable area to car parking.

Openness

- 7.2.6 In terms of impact on openness, the key principles in relation to openness is that it is not simply about volume, visual impact is implicitly part of the concept of openness of the Green Belt and that greater floor area and/or volume does not necessarily mean that there is a greater impact. It is also necessary to consider the impact or harm, if any, wrought by the change. Case law establishes that openness of the Green Belt is not limited to the volumetric approach; the word ‘openness’ is open-textured, and many factors are capable of being a material consideration.
- 7.2.7 The National Planning Policy Guidance (NPPG) provides clear advice on what factors can be taken into account when considering the potential impact of development on the openness of the Green Belt. It states in paragraph 001 ref id 64-001-20190772 *“Assessing the impact of a proposal on the [openness of the Green Belt](#), where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:*
- *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*

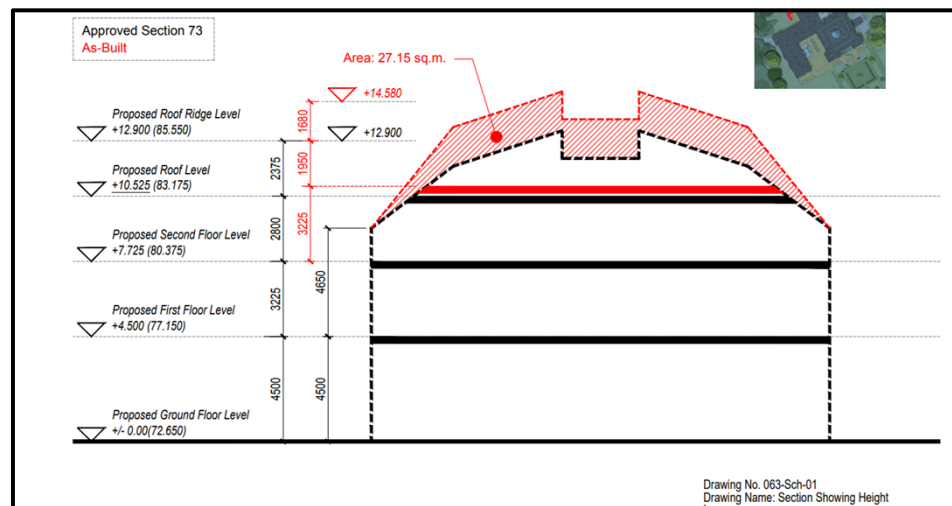
- *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- *the degree of activity likely to be generated, such as traffic generation.”*

- 7.2.8 The above ground gross external **floor area** of the original Savill Garden Hotel was **7,767m²**, this then increased to **15,455m²** under the original approval RU.16/0824. RU.17/1368 then approved a total increase **16,060m²**. Finally RU.18/1239 granted an increase to **18,084m²** (This was incorrectly stated as 17,585m² by the applicant in the 2018 application however following dimensional checks it is clear that the higher number was approved as part of the approved plans for that application). Now an additional 2,868m² of floor space is proposed under this current application which increases the overall floor area to **20,952m²**. This represents a percentage increase of 169% over and above the original Savill Court Hotel.
- 7.2.9 Turning to the additional below ground development comprised of the 2-level basement there has been no increase in floor area over the extant permission RU.18/1239, just internal reconfiguration. The total floor area of the basement 10,916 m² remains the same. Whilst the officer report for application Ru.18/1239 stated that the basement was 10,472m² as annotated on the plans, as previously detailed above the area annotation was wrong on some of the plans, when the plans have been scaled as part of the review of this application this area was 10,916m². (GIA)
- 7.2.10 Floorspace is often used as a tool to form an easy comparison between built form, however when assessing openness and particularly spatial openness volume comparisons can give a truer reflect upon the impact on the Green Belt. The additional above ground level-built **volume** at the Fairmont over and above what was approved under permission RU.18/1239 amounts to approximately **14,046m³**. The volume of the buildings/permissions to be demolished/given up equate to approximately **11,724m³**.
- 7.2.11 It is clear and accepted that the applicant has a lawful fall-back position as agreed under application RU.18/1239 as this permission is extant. As stated in the officer report for permission RU.18/1239 this application was considered inappropriate development which resulted in substantial harm to the openness of the Green Belt as well as there being conflict with the purposes of the Green Belt. This harm was afforded substantial weight.
- 7.2.12 When assessing a development's impact upon openness it is often quantified/qualified as having a limited, moderate, significant or substantial impact. Within each of these descriptions there is of course a sliding scale. The NPPF is clear that whatever the level of harm found it needs to be attributed substantial weight.
- 7.2.13 Under the assessment of this application, the spatial impact of the additional built form on the Green Belt in relation to the hotel, including the increase in height, is significant. However, turning to the visual impact, this is much more limited given that a very large part of the overbuilt volume at the Fairmont is attributed to the new “southern wing”. The Southern wing is effectively an infill extension to the original plans which means from the north, east and west it cannot really be seen and is only readable from directly south of the site, where views of the existing elevations would already be visible. Due to it's siting and the tree cover to Wick Lane the South-Eastern addition is relatively inconspicuous from Wick Lane . There are very limited public views of this elevation, any limited long views available would view the south wing extension against the

backdrop of the main building which would form the extant permission which would limit visual impact due to the infill nature. Due to its location to the rear it is not particularly conspicuous to users of the Fairmont site itself due to its location at the rear of the property.

- 7.2.14 Turning to the two single storey additions. The largest of the two single storey additions is sited within the L shape of the previously approved building, there are relatively limited views of it from Wick Lane particularly from the service entrance and when the boundary trees are not in leaf. The other extension is viewed largely against the backdrop of the northern elevation of the scheme and is relatively inconspicuous from Wick Lane. This all contributes to these unauthorised areas having a more limited impact upon the visual aspect of openness than their spatial impacts.

The most visually harmful amendment to the main building is the alteration to the roof space of part of the Fairmont, which has increased as shown below. However, this is not just an increase in vertical wall, it effectively occurs due to the alteration of the pitch of the roof as illustrated in plan No.063-SCH-01.



From outside the site, this change is mainly apparent from a short section of Wick Lane to the north of the rear service entrance. It is considered that the change provides additional visual harm beyond the extant scheme.

- 7.2.15 The spatial impact of the new car parking area for staff does formalise the spread of development slightly further across the site, even though most of this area was previously covered in hard standing, however the spatial impact from its use as a formal car parking area has increased due to the physical introduction of the car parking areas, and paraphernalia as well as the volumatic impact and urbanising effect of the regular physical presence of vehicles that use it. There is also likely to be an increased intensity of use through the increase in parking and potential for increase in guests. This spread of development is also considered contrary to one of the five purposes of the Green Belt, namely safeguarding the countryside from encroachment. (Please note the removal of the stable buildings are not being considered as a benefit under this application as their demolition is put forward already under the tree houses application RU.23/1819). The visual impact is considered relatively limited.
- 7.2.16 Whilst it is acknowledged that there is a spread of development caused by the expansion of the car parking area and its use, there are benefits being put forward under the permission to be given up Ru.14/1599 that results in a meaningful

consolidation of development which have been put forward as part of the Case of Very Special Circumstances (VSC) and are discussed further in section 7.17 of this report.

- 7.2.17 The proposal as a whole and taking in to account all the matters identified and discussed above has a greater impact on the Green Belt than the previously approved scheme. When considering the impacts on the Green Belt the development on the main Fairmont Site as a whole is considered to have a substantial impact upon the openness of the Green Belt, this impact on the Fairmont main site is considered to be higher along the harm scale than as previously concluded under application RU.18/1239.
- 7.2.18 There are however of course new material considerations to consider. The demolition of the proposed buildings at the Parkwood Estate which forms part of the proposed development does have both a spatial and visual benefit to the openness of the Green Belt and these are considered later in the report. These proposed demolition works and the giving up of planning permission Ru.14/1599 have been put forward as part of the Case of Very Special Circumstances (VSC) and are discussed further in section 7.17 of this report.
- 7.2.19 In conclusion, the retention of the Fairmont hotel as built constitutes inappropriate development of which there is harm by definition, along with substantial harm to openness and harm to one of the five purposes of the Green Belt, protecting the countryside from encroachment, all of which are attributed substantial weight. Whether there are VSC (for example the demolition works, giving up extant consents or offsetting benefits from reduced encroachment at Parkwood) which would clearly outweigh this harm is discussed at the end of this report once it has been established if there is any “other harm” that also needs to be considered.

7.3 Design, Appearance and Character Assessment.

- 7.3.1 The Government attaches great importance to design within the NPPF, advising that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. The NPPF states that permission should be refused for development of a poor design that fails to take the opportunities available for improving the character and quality of the area and the way it functions.
- 7.3.2 Under the consideration of the previously approved applications the design of the hotel evolved to better reflect the design of the original Savill Court Hotel and it was considered that the hotel would introduce a high-quality form of development. The original hotel was located within a large, mature landscaped grounds with existing tree planting along its boundaries. It was considered that the scale, positioning, and design of the resultant building would be in keeping with the character and appearance of the area.
- 7.3.3 Architecturally the new accommodation proposed under this application matches the design vocabulary of the rest of the hotel and is of good design. The extra main elements are viewed against the backdrop of the existing buildings in most views and harmonise with what was previously approved. Both the single storey additions have been designed to match the hotel including brick work, quoins and are not prominent in size or scale and nestle into the existing fabric of the hotel so to not be prominent.

- 7.3.4 The design theme of the 3-storey addition is similar to the approved design although it changes the view of the end gable to a hip when viewed from the south and from a hip to a gable when viewed from the west. The first-floor balcony is also an additional feature which compliments and adds interest to the building. The section of the new wing with the Royal suite has been purposefully enhanced with the use of extensive cast stone mimicking the Jacobean architectural style seen on the main front façade of the building. Lastly the changes to the roof design to give additional floor to ceiling heights and overall increase in height of approximately 1.68m has also extended the main 53-degree pitch enabling the hidden valley to be created. Views from the ground of this change are minimal and do not detract from the high-quality design of the building.
- 7.3.5 Regarding impact on the character and appearance of the area a Landscape and Visual Impact Appraisal has been carried out. This appraisal demonstrates how the additional built form has a negligible impact on how the hotel impacts the character and appearance of the area. Furthermore, the additional car parking area, is well screened and sited on an area of predominately existing hardstanding and does not cause material harm to the character and appearance of the area.
- 7.3.6 Furthermore, views of the proposed development from nearby public rights of way would be obscured by intervening vegetation. This includes views from Egham Footpath 21 and Egham Footpath 22 – both of which are noted within the Englefield Green Neighbourhood Plan as routes from which ‘Special Views’ of the neighbourhood area can be obtained. Also, Windsor Park is a key recreational facility within the area; however intervening vegetation means that the proposed development is unable to be viewed from within the park.
- 7.3.7 The Englefield Green Neighbourhood Plan designates character areas, and this site sits within a Rural Area of open landscape, historic parks and single grand houses and their estates surrounding the settlement. Policy C1 of the Englefield Green Neighbourhood Plan Retaining the Rural Character states that the scale and character of new buildings should be in keeping with their setting. The additional built form proposed does not result in a building of such overall scale and magnitude or reduce its landscaped and spacious setting to such a degree that it would cause harm to the rural character of the area. Issues regarding trees and landscaping are discussed in later sections of this report. At present the Fairmont Windsor Park site has a recreational and well managed character, which would be retained as a result of this current proposal and the effects of the proposed development would be a negligible neutral impact on the character and appearance of the area,
- 7.3.8 Turning to the demolition works proposed, the loss of these buildings is not considered to cause harm to the character and appearance of the area, especially given their dilapidated state. Following demolition of Parkwood House, the Bothy, amenity barn and 4 car garage the land would be required by the legal agreement to be cleared, covered with topsoil and sown with grass, and would return to being part of an open parkland setting. This would result in a benefit to the rural character of the area and the woodland parkland setting.
- 7.3.9 It is important to note that Parkwood House can be lawfully demolished at any time under extant permission RU.14/1599. This has been lawfully implemented and therefore it would be unreasonable to attribute harm to the loss of this building on the grounds of its architectural merit, pleasant character or local interest. As such no

weight can reasonably be given to the objection raised by the Victorian Society with regards the loss of Parkwood House.

7.4 Highways, Parking and Sustainability Consideration

7.4.1 The Highway Authority does not object on highway safety or capacity grounds and there have been no changes to the access arrangements only the parking layout. Under the consideration of the previous applications the Highway Authority advised *“the location of the site is unsustainable in transport terms; however, the County Highway Authority consider that this is an existing situation and Savill Court is an established hotel, spa and conference centre with its own associated trips.”*

7.4.2 Within the grounds of the hotel there have been relatively minor amendments to the approved parking layout. 254 parking spaces and 3 coach spaces were approved but only 228 of these spaces have been constructed in this area as the layout has been made more useable and an additional coach bay included. A small number of spaces were also not built which enabled small additional green areas to be retained. However, an additional 68 spaces have been provided for staff use only.

7.4.3 There are therefore currently 296 car parking spaces and 4 coach spaces provided on site which results in the as built hotel having an additional 42 additional spaces compared to the extant permission ru.18/1239. It should be noted that prior to the current permission the Savill Court Hotel had 330 spaces and therefore the as built hotel represents a reduction of 34 spaces or a reduction of 11% of spaces. See comparison table below:

	Original Hotel	Approved Hotel as of 18/1239	Current proposal as built
Number of Bedrooms	141	228 (includes staff bedrooms)	249
Car Parking Spaces	330	254	296
Coach Spaces	3	3	4
Disabled Spaces	5	13	13
EVCP	3	13	6 *

* Presently only 6 electric vehicular charging points (EVCP) are available in the car park at the hotel. This is primarily due to a severe limitation of the electric power supply available from the local power network,

7.4.4 The applicant has stated that they remain committed to providing EVCP's at the site. Under the Council's Parking SPD of the additional 68 car parking spaces 14 need to be EV fast charging and a further 14 need to be passive. Given the existing electric power supply issues under this application 28 of the spaces would be passive in readiness for when the power issues get resolved and this is considered reasonable.

The 28 passive spaces will be secured by planning condition and will be required to be spread amongst the new and previously approved spaces.

- 7.4.5 It has been raised in some letters of representation that the existing 6 EVCP's are not working/in operation or are unavailable. All 6 EVCP bays are active and operational. However, due to visitors within non-electric vehicles parking with the EVCP bays, the hotel now operates a booking system, and the applicant says that this has proved effective, but which has previously given the appearance that not all are operational.
- 7.4.6 The additional function room floor space has little or no material impact on the number of trips to the site. The additional 3.6% larger function rooms to the floor area of the approved ground floor element will provide only a modest increase over previously approved space. Furthermore, due to the high-quality events it is unlikely to be fully used in conjunction with another major event in the ballroom due to issues with the likely guest crossover. The increase in bedrooms does have some potential to increase movements to and from the hotel, however this would only be at times of near full occupancy, and furthermore this could be at least partially offset on these occasions by the better balance between the conference space and bedrooms which could reduce trips to and from the site for the major functions at the hotel. This is because with the increase in bedrooms the number of people staying at the hotel after attending functions may increase due to additional available overnight capacity rather than guests travelling to alternative hotels or travelling to functions by taxi etc effectively doubling the number of trips per guest.
- 7.4.7 However, to provide a robust position an assessment has been made on the potential additional trips that could arise from the increase of 21 extra bedrooms. As a very much worst-case scenario the vehicular trip generation from the as built hotel compared to the extant permission ru.18/1239 was calculated as 7 one-way vehicular trips per hour which equates to an average of one additional one-way vehicular trip every 8-9 minutes. In reality, even in the worst case scenario, that limited difference is only likely to be actually realised when the hotel is at more than 90% occupancy.
- 7.4.8 Servicing and delivery levels for the hotel are relatively low and the additional 21 rooms and additional floor area will not have any material impact as the same number of vehicles are likely to be used but with slightly more goods per delivery.
- 7.4.9 The site clearly has poor public transport accessibility level with few local bus or coach services. The nearest train station is about 2 miles away. It is not expected that many pedestrians will access the hotel due to its location, while there are formal footways on most of the local road network, local roads and moderately trafficked and there are a number of local footpaths.
- 7.4.10 Cycling to the hotel is a fairly attractive option for local staff with the Sustrans National Cycle Route 4 going past the entrance to the site. There are also a number of local cycle routes around the hotel including Wick Lane which is a recommended route and also a number of off-road facilities available. The recent reduction in speed limit along Bishopgate Road from the national speed limit to 30-mph is also of benefit to cyclists. However, the number of guests cycling to the hotel is extremely low given the location of the hotel and the nature of the hotel's offering. 20 cycle spaces were previously approved, under this application and it is not proposed to add any more but as part of the Travel Plan more cycle parking will be provided as and when required. This is in

line with Runnymede's Parking SPD which refers to hotel developments and cycle spaces being assessed on individual merits.

7.4.11 The Hotel has implemented a Travel Plan as approved under discharge of condition application RU.19/1472. Given that this travel plan was secured some time ago, the applicant has stated that they will commit through this planning application to review and resubmit an updated Travel Plan which will incorporate additional measures to encouraged sustainable travel to the site. A brief overview of some of the additional measures that have been identified are listed below:

- i) Installation of electric bike charging on site to promote e-bikes for staff and guests.
- ii) Review of potential for a staff and guest shuttle bus from key transport nodes such as Egham, Windsor and Maidenhead etc.
- iii) Commitment to the installation of EVCP's (active and passive) for staff and guest use.
- iv) Review all marketing on the Fairmont Windsor Park website to set out sustainable options for guests.

7.4.12 The Highway Authority in light of the above measures and given that they are now aware of the fact that there is an extant permission RU.18/1239 on this site for a hotel of a very similar scale and given that the site has also historically been used for a hotel (with a larger car park) has now withdrawn its objection on grounds of the sustainability location. The Englefield Neighbourhood Plan requires development plans within the Plan area to provide parking and cycle parking in line with the Runnymede Council's parking standards and that EVCP's are provided in accordance with Surrey County Council standards. The EGVNP also requires that appropriate charging points should also be provided with new development for powered mobility equipment and the ability to secure this, if necessary, will be secured through the updated Travel Plan.

7.4.13 As demonstrated above and as required by Policies TT1, TT2 and TT3 of the EGVNP the impacts of the development upon highway and transport network in the surrounding area has been undertaken and is considered to be acceptable.

7.5 Impact on Neighbouring Amenity

7.5.1 Wick Lane physically abuts the application site to the west and the hotel with the additions would still be located approximately some 25 metres from Wick Lane and would be located some 90 metres from the northern boundary of the application site. There are no residential properties within reasonable proximity of the proposal and no relationships materially change when compared to the extant permission. Due to the separation distances no issues of loss of light, overbearing or overlooking arise. This positioning, coupled with existing boundary planting ensures that the amenities of existing surrounding properties will not be detrimentally affected by the proposals. The proposal as built is therefore not considered to have a harmful impact upon the amenities of existing dwellings surrounding the application site.

7.5.2 Furthermore, the proposed additional floor space would not lead to such an increase in an intensification in use of the site which would cause an unacceptable level of noise and disturbance, when compared to the extant permission. There are significant separation distances from the building to surrounding properties. Lastly the small area

of land which is now to become a car park for 68 cars is sufficiently sited away from residential areas so not too cause an unacceptable level of noise and disturbance.

- 7.5.3 Additionally Environmental Protection have not raised any objections to the proposal but have recommended a condition to minimise any dust, noise and disturbance from the demolition works. Such as condition has been recommended. No other neighbour amenity issues arise as a result of returning the Parkwood estate to parkland.

7.6 Ecology, Biodiversity and Trees.

- 7.6.1 Policy SD7 states that development proposals will be supported where they protect existing biodiversity and include opportunities to achieve net gains in biodiversity. Policy EE9 of the Local Plan (Biodiversity, Geodiversity and Nature Conservation) confirms that the Councils will seek net gains in biodiversity through the creation, expansion, restoration, enhancement and management of habitats and features to improve the status of priority habitats and species. This policy objective is also supported in the EGVNP Policies NE2 and NE3. The Council have prepared further guidance on this, contained within the Green and Blue Infrastructure SPD.
- 7.6.2 Policy NE2 of the neighbourhood plan states that “All proposed developments within the Plan area **that are required to** include Biodiversity Net Gain (BNG) as part of the proposals should deliver at least 10% BNG, **in line with national requirements.**” [emphasis added in bold]. It is important to note that this application was submitted prior to the 12th February 2024 and is NOT therefore required to demonstrate that it will deliver a minimum 10% net gain of biodiversity as required by schedule 7A of the Town and Country Planning Act 1990(inserted by the Environment Act 2021). Notwithstanding this, an additional biodiversity report has now been submitted which shows a 19.34% uplift can be achieved and this is currently with SWT for comment.
- 7.6.3 As required under the Conservation of Habitats and Species Regulations 2017 (as amended) a Habitats Regulation Assessment (HRA) has been carried out which has screened for likely significant effects in relation to the developments impact upon Windsor Great Park (SAC), Thames Basin heaths (SPA) and South-West London Waterbodies. It has been concluded that either alone or in combination this development would not have a significant impact on the integrity of these protected sites and an appropriate assessment is not required.
- 7.6.4 In respect of protected species, the applicant undertook extensive species surveys of the Savill Court site and submitted their findings under application RU.16/0824. The outcome of the surveys suggested that whilst there was no evidence of bats found, there were a number of features within the existing buildings and within existing trees which had the potential to support bats. On this basis the surveys recommended that further bat surveys were undertaken prior to the commencement of the development to ensure that the potential for bats was fully explored, and any suitable mitigation (if required) could be agreed with the local planning authority and implemented. In addition, the invertebrate survey highlighted the importance of some veteran and mature trees, fallen stumps and fallen timber which were important habitats for some rare and very important species within the site. This included 2 veteran oak trees (including a Goat Moth Tree). In addition, several mature beeches and oaks within the site were shown to provide habitats for invertebrates. The survey recommended that these existing trees be retained as part of the development proposals. In addition, wider woodland areas within the site were acknowledged as being important features

and it was recommended that these wider areas be protected as far as possible, and that mitigation should be provided if any of these wider woodland areas were to be removed.

- 7.6.5 The Surrey Wildlife Trust under application RU.16/0824 advised that the applicant would be required to undertake the above bat survey and recommendations within the invertebrate report to ensure that the full impacts of the development proposals upon protected species were fully considered and any required mitigation could then be agreed with the local planning authority. The Surrey Wildlife Trust also advised that the applicant would be required to obtain a 'European Protected Licence' (EPL) prior to the commencement of any parts of the development. On this basis it was considered under application RU.16/0824 that sufficient information had been submitted in order for the local planning authority to determine the application, and that planning conditions could be imposed requiring further surveys in respect of protected species to be undertaken prior to the commencement of the development.
- 7.6.6 It is noted that the applicant submitted further details in respect of these conditions attached to the previous planning permissions to include an 'Ecological Mitigation Strategy' to provide biodiversity protection and enhancements within the site (condition 14) (condition 17) under planning application RU.17/1490. In addition, a bat survey (condition 19) was submitted under planning application RU.17/1491. Both of these applications have been approved by the local planning authority following consultation with the Surrey Wildlife Trust. The applicant also had discussions with Natural England with respect to a 'European Protected Licence' (EPL).
- 7.6.7 The applicant also submitted under previous applications updated Habitat Protection Plans which are considered to comply with the requirements previously imposed as part of the previous applications. The new lake and land sculpted areas have been approved under application discharge of condition application RU.18/0850. The Surrey Wildlife Trust were consulted under this application and raised no objections to the proposals.
- 7.6.8 In order to provide additional biodiversity measures to offset the additional built form and hardstanding a proposed BNG proposal has been put forward which shows an area proposed for rich native hedgerows and trees and an appropriate planting scheme and its implementation will be secured by condition. Species-rich native hedgerows with trees are classed as High Distinctiveness habitat groups within the BNG Metrix 4.0 calculation tool and therefore net gain will be achieved. As previously mentioned, a further report has now been submitted showing that a 19.34% uplift can be achieved and this is with SWT for comment.
- 7.6.9. With regard to the demolition proposed as part of this planning application, BSG Ecology undertook Bat surveys across the Parkwood Estate, the results of these surveys demonstrate that the Pool House and the Barn south of the walled garden do not support roosting bats, the Bothy supports a small soprano pipistrelle day roost and Parkwood House supports a small maternity roost used by common and soprano pipistrelle bats along with small day roosts used by a small number of individual brown long eared bats and Myotis sp bats. A European Mitigation Licence would be required to enable demolition to proceed lawfully. An application for a licence to Natural England will be made following the grant of planning consent. Mitigation for loss of bat roosts at Parkwood House and the Bothy will be provided by the adaptation of two existing stable blocks located close to the Barn and

Parkwood House. The Bat Report provides full details of the findings and mitigation proposals. The mitigation proposed and which is necessary to make the development acceptable will be secured by planning condition.

7.6.10 It is also recommended that a Construction Environmental Management Plan be secured by condition for the demolition proposed. Protective and mitigation measures should include, but not be limited to:

- Retain the large mature Cherry Laurel *Prunus laurocerasus* bushes at the eastern end of the Pool House that provides a screen buffer to the woodland.
- Approaches to the Pool House for demolition should be made from the north and west of the Pool House.
- The track that runs down the edge of the ancient woodland between it and the cherry laurel scrub by the pool house should not be used by construction traffic.
- A 15m buffer to the ancient woodland should be fenced off using Heras fencing for the duration of demolition works to ensure there are no vehicle movement or storage of materials within this zone adjacent to the woodland.
- There should be no nighttime working.
- Dust pollution controls such as dampening down should be operated.
- Other pollution controls such as oil interceptors should be operated.
- Demolition of Parkwood House should be undertaken primarily from the northern elevation of the building and restricted to the immediate curtilage of the building to the west and south of the mansion to avoid damage to the semi-improved acid grassland that was once part of the amenity lawn of the Parkwood House.
- Any temporary damage to grassland south of the Parkwood House should be made good following construction and allowed to regenerate naturally.

Trees

7.6.11 Under planning application RU.16/0824, 63 existing trees/groups were proposed to be removed. 21 of the trees to be removed were considered to be of Category A and B trees which would normally be expected to be retained, however the majority of these higher quality trees to be removed were located in areas of dense tree cover and therefore it was considered that their removal would not have a material impact on the quality of the landscape. Under this same application it was also proposed to plant 285 replacement trees as part of the landscaping strategy.

7.6.12 Under planning application 18/1239 it was then proposed to remove 59 trees and 12 tree groups, and the landscaping strategy changed to include a lake.

7.6.13 The additional built form and hardstanding included in the as built hotel under this current application has resulted in the further loss as detailed in the table below.

Tree/Tree Group	Category/Quality	
T235; Lime	Poor (See Fulford Dobson report)	Facilitated new 68 space car park

T236; Lime	Poor (See Fulford Dobson report)	Facilitated new 68 space car park
T237; Lime	Poor (See Fulford Dobson report)	Facilitated new 68 space car park
T112; Oak	Category A	Facilitated new access route to 68 space car park
T71; Lime	Category A-B	Facilitated northern single storey extension
T103; Lawson Cypress	Category B	Facilitated new 68 space car park
G104; Thicket	Category B	Facilitated new 68 space car park

The ecology report and BNG appraisal will assess the ecological impacts of these removals.

- 7.6.14 A Tree Compensation Plan (dwg no. TCP01) has been submitted and it is proposed to secure tree planting for 5 semi mature Lime Trees in lieu of the 3 Limes trees felled in the car park. The location of felled T8 can accommodate a replacement tree with sufficient space to mature. All other trees are proposed to be located adjoining the car park in proximity to the location of the felled trees. All trees planted would be of a semi mature variety (circa 2-3 metres in height) and this can be secured by condition.
- 7.6.15 With regard to the loss of the lime tree this has already been replaced on site. The loss of the lawson cypress, thicket and the oak will be compensated for and replaced under the landscaping condition. Given the extensive tree coverage in the area the loss of these additional trees is not considered to harm the landscape character of the area It is also important to note that the under the Parkwood Permission to be given up 20 trees were proposed to be felled which could now remain.
- 7.6.16 Under the consideration of this application the case office and Council's tree officer visited the site to assess all the tree work that had been carried out and an updated tree report was requested. A condition is also recommended to secure replacement planting. Under the previous application approximately 65 replacement trees were secured, however only 56 have been replanted. Officers are working with the applicant to secure the replanting of all outstanding trees along with the trees required to mitigate the additional removal. This will all be secured by condition.

7.7 Drainage and Flood Risk

- 7.7.1 The applicant submitted a Flood Risk Assessment and Drainage Strategy under application RU.16/0824 as part of the development proposals, which confirmed that the application site falls within Flood Zone 1 (low risk). This has not changed and on this basis the principle of the proposal is considered to be an acceptable form of development within this area of low flood risk in compliance with the NPPF.
- 7.7.2 The drainage strategy plans were approved under discharge of condition application reference Ru.18/0228 and these plans related to the as built hotel layout which included the hotel extensions and the plans submitted under ru.18/0228 were those implemented on site at the time of construction.

- 7.7.3 Further information has been submitted to verify that the drainage strategy plan which took into account the additional built form has been complied with and the scheme implemented satisfactorily. Once the LLFA has received this additional information the Committee will be updated in the addendum as to their final comments and whether the scheme is acceptable in this regard.

7.8 Renewable and Low Carbon Energy

- 7.8.1 New development is expected to demonstrate how it has incorporated sustainable principles into the development including construction techniques, renewable energy, green infrastructure and carbon reducing technologies.
- 7.8.2 Policy SD8 sets out that new development will be expected to demonstrate how the proposal follows the energy hierarchy (Be lean; use less energy, Be clean, supply energy efficiently and be green; use renewable energy). For a scheme of this scale, it is also expected for the development to incorporate measures to supply a minimum of 10% of the development's energy needs from renewable and/or low carbon technologies.
- 7.8.3 The previous applications were assessed prior to Policy SD8 being an adopted policy in the Development Plan, given the fallback position of the extant permission Ru.18/1239 the Council are not able under planning law to require that the entire hotel is now retrofitted to comply with this policy.
- 7.8.4 It is however perfectly reasonable to require a 10% reduction with regard to the additional floorspace, which in their own rights would constitute major development by virtue of quantum of floorspace. Moving forward, the applicant has committed to investigating the following measures at the Fairmont Windsor Park:
1. Installation of on-site roof-top PV panels;
 2. Installation of a waste and water management system;
 3. Installation of smart technologies to provide online reporting tools for hotels to measure and monitor performance of energy, water and waste, including carbon footprint;
 4. Installation of sustainable solutions in the companies repair strategy (for example heat pumps);
 5. Reduce air conditioning heating and cooling intensity;
 6. Adapt behaviours and optimize maintenance in the kitchens to use less energy for cooking and cooling
- 7.8.5 A condition is recommended to secure improvements to ensure that the aims and objectives of this policy is achieved in relation to the additional floorspace.

7.9 Archaeology

- 7.9.1 As the site is of a substantial area, the applicant carried out an archaeological assessment under application RU.16/0824 which was reviewed by the County Archaeological Officer. No objections were raised, subject to a planning condition requiring further survey work to include a trial trench evaluation of areas where development is proposed. This additional information was submitted by the applicant under application RU.17/1623 which demonstrated that there were no surviving significant archaeological deposits on site and no further archaeological work was required. This was approved by the local planning authority. Under application RU.18/0850 the applicant undertook further investigations in relation to land forming

the new lake and land sculpted areas. This was approved following consultation with Surrey County Archaeology on the basis that no further archaeological work was required to be undertaken. No comments have been received from County Archaeology and it is considered that this revised application will have no additional impacts upon archaeology and the proposal is considered to comply with Policy EE7 of the Local Plan and the NPPF.

7.10 Loss of Residential Units

7.10.1 Policy SL21 of the Runnymede Borough Local Plan states that development proposals should not result in the net loss of existing dwellings or land that provides for residential use unless a loss can be justified by the retention of the residential use being undesirable, it would prevent projects identified in the Infrastructure Delivery Plan or the proposal would provide a social, community or cultural facilities which cannot be located within an existing non-residential use. None of these situations can be applied to this development and therefore the proposal is contrary to this policy and this weighs against the development.

7.10.2 The reason for this policy is that existing housing is highly valued in the Borough, where land supply is limited due to significant constraints. The housing targets for the Council are already challenging to achieve and any loss of existing units would exacerbate these difficulties.

7.11 Written Ministerial Statement: Green Belt protection and intentional unauthorised development

7.11.1 In August 2015 the Government issued a new Planning Policy Statement “Green Belt protection and intentional unauthorised development” relating to unauthorised development, confirming that from immediate effect it is to be a new material consideration in the assessment of any planning application if the development was intentionally carried out in advance of obtaining planning permission.

7.11.2 As set out above the planning history of the hotel site is lengthy. Correspondence (in particular a letter on behalf of EGRA and an appended counsel opinion) contend that this should be a material consideration in the consideration of this application. The LPA agrees with this position that this is a material consideration in the determination of this application.

7.11.3 Application RU.16/0824 which was the original application was subject to negotiation to reduce the size of the hotel, which would have set expectations about what the LPA considered acceptable at the time of that decision. The site has also been subject to a number of S73 applications, and none have sought to identify, correct or regularise this overbuild. Given use of S73 applications on the site and the previous discussions with the LPA around the 2016 application it would have been clear that this additional development required planning permission and did not have it. The LPA therefore considers that it is reasonable to conclude that this was undertaken intentionally and therefore adverse weight should be applied to the planning balance, The amount of weight attributable as a matter of planning judgement is dealt with later in this report.

Other Considerations

7.12 Surrey Hotel Futures report

- 7.12.1 The Surrey Hotel Futures report - August 2015 prepared for Surrey County Council by Hotel Solutions, confirmed the need for additional hotel capacity in Surrey – specifically with the type of facilities found at the new Fairmont Windsor Park Hotel. The applicant advances that this was a major factor in their decision to invest in this site and remains relevant and remains in line with their current analysis and the economic advice they have received. Some residents however contend that the Surrey Hotel Futures report is out of date.
- 7.12.2 Either way, the Surrey Hotel Futures report was clearly relevant at the time of the awarding of the extant planning permission and weight was attributed to it at the time of the decision(s).
- 7.12.3 It is clear that the original planning permission is extant and as a result whether the Surrey Futures Hotel report is up to date is not really a significant factor in the determination of this application, as the principle of a large 5 star hotel at this location is clearly established.

7.13 Economic benefits advanced by the applicant

- 7.13.1 The application is supported by an Economic Benefits Assessment from Lichfield's which has calculated the economic benefits of the as built hotel as well as those main elements that were added without obtaining planning consent. By way of comparison the previous Savill Court Hotel employed 80 full-time equivalent (FTE) staff and it was estimated that 64 new staff (80% increase) would be employed as a result of the initially approved hotel re development (total 144). Currently, the new hotel has a headcount of 243 FTE staff and around 20% of these employees are currently residents of Runnymede. There is clearly a very significant workforce employed that is only marginally related to the 9.2% increase in bedrooms as a result of the unauthorized development, and is substantially the result of higher staffing levels due to the higher levels of guest service, backed by the early success of the hotel in attracting a good proportion of the very high end of the 5*market by providing a premium product that meets market requirements. Just in terms of salaries, the payroll for the financial year 2022/23 was over £10m and contrasts with the same metric for the financial year 2016/17 of just over £2m for the Savill Court Hotel.
- 7.13.2 The applicant states that employees should also receive generally higher levels of training, including through apprenticeship schemes, and greater management support to provide the higher levels of customer service required – all of which help motivate staff, reduce turnover through de-motivation or a poor work environment, as well as enabling staff to progress to higher skilled work within the hotel or in the wider hospitality industry. The hotel also supports the local labour market via an estimated further 109 FTE indirect and induced jobs in the wider Southeast region of which 60 FTE are likely to be within 10 miles. Using gross value added per worker (GVA) benchmarks from Experian it is estimated that in its first year of operation, the hotel has generated £21.1m in direct, indirect and induced GVA across the Southeast Region.
- 7.13.3 Other economic benefits stated by the applicant as resulting from the hotel include its £13.8m non-payroll operational expenditure during its first year of operation between April 2022 and March 2023 which includes money spent with local businesses. The applicant considers that the economic benefits of having access to a very high-quality hotel can also be significant to those businesses that may benefit from utilizing the

meeting, events and training facilities with overnight accommodation available. Similarly, the increased number of visitors now using the hotel is calculated by Lichfield's to provide a £4.6m off-site visitor spend per annum of which a good proportion will be spent locally at tourist attractions, shops, pubs and restaurants etc.

- 7.13.4 The Lichfield's report concludes that the hotel has made a significant economic contribution to the broader economy as well as the visitor accommodation market within Runnymede. In the first full year of operations, the Hotel has significantly outperformed the previous Savill Court Hotel. This has helped support the visitor economy and the hotel now significantly contributes to creating local employment opportunities, as well as supporting local supply chains and wider visitor expenditure across the region. Lichfield's have separately calculated that the opportunity cost of not retaining the additional unauthorized floorspace elements of the building could potentially result in the loss of 33 direct FTE jobs, 14 FTE indirect and induced jobs, £1.2m direct GVA per annum, £380,000 of off-site visitor expenditure, as well as resulting in a significant reduction in the Hotel's revenue of about 20%.

7.14 *Hotel Operational requirements - advanced by the applicant*

- 7.14.1 In the same way that the layout of the previous Savill Court hotel compromised the operation of that hotel (being a conversion from a previous large residential dwelling) the approved layout for the new hotel was very substantially different from that previous hotel as defined by the S73 consent ref: RU.18/1239 approved in January 2019. However, the branding change to the exclusive Fairmont brand, formally confirmed in December 2019, resulted in many additional changes to satisfy the requirements of the new franchise involving further change to the approved hotel.

- 7.14.2 The applicant advances that the branding change to the Fairmont brand, which was formally confirmed in December 2019, resulted in many additional changes being undertaken to satisfy the requirements of the new franchise involving further change to the approved hotel.

- 7.14.3 The hotel was designed to cater for 3 main market segments which were as Country house hotel, Conferencing & meetings and as a Wedding Venue. The applicant states there has been no change to these 3 main formats which are the basis of the Fairmont hotel. However, each segment has undergone further substantial change to meet higher standards.

7.15. *Demolition proposed and the giving up of planning permission Ru.14/1599.*

- 7.15.1 The demolition of the Parkwood buildings was not put forward under the previous applications and therefore forms an entirely new material consideration. This demolition relates to (1) the demolition of four existing buildings within the Parkwood Estate within 9 months of the granting of planning permission for this current application and (2) to giving up extant permission Ru.14/1599 and any subsequent permissions to prevent the replacement of the existing Parkwood House and Pool Building with a larger building. This would be secured by a legal agreement.

7.16 *Construction and demolition sustainability advanced by the applicant.*

- 7.16.1 Given the scale and value of the hotel it is considered unlikely that the owner would choose the compliance option in the enforcement notice to demolishing the hotel in its entirety, due to the financial consequences of such a course of action that could cause severe financial ramifications and result in an unwarranted waste of the resources and carbon used to construct it. It is considered more likely that the owner would pursue the rectification option, however the rectification requirement of the enforcement notice would also have resulted in additional carbon emissions and wasted resource use and expenditure due to extensive and very complex works of demolition and making good the building.
- 7.16.2 The Parkwood demolition proposals within the submitted draft legal agreement and planning application represent a less wasteful approach with regards the use of carbon and resources in that they involve demolition of 2 isolated, long-vacant dwellings and ancillary buildings which are in very poor condition, as well as preventing the construction of a significant new build mansion which would require significant resources and carbon to construct, therefore, the measures proposed in this planning application and accompanying legal agreement would result in significant potential future carbon savings particularly taking in to account there are extant fall back positions that are considered realistic fallback positions for planning purposes.
- 7.16.3 Taking into account the fall-back positions, the retention of the as-built hotel and avoiding the construction of the new Parkwood mansion and works to make good the hotel is considered the more sustainable option at this stage providing the planning case otherwise stacks up. Limited weight is attached to this as the LPA is of the view that undertaking works and subsequently mitigating them is not an approach that should be rewarded.
- 7.17 Whether any harm by reason of inappropriateness, or any other harm is clearly outweighed by other considerations listed above so to amount to the very special circumstance necessary to justify the development.**
- 7.17.1 For this application it has been set out how the development as a whole constitutes inappropriate development of which there is harm by definition, along with substantial harm to openness and harm to one of the five purposes of the Green Belt, protecting the countryside from encroachment, all of which are attributed substantial weight. As such this development can only be approved if there are VSC which would clearly outweigh this harm and any other harm as set out in paragraph 153 of the NPPF.
- 7.17.2 A Court of Appeal judgement (SSCLG & Others v Redhill Aerodrome Ltd,) has confirmed that the interpretation given to any other harm in what is now paragraph 153 of the Framework is such that it is not restricted to harm to the Green Belt.
- 7.17.3 As explained in section 7.10 of this report there would also be harm resulting from the loss of 2 residential properties which is contrary to Policy SL21 of the Runnymede Borough Local Plan. Given that this is within the context of the Council's need a very small number and given their long-term vacancy and run down nature this policy conflict is considered to result in limited harm which is attributed moderate weight.
- 7.17.4 The report has demonstrated that all other possible harms can be mitigated for subject to the planning conditions listed in section 10, and as such the development is not considered to result in any other material harm, other than that noted in the previous paragraph.

- 7.17.5 Under the consideration of the previously approved applications and extant permission Ru.18/1239, it was concluded that there was harm by definition through inappropriate development and substantial harm to openness as well as conflict with the purposes of the Green Belt. (Para 7.1 of Officer Report Ru.18/1239) which was afforded substantial weight. No other harms were identified.
- 7.17.6 Under these previously approved applications it was considered that the economic benefits, and the need for additional hotel accommodation as supported by the Surrey Hotel Futures Study Report (August 2015) and the operational requirements clearly outweighed the Green Belt harms. Whilst objectors have raised the issue that the Surrey Hotel Futures Report is out of date, there is no evidence to suggest that its conclusions are no longer relevant and, in any case, there is an extant permission Ru.18/1239 for a large 5-star hotel on the site. Notwithstanding the previous permissions officers are satisfied that the delivery of a luxury hotel brings economic benefits which are a material consideration in support of the proposal
- 7.17.7 The extant permission Ru.18/1239 for the 5* hotel at this site, must be given substantial weight in the consideration of this current application, it is clearly a realistic fallback position, and the Enforcement Notice provides a mechanism to secure compliance with that said permission. As such the consideration of the application largely becomes about additional harms and benefits and if taking them in to account the VSC case still stacks up.
- 7.17.8 The demolition of the Parkwood buildings was not put forward under the previous applications and therefore forms an entirely new material consideration. This demolition relates to (1) the demolition of four existing buildings within the Parkwood Estate and (2) to prevent the replacement of the existing Parkwood House and Pool Building with a larger building for which there is an extant grant of planning permission under application Ru.14/1599. The gate houses and internal driveway would also go unimplemented. This would be secured by a legal agreement (planning obligation).
- 7.17.9 Regulation 122 of the CIL Regulations 2010 provides that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is (a) necessary to make the development acceptable, (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development. This reflects the pre-existing, and still applicable, case law that for an obligation to be taken into account in determining a planning application the obligation must have a real relation to the proposed development, rather than a trivial connection (see Tesco Stores Ltd v SSE (1994) 68 P&CR 219 endorsed in Aberdeen and Shire Strategic Development Planning Authority v Elsick Development Company Ltd [2017] PTSR 1413; R (oao Sainsbury's Supermarkets Ltd) v Wolverhampton City Council [2011] AC 437).
- 7.17.10 Officers consider that the planning obligation secured through the legal agreement is directly related to the proposed development as it is included within the same red line, is in the same ownership and the demolition/giving up planning permission Ru.14/1599 is intended to provide an offset in the amount of development in the Green Belt in this area. As such the buildings to be demolished and the planning permission Ru.14/1599 are clearly material considerations that need to be taken into account. The weight to be given to them is one then of planning judgement.

- 7.17.11 Objectors have raised the concerns that it is not acceptable to offset using development which is not sited in direct proximity of the hotel. However, all the buildings subject to this application sit within the same part of the Metropolitan Green Belt surrounding the western side of the settlement of Englefield Green, and both sets of land perform effectively the same Green Belt function in broadly the same location. In this context, the extent of separation (c.600 between site boundaries and 950 metres between primary buildings) is not significant, particularly when the majority of the intervening land is in the ownership of the applicant. Both the Hotel and Parkwood Estate are typical examples of prominent rural estates, i.e. large buildings (current or former dwellinghouses) set in generous grounds on the western side of the settlement of Englefield Green. The applicant has proposed utilising a legal agreement to ensure demolition occurs and that permissions are forfeited at the Parkwood Estate. Having regard to the importance of the Green Belt in the determination of this application the LPA is bound to consider this legal agreement and the proposed demolition as it is a matter that is clearly material to the determination of this application and directly relevant to the proposal. Failing to consider it would be unreasonable and contrary to the advice set out in regulation 122 of the CIL regulations 2010.
- 7.17.12 Furthermore, as previously explained, the permission(s) to be given up relates to land which is the subject of the application site, and the proposed demolition of the existing buildings is part of the proposed development and can legitimately be taken into account.
- 7.17.13 Objectors have also raised the issue that the demolition and giving up of application Ru.14/1599 or any subsequent permission is not a realistic fall-back position as it is not the applicant's intention to ever implement this permission and there are future aspirations to turn this land into a golf course. Speculation as to the future aspirations of a landowner is NOT a material consideration that can be considered in the determination of a planning application, to do so would go against the principles of planning law.
- 7.17.14 Caselaw on fallback developments is well established, a fallback development is a development that could be carried on lawfully without any further grant of planning permission: for example, pursuant to permitted development rights or pursuant to an extant planning permission. Such a development can be a material consideration when there is a "real prospect" of the fallback development being undertaken; and in this context a "real" prospect does not have to be probable or likely, rather a possibility will suffice. The possibility need only be more than merely theoretical. (See *R. (Mansell) v Tonbridge & Malling Borough Council* [2017] EWCA Civ 1314, [2019] PTSR 1452 per Lindblom LJ at [27] and *Samuel Smith Old Brewery* per Sullivan LJ at [17] – [30].)
- 7.17.15 Whilst there may be speculation as to potential future uses of the Parkwood site, this is not material to the determination of this application and there is no guarantee that any speculated alternative use would receive planning permission. There is however no dispute that the Parkwood permission is extant, this is confirmed by a 2018 certificate of lawfulness, and as such it can now be relied on by the applicant. Having regard to the likely significant uplift in value of the Parkwood Estate by that planning permission Ru.14/1599 officers are satisfied that there is at least some prospect that the permission could be implemented.

- 7.17.16 The extent of time that has elapsed since the granting of the permission Ru.14/1599 is also a relevant consideration when assessing whether there is a real prospect. However, there are countervailing factors here, including (1) the change in ownership of the Parkwood Estate since the grant of planning permission and (2) the subsequent steps taken to implement the Parkwood Permission and certify its lawfulness, resulting in the Parkwood certificate RU.18/0440. These countervailing factors indicate that there is at least a real prospect as defined in planning law of the fallback development occurring, notwithstanding the delay.
- 7.17.17 It follows therefore that permission Ru.14/1599 is a material consideration and having regard to the importance of the Green Belt in the determination of this application, it is considered that the planning obligation preventing its being built out can be given weight. This is in part because the visual impact of the demolition/giving up of planning permission Ru.14/1599 would result in the significant consolidation of development/built form in the Green Belt and means at the end of the process there is only one obviously developed site in the Green Belt rather than two. The demolition of Parkwood House and the giving up of Ru.14/1599 clearly has a significantly greater beneficial impact on the visual openness of the Green Belt than the additions to the hotel which as set out in paragraph 7.2.10 and 7.2.11 of this report have a fairly limited visual impact on the openness of the Green Belt. Furthermore, the consolidation of development within this part of the Green Belt also has a significant benefit to spatial openness as well.
- 7.17.18 Objectors have also raised the issue that the only way to validly use the permitted RU.14/1599 to provide demolition to offset the Hotel extensions, is to use the total of 2464 sqm of actual demolition as intended in that approved application rather than the 2551 sqm for the replacement Parkwood House. As explained above the implementation of the Parkwood Estate replacement house is a legitimate fall-back position and therefore the 2551 sqm can be given full weight. Furthermore condition 7 of RU.14/1599 only required the demolition of the existing Parkwood House, the pool house and the garage prior to the replacement house being constructed and not all of the proposed demolition as set out in the description of development. The additional 464 sqm of demolition was only required prior to the implementation of the Gate Houses.
- 7.17.19 In the assessment of the weight to be given to this demolition/giving up of planning permission it is useful to first consider the above ground level volumes of the additional built form at the Fairmont compared to that to be demolished/given up and then secondly its visual and spatial impact. The additional above ground level-built volume at the Fairmont amounts to approximately 14,046m³. The volume of the buildings/permissions to be demolished/given up equate to 11,724m³.
- 7.17.20 Whilst the volume of the overbuild at the Fairmont additions exceeds the volumes at the Parkwood Estate by 3,584m³, it is important to note that as previously set out the unauthorised additions have a much more limited visual impact on the openness of the Green Belt given their predominately infill nature compared to the significant visual Green Belt benefits of removing the prominent Parkwood Estate Building. Whilst there is an increase in height in the hotel this compared to the extant scheme also is not readily perceived from any public vantage point though is slightly more visually harmful in Green Belt terms when viewed within the site.

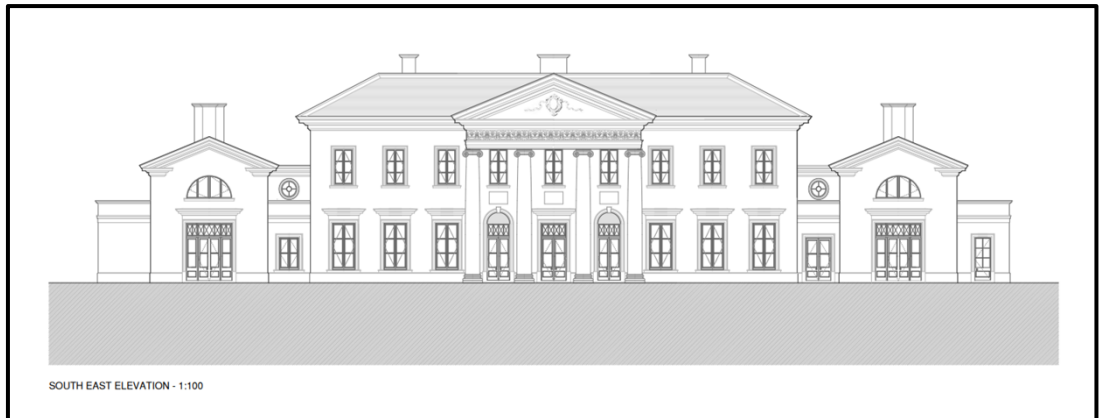
- 7.17.21 Parkwood House by contrast has an imposing position upon high terrain that is clearly visible from Wick Lane as one approaches from the south. The larger replacement Parkwood house was proposed to be built in a similar location and also included urbanising features such as the new access point on to Wick Lane and sweeping 140m long drive.



Parkwood viewed from the South from Wick Lane



Parkwood Extant permission site masterplan (RU.14/1599)



Approved South Elevation of new Parkwood (Extant permission RU.14/1599)

- 7.17.22 As previously set out in section 7.1 of this report Green Belt analysis is not based upon purely volumetric quantities. The visual impact of the proposal regarding openness needs to be assessed and understood. The visual impact of the demolition of the Parkwood Estate buildings/giving up of planning permission RU.14/1599 would result in the significant consolidation of development/built form in the Green Belt and means at the end of the process there is only one obviously developed site in the Green Belt rather than two. The demolition of Parkwood House and the giving up of RU.14/1599 clearly has a significantly greater beneficial impact on the visual openness of the Green Belt than the additions to the hotel which as set out in paragraph 7.2.13 to 7.2.16 of this report have a fairly limited visual impact on the openness of the Green Belt.
- 7.17.23 Furthermore, this consolidation of development within the Green Belt, including the non-implementation of 140m road clearly results in a benefit not just upon the visual openness of the Green Belt but also with regard to the purposes of the Green Belt and encroachment into the countryside along with spatial aspects which result from only having one obviously developed site in the Green Belt.
- 7.17.24 Turning to the issue of sustainability raised by the application, whilst factually the point made is correct no weight should be given to this as a VSC as to do so would be giving weight to something or a situation that has been created through a development being implemented unlawfully.
- 7.17.25 The demolition of 2 dwellings sited within the Thames Basin Heaths SPA 5km Buffer Zone where the demolition of the main mansion and Bothy bungalow are positive in terms of pressures on nature conservation at the protected Thames Basin Heaths, but this is given very limited weight, as it is only 2 dwellings.

Summary of the VSC – benefits of the total development

The exercise being taken under the consideration of this application is to consider the justification of the total development and not just the additions as the development being applied for is “the retention of the hotel”. Under the consideration of extant permission RU.18/1239 there were important economic benefits which were considered too clearly outweigh the harm and these considerations are still of relevance today. For the avoidance of doubt economic benefits are not being, double-counted between applications, the Council considers that the Economic Case and justification for the whole development remains strong, and that the employment, other

economic factors and operational benefits in relation to the additional floor space as advanced by Lichfields are a benefit of the scheme.

Extant permission Ru.18/1239	Substantial weight it is clearly a realistic fallback position, and the Enforcement Notice provides a mechanism to secure compliance with that said permission.
Demolition and Giving Up of RU.14/1599	Very significant weight – given the significant benefits this has to both the spatial and visual aspects of the openness of the Green Belt including its purposes.
Economic benefits, need for the hotel and operational requirements.	Under the consideration of extant permission RU.18/1239 there were important economic benefits, and these considerations are still of relevance today. It is recognised that the improved operational capabilities, and economic benefits advanced by the applicant and Lichfields set out in parts 7.13 & 7.14 of this report are a benefit. As a matter of planning judgement these are considered to provide additional moderate weight in favour of the scheme.
Benefits to the SPA in terms of pressure on nature conservation by the removal of 2 dwellings	Very limited weight.
Construction and demolition sustainability advanced by the applicant	No weight

- 7.17.26 The other harm, not mitigated by matters set out in the application, conditions or planning obligations that are identified in this report are the intentional unauthorised nature of the development in the Green Belt and the loss of two residential dwellings. The background to these matters is set out at parts 7.11 & 7.12 of this report.
- 7.17.27 With regards the intentional nature of the unauthorised Green Belt development. The current application currently before the Council is very different to the applications previously considered by the Council in the previous permissions, in that this proposal includes the planning obligations in relation to the Parkwood Estate that seeks to limit and mitigate harm arising to the Green Belt. As is concluded above the matters subject to the obligations seek to limit or mitigate harms to the Green Belt, the mitigation provided by these is concluded to be very significant in Green Belt terms.
- 7.17.28 The purpose of the WMS was to address the government's concern about the harm that is caused where the development of land has been undertaken in advance of obtaining planning permission. In such cases there is no opportunity to appropriately limit or mitigate the harm that has already taken place. As explained in the above paragraph and in this report, the harm caused by the unauthorised development can be clearly mitigated and therefore it is considered that the intentional nature of the

unauthorised Green Belt development whilst a material consideration only provides limited adverse weight against the award of planning permission.

- 7.17.29 With regards the loss of residential units. Existing housing is highly valued in the Borough, where land supply is limited due to significant constraints. The housing targets for the Council are already challenging to achieve and any loss of existing units would exacerbate these difficulties. As such it is considered that this provides moderate adverse weight the proposal.

7.18 Planning Balance and the Overall Conclusion

- 7.18.1 The development has been assessed against the relevant Development Plan policies of the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would constitute inappropriate development in the Green Belt, would have a substantial impact upon openness and would be contrary to the purposes of the Green Belt. These considerations have been afforded substantial weight.
- 7.18.2 Moderate adverse weight also needs to be given to the limited harm which results from the loss of two residential units and the conflict with Local Plan Policy SL21. Limited adverse weight is attributed to the undertaking of intentional development in the Green Belt.
- 7.18.3 The substantial weight that needs to be afforded to the extant permission Ru.18/1239 along with the very significant weight to the demolition proposed and the giving up of Ru.14/1599 which offers significant visual and spatial improvements to the openness of the Green Belt and its purposes over and above the unauthorised additions and additional hardstanding. Furthermore, moderate economic benefits, are provided by the 5* hotel with the enhanced operational capabilities and employment offer. It is considered that collectively these **clearly outweigh** the harm caused by the hotel as a whole when compared to the as demolished Savill Court Hotel.
- 7.18.4 As such when all the considerations listed above are taken into account it forms a case of VSC which **clearly outweighs** the harm caused by the retention of the hotel and associated development all as built, and the other harm identified namely the intentional development in the Green Belt and the loss of two residential dwellings.

8.0 COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 8.1 The proposal is NOT CIL liable.

9.0 EQUALITY AND HUMAN RIGHTS CONSIDERATIONS

- 9.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

Consideration has been given to s149 of the Equality Act 2010 (as amended), which has imposes a public sector equality duty that requires a public authority in the exercise of its functions to have due regard to the need to:

- (a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act

- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

It is considered that the decision would have regard to this duty.

10. FORMAL OFFICER RECOMMENDATION

The HoP be authorised to grant planning permission subject to the completion of a Section 106 legal agreement under the Town and Country Planning Act 1990 (as amended) to secure the following obligations:

- (i) To prevent the implementation of planning application ru.14/1599 or any other relevant application**

And the subject to the following planning conditions:

Approved Plans

1. The development hereby approved shall be retained in accordance with the approved plans, as set out on the approved plan list dated 27th Feb 2024 along with amended location plan 063-LE-100P9.

Reason: To ensure an acceptable scheme and to comply with policies EE1, EE17, EE3, EE9, EE11, EE12, SD4, SD7 of the Runnymede 2030 Local Plan and guidance in the NPPF.

Energy Strategy

2. Within six months of permission being granted, details of the proposed Energy Strategy including implementation timeframes shall be submitted, and approved in writing by, the local planning authority. The Energy Strategy shall demonstrate measures to be incorporated to achieve a minimum of 10% of the developments (extensions) energy needs: 59,655 K/Wh/yr from renewable and/or low carbon technologies. The operation of the hotel shall then be maintained and retained in accordance with this strategy.

Reason: To ensure that a minimum of 10% of the energy requirement of the development is produced by on-site renewable energy sources/low carbon technology and to protect the amenities of occupiers of nearby properties and to comply with Policy SD8 of the Runnymede 2030 Local Plan and guidance within the NPPF.

Soft and Hard Landscaping

3. Within six months of permission being approved, details in respect of soft and hard landscaping, including the planting of 65 replacement trees as previously required (56 of which have already been planted), the new replacement planting of 6 lime trees (one of which has already been planted) along with an additional 6 trees to offset the loss of the oak, lawson cypress and thicket shall be submitted to and approved in writing by the local planning authority. The details approved under this condition shall thereafter be permanently retained.

Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of similar size and species.

Reason: To preserve and enhance the character and appearance of the landscape of the site and the surrounding area and to enhance the biodiversity and green and blue infrastructure of the site and to comply with Policies EE11 and EE12 of the Runnymede 2030 Local Plan and guidance in the NPPF.

Biodiversity Enhancements

4. Within 6 months of the date of this permission details of all measures to improve and enhance biodiversity at the site in order to provide a net gain to offset the additions and additional hardstanding along with those previously secured under application Ru.18/1239 and for its management and maintenance shall have been submitted to and approved in writing by the Local Planning Authority. Such details as shall be approved shall be fully implemented in accordance with the time frames set out in the report.

- Providing bird boxes erected on or integral within the new buildings and retained trees.
- Enhancements for hedgehogs
- Using native species or species of known biodiversity benefit when planting new trees and shrubs, preferably of local provenance from seed collected, raised and grown only in the UK, suitable for site conditions and complimentary to surrounding natural habitat. Planting should focus on nectar-rich flowers and/or berries as these can also be of considerable value to wildlife.

Reason: To enhance the biodiversity of the site and to comply with Policies EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance within the NPPF.

Landscape and Ecological Plan for the Fairmont Estate

5. Within 6 months of the date of this permission a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP should include, but not be limited to the following:

- a) Description and evaluation of features to be managed
- b) Ecological trends and constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions, together with a plan of management compartments
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period
- g) Details of the body or organisation responsible for implementation of the plan
- h) Ongoing monitoring and remedial measures
- i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.

- j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Reason: To protect the trees to be retained and enhance the appearance of the surrounding area, to ensure that replacement trees, shrubs and plants are provided and to protect the appearance of the surrounding area and to ensure the protection of wildlife, supporting habitat and secure the opportunities for the enhancement of the nature conservation value of the site and to comply with Policies EE1, EE9, and EE11 of the Runnymede 2030 Local Plan and guidance in the NPPF

Drainage

6. Within six months of permission being granted, a maintenance plan, including evidence, shall be submitted to, and approved in writing by, the local planning authority, which shall confirm that the correct flow control was constructed, and the attenuation crates and petrol interceptor are present and well maintained. Such details to include a CCTV Survey, as built drawings, photographs etc.

Reason: To ensure that surface water does not discharge into the surface water sewer and to provide a sustainable development in accordance with policy EE13 of the Runnymede 2030 Local Plan and guidance in the NPPF.

Car Parking

7. The development hereby approved shall be retained in accordance with Drawing No. 063 L20-275 (Rev. PL1) showing 296 car parking spaces laid out across the site for use by the hotel approved by this permission, including the provision of 13 active and 28 passive electric vehicle charging points.

Reason: To ensure sustainable design and travel and to comply with policies SD3 and SD7 of the Runnymede 2030 Local Plan and the NPPF.

EVC

8. Within six months of this permission being approved, evidence of installation of the 13 active and 28 passive electric vehicle charging points shall be submitted to the council.

Reason: To ensure sustainable design and travel and to comply with policies SD3 and SD7 of the Runnymede 2030 Local Plan and the NPPF.

Cycle Parking Provided

9. The cycle parking shall be permanently maintained and retained on site in accordance with approved plan.

Reason: To ensure sustainable design and to comply with policy SD7 of the Runnymede 2030 Local Plan and the NPPF

Travel Plan

10. Within six months of permission being granted, an updated Travel Plan shall be submitted to, and approved in writing by, the local planning authority. The operation of the hotel and conference facility and associated facilities shall only take place in accordance with the updated Travel Plan.

Reason: To promote sustainable modes of transport in accordance with Policies SD3 and SD4 of the Runnymede 2030 Local Plan and guidance in the NPPF

Visibility Zones

11. Visibility zones around vehicular site access and egress points shall be kept permanently clear of any obstruction over 1.05m high.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to comply with Policy SD4 of the Runnymede 2030 Local Plan and guidance within the NPPF

Delivery and Service Plan

12. Within six months of permission being granted, an updated Delivery and Servicing Plan shall be submitted to, and approved in writing by, the local planning authority. The operation of the hotel and conference and associated facilities shall only take place in accordance with this Plan.

Reason: To promote sustainable modes of transport in accordance with Policies SD3 and SD4 of the Runnymede 2030 Local Plan and guidance in the NPPF.

Bat Report

13. The development hereby approved shall be carried out in accordance with the recommendations of the 'Parkwood Estate Bat report for buildings proposed for demolition' prepared by BSG Ecology (dated 09/02/24).

Reason: To protect the habitat of the bats and to comply with Policy EE9 of the Runnymede 2030 Local Plan and guidance in the NPPF.

Construction Environmental Management Plan (Demolition)

14. Prior to any equipment, machinery or materials being brought onto the Parkwood Estate in association with the demolition works a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall take place fully in accordance with the approved details. The CEMP should include, but not be limited to the following.

- Retain the large mature Cherry Laurel *Prunus laurocerasus* bushes at the eastern end of the Pool House that provides a screen buffer to the woodland.
- Approaches to the Pool House for demolition should be made from the north and west of the Pool House.
- The track that runs down the edge of the ancient woodland between it and the cherry laurel scrub by the pool house should not be used by construction traffic.

- A 15m buffer to the ancient woodland should be fenced off using Heras fencing for the duration of demolition works to ensure there are no vehicle movement or storage of materials within this zone adjacent to the woodland.
- There should be no nighttime working.
- Dust pollution controls such as dampening down should be operated.
- Other pollution controls such as oil interceptors should be operated.
- Other pollution controls regarding noise.
- Demolition of Parkwood House should be undertaken primarily from the northern elevation of the building and restricted to the immediate curtilage of the building to the west and south of the mansion to avoid damage to the semi-improved acid grassland that was once part of the amenity lawn of the Parkwood House.
- Any temporary damage to grassland south of the Parkwood House should be made good following construction and allowed to regenerate naturally.

Reason: To achieve sustainable development and protect the environment in the vicinity of the site and to comply with Policy EE2 of the Runnymede 2030 Draft Local Plan and guidance within the NPPF.

15. Site Waste Management Plan

Prior to commencement any demolition a Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall take place fully in accordance with the approved details.

Reason: To achieve sustainable development and protect the environment in the vicinity of the site and to comply with Policy EE2 of the Runnymede 2030 Draft Local Plan and guidance within the NPPF.

16. Restoration Plan for the Parkwood Estate.

Within 6 months of the date of this permission a full landscaping restoration plan for the Parkwood Estate including timelines shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To preserve and enhance the character and appearance of the landscape of the site and the surrounding area and to enhance the biodiversity and green and blue infrastructure of the site and to comply with Policies EE11 and EE12 of the Runnymede 2030 Local Plan and guidance in the NPPF.