

NOTICE
OF
MEETING

**MAIDENHEAD AREA DEVELOPMENT
MANAGEMENT PANEL**

will meet on

WEDNESDAY, 28TH AUGUST, 2019

At 7.00 pm

in the

DESBOROUGH SUITE - TOWN HALL, MAIDENHEAD

TO: MEMBERS OF THE MAIDENHEAD AREA DEVELOPMENT MANAGEMENT PANEL

COUNCILLORS DONNA STIMSON (CHAIRMAN), LEO WALTERS (VICE-CHAIRMAN), GURPREET BHANGRA, PHIL HASELER, ANDREW JOHNSON, CHRIS TARGOWSKI, JOHN BALDWIN, MANDY BRAR, GEOFF HILL, JOSHUA REYNOLDS AND HELEN TAYLOR

SUBSTITUTE MEMBERS

COUNCILLORS DAVID CANNON, STUART CARROLL, GERRY CLARK, MAUREEN HUNT, ROSS MCWILLIAMS, GURCH SINGH, CLIVE BASKERVILLE, SIMON BOND, CAMPO, JON DAVEY AND NEIL KNOWLES

Karen Shepherd – Service Lead, Governance - Issued: 19 August 2019

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Shilpa Manek** 01628796310

Accessibility - Members of the public wishing to attend this meeting are requested to notify the clerk in advance of any accessibility issues

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AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<p><u>APOLOGIES FOR ABSENCE</u></p> <p>To receive any apologies for absence.</p>	
2.	<p><u>DECLARATIONS OF INTEREST</u></p> <p>To receive any declarations of interest.</p>	7 - 8
3.	<p><u>PLANNING APPLICATION - ITEM 1 (DECISION)</u></p> <p>To consider the Head of Planning's report on planning applications received.</p> <p>Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by accessing the Planning Applications Public Access Module at http://www.rbwm.gov.uk/pam/search.jsp.</p> <p>Key: APP = Approval CLU = Certificate of Lawful Use DD = Defer and Delegate DLA = Defer Legal Agreement PERM = Permit PNR = Prior Approval Not Required REF = Refusal WA = Would Have Approved WR = Would Have Refused</p> <p>Item 1 Application No. 17/04026/OUT Recommendation: REF Location: Ridgeway, The Thicket, Cannon Lane, Maidenhead SL6 3QE Proposal: Outline planning permission for the development of 2 new artificial grass hockey pitches, two artificial grass practice areas, a new pavilion building for shared use by the hockey club and school together with an artificial rugby pitch together with associated other recreation grass pitches. Applicant: Claires Court School Ltd Member Call-in: N/A Expiry Date: 16 April 2018</p>	9 - 52

4.	<u>PLANNING APPLICATION - ITEM 2 (DECISION)</u>	53 - 112
	<p>Item 2 Application No. 17/04018/FULL Recommendation: REF Location: Claires Court Senior Girls and Boys And Ridgeway Schools, The Thicket, Cannon Lane, Maidenhead Proposal: Construction of an all-through school comprising nursery and junior building; central building and senior building. Provision of landscaping, amenity area, sport/running track, environmental garden and covered multi-use games area. Provision of staff and visitor car parking, parent drop off and coach parking area. Applicant: Claires Court School Ltd Member Call-in: N/A Expiry Date: 4 July 2018</p>	
5.	<u>PLANNING APPLICATION - ITEM 3 (DECISION)</u>	113 - 158
	<p>Item 3 Application No. 18/00130 Recommendation: REF Location: Ridgeway, The Thicket, Cannon Lane, Maidenhead Proposal: Outline application for layout, scale and means of access only to be considered at this stage with all other matters to be reserved for 157 residential units. Applicant: Claires Court School Member Call-in: N/A Expiry Date: 4 July 2018</p>	
6.	<u>PLANNING APPLICATION - ITEM 4 (DECISION)</u>	159 - 182
	<p>Item 4 Application No. 17/04401/OUT Recommendation: REF Location: Claires Court School Senior Girls, 1 College Avenue, Maidenhead SL6 6AW Proposal: Outline planning permission with a means of access only to be considered at this stage with all other matters to be reserved for redevelopment of the existing school facilities and the erection of 53no. dwellings. Applicant: Berkley Homes Member Call-in: N/A Expiry Date: 4 July 2018</p>	
7.	<u>PLANNING APPLICATION - ITEM 5 (DECISION)</u>	183 - 208
	<p>Item 5 Application No. 17/04002/OUT Recommendation: REF Location: Claires Court School Senior Boys, Ray Mill Road East, Maidenhead SL6 8TE Proposal: Outline application for access only to be considered at this</p>	

stage with all other matters to be reserved for the redevelopment of the existing school facilities and the erection of 11no. four and five bed detached private dwellings.

Applicant: Berekley Homes (Western) Ltd

Member Call-in: N/A

Expiry Date: 16 April 2018

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

In accordance with the requirements of the Local Government (Access to Information) Act

1985, each item on this report includes a list of Background Papers that have been relied

on to a material extent in the formulation of the report and recommendation.

The list of Background Papers will normally include relevant previous planning decisions, replies to formal consultations and relevant letter of representation received from local societies, and members of the public. For ease of reference, the total number of letters received from members of the public will normally be listed as a single Background Paper,

although a distinction will be made where contrary views are expressed. Any replies to consultations that are not received by the time the report goes to print will be recorded as

“Comments Awaited”.

The list will not include published documents such as the Town and Country Planning Acts

and associated legislation, Department of the Environment Circulars, the Berkshire Structure Plan, Statutory Local Plans or other forms of Supplementary Planning Guidance,

as the instructions, advice and policies contained within these documents are common to

the determination of all planning applications. Any reference to any of these documents will be made as necessary under the heading “Remarks”.

STATEMENT OF THE HUMAN RIGHTS ACT 1998

The Human Rights Act 1998 was brought into force in this country on 2nd October 2000, and it will now, subject to certain exceptions, be directly unlawful for a public authority to act in a way which is incompatible with a Convention right. In particular, Article 8 (respect

for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of property) apply to planning decisions. When a planning decision is to be made however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest, and therefore much of this authority's decision making will continue to take into account this balance.

The Human Rights Act will not be referred to in the Officer's report for individual applications beyond this general statement, unless there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues.

MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

28 August 2019

Item: 1

Application no.:	17/04026/OUT
Location:	Ridgeway, The Thicket, Cannon Lane, Maidenhead, SL6 3QE
Proposal:	Outline planning permission for the development of 2 new artificial grass hockey pitches, two artificial grass practice areas, a new pavilion building for shared use by the hockey club and school together with an artificial grass rugby pitch together with associated other recreation grass pitches
Applicant:	Claire's Court School Ltd
Agent:	PRP Planning
Parish/Ward:	Cox Green / Cox Green
If you have a question about this report, please contact: Antonia Liu on 01628 79 6034 or antonia.liu@rbwm.gov.uk .	

1. SUMMARY

- 1.1 This is an outline planning application with all matters reserved except access for the development of 2 new artificial grass hockey pitches, 2 artificial grass practice areas, associated recreational pitches and an artificial grass rugby pitch.
- 1.2 The application is linked with 3 applications for housing development at Claire's Court School on College Avenue and Ray Mill Road East, and land at the Ridgeway, and a further application for development of an all-through school campus and associated development.
- 1.3 The site for this application is situated within the Green Belt. As the report sets out the proposed development is not considered to fall under any of the exceptions to inappropriate development in the Green Belt, and therefore constitutes inappropriate development. The harm to the Green Belt is afforded substantial weight.
- 1.4 It is considered that the proposed development, as a result of the proposed use and more formalised appearance of the site, the isolation of the pavilion building, and scale, layout, siting and form of the access is considered to result in harm to the character of the site and to the setting and character of the urban settlement of Maidenhead.
- 1.5 The impact on highways is considered to be acceptable provided that the pitches are used in association with Maidenhead Hockey Club and the school development subject to 18/00130/OUT otherwise it fails to demonstrate that the proposal is acceptable in terms of its impact on highways in isolation.
- 1.6 The proposed development is considered to have an acceptable impact upon residential amenity, trees, sustainable drainage, archaeology, and ecology and subject to conditions would provide biodiversity gains.
- 1.7 The National Planning Policy Framework 2019 (a material consideration of significant weight) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It further explains that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The case of Very Special Circumstances is advanced by the applicant, which in summary comprises:

- Provision of choice of education in line with the NPPF
- Increasing 0-5 year old childcare
- Provision of holiday club places
- Provision of teacher training
- Addressing the inefficiencies associated with the school being split between three sites
- Retention and enhancement of the school as 10th Biggest Employer within the Borough
- Retention and enhancement of economic footprint of school of over £12.3m
- Employment opportunities derived as a result of construction of the Proposed Scheme
- Provision for Maidenhead Hockey Club and Community Use Agreement
- Provision of allotment space or open space for Parish Council
- Provision of Local Play Area
- Provision of affordable housing to meet significant unmet local demand
- Provision of market housing to meet significant unmet local demand
- Local Finance Considerations including CIL and New Homes Bonus
- Protection of wildlife during and after construction

1.8 The Very Special Circumstances and the weight given to these are discussed within sections xi of this report. It is not considered that Very Special Circumstances exist, as the harm to Green Belt, and other the harm identified are not clearly outweighed by other considerations. The application is therefore recommended for refusal.

It is recommended that planning permission be REFUSED for the following summarised reasons (the full reasons with policy references are identified in Section 13 of this report):	
1.	By reason of its isolated siting of the proposed pavilion building would not preserve the openness of the Green Belt and would conflict with one of the purposes of including land in the Green Belt namely to 'safeguard the countryside from encroachment'. The proposal therefore constitutes inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances as confirmed in paragraph 143 of the NPPF 2019. It is not considered that very special circumstances exist that would outweigh the substantial harm to the Green Belt by reason of inappropriateness and the other harm.
2.	Due to the use and more formalised appearance of the site, the isolation of the pavilion building, and scale, layS106 out, siting and form of the access it is considered to result in harm to the character of the site and to the setting and character of the urban settlement of Maidenhead.
3.	There would also be harm in the absence of a S106 legal agreement to restrict development / use of the sports facilities by the school until school development subject to 17/04018/FULL is delivered and to ensure that housing development subject to 17/04002/OUT comes forward.

If application 17/04018/FULL be refused then it is recommended that this application is refused with the amended reason below and a further additional reason for refusal 4:

Amended Green Belt refusal:

1.	By reason of its isolated siting of the proposed pavilion building would not preserve the openness of the Green Belt and would conflict with one of the purposes of including land in the Green Belt namely to 'safeguard the countryside from encroachment'. Furthermore, in the absence of the provision of the requisite associated parking facilities proposed under application 17/04018/FULL any parking provision would also harm openness. The proposal therefore constitutes inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances as confirmed in paragraph 143 of the NPPF 2019. It is not considered that very special circumstances exist that would outweigh the substantial harm to the Green Belt by reason of inappropriateness and the other harm.
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Added reason for refusal

4.	Due to the failure to demonstrate that a satisfactory level of parking provision can be
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	provide on-site the proposal is considered to have a detrimental impact on highway safety caused by congestion and on-street parking from users of the site.
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2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site, measuring approximately 8.7ha, comprises of open agricultural land which lies entirely within the Green Belt. As open agricultural land the site does not have a formal vehicle access point and there are currently no existing buildings or structures within the site. As a notable feature there is a linear belt of trees running north-south, set approximately 40-45m from Cannon Lane.
- 3.2 The site continues into open agricultural land to the north, which is subject to an outline planning application for 157 residential units, ref: 18/00130/OUT. To the north-east of this land are 5 residential properties known as Cannon Lodge, Ridgeway Lodge, Datcha, Littlewick Cottage and Pen-y-bryn. Maidenhead Thicket is located beyond to the north. Maidenhead Thicket is a mature woodland which is designated a Local Wildlife Site and bounded to the north by the A404(M). The site also continues into open agricultural land to the west and Claire's Court Junior Boys School which is subject to a full planning application for an all-through school campus, landscaping, amenity area, sports/running track, environmental garden, multi-use games area, and car parking and drop-off area, ref: 17/04018/FULL. To the east of the existing Junior Boys school are 2 residential dwellings known as Ramblings and Windfall. The eastern boundary of the application site is formed by a hedgerow running parallel and adjacent to Cannon Lane. Cannon Lane is a local distributor road, running north-south, and forms the western boundary to the urban settlement of Maidenhead. On the other side of Cannon Lane from the application site are residential properties in Cox Green which comprises predominately of medium density, late 20th century houses. To the south-east are residential properties fronting onto Cannon Lane and Firs Lane and Foundation Business Park, while to the south-west is land participating in a 'wildlife-friendly farming' scheme (Woolley Firs) and thereby comprising of wildflower. A public right of way also runs along the southern boundary of the site.

4. CLAIRE'S COURT AND MAIDENHEAD HOCKY CLUB BACKGROUND AND 'THE RIDGEWAY PROJECT'

- 4.1 Claire's Court is an independent day school founded in 1960 and currently located at 3 separate sites in Maidenhead at the Ridgeway (Junior Boys), Ray Mill Road East (Senior Boys) and College Avenue (Nursery, Junior and Senior Girls, and 6th Form). It is the largest independent school in the Borough and only all-through school which offers education from Nursery to Sixth Form for boys and girls in Maidenhead and represents just under 20% of the RBWM independent school capacity.
- 4.2 Junior Boys at The Ridgeway has a nominal capacity of 280 pupils; Senior Boys at Ray Mill Road East is 360; and the Nursery, Junior and Senior Girls, and Sixth Form at College Avenue is 550. However, while the total nominal capacity is 1190 pupils the school group is unable to operate at more than 96% capacity (1142 pupils) due to physical and statutory constraints. From the annual school census as of January 2018 there were 1055 pupils on the roll, which equates to 89% capacity. Around 56% of pupils live within the Borough.
- 4.3 The fundamental aim of the proprietors is to consolidate the existing three sites into one campus onto extended grounds at the Ridgeway Junior Boys School to address constraints in terms of operational capacity, diseconomies from operating across three separate sites, condition of existing accommodation, and sufficiency and suitability.

- 4.4 The 'Ridgeway Project' also comprises of the development of a recreation area including sports pitches to replace the sports facilities at Ray Mill Road East and College Avenue and enhance overall provision for Claire's Court School, and to provide a new home for Maidenhead Hockey Club (MHC). The pitches and pavilion subject to this application are not included in the submitted cost plan for the new school accommodation. However, taking into account the £29 million cost for the new school campus, paragraph 1.6 of the Very Special Circumstances Report states that the school and recreation facilities will cost approximately £38 million to build and fit out thereby indicating that the sports pitches and pavilion will cost approximately £9million.
- 4.5 Maidenhead Hockey Club (referred to as MHC) is the largest Hockey club in the Borough by membership with approximately 445 members playing on a regular basis at local and regional level, which in December 2017 can be broken down as follows:

Age Range (years)	Male	Female	Totals
5-10	16	64	80
11-13	34	75	109
14-16	19	28	47
17-18	10	31	41
19-21	4	4	8
22-25	13	5	18
26-35	26	18	44
36-45	27	19	46
46+	44	9	53
Total	193	253	446

- 4.6 MHC currently does not have a single or dedicated club site, and for training sessions the Council's Playing Pitch Strategy (2016) advises that the club mainly makes use of the water-based pitch at Altwood School during Monday morning and Monday-Thursday evenings and the sand-dressed pitch at Braywick Park on Sunday from 09:00-13:30. A third pitch at Windsor Boys School is used on an ad-hoc basis.
- 4.8 The club also holds a number of tournaments through the season which are as follows:

Tournament	No. of Participants	Occurrence	Date
Colts	100	Yearly	Easter
Veterans	120	Yearly	March / April
Colts Thames Valley Minis	120	Monthly	October – March
England Hockey In2Hockey	140	Yearly	March

- 4.8 In determining a planning application the Local Planning Authority is required under planning law to assess a proposal against the relevant Development Plan policies unless there are material considerations which indicate otherwise. The NPPG advises that the scope of what can constitute a material consideration is very wide, but in general planning is concerned with land use in the public interest. As the operation and financial situation of MHC and the school relates to recreational and educational uses of land, which is in the public interest, this would be a material consideration. However, the protection of purely private interest could not be a material consideration. Therefore, when assessing the operational and financial matters as a material consideration it is necessary to assess precisely who the said benefits accrue to, and attribute weight accordingly.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The application is for outline permission for the development of 2 new artificial grass hockey pitches and two artificial grass practice areas, together with an artificial grass rugby pitch and other recreation grass pitches. Outline planning permission enables the principle of development and specified details to be agreed. In addition to the principle of development, permission is sought for details relating to the accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access, circulation, and how these fit into the surrounding access network (access). While all matters other than access are reserved,

information on the use, amount of development for each use, indicative layout, and the upper and lower limits for height, width and length of each building is required to be submitted with an outline application.

- 5.2 The pitches and pavilion proposed would be for shared use by Claire’s Court School and Maidenhead Hockey Club (MHC). A new 3m wide road is proposed along the northern boundary of the site, leading from a new roundabout on Cannon Lane at the junction with Farmers Way to the proposed Claire’s Court School campus which is sited to the west of the application site and subject to planning application 17/04018/FULL. There is no direct vehicular access from the access road to the application site itself with vehicles being led to the turning / parking areas for the school: there is no direct access to the public highway from this application site, the adjoining site has to be crossed. The intention is for MHC to also utilise the proposed coach and car parks and turning area at the school campus when using the proposed pitches and pavilion. For clarity, the access road is included as part of the proposed development under this application but the not the coach and car park nor turning area at the school campus.
- 5.3 The indicative layout, ref: ADP-XX-DR-L-1910 S1P7, shows an all-weather hockey/football pitch to the south-west corner of the site, orientated with the goal ends to the east and west and measuring approximately 50m in length and 30m in width. A 6m high weld mesh fence is proposed along both the eastern and western boundary and a 3m high weld mesh fence along the northern and southern boundary. An identical all-weather hockey/football pitch and fence is proposed to the north of this. To the east of the two all-weather hockey/football pitches are two all-weather practice areas measuring approximately 30m x 13m. A junior rugby / mini-midi all-weather pitch, measuring approximately 57m in length and 35m in width is located in the north-west corner of the site. Between the all-weather hockey/football and junior rugby / mini-midi pitches is a new two-storey pavilion (club house) building. Indicative floor plans and elevations of the pavilion building have been submitted. For clarity, while the title box of the indicative floor plans and elevations indicate that the scale is 1:50, based on the stated measurements on the plan the drawings are scaled at 1:100. On this basis, the pavilion comprises of a rectangular footprint measuring approximately 24m in length and 15.5m in width. A butterfly-style roof is proposed which has a maximum height of 8.3m. To the east of the pavilion and junior rugby pitch / mini-midi pitches are two grass football pitches each measuring approximately 36m in length and 23m in width with 3m run-off on sides, while to the south of these is a senior rugby union grass pitch measuring 72m in length and 35m in width with 5m run-off on sides. Overlaying the two football and rugby union pitches are a junior and senior cricket pitch with overall dimensions of 92m x 97m and 111m x 115m, respectively. A 1.5m stock fence is proposed along the Cannon Lane frontage, up along the access road, and between the site and the school piazza and coach park proposed under 17/04018/FULL.
- 5.4 A proposed hockey pitch timetable has also been submitted for the 2 all-weather hockey/football pitches. The primary users will be the school during the week day, and MHC during the evenings during the week weekends, although the pitches would be available for external lettings or community use on Monday and Friday afternoons / evenings, although no community use agreement has been submitted with this application.
- 5.5 There is no relevant planning history for the site, but there are 4 other linked and pending applications which are as follows:

Planning reference	Site	Proposal
17/04018/FULL	Claire’s Court School, Cannon Lane	Construction of an all-through school comprising nursery and junior building; central building and senior building. Provision of landscaping, amenity area, sport/running track, environmental garden and covered multi-use games area. Provision of staff and visitor car parking, parent drop off and coach parking area.
18/00130/OUT	Claire’s Court School, Cannon Lane	Outline application (layout, scale and access) for 157 residential units.
17/04002/OUT	Claire’s Court School,	Outline application (layout, scale and access) for the

	Ray Mill Road East	erection of 11 no. dwelling.
17/04001/OUT	Claire's Court School, 1 College Avenue	Outline application (layout, scale and access) for the erection of 53 no. dwellings.

5.6 These 5 applications have been put forward by the applicant on an inter-linked basis. Officers have reported on the relationship between these applications where due regard should be given. The cumulative impacts of 3 applications at The Ridgeway, which is covered in the Environmental Statement (ES) is also reported on. However, submitted as separate applications each application must be considered and determined on its own merits.

5.7 The applicant wishes for the benefits arising from all 5 applications to be considered against each individual application. However, in submitted the applications separately without any mechanism by which the local planning authority can consider them holistically it is not reasonable for the benefits as a whole to be considered against each application.

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

6.1 The Council, in determining the planning application has the following main statutory duties to have regard to the provisions of the development plan so far as material to the application and any other material considerations. (Section 70(2) Town & Country Planning Act 1990), and to determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).

6.2 The main strategic planning considerations applying to the site and the associated policies are:

Issue	Adopted Local Plan Policy
Green Belt	GB1, GB2(a)
Agricultural Land	GB2(b)
Community Facility	CF2
Recreation Use	R8
Neighbouring Amenity	NAP3
Highways	P4, T5, T7
Public Right of Way	R14
Trees and Hedgerow	N6, N7
Archaeology	ARCH 3, ARCH 4

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 2 - Achieving Sustainable Development

Section 4 - Decision-Making

Section 8 - Promoting Healthy and Safe Communities

Section 9 - Promoting Sustainable Transport

Section 12 - Achieving Well-Designed 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

Section 16 - Conserving and Enhancing the Historic Environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Appropriate Development in Green Belt and acceptable impact on Green Belt	SP1, SP5
Trees and nature conservation	NR2, NR3
Acceptable impact on historic environment	HE1
Environmental protection and pollution	EP1, EP2, EP3, EP4
Highways and parking	IF2
Makes suitable provision for infrastructure	IF1, IF5, IF7, IF8

- 7.1 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Supplementary Planning Documents

- Planning Obligations and Developer Contributions
- Landscape Character Assessment

Other Local Strategies or Publications

- 7.2 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy
- Townscape Assessment
- RBWM Highway Design Guide
- RBWM Open Space Study
- RMWB Playing Pitch Strategy
- Infrastructure Delivery Plan

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

Publicity for Environmental Impact Assessment

Statutory site notices advertising the proposal as EIA development was posted at entrance of the private access leading to Claire's Court Junior Boys School, on Cannon Lane opposite Farmer's Way, and on Firs Lane on 11 July 2018, and an advert was placed in the Maidenhead Advertiser on the 19 July 2018.

Publicity for Planning Application

45 occupiers were notified directly of the application. Site notices advertising the application was posted at entrance of the private access leading to Claire's Court Junior Boys School, on Cannon Lane opposite Farmer's Way, and on Firs Lane on 18.01.2018 and the application and was advertised in a local paper distributed in the borough on 25.01.2018.

Representations supporting and objection to the application received up to the 15 August 2019 are summarised below. Any representations received after this date will be reported in an update

Around 2086 letters were received supporting the application, summarised as:

Comment		Approximate number of representation on this issue	Where in the report this is considered
1.	Would facilitate relocation and provision of high quality education securing the future of Claire's Court School, and high quality sports facilities, including new homes for Maidenhead Hockey Club.	2074	Section i, xi
2.	Includes transport infrastructure improvements	2059	Section xi
3.	Would provide much needed houses within the Borough.	2025	Section xi
4.	Would reduce traffic in town centre and across the Borough as teachers and parents will not have to travel between the 3 Claire's Court sites, and solve on-street parking problems during drop-off / pick up peaks	30	Appears to relate to proposed development for the school, unclear how this relates to this application.
5.	Provision of affordable housing	21	Section xi
6.	Would provide 2 acres of public open land at the Ridgeway site for community use	7	Section xi
7.	The proposal would safeguard / provide jobs, and would encourage investment in Maidenhead	5	Section xi
8.	If Claire's Court school closes then over 1000 children will have to find alternative places	2	Section xi
9.	General support, no reason given	1	Noted.
10.	Increase in demand on physical and social infrastructure is not an issue	1	Section 10.

Around 952 letters were received objecting the application summarised as:

Comment		Approximate number of representation on this issue	Where in the report this is considered
1.	Increase in traffic resulting in congestion	891	Section v
2.	Inappropriate development in Green Belt, harm to Green Belt	870	Section ii
3.	Concerns over highway safety due to increase in traffic, displaced animals and infrastructure works	804	Section v
4.	Impact on physical infrastructure (roads, sewers, water pressure)	795	Section v, x
5.	Urbanisation / loss of habitat resulting in harm to wildlife	775	Section viii
6.	Noise and light pollution to the detriment of local amenity	767	Section vi
7.	No very special circumstances demonstrated to outweigh harm to Green Belt	737	Section xi
8.	Higher pollution levels from congestion and idling cars	724	Section vi
9.	Insufficient parking	694	Section v
10.	Noise and light pollution to the detriment of local wildlife	643	Section viii
11	Urbanisation and harm to semi-rural character of the locality	42	Section iii

12.	Loss of agricultural land	30	Section x
13.	Loss of and harm to trees	15	Section iv
14.	Aviation concerns with loss of open space for planes to land in an emergency, development would be a distraction to pilots, wildlife may migrate onto airfield	8	Noted, no evidence to demonstrate that aviation safety is an issue.
15.	Overdevelopment of the site	8	Section iii
16.	Loss of openness / open space	7	Section ii, iii
17.	Harm to archaeological potential	5	Section ix
18.	Inadequate sustainable drainage	5	Section vii
19.	Inconvenience to local residents during construction	5	Section vi
20.	Impact on social infrastructure (GPs, Schools, Police)	4	Section 10
21.	Development located in an unsustainable location with lack of access to sustainable modes of transport	3	Noted.
22.	Design and scale unsympathetic and out of character	6	Section iii
23.	Noise and safety of future occupants from aircrafts / would compromise the ability for White Waltham Airfield to operate	2	Noted, no evidence to demonstrate noise and safety from White Waltham Airfield will unduly compromise future occupants nor the ability for white Waltham airfield to operate.
24.	Loss of privacy to neighbouring properties due to upper floors of clubhouse	1	Section vi
25.	Harm to The Thicket and the setting of The Thicket	1	Section iii
26.	Land levels would mean the Hockey Pitches would be higher than Cannon Land and visually prominent	1	Section iii

1 petition with 302 signatures was also received objecting to the application on the grounds of Increase in traffic congestion, highway safety, noise and pollution, loss of Green Belt, harm to wildlife, harm to local infrastructure (water, sewage).

1 letter from Cllr McWilliams – local residents are strongly opposed to development, harm to Green Belt, congestion, and inadequate infrastructure.

Consultees

Consultee	Comment	Where in the report this is considered
Arboriculture Officer	The masterplan shows a cricket pitch and football pitch C within the crown spreads of trees from which a dominant belt is running north of south. If any level changes are required than this may infringe in the roof protection area to an extent that the trees may not remain viable. There will also be direct overhang of branches across the eastern edge of the cricket pitch and associated shading and debris fall. This will result in pressure to detrimentally	Section iv

	prune or remove trees in future. On this basis it is considered that the proposal is not acceptable.	
Berkshire Archaeology	Concurs with the conclusions of the desk-based archaeological assessment and geophysical survey reports incorporated into 'Archaeological and Heritage' chapters of the ES, and agrees that further archaeological investigation can be undertaken post consent, which can be secured by condition. Advises that further exploratory field evaluation to be undertaken before the finalisation of reserved matters application so that appropriate mitigation measures, including the preservation in situ, can be considered.	Section ix
Ecology	No objection subject to conditions relating to a wildlife friendly landscaping plan; wildlife sensitive lighting scheme; and Biodiversity Enhancement Plan.	Section viii
Environmental Protection	Loud voices, whistles and bad language has not been considered and should be considered as part of the detailed design, but can potentially be resolved by good design (layout), acoustic mitigation (barriers) or restriction of hours of use. Potential issues for use if rented out for external use for events unrelated to the sports. Potential odour from the kitchen / bar, and therefore details of extraction system should be submitted and agreed by the local planning authority. Condition requiring a lighting report detailing the lights, column location, height, number and angle of the lights, and isolux plan to show the lit area including details of spill and back light. No concerns over air quality. Recommended conditions include site specific construction management plan, mechanical plant and equipment during construction, plant noise insulation, lighting, odour fume filtration / extraction, working house, dust management plan, construction fires and contaminated land.	Section vi
Cox Green Parish Council	Raises objections for the following reasons: Development is inappropriate development in the Green Belt. Green Belt Assessment as part of the emerging BLP process establishes that the site contributes strongly towards Green Belt objectives. Recognises there are some economic and social benefits and would contribute towards housing need, but Very Special Circumstance has not been demonstrated. Increase in traffic which would aggravate existing congestion problems resulting from restrictive access to Cox Green. Increase in air pollution due to concentration of slow or stationary vehicles queueing. Insufficient on-site car parking provision resulting in increase in parking pressure on surrounding roads. Would impact on existing infrastructure including water, sewerage, healthcare and school places.	Section ii, v, vi, x, xi,10
Highways Officer	Whilst it is accepted that the development would introduce additional traffic on Cannon Lane, it is noted that the majority, if not all, of the traffic associated with the development would occur outside the peak periods; training sessions runs from 7pm through to 10pm*. Based on the timetable, the majority of the activities are likely to occur on match days, during the weekend period, where	Section v

	<p>the traffic conditions are not comparable to those experienced during the week day.</p> <p>This is an outline application with all matter reserved except access for the development of 2 new artificial grass hockey pitches, 2 artificial grass practice areas, associated recreational pitches and a artificial grass rugby pitch.</p> <p>The site together with the proposed school and residential development will be served by an access that forms a roundabout junction off Cannon Lane and associated works. The works on the public highway will need to be secured by way of a Section 278 Agreement (Highways Act 1980).</p> <p>Having reviewed the information submitted, we would conclude that the proposal raises no concerns with regards to access provisions. However, given the synergy between this and the surrounding wider redevelopment proposals, it is recommended that any permission that the Planning Authority is minded to give includes a condition requiring the submission of a car parking management plan, to safeguard the amenities of the adjoining developments and ensure minimal disruption of traffic in the locality.</p>	
Highways England	No objection, but due to the site's proximity to the A404(M) Junction 9B, Highway England expects to be consulted on any future Construction Management Plan.	Section v
Lead Local Flood Authority	No objection. Recommends a pre-commencement condition requiring submission and approval of full details of the proposed surfaces water drainage system and its maintenance arrangements; and informative relating to chalk in parts of Maidenhead which should be taken into account in the design of any infiltration features and building foundations.	Section vii
Natural England	Confirms no comment.	Noted.
National Trust	<p>Raises concerns over the following:</p> <p>The impact on Maidenhead Thicket, which is owned by the National Trust. Maidenhead Thicket is designated as a Local Wildlife Site and an important habitat for a variety of species. Therefore, the impact of the proposed development should be carefully considered and mitigation measures proposed to prevent any loss of or damage to habitat, and to ensure a net gain for nature.</p> <p>The increase in the number of people and increased recreational pressure on Maidenhead Thicket. The impact needs to be managed and mitigation measures need to be considered to prevent any damage to habitats and infrastructure.</p> <p>Impact of light pollution on the environment and wildlife. Mitigation measures, by way of appropriate design features should be proposed to prevent artificial light spill.</p>	Section iii, viii
Sports England	<p>Supports the application as it meets the objectives of Sports England.</p> <p>Following consultation with sports' National Governing Bodies, including Rugby Football Union; England Hockey; Lawn Tennis Association; English Cricket Board and the Football Association, all NGBs are supportive of the proposal for new sports facilities as it will support the sports network within the Borough. This should be</p>	Section i

	<p>accorded an appropriate weight in the decision that is reached for this application.</p> <p>To address the loss of sports facilities at Claire's Court Girls/Sixth Form this proposal would provide an overall net gain of playing fields. The only concern is to ensure that the facilities would meet the relevant technical guidance, which can be addressed by an appropriate condition and informatives that the playing fields would be fit for purpose.</p>	
South East Water	No comments received.	Noted.
Thames Water (Foul Water Sewage Network)	<p>Comments reflect their duties under the Water Industry Act which requires Thames Water to provide, maintain and extent the networks to accommodate new development.</p> <p>Comments are ones of no objection / no concern. Once there is certainty about the proposed development (planning approval) Thames Water in conjunction with the developer and Local Authority will identify off-site infrastructure needs.</p> <p>Capacity currently exists in the current network for early phase of development. The likely scale of any updates and the time it will take for Thames Water to deliver mean that with effective engagement they are confident that any upgrades can be delivered in line with the development and without the need on this occasion for a phasing style planning condition.</p>	Section x
White Waltham Parish Council	<p>Raises objections for the following reasons:</p> <p>Land is designated as Green Belt and inappropriate development</p> <p>Site is adjacent to ancient woodland at Maidenhead Thicket / National Trust.</p> <p>Concerns over the impact on local roads which are already congested</p> <p>Impact on residential amenity and rural village character from floodlights at the Hockey Club.</p> <p>Considers the proposal to be overdevelopment.</p>	Section ii, iii, v, vi, xi

Others

Group	Comment	Where in the report this is considered
Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT)	<p>Raises objections due to insufficient information on the ecological impacts of the proposed development; conflicting information submitted on proposed mitigation and enhancement measures; lack of evidence that a net biodiversity gain will be achieved; and proposed lighting is contrary to biodiversity and enhancement objectives.</p>	Section viii
Binfield Badger Group	<p>Raises objections as it is considered that insufficient account has been taken on the impact on badger setts and territory, and impact from roads and traffic, and lighting and noise.</p> <p>In the event of revisions or planning permission being granted, any work in the vicinity of an active sett must be in accordance with a specific licence obtained from Natural England and under the responsibility of a suitably trained ecologist.</p> <p>If minded to approve, the following conditions are also recommended:</p>	Section viii

	<p>Construction Phase</p> <ul style="list-style-type: none"> - Employment of ecological consultancy to carry out regular checks of known and new setts, and ensure impact on wildlife is minimised - No heavy machinery or ground digging within 30m of any active sett entrance without a qualified ecologist obtaining a licence from Natural England and continuous monitoring to ensure compliance - No works that cause noise or ground vibrations within 70m of active setts during December – June - No works within 100m of any sett from dusk to dawn - Inclusion of escape ramps for any trenches, and deep excavations must have wildlife impermeable fencing - No fires or littering - Appropriate storage of building materials to prevent collapse on wildlife and and materials hazardous <p>Habitation Phase</p> <ul style="list-style-type: none"> - Pupils, staff and residents of the development must be kept away from main setts by wildlife permeable fencing to prevent disturbance - Provision of additional badger foraging habitat 	
Maidenhead Civic Society	<p>In reviewing the proposal, there are integral aspects between the application for the pitches, school and housing at the Ridgeway.</p> <p>There are merits in the proposal, especially the consolidation of the 3 existing school sites into one purpose built campus at the Ridgeway and reduction in car/bus journeys created by triple locations; the provision of a new home for Maidenhead Hockey Club and improved sports facilities; and provision of affordable housing.</p> <p>Conversely, the proposal would add to the exiting traffic pressure on Cannon Lane, there will be light pollution from night time use of the sports facilities, and harm to the rural character of the area including the Thicket and National Trust land.</p> <p>Notwithstanding the merits or otherwise of the proposal, determination should fall to Green Belt. This is a highly visible and sensitive area of Green Belt which was not identified for development as part of the Borough Local Plan process, and Very Special Circumstances must be proven.</p>	Section iii, v, xi,
Littlewick Green Society	<p>Raises objections for the following reasons:</p> <p>Development would extent the urban border of Maidenhead to the west, increasing urban sprawl. Cannot see any merit in the proposal to satisfy the conditions for the Very Special Circumstances.</p> <p>Noise and light pollution from the hockey pitches and flood lights to the detriment of neighbouring amenity.</p> <p>Cannon Lane already suffers from significant congestion, and this development would result in gridlock on the roads in the surrounding vicinity.</p>	Section ii, xi, v, vi

9. EXPLANATION OF RECOMMENDATION

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 is the legislative basis for the determination of planning applications and requires planning decision to be made in accordance with the development plan unless material considerations indicate otherwise.

- 9.2 The key issue for consideration is the extent to which the proposed development is consistent with Development Plan Policies, taking into account proposed plans, technical studies and the ES.
- 9.3 As the proposal comprises of an urban development project which is listed in column 1 and meets the relevant threshold / criteria in column of Schedule 2 of the Environmental Impact Assessment (EIA) Regulations 2011, and considered likely to have a significant effect on the environment, an EIA would be required. It should be noted that 2011 EIA Regulations are applicable, because the scoping opinion for this proposal was requested prior to 16th May 2017 (which is when the 2017 EIA Regulations came into force), and the EIA transitional arrangements allows for this. The accompanying ES and addendum includes a description of the proposed development; a description of the likely significant effects of the proposed development on the environment including cumulative impacts; a description of any features or measures envisaged in order to avoid, prevent or reduce likely significant adverse effects on the environment; a description of the reasonable alternatives by the development; a non-technical summary of the information; and any additional information specified in Schedule 4 relevant to the specific characteristics of the development and to the environment features likely to be significantly affected. The ES meets the terms of the EIA Regulations 2011 and provides the data and information required to adequately assess the impact of the proposals on the environment.
- 9.4 The key issues for consideration are:
- i Sports Facilities
 - ii Green Belt
 - iii Impact on Character of the Area
 - iv Trees and Hedgerows
 - v Highways
 - vi Neighbouring Amenity
 - vii Sustainable Drainage
 - viii Ecology
 - ix Archaeology
 - x Other Material Considerations
 - xi The Case for Very Special Circumstances
 - xii Planning Balance
- i. Sports Facilities**
- 9.5 Local Plan policy R8 states that the Council will permit development for public or private recreation use, such as this, unless such development would result in significant environmental or highway problems or where it would conflict with other policies of the Local Plan. As a material consideration of significant weight, BLPSV policies IF3 and IF4 state that the Council will encourage improvements to the quantity and quality of the Borough's green infrastructure, which includes outdoor sports facilities. As a further material consideration, paragraph 91 of the NPPF states that planning decisions should aim to achieve healthy and inclusive places which enables and supports healthy lifestyles, for example sports facilities.
- 9.6 In this context, the provision of new sports facilities is supported in principle. The impact on the environment, highways and compliance against other Local Plan policies is assessed below.

- 9.7 In addition to representing new facilities for the school, the proposal would provide mitigation for the loss of approximately 1.3ha of playing fields at the Junior Boys School following potential development of a new school campus on the existing playing fields, which is subject to planning application 17/04018/FULL. The proposal also represents mitigation for the potential loss of open space due to the linked proposals at College Avenue the subject of application 17/04002/OUT. It should be noted that if this application is refused then re-provision cannot be achieved for 17/04018/FULL and 17/04001/OUT. Having regard to the future deficit outlined in the Council's Playing Pitch Strategy this would consequently result in harm.

ii Green Belt

Whether the proposal is Appropriate Development

- 9.8 The site lies within the designated Metropolitan Green Belt as shown on the Local Plan Proposals Map. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 145 of the NPPF states that new buildings in the Green Belt would be regarded as inappropriate development with some exceptions. Further to paragraph 145 of the NPPF, paragraph 146 of the NPPF goes on to state that certain other forms of development are appropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Local Plan policy GB1 and GB3 and BLPSV policy SP5 also set out appropriate development in the Green Belt, however, the Local Plan was prepared in accordance with the cancelled PPG2: Green Belts while the BLPSV was prepared in accordance with the NPPF (2012). While the Development Plan comprises of the Local Plan, policies GB1 and GB3 are not entirely consistent with the NPPF and are not given full weight for the purposes of this assessment. Under transitional arrangements the BLPSV is assessed against the NPPF (2012) and therefore policy SP5 is considered to be consistent in this respect, but due to unresolved objections policy SP5 should only be given moderate weight as a material consideration. The NPPF is considered to be a more up-to-date expression of Government intent and is afforded significant weight as a material consideration.
- 9.9 The exceptions to inappropriate development in the Green Belt listed under paragraph 146 of the NPPF includes a material change of use in the land such as changes of use for outdoor sports or recreation, provided that it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
- 9.10 In this context, it is considered that in itself a change of use from agriculture to outdoor sports and recreation would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it. The proposed change of use is, in isolation, therefore considered to be appropriate development within the Green Belt.
- 9.11 In terms of the proposed pitches and pavilion, one of the exceptions to inappropriate development listed under paragraph 145 of the NPPF is the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sports and recreation, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 9.12 The various pitches are considered to represent appropriate facilities as the use directly relates to outdoor sports and recreation, and their size as shown on the indicative layout meets standard dimensions for the associated sport. Insofar as preserving the openness of the Green Belt and purposes of including land within the Green Belt when not in use there would be no effect on openness and the pitches would not conflict with any of the 5 purposes of the Green Belt as so defined in paragraph 134 of the NPPF.
- 9.13 For the proposed pavilion, indicative floor plans and elevations have been submitted to establish the use, amount and scale parameters. The indicative floor plans, drawing ref: ADP-00-00-DR-A-1000 S2T1 and ADP-00-01-DR-A-1001 S2T1, indicate the building would accommodate changing rooms for players and officials (approx. 250sqm), toilets (approx. 23sqm), an office (approx. 13sqm), store rooms (approx. 13sqm) and a plant room (approx. 15sqm) on the ground floor, with a lift and stairway leading to an office (approx. 10sqm), kitchen (approx. 35sqm), bar/lounge (approx. 285sqm), viewing platform (approx. 77sqm), toilets (approx. 25sqm), and

further store rooms (approx. 20sqm) on the first floor. Overall there is approximately 95sqm of circulation space (including stairways).

- 9.14 In relation to the first test of whether the proposed pavilion represents appropriate facilities for outdoor sports and recreation, the provision of changing rooms and storage for sports equipment is considered to be directly related to the outdoor sports and recreation use, while the toilets, offices, storage for clubhouse equipment and plant room are considered to be reasonable ancillary uses. It is also accepted that many pavilions / club houses incorporate viewing platforms, and catering and communal space to support the social aspect of team sports which is important to foster a sense of community and well-being. It is noted that Sports England club house design guidance sets out recommendations for improved views of matches and communal social facilities, while England Hockey require host teams to provide post-match hospitality. In terms of scale, it is considered that regard must be had to the scale of the associated sports and recreation that it will serve. The submitted Justification for Sports Pavilion (letter from PRP Planning, dated 25 February 2019) sets out that if all 3 grass pitches and 2 all-weather pitches were in use by the school this would equate to 120 players excluding staff/spectators. For MCH, based on the regular league schedule with 2 all-weather pitches in operation this would equate to 72 – 144 players excluding spectators. As such, given this context, the broad quantum and indicated balance and arrangement of spaces is considered to be appropriate.
- 9.15 Turning to the second test of the exception of whether the proposed pavilion would preserve the openness of the Green Belt and whether it would conflict with the purposes of including land within it, the NPPG advises that the impact on openness of the Green Belt should be assessed by taking into account both its spatial and visual impact, while paragraph 133 of the NPPF makes it clear that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open while paragraph 134 of the NPPF sets out the five specified purposes of the Green Belt which are as follows:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.16 The illustrative floor plans show a regular shaped building measuring approximately 24m in length and 15.5m in width, while the proposed elevations (ref: ADP-00-ZZ-DR-A-1200, ADP-00-ZZ-DR-A-1201, ADP-00-ZZ-DR-A-1202 and ADP-00-ZZ-DR-A-1203) shows a 2-storey building with a butterfly-style roof is proposed which has a maximum height of 8.3m. The overall loss of openness from the footprint and volume of the proposed pavilion, where there is presently no built development, is not considered to preserve the spatial openness of the Green Belt. The consequent spatial reduction in openness would also be visually evident from Cannon Lane and the public right of way off Firs Lane from where there are currently relatively open views of the site, and from the southern edge of Maidenhead Thicket from where there are partial views due to intervening vegetation. Mindful of the outline nature of this application, a smaller building may diminish the volumetric effect on openness of the Green Belt, but any building within the site would be isolated from other buildings and sited amongst the openness of the pitches which would heighten the visual impact on openness. Overall, it is considered that the spatial and visual aspect of openness of the Green Belt would not be preserved. It is also considered that the intrusion of the pavilion building into what is currently an open field would also encroach into the countryside, contrary to the third purpose of the Green Belt listed in paragraph 134 of the NPPF.
- 9.17 Therefore, while the proposed pavilion would represent appropriate facilities in connection with the proposed change of use of the land from agricultural to outdoor sports and recreation, it is not considered to preserve the openness of the Green Belt and would conflict with 1 of the purposes of the Green Belt namely to safeguard the countryside from encroachment. As such, the Pavilion would therefore not fall under exception b) of paragraph 145 of the NPPF, it is therefore concluded it is inappropriate development.
- 9.18 Given that the proposal has to be considered in its entirety, the proposal as a whole is considered to be inappropriate development in the Green Belt. Paragraph 143 of the NPPF states that

inappropriate development is, by definition, harmful to the Green Belt and such development should not be approved except in Very Special Circumstances (VSC). The applicant has put forward a case for VSC, which is considered in 'The Case for Very Special Circumstances' section of this report.

- 9.19 In addition to the pitches and the pavilion the applicant has confirmed that associated development would include boundary fencing, ball-stop fencing, goalposts, floodlights, and seating (team bench shelters within the pitch areas) (letter from PRP Planning, dated 14 September 2018). The letter confirms that standard hockey goals will be required, which in accordance with Hockey England guidance comprises of 2 vertical goal posts set 3.66m apart from the inner edge with the lower edge of the cross-bar 2.14m above the ground. The floodlights of which there would be up to 12 to cover the 2 all-weather pitches, would be sited on 15 poles. In terms of the fencing, the illustrative Masterplan shows a 1.5m stock fence along the Cannon Lane frontage, up along the access road, and between the site and the school piazza and coach park proposed under 17/04018/FULL, and a weld mesh ball-stop fence measuring 6m high along the 33m long eastern and western boundaries and a 3m high fence along the 50m long northern and southern boundaries of the 2 all-weather pitches. However, notwithstanding what is shown on the illustrative masterplan and details provided on the fencing, goalposts, floodlights and seating, insofar as any of these would represent development, they would need to be subject of a separate application for planning permission as none of this is covered by this proposal.
- 9.20 In terms of the cumulative effects of the 3 linked proposals at the Ridgeway given that the proposed development would result in a detrimental impact on openness and conflict with 2 of the purposes of the Green Belt, it follows that the cumulative development of the proposed development together with the other proposals, would also cause harm to openness and be contrary to 2 of the purposes of the Green Belt.

iii Impact on Character of the Area

- 9.21 Local Plan policy DG1 resists development which is cramped or which results in the loss of important features which contribute to local character. As a material consideration, BLPSV policy SP2 expects development to positively contribute to a place, while policy SP3 requires development to achieve a high quality design and expects compliance with the design principles set out in the policy. Given the extent of unresolved objections to BLPSV policy SP2 and SP3 it is considered that these policies should be given significance weight. As a further material consideration, paragraph 124 of the NPPF advises that high quality buildings and places is fundamental to what the planning and development process should achieve, and good design is a key aspect of sustainable development. To achieve this, paragraph 127 of the NPPF advises that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and establishes a strong sense of places using the arrangements of streets, spaces, building types and materials to create attractive and distinctive places to live, work and visit. Paragraph 130 of the NPPF states that planning permission should be refused for development of poor design that fails to take the opportunity available for improving the character and quality of an area and the way it functions

Landscape Character Areas

- 9.22 Landscape is everywhere and has character. In this case, the site is identified in the Council's Landscape Character Assessment (LCA) Supplementary Planning Guidance (SPG) as an area of Open Chalk Farmland (5a - Littlewick Green). Open Chalk Farmland is considered to be a distinct and recognisable character type due to its key characteristics which is a flat, open and simple rural landscape with an expansive feel, commonly comprising of large arable fields with remnant hedgerows and trees. In terms of rarity, the Open Chalk Farmland character type is only found at one location within the Borough, roughly contained between settlement along Bath Road to the north and the settlements of White Waltham and Waltham St Lawrence to the south. Due to the detracting influences of its 'edge of town' location the condition of this particular site is considered to be good-declining. However, overall, based on its contribution towards consistent patterns in

the landscape, occurrence and condition the LCA concludes that the landscape character of open chalk farmland is of moderate strength. In terms of capacity for change, due to the generally large scale, flat and open character the LCA concludes that Open Chalk Farmland is highly sensitive and therefore the capacity for change is low.

- 9.23 As the LCA describes the relevant landscape and thereby local distinctiveness, it is considered that this provides an understanding of how the landscape within the Borough is perceived, experienced and valued by people who interact with it. Therefore, in addition to its intrinsic value there is also the amenity value of the relevant landscape which should be borne in mind.
- 9.24 The layout and maintenance of pitches is likely to result in a more formal and manicured appearance which, in addition to the increase in noise and busyness, would conflict with the existing rural character of farmland. The pavilion building shown on the indicative floor plans and elevations would also result in the loss of openness, which is a key character of this landscape. While an outline application, even with a smaller building it is considered that it's isolated siting away from other buildings and amongst the pitches would heighten the adverse impact on openness. It is therefore considered that the proposal would be unduly harmful to the identified landscape character of the site.
- 9.25 To the east of the site and Cannon Lane is the urban settlement of Maidenhead, and the largely unspoiled site is considered to have value as a rural setting to this western edge of Maidenhead. The property boundaries on the eastern side of Cannon Lane and Cannon Lane itself also forms a strong, linear urban / rural edge, clearly defining the two character types. The realignment of the road and new roundabout would contribute to the urbanisation of the western side of Cannon Lane and the opening up of views of the sports development on the site, resulting in a degree of blurring between the urban / rural character, to the detriment of the landscape character of the site, and the setting of this part of Maidenhead.
- 9.26 Given that the proposed development would have undue harm to the landscape character of the site and the setting of the urban settlement of Maidenhead, it follows that the cumulative development (the proposed development; the school development, ref: 17/04018/FULL; and housing development, ref: 18/00130/OUT) would also cause undue harm. The ES Volume 2: Main Text includes an assessment on the landscape from the cumulative development, and Table 13.2: Summary of the Inter-Project Effects confirms that operation of the development the Open Chalk Farmland, Woodland / Plantation and Urban Settlement character areas would experience moderate adverse effects. The assessment and conclusions in Table 5: Landscape Receptors – Cumulative Assessment of the LVIA is in line with this and recognises the moderate adverse effect.

Layout, Scale and Design and Landscaping

- 9.27 Layout, scale, design and landscaping are reserved matters and not for consideration at the outline stage.

Alterations to Cannon Lane

- 9.28 The character of Cannon Lane would change in the vicinity of the new site access. As existing, the proportions of this section of the road are generally intact, emphasised and framed by the linear hedgerow on the western side and the row of houses on the eastern side. The realignment of the road and new roundabout would widen the proportion of this section of Cannon Lane. However, while the visual change would be considerable, given the significance of the character of Cannon Lane, the harm would be relatively limited.

iv Trees and Hedgerows

- 9.29 Trees and hedgerows can make a valuable contribution to the visual amenity of an area and provide a valuable wildlife habitat. Local Plan policy N6 requires new development to allow for the retention of existing suitable trees wherever practicable, should include protection measures necessary to protect trees during development, and where the amenity value of trees outweigh the justification for development then planning permission may be refused. As a material consideration, BLPSV NR2 states that development proposals should carefully consider the impact of proposed development on existing trees and where harm is unavoidable provide

appropriate mitigation measure, but where the amenity value of trees outweighs the justification for development than planning permission may be refused.

- 9.30 Local Plan policy N7 states that the Council will require the retention of hedgerows and where hedgerow removal is unavoidable, replacement and improved planting will be required. Of material consideration of significant weight, BLPSV policy NR2 states that development proposals should protect and retain hedgerows and where harm to hedgerows is unavoidable appropriate mitigation measures will be required.
- 9.31 As shown on Appendix A: Existing Tree Plan of the Arboriculture Report (December 2017), to the east of the site there is currently a belt of trees running parallel to Cannon Lane, set back approximately 40-45m from the public highway (T115, T119, T120, T122, G113, G114, G116, G117, G118, G121, G124 and G123). Along the eastern boundary of the site, adjacent to Cannon Lane, is a hedgerow (H140). To the south-east corner are individual trees within private gardens belonging to properties on Firs Lane (T123, T126, T128, G127, G129 and G130), while along the southern boundary of the site runs another hedgerow (H133) and two individual trees (T131 and T131). To the south-western area of the site there is a group of trees (T134, T135, T136, T137, T138 and T139 which intercepts a line of trees running along the western boundary (T42, T46, T49, T50, G41, G43, G44 and G45).
- 9.32 As part of the realignment of Cannon Lane and creation of the new roundabout and access from Cannon Lane, the proposal would involve the loss of approximately 170-200m of hedgerow H140. Hedgerow H140 is described in Appendix C: Tree Survey Review of the Arboriculture Report as a semi-mature hawthorn and blackthorn hedge of good condition with a height and crown spread of less than 2m. The removal of the hedge is considered to be a necessary requirement of the proposal's implementation, therefore as mitigation the proposal includes a replacement hedgerow on the western edge of the proposed roundabout. The indicative site layout demonstrates how a hedgerow of similar size to the existing could be accommodated. If minded to approve a condition is recommended to secure the replacement and details of the hedgerow.
- 9.33 The proposed access would also result in the loss of defined groupings of Scots Pine including G113 (part of), G114, G116 and G117, and a larch within the linear grouping (T115). The Arboriculture Report identifies these trees as 'B' class which normally applies to trees of moderate quality and value for their arboricultural qualities as well as their contribution to visual amenity and biodiversity. Section 4.3 of BS5837:2012 advises 'B' class trees should be retained, but it is acknowledged that the removal of the trees is considered to be a necessary requirement of the implementation of the access. As mitigation, replacement trees are proposed along the south of the access road. In this respect, the indicative masterplan shows new trees adjacent to the proposed access which are close the edge of the rugby pitch. This may result in shading and debris fall, and therefore pressure to prune and remove in the future. However, given the size of the site and required dimensions for 1 artificial grass rugby pitch, together with the 2 artificial grass hockey pitches and associated practice areas on grass, an acceptable layout could be achieved with tree planting for required mitigation. Therefore, this issue could be addressed at a reserved matters stage where layout and landscaping is considered. If minded to approve, an informative is recommended to advise the applicant that details of replacement trees for required mitigation should be submitted as part of the layout and landscaping as a reserved matter.
- 9.34 The Arboriculture Report also refers to replacement trees on land to the north of the access road. However, the northern side of the access road falls outside of the 'red line' (the application site) and 'blue line' (land under the control of the applicant) on the location plan, ref: ADP-XX-00-DR-L-1903 S1P4. Therefore, tree planting as mitigation to the north of the access road cannot be secured by condition, and therefore should not be taken into consideration as part of this application.
- 9.35 Of note, the indicative masterplan shows a cricket pitch and a football pitch sited within the root protection area (RPA) and crown of trees within the belt running parallel to Cannon Lane towards the east of the site. The Arboriculture Report identifies these trees a 'B' class and therefore of moderate quality and value. There is a gradient across the site and any regrading to create a level surface or subterranean works may infringe upon the RPA, which is the minimum area

around a tree deemed to contain sufficient roots and rooting volume to maintain the tree's viability. The pitches would also be subject to shading and debris fall from the crown spread, which may result in pressure to detrimentally prune or remove trees in future. As outlined in paragraph 9.33 of this report there is no indication that an acceptable layout cannot be achieved. Therefore, it is considered that this issue can be addressed at a reserved matters stage where layout is considered. However, if minded to approve an informative is recommended to advise the applicant that potential conflict between existing trees and proposed pitches should be avoided to achieve an acceptable layout

v Highways

- 9.36 Local Plan policy T5 requires all development proposals to comply with adopted highway design standards, policy P4 requires all development proposals to accord with adopted car parking standards, while policy T7 seeks to ensure that new development makes appropriate provision for cyclists including cycle parking. As a material consideration, BLPSV policy IF2 states that development proposals should support the policies and objectives of the Transport Strategy as set out in the Local Transport Plan and provide car and cycle parking in accordance with the current Parking Strategy. Given the lack of unresolved objections to policy IF2 it is considered that this policy should be afforded significant weight in the consideration of this application. As a further material consideration, paragraph 108 of the NPPF states that appropriate opportunities to promote sustainable transport modes should be taken up; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety should be cost effectively mitigated to an acceptable degree. Paragraph 109 of the NPPF goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Trip Generation, Junction Capacity and Highway Mitigation

- 9.37 As the application sets out the use of pitches and pavilion would be in association with the school during the day (school use during term time and holiday camp/clubs during holidays) it is considered that any additional traffic during peak periods would be included in figures for the school development subject to linked application 17/04018/FUL. Therefore, should the school development be acceptable in trip generation terms then this development should also be acceptable. In relation the use by MHC, paragraph 3.6 of the Transport Assessment outlines practice sessions take place from 20:00 - 22:00 on weekends except Friday where there is no session, and 09:00 – 13:30 on Sunday. As the use by MHC would primarily generate additional traffic outside of network peak periods, the impact on local highway infrastructure would be acceptable in this respect.
- 9.38 Turning to the school development subject to 17/04018/FUL, the transport impact of the school development has been taken in combination with the housing development subject to 18/00130/OUT and it is established that any significant impact on the highway network in terms of capacity and congestion would be effectively mitigated and would not have such a severe effect to warrant refusal.
- 9.39 However, should the proposal subject to this application come forward in isolation with use by the school in its current form with campuses at College Avenue and Ray Mill Road East; based on the information provided it is not possible to establish what the trip generation and impact on the highway network would be, whether the proposal would require mitigation, or in what form. In the absence of submitted evidence to demonstrate that that the proposal in isolation would be acceptable in planning terms, and to ensure that the delivery of the proposal does not come forward on its own, if minded to approve it is considered necessary that a S106 legal agreement is entered into which includes an obligation that restricts use of the sports facilities in association with the school proposed under 17/04018/FULL.

Pedestrian Crossing

- 9.40 A Toucan crossing is proposed to the north of Barley Mead, which is considered to enable pedestrian and cycle movements to and from Cox Green to the proposed development as part of creating sustainable communities. It is not considered to have an undue impact on the operation and traffic flow on Barley Mead or Cannon Lane and is therefore acceptable. The Toucan crossing would have to be secured through both a S106 agreement and a section 278 agreement to permit works within the highways; it may also require a Traffic Regulation Order, which is a separate process over which the planning authority has no control. The provision cannot therefore be assured.

Proposed Vehicular Access

- 9.41 The scheme will be served by an access from the proposed roundabout junction with Cannon Lane and Farmer's Way. A Stage 1 Road Safety Audit is provided in Appendix 13 of the Transport Assessment, which assessed the safety implementation of the proposed junction. The audit raised a number of uses of concern, following which a Designer Response Report has been produced and submitted (Appendix 14, Transport Assessment). The recommendations of the Designer Response Report are considered to satisfactorily address the issues raised in the Road Safety Audit, which if minded to approve can be secured by condition.
- 9.42 In terms of the relationship with the proposed Toucan crossing concerns were raised by local residents in respect to excessive speeds and insufficient stopping sight distance due to the brow of the hill for approaching traffic turning left from the access. However, the submission of a forward visibility splay profile demonstrates that this is not an issue that would warrant refusal.
- 9.43 The proposed access road would have a carriageway width of 6m which is considered to be sufficient for two vehicles to pass. The non-linear alignment and speed bumps would act as traffic calming measures. A 2m footpath is also proposed, which is an acceptable width for two pedestrians to cross. Acceptable visibility splays at the proposed roundabout junction can be secured by condition in addition to the requirement that the sightlines are not obstructed above a height of 0.6 metres.

Car and Cycle Parking, and Refuse Provision

- 9.44 For sports fields, to accord with the Council's Parking Strategy the maximum requirement is 12 car parking spaces per hectare of pitch, and a ratio of 1 cycle space to every 20 car parking spaces should be provided. This would equate to a maximum of 88 car parking spaces and 5 cycle parking spaces for the development. It is proposed that the users of the pitches will utilise the car and cycle parking facilities provided by the new school campus at the Ridgeway, which is subject to a linked planning application, ref: 17/04018/FULL. 284 car parking spaces and 120 cycle parking spaces are proposed at the school campus, which would exceed the maximum car parking standard for the pitches. As a shared facility this would be acceptable but in isolation this application proposal would not be provided with any on site car parking or cycle parking facilities. If minded to approve, it is recommended that this parking provision is secured by condition in addition to a Car Parking and Traffic Management Plan to demonstrate how the shared parking arrangements will be managed to avoid conflict between the school and hockey club/external users, and to prevent users from parking along the main spine road and in the roads that will serve the proposed residential estate. While the land for the required parking is outside of the application, it is included in the 'blue line' (land under the control of the applicant) on the location plan. It is therefore evidenced that the land needed to enable the developer to comply with the condition is under the developer's control. If minded to refuse 17/04018/FULL, however, then this would represent harm for this application that should be weighed up in the planning balance.
- 9.45 It is considered that there would be sufficient space on site to provide an acceptable refuse storage, which if minded to approve can be secured by condition assuming a refuse vehicle could access the site from the public highway.

vi Neighbouring Amenity

- 9.46 As a material consideration of significant weight, BLPSV Policy SP3 and HO5 seeks to ensure no undue harm to residential amenity enjoyed by the occupants of adjoining properties, and

Paragraph 127 of the NPPF states that planning decisions should create places with a high standard of amenity for existing and future users.

Noise

- 9.47 To assess the potential noise impact on neighbouring residents, to establish baseline conditions a noise survey was taken in 2014 at residential receptors towards Firs Lane where the closest residential properties are. The Ambient noise level is reported as 58 LAeq,T dB during the day (07:00-23:00) and 51 LAeq,T dB during the night (23:00-07:00) (Table 10:9 Noise Survey Results at Residential Receptors, ES Volume 2: Main Text). To predict the potential noise level, noise measurements were undertaken at the existing playing fields to the south of the existing Junior Boys School and used to calculate the worst case scenario of the 5 proposed pitches being used concurrently. On this basis, the ambient noise levels for the playing pitches is predicted to be 60 LAeq,day dB (Table 10.18: Playing Pitch Noise Predictions, ES Volume 2: Main Text). In comparison with the baseline conditions it is considered that there will be a negligible to minor increase in the ambient noise level from the development. In terms of the noise from vehicle activities associated with the proposed car park provided by the new school campus at the Ridgeway, which is subject to a linked planning application, ref: 17/04018/FULL the nearest residential receptors would be the residential properties at Ramblings and Windfall. With regard to the baseline conditions, the Ambient noise levels are reported as 57 LAeq,T dB during the day (07:00-23:00) and 49 LAeq,T dB during the night (23:00-07:00) (Table 10:9 Noise Survey Results at Residential Receptors, ES Volume 2: Main Text). In terms of the noise from vehicle activities associated with the proposed car park, the predicted ambient noise levels are reported as 59 LAeq,1hr dB during the morning peak and 62 LAeq,1hr dB during the evening peak (Table 10:17: Ambient Baseline LAeq,1hr and Maximum LMax,1h levels Against Predicted Levels from Car Park Noise, ES Volume 2: Main Text). In comparison with the existing ambient noise levels it is considered that there will be a negligible to minor increase in the ambient noise level from the development. An additional noise survey was undertaken in 2017 which confirmed that the main noise source and noise climate remain the same.
- 9.48 In terms of cumulative impact, the combined traffic associated with the school and residential development has been modelled and the additional flows are expected to result in a negligible noise effect.
- 9.49 The worse-case noise generation from construction is predicted to be 55 LAeq, day dB for the properties on Firs Lane compared to the ambient noise level of 57 LAeq,T dB (Table 10.13: Worst Case LAeq, day at Receptors During Construction, ES Volume 2: Main Text), and therefore raises no undue concerns. There may be some overlap between the construction of the sports, school and housing development, but if best practices are implemented through a site-specific construction environmental management plan via condition it is not considered the cumulative effect would result in any significant impact; the harm will be considered in the planning balance.

Loss of Light, Loss of Privacy and Visual Overbearing

- 9.50 Based on the indicative layout there would be a separation distance of over 175m from the nearest residential properties on Firs Lane, which would be sufficient to mitigate any undue overlooking, visual intrusion or loss of light. However, as layout, scale and appearance (siting of windows/balconies) are reserved matters, the impact on neighbouring amenity in this respect would be considered further as part of any reserved matters application.

Light Pollution

- 9.51 It is likely that the development would include external lighting to the pavilion building and to light up the pathway. If minded to approve, details of the external lighting including the siting, design (luminaire type and profiles, mounting height, aiming angles, and energy efficient measures) and beam orientation to ensure no undue harm to neighbouring amenity can be secured and controlled through a condition.

- 9.52 Concerns have been raised over light pollution from floodlights. While it is noted that the intention is to install floodlights and notwithstanding what is shown on the illustrative masterplan, insofar as they would represent development, they would need to be subject of a separate application for planning permission.

vii Sustainable Drainage

- 9.53 As a material consideration, BLPSV policy NR1 requires development proposals to incorporate sustainable drainage systems, but given the extent of unresolved objections this policy should currently be allocated limited weight. However, as a further material consideration, paragraph 165 of the NPPF requires major development, such as this, to incorporate sustainable drainage systems (SUDS) unless there is clear evidence that this would be inappropriate.

- 9.54 The submitted Flood Risk Assessment and Drainage Strategy outlines a proposal to provide sufficient storage requirements in the form of attenuating infiltration basins with all surface water discharged to ground. The submitted information fails to clearly demonstrate that the proposed drainage strategy would fully meet the Non-Statutory Technical Standards for Sustainable Drainage, however due to the green spaces proposed on this development site there is scope to accommodate amendments to proposed infiltration devices as required, therefore it is considered likely that a viable drainage strategy could be implemented. If minded to approve it is recommended that this should be subject to a condition that secures a surface water drainage scheme for the development to be submitted to and approved by the Local Planning Authority. Details should include:

- full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details;
- supporting calculations confirming compliance with the Non-statutory Standards for Sustainable Drainage, proposed discharge rates and attenuation volumes to be provided; and
- details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented.

It also recommended and the submission of the outputs from groundwater monitoring along with the drainage design that reflects these outputs are secured at the detailed design stage and approved prior to commencement of development.

viii Ecology

Special Area of Conservation

- 9.55 The site lies within 5km and within the zone of influence of Chilterns Beechwoods, a Special Area of Conservation (SAC), which is a European Designated site. The primary reason for designation is the significant presence of semi-natural dry grassland and scrubland facies on calcareous substrates (*Festuco-Brometalia*); *Asperulo-Fagetum* beech forest; and *Lucanus cervus*. The Natura 2000 data form for Chilterns Beechwoods reports that the main threats relate to forest and plantation management and use; invasive non-native species; problematic native species; and interspecific floral relations. Where any proposal is likely to have a significant effect on a European site either alone or in combination with other plans or projects, the Conservation of Habitats and Species Regulations 2017 requires an appropriate assessment to be made in view of that site's conservation objectives. Paragraphs 175 and 176 of the NPPF state that development resulting in the loss of deterioration of Special Areas of Conservation should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In this case the proposed development, along and in combination with the linked proposals, is not considered to have a significant effect on Chilterns Beechwoods due to its distance, therefore an appropriate assessment is not required.

Other Designations

- 9.56 There is a statutory designated site, Great Thrift Wood Site of Special Scientific Interest (SSSI), approximately 2km to the south-east of the application site. Natural England describe it as a

predominately damp, ancient, coppiced woodland, and the SSSI is important for its representation of five semi-natural stand-types. To the north of the application site is Maidenhead Thicket Local Wildlife Site, a non-statutory designated site owned by the National Trust. Maidenhead Thicket comprises of a mixed woodland with 19 ancient woodland indicator species.

- 9.57 As a material consideration protecting and enhancing the natural environment forms part of the 'Environmental' dimension of 'Sustainable Development' and paragraph 170 of the NPPF states that planning decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 175(a) states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or as a last resort compensated for then planning permission should be refused. Paragraph 175(b) goes on to state that development on land outside of a SSSI, which is likely to have an adverse effect on it, should not normally be permitted. BLPSV Policy NR3, which should be allocated significant weight in the consideration of this application, states that proposals should demonstrate how they maintain, protect and enhance the biodiversity of application sites and requires proposals to mitigate or as a last resort compensate for any adverse biodiversity impacts where unavoidable adverse impact on habitats and biodiversity arise.
- 9.58 To support the proposal, ecological information has been submitted contained within the ES Volume 2: Main Text and relevant appendices. This includes an extended Phase 1 Habitat Survey was conducted in 2014 with a second survey conducted in 2017. Detailed species survey for dormice, breeding birds, reptiles and bats were also undertaken in 2017, while badger surveys were conducted in 2014, 2015, 2016 and 2018. This is in line with best practice guidelines and so the survey results are considered to be valid. Furthermore, the supporting ecological information submitted covers the application site in addition to the sites for 17/04018/FULL (school) and 18/00130/OUT (housing) to address the cumulative impact.

Badgers

- 9.59 There are badger sets within the site and surrounding area, and badger activity has been identified along the eastern and southern boundaries but there is no sign of badger activity at the centre of the site. As such, the loss of the arable field is considered not to result in a significant loss of foraging habitat. However, if minded to approve it is recommended that a wildlife-friendly landscaping scheme is secured by condition in the interest of enhancing biodiversity and thereby foraging habitat within the site.
- 9.60 The proposal includes the loss of significant hedgerow along Canon Lane to accommodate the access, which is identified as a commuting route for badgers from the south of the site to Maidenhead Thicket to the north. Commuting routes are important to ensure badgers and other wildlife can access surrounding areas for foraging. Severance of commuting habitat would increase competition in foraging areas to the south of the site and reduction of food sources. As mitigation the proposal includes a replacement hedgerow on the western edge of the proposed roundabout. The indicative site layout demonstrates how a hedgerow of similar size to the existing could be accommodated. If minded to approve a condition is recommended to secure the replacement and details of the hedgerow including its management.
- 9.61 In relation to construction, the submitted ecology report states that a method statement should be prepared to ensure that precautionary working methods are adopted, including timing of the works and covering of any open trenches overnight. If minded to approve these measures should be included within a Construction Environmental Management Plan for Biodiversity, which can be secured by condition.

Bats

- 9.62 There are no buildings or trees within the site with the potential to support roosting bats and therefore no further survey for roosting bats is required. The submitted bat transect survey show that the hedgerow at the southern boundary is used by commuting bats, which would be retained as part of the development. The bat transect survey also identifies an opportunity for new planting which would enhance its value for commuting bats. If minded to approve it is

recommended that a wildlife-friendly landscaping scheme should be secured by condition in the interests of enhancing biodiversity.

Reptiles

- 9.63 While the submitted reptile survey confirmed that the majority of the site does not comprise of a suitable habitat for reptiles, the survey indicates that the tree line and an area in the east has potential to support reptiles with a low population of slow worms. A reptile mitigation strategy in relation to the protection of reptiles during the development, including the creation of a suitable receptor site within the adjacent land, sensitive clearance of suitable reptile habitat and programme of reptile capture and release into the newly created receptor site has been proposed. It should be noted that the proposed receptor site is on land subject to 17/04018/FULL and forms part of the school proposal, which has been identified as land with the potential to support reptiles and measures to improve its suitability to support reptiles have been put forward. If minded to approve, this can be secured by condition. While the land for the required for the receptor site is outside of the application site it is included in the 'blue line' (land under the control of the applicant) on the location plan. It is therefore evidenced that the land needed to enable the developer to comply with the condition is under the developer's control.

Dormice

- 9.64 A dormouse habitat suitability assessment of the site confirmed that there were no dormice or evidence of dormice recorded at the site or within 2km of the proposed development but the line of scots pine to the east of the site and the hedgerow alongside Cannon Lane and along the southern boundary which are affected by the development have been assessed as having negligible and low potential to support hazel dormouse, respectively. An outline mitigation strategy to safeguard dormice at the site should they be present during development has been proposed including the checking for dormice prior to clearance works, two stage cutting of hedgerows and the planting and management of new hedgerows with species known to be of value to dormice. If minded to approve it is recommended that details of the mitigation strategy is secured via condition.

Breeding Birds

- 9.65 The arable fields, scrub and scattered trees within the site has the potential to support breeding bird habitat, and a breeding bird survey recorded 24 species likely to be breeding on the site. To protect breeding birds during the development mitigation measures have been proposed, including the removal of tree and scrub to be undertaken outside the breeding bird season (March to August inclusive) and any nesting bird habitat is removed under ecological supervision. These mitigation measures are considered acceptable and if minded to approve should be included within a Construction Environmental Management Plan for Biodiversity to be secured by condition.

Biodiversity Enhancements

- 9.66 Paragraph 175 of the NPPF states that opportunities to incorporate biodiversity improvements in and around developments should be encouraged especially where this can secure measurable net gains for biodiversity. Biodiversity net gain calculations have been submitted to demonstrate that the site, jointly with the adjacent sites subject to the linked applications 17/04018/FULL and 18/00130/OUT, would be enhanced overall for wildlife. If minded to approve it is recommended that full details of biodiversity including, where applicable, bird and bat boxes, log piles / refugia, gaps at the base of fences to allow hedgehogs to transverse the site, wildlife friendly planting and traffic calming measures for badgers and other wildlife as part of a wildlife friendly landscaping scheme for this part of the site and for this application is secured by condition.

Lighting

- 9.67 Common pipistrelle and soprano pipistrelle were recorded along the southern, western and eastern boundaries of the site. Floodlights do not form part of the proposal for this application, but the proposed hockey pitch timetable submitted indicates that the pitches would be active until

22:00. The Council's ecologist has indicated that floodlighting that is active from dusk when bats emerge until 22:00 is unlikely to be acceptable on ecological terms and if minded to approve it is recommended that this advice is included as an informative to inform any future planning application.

- 9.68 In respect of other lighting, such as external lights on the pavilion or lighting for pathways, given that the majority of the site comprises of agricultural fields, the current light levels at the site are minimal. Lighting could have a severe detrimental effect on nocturnal animals. A sensitive, wildlife friendly lighting strategy should be submitted to the council via condition, if the application were to be approved. The strategy should include prevention of increased lux and illumination levels within sensitive areas such as tree lines, use of UV light, creation of dark zones by removing or limiting lighting within a 5-10m buffer around vegetation and avoidance of uplighters.
- 9.69 In terms of the cumulative impact, assuming that ecological protection measures are implemented and a suitable lighting strategy is in place, the development of the 'Ridgeway Project' is not considered to result in any significant effects on ecology.

ix Archaeology

- 9.70 Local Plan policy ARCH 3 states that planning permission will not be granted for proposals which appear likely to adversely affect archaeological sites of unknown importance unless adequate evaluation enabling the full implications of the development on archaeological interests is carried out prior to the determination of the application. This is supported by paragraph 189 of the NPPF which states that where a development site has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 9.71 An Archaeological desk-based assessment, ref: Report No. 10750, dated February 2016, has been submitted to support the application. The assessment confirms there are no designated heritage assets and no known undesignated heritage assets within the application site, but there are a number of monuments of prehistoric and Roman date recorded within the surrounding area including Roman Villas at Cox Green and Castle Hill, and a Bronze Age barrow and an Iron Age earthwork enclosure within Maidenhead Thicket which are nationally important Scheduled Monuments. With past activities limited primarily to agriculture when the area had been enclosed for agricultural use c.1800 it is considered that past impacts to archaeology would be relatively superficial.
- 9.72 A geophysical survey of the site was undertaken, and no significant anomalies were recorded to indicate the presence of significant, widespread buried archaeological remains. However, the geophysical survey report notes in paragraph 4.1.3 that the potential for surviving archaeology within the Ridgeway site cannot be fully ruled out and so there remains a likelihood that lesser buried remains will have survived that will be impacted by the proposed development.
- 9.73 Local Plan policy ARCH4 states that where evaluation of a site demonstrates the presence of archaeological remains which do not merit permanent in situ preservation, planning permission will not be granted for any development unless provision is made for an appropriate level of excavation, recording and off site preservation / publication / display of such remains. This is supported by paragraph 199 of the NPPF which requires developers to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and impact, and to make this evidence publicly accessible. Policy HE1 of the BLPSV, which should be allocated significant weight given the number and extent of unresolved objections, states that the historic environment will be conserved and enhanced in a manner appropriate to its significance. Therefore, it is considered that prior to the commencement of development an initial programme of exploratory field evaluation by trial trenching, which may be followed by more detailed investigations of areas of archaeological interest, in accordance with a written scheme of investigation is secured by condition together with an appropriate mitigation strategy following evaluation.

x Other Material Considerations

Loss of Agricultural Land

- 9.74 Local Plan Policy GB2(b) states that planning permission will not be granted for new development within the Green Belt if it would harm the character of the countryside through the permanent loss of Grade 1, 2 or 3a agricultural land, but due to inconsistency with the NPPF this policy is afforded limited weight. However, as a material consideration of significant weight, paragraph 170 of the NPPF states that planning decisions should recognise the wider benefits from natural capital including the economic and other benefits of the best and most versatile agricultural land.
- 9.75 Approximately 8.5ha towards the western section of the site has been classified as Grade 2 (Agricultural Land Classification), which Annex 2 of the NPPF confirms is the best and most versatile agricultural land. The proposal would clearly result in the permanent loss of this land, which is a material consideration and weighed in the planning balance.

Foul Water Sewage Network

- 9.76 The submitted FRA and Drainage Strategy indicates that surface water will not be discharged to the public network which is acceptable subject to an appropriate SUDS scheme (see paragraph XXX of this report). In relation to foul water discharge it is proposed to connect the development to an existing Thames Water sewer in Cannon Lane. Thames Water have confirmed that capacity exists in the current network for early phases of the development. With effective engagement and given the scale of any upgrades the time it will take for Thames Water to deliver would mean that works can be delivered in line with the development without the need for a phasing style planning condition.
- 9.77 To serve part of the site with a lower elevation, a pumping station may be required with a gravity connection to the public sewer on Cannon Lane. This would require planning permission, and if minded to approve it is recommended that this advice is included as an informative.

Water Pressure

- 9.78 Concerns have been raised by local residents over water pressure in the area, but no substantive information has been submitted by interested parties on how the school development would affect water pressure in the area. South East Water were also consulted on the proposal on the 24 April 2018 with a following up on the 27 June 2018, but no comments have been received. In the absence of any evidence underpinning the concern, it is not considered reasonable to refuse an application on this basis.

CIL and New Homes Bonus

- 9.79 The NPPG advises that a sum that a local authority could receive, such as CIL payments and New Homes Bonus could be a material consideration dependant on whether it could help to make the development acceptable in planning terms.
- 9.80 In terms of CIL, the proposed development would be CIL liable but in line with the Council's adopted CIL Charging Schedule this would attract a payment of £0 per square metre based upon the chargeable floor area. CIL is a mandatory planning charge introduced by the Planning Act 2008 to fund service and infrastructure support to growth in the area. As such, this is given neutral weight.
- 9.81 It is acknowledged that the New Homes Bonus would represent an economic benefit, but there is some uncertainty on the likely financial contribution through New Homes Bonus payments and this application does not, in itself, bring forward housing. As such, this is given neutral weight.

xi The Case for Very Special Circumstances

- 9.82 With reference to the exceptions listed in paragraph 145 and 146 of the NPPF it is considered that the proposal considered as a whole would be inappropriate development in the Green Belt. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and such development should not be approved except in Very Special Circumstances

(VSC). Paragraph 144 of the NPPF states that Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 9.83 The Courts have not defined ‘*very special*’, beyond confirming that the words must be given their ordinary and natural meaning as contained in *R(Chelmsford BC) v First Secretary of State* [2004] EWHC 2978 (Admin):

‘The words ‘very special’ must be given their ordinary and natural meaning. Since the expression ‘very special’ is so familiar, any attempt at definition is probably superfluous, but for what it is worth, the Shorter Oxford English Dictionary tells us that special means:

Of such a kind as to exceed or excel in some way that which is usual or common; exceptional in character, quality or degree. The circumstances must not be merely special in the sense of unusual or exceptional, but very special

- 9.84 The decision-taker has to exercise a qualitative judgment and ask whether the circumstances, taken together, are very special.

Harm to the Green Belt and Any Other Harm

- 9.85 In accordance with Paragraph 144 of the NPPF, any harm to the Green Belt in relation to inappropriateness, conflict with the purposes of including land within the Green Belt and harm to openness should be given substantial weight against the development. The proposal is considered to be inappropriate development in the Green Belt, and therefore, by definition, harmful to the Green Belt, contrary to two of the purposes of Green Belt, and would result in a significant reduction in openness. Overall, this amounts to substantial weight against the proposal.
- 9.86 Other harm identified includes a detrimental impact on the character of the area, to the landscape and to the setting of Maidenhead and Maidenhead Thicket meriting significant weight. While the harm to the residual cumulative impact of the proposal to the highway network would not represent severe harm to warrant refusal, it would result in some harm in terms of congestion and delays on Highfield Lane and reduction in resilience to the junction at A4 Bath Road and Cannon Lane. This is considered to merit moderate weight. The loss of best and most versatile agriculture land is also considered to result in harm, which given the amount lost would also merit limited weight.
- 9.87 Should the school proposal subject to planning application 17/04018/FULL be refused, then parking for this proposal cannot be provided. This would represent moderate harm. As the application for the school is recommended for refusal the balance includes this harm.
- 9.88 Section 17 of the Very Special Circumstances Report (July 2019) sets out the benefits of the proposed scheme, which is updated in Section 11 of the Very Special Circumstances Addendum (July 2019). A summary is provided below:
- Provision of choice of education in line with NPPF
 - Increasing 0-5 childcare
 - Provision of holiday club places
 - Provision of teacher training provided by school
 - Addressing the inefficiencies associated with the school being split between three sites
 - Retention and enhancement of the school as 10th Biggest Employer
 - Retention and enhancement of economic footprint of school of over £12.3m
 - Employment opportunities derived as a result of construction of the Proposed Scheme
 - Provision for Maidenhead Hockey Club and Community Use Agreement
 - Provision of allotment space or open space for parish council
 - Provision of Local Play Area
 - Provision of affordable housing to meet significant unmet local demand
 - Provision of market housing to meet significant unmet local demand
 - Local Finance Considerations including CIL and New Homes Bonus
 - Protection of wildlife during and after construction

Each has been assessed as to whether it constitutes a case for VSC or part of a case in combination, the weight to be given has been considered and then a balancing exercise carried out as required.

Provision for Maidenhead Hockey Club, School Sports Facilities and Community Use Agreement

- 9.89 MHC is a community club with a large membership of around 445 members incorporating a wide and inclusive age group but with a particularly strong junior membership of some 277 people. It is therefore considered that the club makes a significant contribution to the life and health of the community. Currently MHC mainly utilises pitches at Altwood School and Braywick Park. The Playing Pitch Strategy reports that the pitch at Altwood School, which is owned and managed by MHC, is over its recommended 10 year life span and of poor quality, but the pitch has recently been resurfaced and therefore is considered to be of good quality. The pitch at Braywick Park is older with signs of wear and tear and therefore of standard quality. In terms of growth in the sport, the Playing Pitch Strategy estimates that current and future demand can be accommodated on existing pitch stock. Notwithstanding this, the club sets out that there are issues with its operation across mainly two sites and with the lack of facilities, the main facility lacking being the pitch-side clubhouse: the club has a club house in Bray located within the Green belt. The split operation and lack of clubhouse is considered to be detrimental to the further development and inclusivity of the club. It is considered that addressing these issues would be beneficial to the local community. The weight that this should be afforded is discussed below.
- 9.90 However, facilities for MHC only form part of the proposal. The hockey pitches and pavilion will be shared with Claire's Court School and the remainder of the application site comprises sports pitches mainly for school use. The proposed sports facilities would represent enhanced facilities for the school. In addition to encouraging participation in sports, it is considered that it will allow the school to cover more sports and to develop teams. This is considered to contribute to healthy lifestyles for the pupils. However, with reference to Department for Education Building Bulletin 103 (2014), the proposed provision (running track, sports courts, MUGA running track, sports courts, MUGA) within the school site subject to 17/04018/FULL exceeds standards. As such, there is no deficiency with the proposed provision within the application 17/04018 to encourage participation in sports, cover a wide range of sports and to develop teams.

Alternative Options

- 9.91 To accord with Part 1 of Schedule 4 of the EIA Regulations, reasonable alternatives must be considered by the applicant and an indication given for selecting the chosen option. This is also considered useful to attributing weight to the above benefits.
- 9.92 In relation to the sports facilities for the school it is considered that that there is limited opportunity for comparable facilities on the existing sites within the settlement due to site constraints. It has to follow that the additional pitches for the school south of the existing Junior Boys site could have been proposed as a standalone application to provide improved sports facilities accepting this would not achieve the school groups overall ambition and aspiration for its future. For MHC, it is accepted that the option of building a club house at each site – if the landowner were to permit it - is likely to be financially unviable, and building a clubhouse at just one site would leave the other still without a pitch-side clubhouse. Notwithstanding the Club does currently have a clubhouse it uses for social events, the concern is one of consolidation and co-location. Furthermore, neither of these options would address the split operation.
- 9.93 Alternative locations have also been considered through 2 Sequential Site Assessments contained in section 11 of the Very Special Circumstances Report. For both Sequential Site Assessments the sites selected were drawn from the following:
- Local Plan
 - Maidenhead Centre Area Action Plan
 - BLPSV
 - Evidence base documents including:
 - Strategic Housing Land Availability Assessment (SHLAA)

- Housing Site Assessment
- Edge of Settlement Analysis: Preferred Options (January 2014)
- Edge of Settlement Analysis: Green Belt Purpose Assessment (July 2016)
- Employment Land Review (2013)
- Green Belt Boundary Study (December 2013)
- Green Belt Purpose Assessment (July 2016)
- Local knowledge of sites from hockey club members and advisers.

Since submission of the application it should be noted that the Council has published its Housing and Economic Land Availability Assessment (HELAA) (2018), which is addressed further below.

- 9.94 One of the Sequential Assessments has been undertaken in relation to Claire’s Court School and the other undertaken in relation to MHC. For the former, the Sequential Sites Assessment has been confined to sites measuring 24.59ha or larger as 24.59ha would be the size of the site required to accommodate the combined school, sports and housing development. As the school intends to use the sports development as part of their school facilities, while there may be a case that the proposed school and sports development should be located together or in close proximity but it is unclear why the housing needs to be. It is not considered that the issue of enabling development and viability requires the housing to be developed on or around the same site. This is addressed further below. For MHC, the Sequential Sites Assessment has confined this to sites measuring 2.5ha which would be required to accommodate hockey pitches and the pavilion
- 9.95 It is accepted that there are no identified sites that are outside of the Green Belt that are suitable in size to accommodate the school and sports development combined (15.2ha) with the exception of Maidenhead Retail Park on Stafferton Way. However, in relation to this site the HELAA advises that while the site was promoted it is likely to be unavailable until 2033 (the plan period of the BLPSV) due to existing leases.
- 9.96 In relation to alternative sites in the Green Belt, from the sources above the submitted Sequential Sites Assessment identified 10 sites which were 24.59ha or larger. These were discounted for the following reasons:

Site	Sequential Assessment by Applicant	LPA comments
Stubbings Farm, Burchetts Green Lane	Now site of proposed Beech Lodge School	Permission for Beech Lodge School was granted under 14/01581/FULL, and associated pre-commencement conditions have been discharged, ref: 16/03932/CONDIT. Therefore accepted that the development is progressing and the site is not reasonably available.
Town Farm, Marlow Road	Outside of settlement. Access issues.	The applicant has discounted the site as it is outside the settlement of Maidenhead. It is noted that Regina v Braintree District Council Ex Parte Clacton Common Development Limited [1998] concluded that for a town centre sequential test the search should be limited to the intended catchment area as the market which the developer is seeking to serve should be taken into account. As an independent school while the catchment area of the school can extend further it is recognised that it also seeks to serve a particular market and therefore, it is accepted that the site is not suitable.
Land South of A308(M), West of Ascot Road (known	Previously considered in early stages of Ridgeway Project and discounted on grounds of	No information has been submitted with this application to expand on the reason of location or to support unviability.

as The Triangle site)	location and viability.	Notwithstanding this, the site is reserved for employment use in the BLPSV which is considered to be sound and legally compliant, and given significant weight as a whole. The most-up-to-date evidence also demonstrates need for employment need (FEMA study and EDNAs). As such, it is considered that the site would not be available for the use for which permission would be sought.
St Leonards Farm St Leonards Hill	Out of settlement	It is acknowledge that the market which the developer is seeking needs to meet needs to be taken into account, therefore accepted that the site is not suitable.
Lillibrooke Estate area a, b and c, south of M4	Site not currently available.	No information has been submitted to demonstrate that the site is not available. However the site is not sequentially preferable. In addition to its Green Belt location the site also lies in Flood Zone 2 and 3, and incorporates ancient woodland, sites of special scientific interest and local wildlife sites.
Berkyn Manor & adjoining, Horton	In flood zone 3.	Accepted the site is not sequentially preferable. In addition to its Green Belt location the site also lies in Flood Zone 3.
Maidenhead Golf Course	Allocated as housing site in emerging local plan	In addition to housing the BLPSV has also allocated the site for educational facilities and playing pitches to meet the statutory requirements for school place provision by the LEA. However, the Council's Infrastructure Delivery plan has identified this site for a RBWM facilities and therefore it is acceptable that the site is not reasonably available.
Land North of Maidenhead Office Park	Site not currently available.	No information has been submitted to demonstrate that the site is not available. However, to the south-west of the application site is considered that the site would be subject similar if not the same constraints and therefore not sequentially preferable.
White Waltham Airfield	Site not currently available.	No information has been submitted to demonstrate that the site is not available. However, while promoted through the latest Call for Sites the Council's Edge of Settlement Analysis assessed this parcel of land as making a strong / very strong contribution to 2 of the purposes of the Green Belt, namely to check unrestricted sprawl of large built up areas and to prevent neighbouring towns from merging. It also makes a lower contribution to safeguarding the countryside from encroachment and preserving the setting of historic towns. As such, the site is not considered to be sequentially preferable.
Cannon Court	Outside of settlement area.	It is acknowledge that the market which

Farm		the developer is seeking needs to meet needs to be taken into account, therefore accepted that the site is not suitable.
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9.97 In addition to the sites above, the SHLAA identifies 2 sites measuring 15.2ha or over (the size of site required for the school and sports development) which should be considered. These are Lodge Farm, and Philberds and Spencer's Farm. The HELAA identifies 5 sites measuring 15.2ha or over. Commentary is provided below.

Site	LPA comments
Land at Lodge Farm & Philberds, Ascot Road, Maidenhead	Accepted that site is not sequentially preferable In addition to its Green Belt location the site is also in the setting of the Listed Building and within a Conservation Area.
Spencer's Farm, Maidenhead	The site allocated for housing in the BLPSV which is considered to be sound and legally compliant, and given significant weight as a whole.
Ascot Racecourse	It is acknowledge that the market which the developer is seeking needs to meet needs to be taken into account, therefore accepted that the site is not suitable
Ham Island (M&W), Windsor	It is acknowledge that the market which the developer is seeking needs to meet needs to be taken into account, therefore accepted that the site is not suitable
Eric Mortimer Rayner Memorial Lakes, Horton	It is acknowledge that the market which the developer is seeking needs to meet needs to be taken into account, therefore accepted that the site is not suitable
Land to the East of Horton Road and to the West of the Colne Valley Way	It is acknowledge that the market which the developer is seeking needs to meet needs to be taken into account, therefore accepted that the site is not suitable
Kings Beeches, Devenish Road	It is acknowledge that the market which the developer is seeking needs to meet needs to be taken into account, therefore accepted that the site is not suitable

9.98 On the basis of the above it is considered that there are no suitable alternative sites for the proposed school and sports facilities.

9.99 In relation to facilities for MHC and alternative sites of 2.5ha, 26 sites were identified and discounted due to availability, suitability and achievability of the development at the site, resulting in a total of 6 sites to be considered further:

Site	Sequential Assessment by Applicant	LPA comments
Braywick Park, to the east of the exiting RBWM Astro-turf pitch	Required construction over an old domestic landfill needing significant ground stabilisation, estimated to be c. £500k to £750k therefore cost prohibitive. RBWM proceeded with a scheme (c.2014/15) to resurface and level the old pitch where it had subsided by adding material to the far 5m of the pitch. It has since started to subside again.	Accepted the site is not viable.
North Town, north of Maidenhead Cricket Club	The proposed site is located in a flood plain in the Summerleaze area of Maidenhead adjacent to North Maidenhead Cricket Club.	Accepted the site is not sequentially preferable. In addition to its Green Belt location the site also lies in Flood Zone 2-3.
Bray Village, close to Bray Village Hockey Club	Close to the flood relief channel and needed a new bridge for access and other highways access issues, including floodlighting issues near to M4.	Accepted the site is not sequentially preferable. In addition to its Green Belt location the site also lies in Flood Zone 2-3, and within Bray Village Conservation

		Area.
Cox Green School, land to the rear of existing school	Substantial road improvements to improve access to school and community centre. Already provision of community gym and other facilities and other expansion including Manor Green School has reduced available area for new facilities.	Size of site is currently approximately 2.1 ha, and therefore accepted the site is unsuitable.
Ockwells Park, land to existing park	Poor ground conditions, heavy clay soils and high water table with a flood risk.	Accepted the site is not sequentially preferable. In addition to its Green Belt location the site also lies in Flood Zone 2-3.
Desborough College, co-location of facilities	Determined area offered was too small for a pitch.	Size of area accommodating existing pitch is less than the standard dimensions of a hockey pitch. Therefore, accepted that the site is unsuitable.

9.100 On the basis of the above, in addition to the provision of new sports facilities in general, it is considered that the proposal would address shortcomings in the facilities for MHC and there are no suitable alternative sites for the proposed MHC facilities in isolation. However, this is considered to only merit moderate weight in support of the proposal.

9.101 It is proposed that the facilities are offered for community use. Based on the proposed hockey timetable, which would be for Pitch 2 between 15:00-18:00 on Monday and 16:00-18:00 on Friday. As such, given this limited availability this is considered to be a limited benefit together with the lack of a community use agreement completed by the applicant this merits limited weight.

Choice of School Places

9.102 While the proposal comprises of school facilities in the form of pitches and a clubhouse, the proposal itself does not involve the provision of school places, nor has any evidence been put forward that the pitches and club house are essential to maintain the viability of the school in its existing form across 3 sites at the Ridgeway, College Avenue and Ray Mill Road East or in the proposed form subject to planning application 17/04018/FULL, thereby resulting in its closure as a whole or in part, reducing choice in education. The facilities within the school proposal itself would suffice to meet the educational needs of the school. As such, this is given no weight in a case for VSC.

Nursery Provision

9.103 The increase in 0-5 childcare is associated with the school development subject to planning application 17/04018/FULL, which is not reliant on this particular planning application. As such, this merits no weight.

Teacher Training

9.104 The provision of teacher training is associated with the school development subject to planning application 17/04018/FULL, which is not reliant on this particular planning application. As such, this merits no weight.

Holiday Club

9.105 During half term and full term holidays the school runs holiday clubs that are open to the local community. For the 7 weeks of summer in 2017 there was an average daily attendance of 110 children, 78% from within the Borough. Paragraph 5.17 of the Very Special Circumstances Report advises that this represents the single largest provision of holiday childcare in RBWM.

- 9.106 The proposal includes facilities to support the school operation, but it is unclear how the proposed facilities will be utilised and how it is essential for the provision of the holiday club. Based on the lack of information, this merits no weight.

Market Housing and Affordable Housing

- 9.107 At the time of writing the Local Planning Authority cannot demonstrate a five year housing supply of deliverable housing sites with an appropriate buffer. In the absence of a five year housing supply and the Government's objective to significantly boost the supply of housing, as set out in paragraph 59 of the NPPF, the provision of housing would weigh in favour of a proposal.
- 9.108 This application does not include any market or affordable housing as part of the proposal. However, it could potentially free the sites at College Avenue for housing development which is subject to planning application 17/04002/OUT. Application 17/04002/OUT is reliant on the subject proposal as mitigation for the loss of open space that would be lost as a result of the residential development. Should application 17/04002/OUT be approved and a satisfactory S106 is completed to ensure that the housing provision comes forward, the housing provision would represent a benefit of the scheme. Given that the site would bring about a total of 53 residential units to meet housing demand this would merit significant weight in principle. However, that application is recommended for refusal it is not afforded significant weight in favour of the proposal.
- 9.109 Of the 53 homes provided at College Avenue this includes affordable units, which is in compliance with the 30% of the total units on any individual site. There is no provision above and beyond what is necessary to meet policy expectation. Therefore, while it is considered that the provision of affordable units would make a valued contribution towards identified need, it is considered that compliance with planning policy to achieve an acceptable development in planning terms should not be counted as a benefit in addition to the significant benefit of the overall housing provision. It is therefore afforded no additional weight towards VSC.

Economic Footprint and Employment Opportunities

- 9.110 It has not been put forward that the pitches and club house are essential to maintain the viability of the school in its existing form across 3 sites at the Ridgeway, College Avenue and Ray Mill Road East or in the proposed form subject to planning application 17/04018/FULL, thereby resulting in its closure as a whole or in part, reducing choice in education. In fact it is clear that this provision would not be required for the new school to be provided with sufficient pitch and sport provision. As such, the economic footprint of the school through employment and operation is given no weight as VSC in this application. It is however, recognised that the proposal would generate employment and spends through its construction. This is given moderate weight.

Provision of Local Area of Play (LAP)

- 9.111 Based on the indicative layout there is no Local Area of Play proposed within the site. A LAP is provided within the site for the housing development subject to 18/00130/OUT but as this does not directly rely in the sports development coming forward, no weight can be attributed. Furthermore, the LAP is required to comply with Local Plan policies R3, R4 and R5 to meet the need for open space, including play space for children and young people, generated by the housing development. It therefore does not represent a benefit of the scheme in any case and merits no weight. An area of open space is proposed to the south of the site, which is assessed below.

Provision of Allotment /Open space

- 9.112 Paragraph 13.10 of the Very Special Circumstances Report states that Cox Green Parish Council has identified a need for allotments within the local area, and following discussions with the Parish Council an area of approximately 2 acres for allotments has been provided to the south of the site, adjacent to Firs Lane.

9.113 The Council's Open Space Study reports that against recommended standards of 0.2ha per 1,000 population (Thorpe Report arising from the Departmental Committee of Inquiry into Allotments) the Borough has a surplus of allotment land of around 16.06 hectares which would reduce to a surplus of around 12.6ha by 2033. However, the Open Space Study does acknowledge that geographically there is some shortfall to the north-west of the Borough (Cox Green). The provision of allotments are included in the CIL 123 list as green infrastructure, and therefore would fail the tests to secure a planning obligation and the Council cannot accept it.

Biodiversity Gain

9.114 The protection of wildlife during and after construction, and biodiversity gain through an Ecological Management Plan have been put forward as a benefit of the scheme. It is considered that the protection and translocation of wildlife during construction, as is mitigation for the loss habitat and commuting/connecting corridors, are necessary to offset the impact of the development on ecology and make the proposal acceptable in planning terms. However, biodiversity gain as a result of biodiversity enhancements which can be achieved on site, as shown by the Biodiversity net gain calculations is considered to be a benefit of the scheme and therefore given moderate weight towards the case for VSC.

Green Belt Planning Balance

9.115 The harm to the Green Belt is given **substantial weight** against the development. **Significant weight** given to the harm to the character of the area, the landscape, the setting of Maidenhead and Maidenhead Thicket. There is **moderate weight** to the residual harm to the local road network arising from the development and **moderate weight** to the lack of car parking provision within the application site. There is **limited weight** to the loss of best and most versatile agricultural land and **very limited weight** to the change in character of Cannon Lane arising from the development proposal together with **limited weight** to the harm arising from noise during the construction phase of the development.

9.116 Against this harm, in favour of the proposal whilst significant weight could be given to the provision of housing, as the application for housing is recommended for refusal it is considered that **no weight** should be given to the provision of housing. **Moderate weight** is given to the benefit for the provision of sports facilities for MHC with **limited weight** for use of these facilities by the wider community. **Moderate weight** is given to economic benefits from employment and spends from construction and **moderate weight** is given to the biodiversity gains. **Very Limited weight** is given to the provision of allotments,

9.117 It is not considered that the harm to the Green Belt and any other harm from the proposal is clearly outweighed by other considerations either individually or cumulatively. Therefore, Very Special Circumstances has not been demonstrated; the proposal constitutes inappropriate development in the Green Belt.

xii Planning Balance

9.118 Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

9.119 Footnote 7 of the NPPF (2019) clarifies that:

'out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer)'

- 9.120 Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council formally submitted the BLPSV for Examination in January 2018. The Borough Local Plan Submission Version sets out a stepped housing trajectory over the plan period (2013-2033) to meet the Boroughs Housing need. However, the BLPSV is not yet adopted planning policy and the Council's adopted Local Plan is more than five years old. The LPA currently cannot demonstrate 5yhs of deliverable housing sites (with the appropriate buffer).
- 9.121 Notwithstanding the fact this this application does not relate to residential development; in this instance subsection d(i) of paragraph 11 is engaged as Green Belt policies in the NPPF, which protect areas or assets of particular importance, provides a clear reason for refusing the development proposed. As such, the tilted balance is not engaged and the planning balance is carried out in the ordinary way, having regard to the statutory test in section 38(6) of the 2004 Act. This is carried out in the conclusion of this report.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 Concerns have been raised by local residents on the increased pressure on local infrastructure. The appropriate mechanism to deliver the infrastructure necessary to support growth of an area is through the Community Infrastructure Level (CIL). The application includes a sports pavilion, which in line with the Council's Charging Schedule would be CIL liable, but the required CIL payment would be £0 per square metre based upon the chargeable floor area.

11. CONCLUSION

- 11.1 The proposed development would result in harm to the openness of the Green Belt and would be contrary to one of the purposes of the Green Belt, and therefore constitutes inappropriate development in the Green Belt. This harm to the Green Belt is afforded substantial weight against the development. The benefit of the scheme put forward by applicant is not considered to clearly outweigh harm to the Green Belt or any other harm. Therefore, it is considered that VSC has not been demonstrated to justify the proposal in accordance with Local Plan Policy GB1 and GB2(a), BLPSV policies SP1 and SP5, paragraphs 133, 134, 143, 144 and 145 of the NPPF. The proposal for pitches in terms of use and more formalised appearance, the isolation of the pavilion building and access is considered to result in harm to the character of the site and the setting and character of the urban settlement of Maidenhead. Therefore, the proposal is considered to be contrary to Local Plan policies DG1, BLPSV policies SP2 and SP3, and paragraphs 127 of the NPPF, and in accordance with paragraph 130 of the NPPF. There would also be harm due to the loss of the best and most versatile agricultural land contrary to paragraph 170 of the NPPF.
- 11.2 There would also be harm in the absence of a S106 agreement to restrict development / use of the sports facilities by the school until school development subject to 17/04018/FULL is delivered in the interest of proper planning as it currently fail to demonstrate that the proposal is acceptable in terms of its impact on highways in isolation from the school development, and to ensure that the housing development subject to 17/04002/OUT comes forward as a benefit of this proposal. This would be contrary to Plan policies T5, GB1 and GB2(a), BLPSV policies SP1, SP5 and IF2, and paragraphs 108, 109, 111, 133, 134, 143, 144 and 145 of the NPPF.
- 11.3 Subject to conditions, the proposal is considered compliant with Local Plan policy N6 and N7 and BLPSV policy NR2 in relation to hedgerow and trees. There are no undue concerns in relation to neighbouring amenity to comply with BLPSV Policies SP3 and HO5 and paragraph 127 of the NPPF. The impact on ecology is considered to be acceptable subject to conditions to accord with BLPSV Policy NR3, and paragraphs 109, 170, 175 and 176 of the NPPF. In accordance with BLPSV policy NR and paragraph 165 of the NPPF, an acceptable SUDS scheme can be providing and secured on site. There is no objection in relation to archaeology as the proposal can with comply with Local Plan policies ARCH3 and ARCH4, BLPSV policy HE1, and paragraphs 189 and 199 of the NPPF. These are given neutral weight in the planning balance and therefore the conclusion remains the same

- 11.4 An assessment against the Development Plan indicates that planning permission should be refused, no material planning considerations have been identified to suggest another outcome and accordingly the application is recommended for refusal.

12. APPENDICES TO THIS REPORT

- Appendix A - Site Location Plan
- Appendix B – Proposed Masterplan
- Appendix C – Indicative Elevations and Floor Plans (Pavilion Building)

13. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

1. The proposal represents inappropriate development in Green Belt, which is by definition harmful to the Green Belt and would conflict with one of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment', and would be harmful to actual openness of the Green Belt. No Very Special Circumstances have been demonstrated that clearly either individually or cumulatively outweigh the harm to the Green Belt and any other harm. The proposal is therefore contrary to the provisions of saved policies GB1 and GB2(a) of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003), policies SP1 and SP5 of the Borough Local Plan Submission Version (2017), and paragraphs 133, 134, 143, 144 and 145 of the National Planning Policy Framework (2019).
2. Due to the use and more formalised appearance of the site, the isolation of the pavilion building, and scale, layout, siting and form of the access it is considered to result in harm to the character of the site and to the setting and character of the urban settlement of Maidenhead. Therefore, the proposal is considered to be contrary to the provisions of saved policy DG1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003), policies SP2 and SP3 of the Borough Local Plan Submission Version (2017), and paragraphs 124, 127 of the National Planning Policy Framework (2019).
3. There would also be harm in the absence of a S106 legal agreement to restrict development and use of the sports facilities by the school until school development subject to 17/04018/FULL is delivered, to ensure that housing development subject to 17/04002/OUT comes forward, and the provision of a Toucan Crossing, contrary to the provisions of saved policies T5, GB1 and GB2(a) of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003), policies SP1, SP5 and IF2 of the Borough Local Plan Submission Version (2017), and paragraphs 108, 109, 111, 133, 134, 143, 144 and 145 of the National Planning Policy Framework (2019).

Appendix A- Site location plan



Appendix B- Proposed masterplan



Appendix C – Indicative Elevations and Floor Plans (Pavilion Building)



① WEST ELEVATION
1 : 50



① NORTH ELEVATION
1 : 50



① EAST ELEVATION
1:50

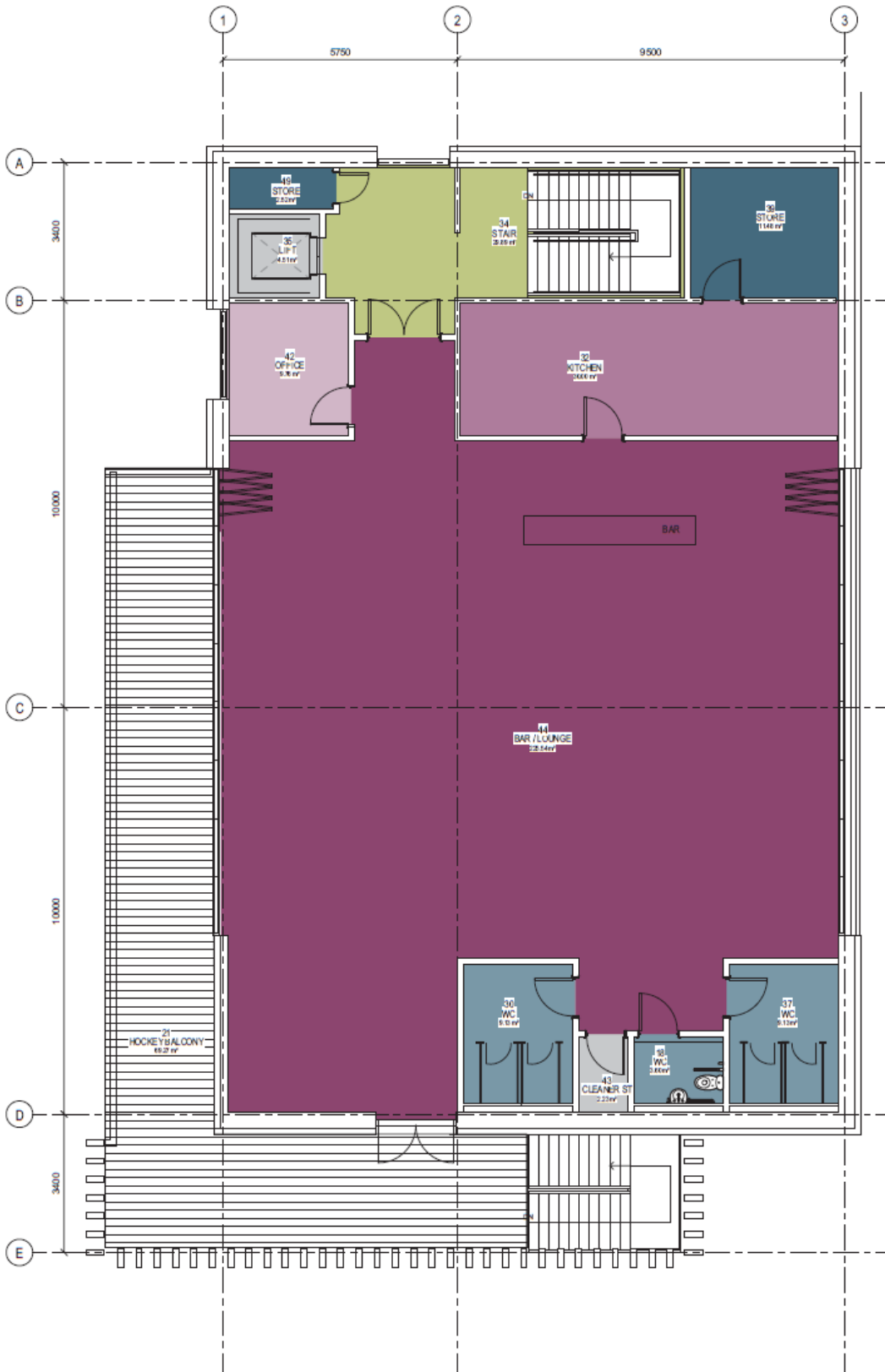


① SOUTH ELEVATION
1:50

Ground Floor



First Floor



Agenda Item 4

Royal Borough of Windsor and Maidenhead Planning Committee

MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

28 August 2019

Item: 2

Application no.:	17/04018/FULL
Location:	Claire's Court Senior Girls And Boys And Ridgeway Schools, The Thicket, Cannon Lane Maidenhead
Proposal:	Construction of an all-through school comprising nursery and junior building; central building and senior building. Provision of landscaping, amenity area, sport/running track, environmental garden and covered multi-use games area. Provision of staff and visitor car parking, parent drop off and coach parking area
Applicant:	Claire's Court School Ltd
Agent:	PRP Planning
Parish/Ward:	Cox Green / Cox Green
If you have a question about this report, please contact: Antonia Liu on 01628 79 6034 or antonia.liu@rbwm.gov.uk .	

1. SUMMARY

- 1.1 The proposal is for an all-through school campus comprising nursery and junior building; central building and senior building; provision amenity area; sport/running track; environmental garden; games area; car parking; coach parking; and drop-off / pick-up area. There will also be a new access road from a new roundabout on Cannon Lane.
- 1.2 The application is linked with 3 applications for housing development at Claire's Court School on College Avenue and Ray Mill Road East, and land at the Ridgeway, and a further application for a development for a recreation area including sports pitches to support the school and provide a new home for Maidenhead Hockey Club (MHC).
- 1.3 The site for this application is situated within the Green Belt. The proposed development does not fall under any of the exceptions to inappropriate development in the Green Belt, and therefore constitutes inappropriate development. The scheme would have a harmful impact on the openness of the Green Belt. The scheme would also conflict with two of the purposes of the Green Belt which are to assist in the safeguarding of the countryside from encroachment, and to check the unrestricted sprawl of built up areas. The harm to the Green Belt is afforded substantial weight.
- 1.4 The amount, scale, form, layout and siting of the development proposed would cause harm to the character of the site, to the setting and character of Maidenhead Thicket, and to the setting and character of the urban settlement of Maidenhead.
- 1.5 Highways mitigation is required for this application in combination with the planning application for the residential development (planning reference 18/00130/OUT), however, clarification is sought from the Highway Authority as to whether highway mitigation is required for this application in isolation; these comments will be reported in the Panel Update. A Travel Plan, and potentially highway mitigation, would need to be secured through a legal agreement and without a completed agreement these matters cannot be secured.
- 1.6 The proposed development is considered to have an acceptable impact upon residential amenity. Subject to planning conditions, the development would have an acceptable impact on trees, sustainable drainage, archaeology, and ecology and would provide biodiversity gains.

- 1.7 The National Planning Policy Framework 2019 (a material consideration of significant weight) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It further explains that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The case of Very Special Circumstances are advanced by the applicant, which in summary are:
- Provision of choice of education in line with the NPPF
 - Increasing 0-5 year old childcare
 - Provision of holiday club places
 - Provision of teacher training
 - Addressing the inefficiencies associated with the school being split between three sites
 - Retention and enhancement of the school as 10th Biggest Employer within the Borough
 - Retention and enhancement of economic footprint of school of over £12.3m
 - Employment opportunities derived as a result of construction of the Proposed Scheme
 - Provision for Maidenhead Hockey Club and Community Use Agreement
 - Provision of allotment space or open space for Parish Council
 - Provision of Local Play Area
 - Provision of affordable housing to meet significant unmet local demand
 - Provision of market housing to meet significant unmet local demand
 - Local Finance Considerations including CIL and New Homes Bonus
 - Protection of wildlife during and after construction
- 1.8 The Very Special Circumstances put forward includes benefits arising from the proposed school development on the adjacent site, as the applicant make the case that the housing is required to fund the proposed new school.
- 1.9 The Very Special Circumstances and the weight given to these are discussed within sections xi of this report. It is not considered that Very Special Circumstances exist, as the harm to Green Belt, and other the harm identified (namely the harm to character, the lack of affordable housing provision, and the failure to secure a Travel Plan and appropriate highway mitigation) are not clearly outweighed by other considerations. The application is therefore recommended for refusal.

It is recommended that planning permission be REFUSED for the following summarised reasons (the full reasons with policy references are identified in Section 13 of this report):	
1.	The proposal represents inappropriate development in Green Belt, which is by definition harmful to the Green Belt and would conflict with two of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment' and 'to check the unrestricted sprawl of large built-up areas', and would be harmful to actual openness of the Green Belt. No Very Special Circumstances have been demonstrated that clearly outweighs the harm to the Green Belt and any other harm.
2.	Due to the amount, scale, form, layout and siting of the proposed school buildings and associated development, the proposal is considered to result in harm to the character of the site, to the setting and character of Maidenhead Thicket, and to the setting and character of the urban settlement of Maidenhead.
3.	The proposal would result in the loss of open space and it has not been demonstrated that the open space is surplus to requirements or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
4.	In the absence of a S106 legal agreement the proposed development fails to secure a satisfactory travel plan, highway mitigation works if the school development subject to 17/04018/FULL also comes forward, and that the housing development subject to 17/04001/OUT and/or 17/04002/OUT comes forward following the relocation of the school.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site measures approximately 6.5ha. The site currently comprises of the associated car park and playing fields of Claire's Court Junior Boys School to the east, while the western section of the site comprises of agricultural land. Overall the site slopes from north-south with a gradual fall of approximately 5m, and lies entirely within Green Belt. The main access to the school is from a private driveway running west – east from Cannon Lane. The access, main teaching blocks, sports hall, swimming pool belonging to the existing Junior Boys School lies to the north and is located outside of the application site.
- 3.2 To the east of the existing Junior Boys school are 2 residential dwellings known as Ramblings and Windfall with access from the private driveway. Along the shared boundary between Ramblings and the application site are 20 pine trees which are subject to a Tree Preservation Order (ref: 003/1972/TPO). To the north of the private driveway is Maidenhead Thicket, a mature woodland which is bounded to the north by the A404(M) and designated as a Local Wildlife Site. Immediately to the west of the site are 5 residential dwellings known as Thicket House, Thicket Barn, Thicket Lodge, Orchard Cottage and Wooley Cottage. To the east is more agricultural land which is owned by Claire's Court School, measuring approximately 8.7ha, and is subject to outline planning application ref: 18/00130/OUT for 157 residential units, and outline planning application ref: 17/04026/OUT for 2 artificial grass hockey pitches, 2 artificial grass practice areas, an artificial grass rugby pitch, other grass pitches and pavilion building. To the north-east of this land are 5 residential properties known as Cannon Lodge, Ridgeway Lodge, Datcha, Littlewick Cottage and Pen-y-bryn. The land subject to planning applications 18/00130/OUT and 17/04026/OUT and these 5 houses are bounded by Cannon Lane to the east, a local distributor road that runs north – south and forms part of the western boundary to the urban settlement of Maidenhead. On the opposite side of Cannon Lane and within the urban settlement is Cox Green which comprises predominately of medium density, late 20th century houses. Along the southern boundary of the site is a public right of way, and beyond is land participating in a 'wildlife-friendly farming' scheme and thereby comprises of wildflower meadow (Woolley Firs).

4. CLAIRE'S COURT BACKGROUND AND 'THE RIDGEWAY PROJECT'

- 4.1 Claire's Court is an independent day school founded in 1960 and currently located at 3 separate sites in Maidenhead at the Ridgeway (Junior Boys), Ray Mill Road East (Senior Boys) and College Avenue (Nursery, Junior and Senior Girls, and 6th Form). It is the largest independent school in the Borough and only all-through school which offers education from Nursery to Sixth Form for boys and girls in Maidenhead and represents just under 20% of the RBWM independent school capacity.
- 4.2 Junior Boys at The Ridgeway has a nominal capacity of 280 pupils; Senior Boys at Ray Mill Road East is 360; and the Nursery, Junior and Senior Girls, and Sixth Form at College Avenue is 550. However, while the total nominal capacity is 1190 pupils the school group is unable to operate at more than 96% capacity (1142 pupils) due to physical and statutory constraints. From the annual school census as of January 2018 there were 1055 pupils on the roll, which equates to 89% capacity. Around 56% of pupils live within the Borough.
- 4.3 Claire's Court School provides support for pupils with special educational needs. From September 2017 there have been 10 pupils at Claire's Court with Education, Health and Care Plans (EHCP) funded by the Local Authority.
- 4.4 The nursery situated at College Avenue is an 80-places Early Years setting for 3-4 year olds, which is seasonally based with the funded Early Years component delivered in the morning. The nursery therefore provides 40 FTE places.

- 4.5 The school group has experienced an approximate 15% rise between 2013 and 2017. If growth is sustained at the current trend (2%) then the school will be at operational capacity during the 2020-2021 academic year.
- 4.6 In terms of work-force, as of December 2017 there are 171 full time members of staff, 50% of which live in the Borough, and 120 part-time with 64% living in the Borough. The staff numbers in FTE is 231 with 54% living within the Borough. In addition, the school employs 93 contractors consisting of specialists that provide a regular service but with a low level time input. Approximately 44% of contractors reside inside the Borough. Claire's Court is the 10th largest employer in RBWM.
- 4.7 An Educational Needs Statement / Report (Appendix 5, Very Special Circumstances Report) has been submitted which identifies problems of operating across multiple sites. The report was updated and provided in Appendix 2 of the Very Special Circumstances Addendum. In summary, this includes economic inefficiencies with the duplication / triplication of facilities and administrative and caretaking services; and time inefficiencies with travel between sites for lessons and activities by staff and pupils, and approximately 12% of families having siblings based at different school sites.
- 4.8 Ray Mill Road East and College Avenue have at their cores Victorian buildings and both sites have been progressively and fractionally developed over the years. The space at Ray Mill Road East and College Avenue is broken down by age in the submitted Very Special Circumstances Report (paragraph 5.31) and is as follows:

College Avenue							
Decade of Construction	1890	1940	1950	1960	2000	Temp.	Total
GIA sqm	968	373	1103	1340	389	723	4896 sqm
GIA as % of Total	20%	8%	23%	27%	8%	15%	

Ray Mill Road East							
Decade of Construction	1850	1960	1970	1980	2000	Temp.	Total
GIA sqm	653	184	421	1214	266	338	3076 sqm
GIA as % of Total	21%	6%	14%	39%	9%	11%	

- 4.9 A Conditions Survey has also been submitted (Appendix 6, Very Special Circumstances Report) for Ray Mill Road East and College Avenue, which reports that the buildings at College Avenue and Ray Mill Road East are in fair to good condition but have surpassed their life expectancy and renewal work is necessary with immediate works required to replace the majority of roofs, fascia's and rainwater goods. The cost to address the problems identified in the survey in addition to general modernisation such as heating, electrics, security and decoration, and routine repairs is set out in the Conditions Survey and estimated to be around £9 million.
- 4.10 In terms of sufficiency and suitability of accommodation, based on national criteria for mainstream schools outlined in the Department for Education Building Bulletin 103 (2014), the Educational Needs Statement / Report identifies problems relating to the existing accommodation at Ray Mill Road East and College Avenue. In summary, identified problems include under-sized teaching spaces, poor acoustic conditions and sound insulation between rooms and floors and poor DDA accessibility.
- 4.11 The fundamental aim of the proprietors is to consolidate the existing three sites into one campus onto extended grounds at the Ridgeway Junior Boys School to address constraints in terms of operational capacity, diseconomies from operating across three separate sites, condition of existing accommodation, and sufficiency and suitability. A cost plan indicates that the cost of the new school campus would be approximately £29 million, which would be met through the sale of Ray Mill Road East for £3.6 million, College Avenue site for £8.5 million, and land at the Ridgeway for £12.2 million for housing development with the remaining amount made up from school investment and borrowing.

- 4.12 The 'Ridgeway Project' also comprises of the development of a recreation area including sports pitches to support the school and provide a new home for Maidenhead Hockey Club (MHC) which is a community club with approximately 450 members playing on a regular basis at local and regional level. This element is excluded from the cost plan for the new school campus. However, taking into account the £29 million cost for the new school campus, paragraph 1.6 of the Very Special Circumstances Report states that the school and recreation facilities will cost approximately £38 million to build and fit out thereby indicating that that sports pitches and pavilion will cost approximately £9million.
- 4.13 In determining a planning application the Local Planning Authority is required under planning law to assess a proposal against the relevant Development Plan policies unless there are material considerations which indicate otherwise. The National Planning Practice Guidance (NPPG) advises that the scope of what can constitute a material consideration is very wide, but in general, planning is concerned with land use in the public interest. As such, the protection of purely private interest could not be a material consideration, but it is considered that the school's operational and financial situation would constitute a material consideration as the repercussions could impact the educational use of land which is in the public interest. However, when assessing the operational and financial matters as a material consideration it is necessary to assess precisely who the said benefits accrue to, and attribute weight accordingly.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 At present the Claire's Court group of schools are located on three separate sites at The Ridgeway, College Avenue and Ray Mill Road East. To consolidate the schools to provide an all-through school campus the proposal is for a new nursery and junior (girls) building; central building and senior building with landscaping, amenity area, sport/running track, environmental garden, covered multi-use games area, parent drop off area, staff and visitor car park, and coach parking area. The Junior Boys accommodation is located outside of the application site and will remain as existing. A new access road is proposed across the centre of the fields from a new roundabout on Cannon Lane. A masterplan has been submitted, ref: ADP-XX-DR-L-1910 rev. S1 P7.
- 5.2 The 3 buildings proposed are arranged in an approximate U-shape around a central courtyard and linked by walkway bridges at first floor level. The Central Building is 2 storey with a maximum height of around 8.8m (excluding mono-draughts) and a rectangular plan form providing approximately 2527sqm of floor space accommodating the main school entrance, school hall, dining area, library, administration, and teaching space for music, drama, and food technology. The T-shape Senior Building is located to the south of the central courtyard with approximately 4928sqm of floor space comprising of teaching accommodation over 3 floors (lower ground, ground and first floor) and fitness suit. The Senior Building would have a maximum 3 storey height of around 12.5m with 2 storey sections having a maximum height of around 10.6m The 2-storey Nursery and Junior Girls building would have a maximum height of around 8.8m and would be located to the north of the central courtyard with a rectangular plan form providing approximately 1246sqm of floor space comprising of teaching and storage / plant facilities. The design of the buildings is contemporary in style, and comprises of a 'campus palette' including Siberian larch timber cladding, expanses of glass, black painted spandrel panels, and red/orange brick.
- 5.3 As shown on the proposed east and west elevations ref: ADP-03-XX-DR-A-1720A and section 'C-C' for the Senior Building ref: ADP-XX-XX-DR-A-1641A, there is a change in ground level from around 46.2m to 42.6m (metres above sea level taken as a vertical datum) from the proposed Quad to the Environmental Garden. There is also a similar change in ground level as shown on the south elevation of the Senior Building ref: ADP-00-XX-DR-A-1721A from the west to east elevation of the Senior Building. With reference to the Outline Survey ref: 022.2022-S1A P1, this would require regrading of the site.
- 5.4 Paragraph 5.3.19 of the ES Vol 2: Main Text states that the proposed development will not result in additional school places, but would provide capacity for the transfer of 910 pupils from the Ray Mill Road and College Avenue sites to join the 280 Junior Boys at the Ridgeway. As such, the nominal roll would remain as 1190 pupils. However, the VSC report indicates that there would be

an actual capacity gain of 48 places as the purpose-led design would remove the physical constraints that currently reduce operating capacity, and the Design and Access Statement confirms that this would accommodate the anticipated increase in pupil roll in line with projections to 2025.

- 5.5 It is noted that the Planning Statement comments that the design concept of the proposed school would be flexible enough to allow for future accommodation growth if required, and the Design and Access Statement also confirms that the design of the school considered the potential for future expansion of the pupil roll to 1500 school places. The Design and Access Statement goes on to indicate that the future development could comprise of two new standalone buildings to the western edge of the site to ‘complete’ the quadrangle courtyard, in addition to the provision of a new sports hall. Mindful of recent case law *Carroll v SSCLG* [2016]), while likelihood can be a material consideration, these potential developments do not form part of the proposal submitted for consideration under this application, and if pursued would require separate planning permission through applications to be considered on their merits at the time of submission.
- 5.6 The central courtyard, which is also referred to as the Quad, comprises of a mound and amphitheatre, forming an outside performance, dining and social space. To the west of the central courtyard is a proposed 200m running track and sports / games areas and to south of the running track is a MUGA. To the south of the Senior Building outside seating areas around formal lawns, and an outdoor teaching space and environmental garden. Continuing eastwards would be a wildflower meadow.
- 5.7 The proposed access from Cannon Lane would lead up to the central building terminating at a landscaped plaza and circular drop off area for visitors/deliveries sited to the front of the central building. To the north of this plaza would be 284 car parking spaces within an area measuring approximately 8,785 square metres. This includes 76 ‘Terminal 5’ drop-off / pick-up style bays. It should be noted the proposed car park also accommodates the car parking provision for the Junior Boys School. To the south of the plaza would be a parking area for 16 coaches, measuring approximately 2,268 square metres. Within the main car park and coach park are proposed two cycle stores, providing 120 cycle parking spaces. The existing access along The Ridgeway would be retained for use by residential properties to the north of the application site, and as an access to the school for emergency services.
- 5.8 The planning history for the site is as follows:

Planning references	Proposal	Decision
17/01838/FULL	Construction of veranda to existing sports hall incorporating secondary fire escape from teaching space	Approved - 23.08.2017
12/00701/FULL	Erection of a swimming pool enclosure	Approved - 23.04.2012
03/40645	Erection of sports hall with ancillary facilities and alterations to car park	Approved – 14.11.2003
99/34522	Erection of 2 temporary classrooms, toilets & cloakroom	Approved – 17.01.2000
96/30025	Renewal of 424597 for single storey classroom block	Approved – 08.05.1996
93/01047	2-storey classroom buildings	Refused – 05.04.1994
93/10146	2 temporary classrooms	Refused - 1.08.1994
93/01046	Dining room extension and car park	Approved – 01.04.1994
424597	Single storey classroom block	Approved – 04.04.1991
410072	2-storey extension to main building and single storey extension to garage block	Approved – 08.01.1980
402039	Change of use to from boarding school to day school	Approved – 18.02.1975
195/69	Swimming pool	Approved – 31.03.1963

999/64	Erection of senior boys school	Approved – 13.05.1965
825/63	Change of use to boarding school	Approved – 20.01.1964
192/55	2 dwelling houses	Approved – 29.06.1955
99/56	Residential development	Refused – 25.04.1956
98/56	Residential development	Refused – 25.04.1956
97/56	Residential development	Refused – 25.04.1956

5.9 There are 4 other linked and pending applications which are as follows:

Planning reference	Site	Proposal
17/04026/OUT	Claire's Court School, Cannon Lane	Outline application (access) for the development of 2 artificial grass hockey pitches, 2 artificial grass practice areas, a new pavilion building for shared use by the hockey club and school together with an artificial grass rugby pitch and associated other recreation grass pitches.
18/00130/OUT	Claire's Court School, Cannon Lane	Outline application (layout, scale and access) for the erection of 157 residential units.
17/04002/OUT	Claire's Court School, Ray Mill Road East	Outline application (layout, scale and access) for the erection of 11 no. dwelling.
17/04001/OUT	Claire's Court School, College Avenue	Outline application (layout, scale and access) for the erection of 53 no. dwellings.

5.10 These 5 applications have been put forward by the applicant on an inter-linked basis. Officers have reported on the relationship between these applications where due regard should be given. The cumulative impacts of 3 applications at The Ridgeway, which is covered in the Environmental Statement (ES) is also reported on. However, submitted as separate applications each application must be considered and determined on its own merits.

5.11 The applicant wishes for the benefits arising from all 5 applications to be considered against each individual application. However, in submitted the applications separately without any mechanism by which the local planning authority can consider them holistically it is not reasonable for the benefits as a whole to be considered against each application.

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

6.1 The Council, in determining the planning application has the following main statutory duties to have regard to the provisions of the development plan so far as material to the application and any other material considerations. (Section 70(2) Town & Country Planning Act 1990), and to determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).

6.2 The main strategic planning considerations applying to the site and the associated policies are:

Issue	Adopted Local Plan Policy
Green Belt	GB1, GB2(a)
Community Facility	CF2
Design, Character and Appearance	DG1
Environmental Protection and Pollution	NAP1, NAP3, NAP4
Highways	P4, T5, T7
Trees and Hedgerow	N6, N7
Public Right of Way	R14
Archaeology	ARCH3, ARCH4

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 2 - Achieving Sustainable Development
Section 4 - Decision-Making
Section 6 - Building a Strong Competitive Economy
Section 8 - Promoting Healthy and Safe Communities
Section 9 - Promoting Sustainable Transport
Section 12 - Achieving Well-Designed 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
Section 16 - Conserving and Enhancing the Historic Environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Green Belt	SP1, SP5
Design, Character and Appearance	SP2, SP3
Trees and Nature Conservation	NR2, NR3
Acceptable Impact on Historic Environment	HE1
Environmental Protection and Pollution	EP1, EP2, EP3, EP4
Highways and parking	IF2
Makes suitable provision for infrastructure	IF1, IF5, IF7, IF8

- 7.1 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Supplementary Planning Documents

- Planning Obligations and Developer Contributions
- Landscape Character Assessment

Other Local Strategies or Publications

- 7.2 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy
- Townscape Assessment
- RBWM Open Space Study
- RBWM Highway Design Guide
- RMWB Playing Pitch Strategy
- Infrastructure Delivery Plan

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

Publicity for Environmental Impact Assessment

Statutory site notices advertising the proposal as EIA development were posted at the entrance of the private access leading to Claire's Court Junior Boys School, on Cannon Lane opposite Farmer's Way, and on Firs Lane on 11 July 2018, and an advert was placed in the Maidenhead Advertiser on the 19 July 2018.

Publicity for Planning Application

45 occupiers were notified directly of the application. Site notices advertising the application were posted at the entrance of the private access leading to Claire's Court Junior Boys School, on Cannon Lane opposite Farmer's Way, and on Firs Lane on 18.01.2018 and the application and was advertised in a local paper distributed in the borough on 25.01.2018.

Representations supporting and objection to the application received up to the 15 August 2019 are summarised below. Any representations received after this date will be reported in an update

Around 2149 letters were received supporting the application, summarised as:

Comment	Approximate number of representation on this issue	Where in the report this is considered
1. Would facilitate relocation and provision of high quality education securing the future of Claire's Court School, and high quality sports facilities, including new homes for Maidenhead Hockey Club.	2129	Section xi
2. Includes transport infrastructure improvements	2112	Section v
3. Would provide much needed houses within the Borough.	2110	Section xi
4. Would reduce traffic in town centre and across the Borough as teachers and parents will not have to travel between the 3 Claire's Court sites, and solve on-street parking problems during drop-off / pick up peaks	37	Not evidenced and if evidenced should be weighed against the impact on the local highway infrastructure in the vicinity of the relocated school considered in section vii
5. Provision of affordable housing	26	Section xi
6. Would provide 2 acres of public open land at the Ridgeway site for community use	15	Section xi
7. The proposal would safeguard / provide jobs, and would encourage investment in Maidenhead	7	Section xi
8. If Claire's Court school closes then over 1000 children will have to find alternative places	4	Section xi
9. General support, no reason given	3	Noted.
10. Increase in demand on physical and social infrastructure is not an issue	2	Section 10

Around 983 letters were received objecting to the application, summarised as:

	Comment	Approximate number of representation on this issue	Where in the report this is considered
1.	Increase in traffic resulting in congestion	937	Section v
2.	Inappropriate development in Green Belt, harm to Green Belt	887	Section i
3.	Impact on physical infrastructure (roads, sewers, water pressure)	815	Section v, x
4.	Urbanisation / loss of habitat resulting in harm to wildlife	814	Section viii
5.	No very special circumstances demonstrated to outweigh harm to Green Belt	755	Section i, xi, xii
6.	Higher pollution levels from congestion and idling cars	752	Section vi
7.	Concerns over highway safety due to increase in traffic, displaced animals and infrastructure works	729	Noted, highway safety from traffic impact contained in section vii, no evidence to demonstrate that highway safety from displaced animals is an issue.
8.	Noise and light pollution to the detriment of local amenity	716	Section vi
9.	Insufficient parking	699	Section v
10.	Noise and light pollution to the detriment of local wildlife	697	Section viii
11.	Urbanisation and harm to semi-rural character of the locality	73	Section iii
12.	Loss of agricultural land	52	Section x
13.	Loss of openness / open space	34	Section i, iii, iii
14.	Loss of and harm to trees	22	Section iv
15.	Impact on social infrastructure (GPs, Schools, Police)	12	Section 10
16.	Overdevelopment of the site	11	Section iii
17.	Harm to archaeological potential	6	Section ix
18.	Inadequate sustainable drainage	6	Section vii
19.	Inconvenience to local residents during construction	6	Section vi
20.	Aviation concerns with loss of open space for planes to land in an emergency, development would be a distraction to pilots, wildlife may migrate onto airfield	5	Noted, no evidence to demonstrate that aviation safety is an issue.
21.	Design and scale unsympathetic and out of character	5	Section iii
22.	Noise and safety of future occupants from aircrafts / would compromise the ability for White Waltham Airfield to operate	5	Noted, no evidence to demonstrate noise and safety from White Waltham Airfield will unduly compromise future occupants nor the ability for White Waltham airfield to operate.

23.	Inadequate Access, highway safety	3	Section v
24.	Lack of Affordable Housing	3	Section xi
25.	Application fails to take into account cumulative impact of all applications	2	Para. 5.10
26.	Development located in an unsustainable location with lack of access to sustainable modes of transport	2	Noted, Highway impact and encouragement of support for sustainable is contained in Section vii
27.	Loss of light to neighbouring properties	1	Section vi
28.	Harm to The Thicket and the setting of The Thicket	1	Section iii
29.	Land levels would mean the buildings would be higher than Cannon Land and visually prominent	1	Section iii

1 petition with 302 signatures was also received objecting to the application on the grounds of Increase in traffic congestion, highway safety, noise and pollution, loss of Green Belt, harm to wildlife, harm to local infrastructure (water, sewage).

1 letter of objection from Cllr McWilliams – local residents are strongly opposed to development, harm to Green Belt, congestion, and inadequate infrastructure.

Consultees

Consultee	Comment	Where in the report this is considered
Arboriculture Officer	<p>Proposed 6th form parking spaces are within the RPA of the TPO pine trees and so there are concerns that there would be harm to the rooting area of these trees, in addition falling debris (leave, sap etc.) would result in pressure to prune or remove these trees. Moving some of the parking bays will need to be shown on a more detailed tree protection plan, along with the position of the permanent rail to protect soft ground.</p> <p>Hardstanding is also proposed under the RPA of an 'A' category mature beech tree, which equates to more than the maximum 20% permanent hard standing within the RPA as recommended in BS5837. There appears to be no justification and it should be assumed that this tree will be lost as a consequence.</p> <p>T87 and 83 have their RPA infringed by the proposed running track, and one of them partly by the sports pitch. Additional tree planting along the western boundary is acceptable to mitigate this harm as it will compensate for pressure on trees near the running track.</p> <p>Reduction in hardstanding outside of the RPA of trees T60 and T64, along with use of mulch for the paths has addressed concerns over RPA infringement. If Permitted Development rights exist then these should be removed so the pressure of any additional hardstanding can be considered by the local planning authority.</p> <p>Details of underground tree pits can be provided as part of the detailed landscaping scheme, although there may be some cases where it cannot be demonstrated</p>	Section iv

	that trees can reach maturity due to rooting constraints. The external service layout is satisfactory, but noted that it omits foul drainage.	
Berkshire Archaeology	Concurs with the conclusions of the desk-based archaeological assessment and geophysical survey reports incorporated into 'Archaeological and Heritage' chapters of the ES, and agrees that further archaeological investigation can be undertaken post consent, which can be secured by condition. Advises that further exploratory field evaluation to be undertaken before the finalisation of reserved matters application so that appropriate mitigation measures, including the preservation in situ, can be considered.	Section viii
Ecology	No objection subject to conditions relating to securing an appropriate licence for the closure of a badger sett issued by Natural England; a wildlife friendly landscaping plan; and Biodiversity Enhancement Plan. Notes that the ES Addendum does not refer to the closure of this sett and therefore should be updated.	Section viii
Environmental Protection	No objections subject to conditions relating a site specific construction environmental management plan; plant noise condition; noise containment; car park management; dust management plan, construction fires, mechanical plants and equipment details, construction working hours, vehicle deliveries including building sites; lighting scheme; air quality and odour control.	Noted and section vii
Cox Green Parish Council	<p>Raises objections for the following reasons:</p> <p>Development is inappropriate development in the Green Belt. Green Belt Assessment as part of the emerging BLP process establishes that the site contributes strongly towards Green Belt objectives. Recognises there are some economic and social benefits and would contribute towards housing need, but Very Special Circumstance has not been demonstrated.</p> <p>Increase in traffic which would aggravate existing congestion problems resulting from restrictive access to Cox Green.</p> <p>Increase in air pollution due to concentration of slow or stationary vehicles queueing.</p> <p>Insufficient on-site car parking provision resulting in increase in parking pressure on surrounding roads.</p> <p>Would impact on existing infrastructure including water, sewerage, healthcare and school places.</p>	Section i, v, vi, xii, 10
Highways Officer	Raises no objection subject to conditions to secure a construction management plan, parking and turning, cycle parking, S278 Agreement (Highways Act 1980) to ensure off-site highway works are to a standard approved by the council; and car parking management plan.	Section v
Highways England	No objection, but due to the site's proximity to the A404(M) Junction 9B, Highway England expects to be consulted on any future Construction Management Plan.	Section v

Lead Local Flood Authority	No objection. Recommends a pre-commencement condition requiring submission and approval of full details of the proposed surfaces water drainage system and its maintenance arrangements; and informative relating to chalk in parts of Maidenhead which should be taken into account in the design of any infiltration features and building foundations.	Section vii
Natural England	Confirms no comment.	Noted.
National Trust	<p>Raises concerns over the following:</p> <p>The impact on Maidenhead Thicket, which is owned by the National Trust. Maidenhead Thicket is designated as a Local Wildlife Site and an important habitat for a variety of species. Therefore, the impact of the proposed development should be carefully considered and mitigation measures proposed to prevent any loss of or damage to habitat, and to ensure a net gain for nature.</p> <p>The increase in the number of people and increased recreational pressure on Maidenhead Thicket. The impact needs to be managed and mitigation measures need to be considered to prevent any damage to habitats and infrastructure.</p> <p>Impact of light pollution on the environment and wildlife. Mitigation measures, by way of appropriate design features should be proposed to prevent artificial light spill.</p>	Section iii, x
South East Water	No comments received	Section x
Sports England	No objections, new facilities at the hockey club application will compensate for loss of sports facilities at the school and will improve overall sports provision subject to conditions relating to standard pitch sizes.	Section ii
Thames Water (Foul Water Sewage Network)	<p>Comments reflect their duties under the Water Industry Act which requires Thames Water to provide, maintain and extend the networks to accommodate new development.</p> <p>Comments are ones of no objection / no concern. Once there is certainty about the proposed development (planning approval) Thames Water in conjunction with the developer and Local Authority will identify off-site infrastructure needs.</p> <p>Capacity currently exists in the current network for early phase of development. The likely scale of any updates and the time it will take for Thames Water to deliver mean that with effective engagement they are confident that any upgrades can be delivered in line with the development and without the need on this occasion for a phasing style planning condition.</p>	Section vii
White Waltham Parish Council	<p>Raises objections for the following reasons:</p> <p>Land is designated as Green Belt and inappropriate development</p> <p>Site is adjacent to ancient woodland at Maidenhead Thicket / National Trust.</p> <p>Concerns over the impact on local roads which are already congested</p> <p>Impact on residential amenity and rural village character from floodlights at the Hockey Club.</p> <p>Considers the proposal to be overdevelopment.</p>	Section i, iii, iv, v, vi, xi

Others

Group	Comment	Where in the report this is considered
Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT)	Raises objections due to insufficient information on the ecological impacts of the proposed development; conflicting information submitted on proposed mitigation and enhancement measures; lack of evidence that a net biodiversity gain will be achieved; and proposed lighting is contrary to biodiversity and enhancement objectives.	Section viii
Binfield Badger Group	<p>Raises objections as it is considered that insufficient account has been taken on the impact on badger setts and territory, and impact from roads and traffic, and lighting and noise.</p> <p>In the event of revisions or planning permission being granted, any work in the vicinity of an active sett must be in accordance with a specific licence obtained from Natural England and under the responsibility of a suitably trained ecologist.</p> <p>If minded to approve, the following conditions are also recommended:</p> <p>Construction Phase</p> <ul style="list-style-type: none"> - Employment of ecological consultancy to carry out regular checks of known and new setts, and ensure impact on wildlife is minimised - No heavy machinery or ground digging within 30m of any active sett entrance without a qualified ecologist obtaining a licence from Natural England and continuous monitoring to ensure compliance - No works that cause noise or ground vibrations within 70m of active setts during December – June - No works within 100m of any sett from dusk to dawn - Inclusion of escape ramps for any trenches, and deep excavations must have wildlife impermeable fencing - No fires or littering - Appropriate storage of building materials to prevent collapse on wildlife and materials hazardous <p>Habitation Phase</p> <ul style="list-style-type: none"> - Pupils, staff and residents of the development must be kept away from main setts by wildlife permeable fencing to prevent disturbance - Provision of additional badger foraging habitat 	Section viii
Maidenhead Civic Society	<p>In reviewing the proposal, there are integral aspects between the application for the pitches, school and housing at the Ridgeway.</p> <p>There are merits in the proposal, especially the consolidation of the 3 existing school sites into one purpose built campus at the Ridgeway and reduction in car/bus journeys created by triple locations; the provision of a new home for Maidenhead Hockey Club and improved sports facilities; and provision of affordable housing.</p> <p>Conversely, the proposal would add to the exiting traffic pressure on Cannon Lane, there will be light pollution from night time use of the sports facilities, and harm to the rural character of the area including the Thicket and National Trust land.</p> <p>Notwithstanding the merits or otherwise of the proposal,</p>	Section iii, v, xi

	determination should fall to Green Belt. This is a highly visible and sensitive area of Green Belt which was not identified for development as part of the Borough Local Plan process, and Very Special Circumstances must be proven.	
Littlewick Green Society	Raises objections due harm to the Green Belt, in particular urban sprawl. Can see no merits of the proposal to justify the conditions of very special circumstances. Noise and light pollution in relation to the hockey pitches from the use of the pitches and club house, and flood lights. Congestion from additional traffic on roads that are already congested in the morning and evenings. Proposed mitigation will not address the issue.	Section i, v, vi, xi

9. EXPLANATION OF RECOMMENDATION

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 is the legislative basis for the determination of planning applications and requires planning decision to be made in accordance with the development plan unless material considerations indicate otherwise.
- 9.2 The key issue for consideration is the extent to which the proposed development is consistent with Development Plan Policies, taking into account proposed plans, technical studies and the ES.
- 9.3 As the proposal comprises of an urban development project which is listed in column 1 and meets the relevant threshold / criteria in column 2 of Schedule 2 of the Environmental Impact Assessment (EIA) Regulations 2011, and is considered likely to have a significant effect on the environment, an EIA would be required. It should be noted that 2011 EIA Regulations are applicable, because the scoping opinion for this proposal was requested prior to 16th May 2017 (which is when the 2017 EIA Regulations came into force), and the EIA transitional arrangements allows for this. The accompanying ES and addendum includes a description of the proposed development; a description of the likely significant effects of the proposed development on the environment including cumulative impacts; a description of any features or measures envisaged in order to avoid, prevent or reduce likely significant adverse effects on the environment; a description of the reasonable alternatives by the development; a non-technical summary of the information; and any additional information specified in Schedule 4 relevant to the specific characteristics of the development and to the environment features likely to be significantly affected. The ES meets the terms of the EIA Regulations 2011 and provides the data and information required to adequately assess the impact of the proposals on the environment.
- 9.4 The key issues for consideration are:
- i. Green Belt
 - ii. Loss of Open Space and Land for Sports and Recreation
 - iii. Impact on Character of the Area
 - iv. Trees and Hedgerows
 - v. Highways
 - vi. Neighbouring Amenity
 - vii. Sustainable Drainage
 - viii. Ecology
 - ix. Archaeology

- x. Other Material Considerations
- xi. The Case of Very Special Circumstances
- xii. Planning Balance

i. Green Belt

Whether the proposal is Appropriate Development

- 9.5 The site lies within the designated Metropolitan Green Belt as shown on the adopted local plan proposals map. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 145 of the NPPF states that new buildings in the Green Belt should be regarded as inappropriate development with some exceptions. Local Plan policies GB1 and GB3 and BLPSV policy SP5 also set out appropriate development in the Green Belt, however, the Local Plan was prepared in accordance with the cancelled PPG2: Green Belts while the BLPSV was prepared in accordance with the NPPF (2012). The NPPF is considered to be a more up-to-date expression of Government intent and is afforded significant weight as a material consideration. While the Development Plan comprises of the Local Plan, policies GB1 and GB3 are not entirely consistent with the NPPF and are not given full weight for the purposes of this assessment. Under transitional arrangements the BLPSV is assessed against the NPPF (2012) and therefore policy SP5 is considered to be consistent in this respect, but due to unresolved objections policy SP5 should only be given moderate weight as a material consideration.
- 9.6 In this context the proposed development does not fall under any of the exceptions listed in paragraph 145 of the NPPF and, as stated in paragraph 7.18 of the submitted Planning and Affordable Housing Statement, it is common ground between the applicant and officers that the proposed development would be inappropriate development in the Green Belt.
- 9.7 For the avoidance of doubt, it is not considered that the site comprises of previously developed land as defined in Annex 2 of the NPPF. It is considered that the definition of previously developed land should be read as a whole. While part of the site forms part of their associated curtilage and associated fixed surface infrastructure, the existing main school buildings fall outside of the application site. To be considered previously developed land it is considered that the site should include the related permanent structures. It is noted that there are various stores/sheds and hard surfaces within the site, but these are considered to be ancillary buildings and infrastructure to the main school and do not have a curtilage per se, or if considered otherwise it is considered that their curtilage would not be so extensive as to cover the applicable area and the NPPF definition makes it clear that it should not be assumed that the whole of the curtilage should be developed. The remainder of the site comprises of agricultural land, which is specifically excluded from the definition. It thereby fails the first limb of the exception g) of paragraph 145 of the NPPF. The proposal has therefore been assessed on the basis the application site is a green field site.
- 9.8 The proposal also includes alterations to the profile of the land, which is considered to be an engineering operation. An engineering operation is not inappropriate in the Green Belt provided that the development preserves the openness of the Green Belt and does not conflict with the purposes of including land in it. Given the nature of regrading works to alter the profile of the land and the extent of excavation, it is considered that these works in themselves would have a limited impact on openness and would not conflict with any of the purposes of including land within the Green Belt. However, case law sets out that the development proposals should be considered as a whole and if any element of the proposal constitutes inappropriate development then the whole scheme should be considered to be inappropriate development in the Green Belt. This is consistent with the Council's approach on other applications.
- 9.9 Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and such development should not be approved except in Very Special Circumstances (VSC). The applicant has put forward a case for VSC, which is considered in 'The Case for Very Special Circumstances' section of this report.

Openness and Purpose of the Green Belt

- 9.10 In terms of any other harm to the Green Belt, Local Plan policy GB2(a) states that permission will not be granted for new development which would have a greater impact on openness of the Green Belt or the purposes of including land within it than existing development on the site. This is generally consistent with the NPPF and therefore should be given significant weight.
- 9.11 Paragraph 133 of the NPPF makes it clear that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Green Belt are their openness and their permanence, while paragraph 134 of the NPPF sets out the five specified purposes of the Green Belt which are as follows:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.12 As inappropriate development in the Green Belt the proposal is by definition harmful. In terms of actual openness the concept of openness relates to the lack of development or built form, however the NPPG advises that the impact of openness on the Green Belt should be assessed by taking into account both its spatial and visual/physical impact.
- 9.13 As existing, the site includes a car park measuring approximately 1790sqm. The extent to which this area remains open is dependent on its intensity of use at any particular time. To the south of the car park there is a store/plant building with a footprint of approximately 35sqm and to the west another storage building with a footprint of approximately 6sqm. No existing elevations have been provided, but from a site visit it was noted that these buildings are single storey in height. Although not marked on the existing plan, at a site visit it was also noted that there is a small shed adjacent to the western boundary to the site. The remainder of the site largely comprises of open grassed land.
- 9.14 Based on the proposed floor plans the footprint of the Senior School building measures approximately 2140sqm, the Central building approximately 1577sqm, the Junior Girls and Nursery building approximately 820sqm. From the Landscape General Arrangement Plan ref: ADP-XX-00DR-L1900 S1P100 there are also two cycle storage buildings measuring approximately 34sqm and 82sqm. This equates to a total footprint of approximately 4572sqm, which is significantly more than the existing footprint of permanent buildings currently on the site. The proposed buildings would also extend into areas where there was previously no built development, and given the width, depth and height of the proposed buildings it is considered that there would be a significant increase in volume. In addition, while there would be some undeveloped features including an ecological habitat area and environmental garden, there would be a loss of openness from the associated paraphernalia such as fencing, seating, shelters, light bollards, play units, bins etc. which would detract from the openness of the site to a greater extent than the lesser collection of structures currently present within the site. Consequently, the proposed development would clearly have a greater spatial impact on openness of the Green Belt in comparison to the existing situation.
- 9.15 The visual effect of the layout, scale and appearance of the proposed school buildings in addition to the urbanising influence from street lights, and hardstanding forming the coach and car parking areas, and the internal access road would also have a visual impact on openness.
- 9.16 There are currently views of the site from Cannon Lane to the east and public right of way to the south and north. In this respect, the submitted Landscape and Visual Impact Assessment (LVIA) concludes that View 6 (West from Cannon Lane), which affords views through a gap in the existing hedgerow and filtered views through the remainder of the hedgerow, is highly sensitive to change with key receptors being users of the highway; View 10 (North East from public right of way off Firs Lane) is also highly sensitive to change due to the open panoramic view of the site, the relative proximity and public nature of the receptor; and View 3 (View South from Public Right

of Way skirting southern edge of Maidenhead Thicket) has a medium sensitivity to change despite its proximity to the proposal due to due to intervening vegetation.

- 9.17 It is considered that the consequent spatial reduction in openness would be visually evident from these public vantage points. The LVIA does not specifically assess the impact on openness of the Green Belt, but is of relevance as it considers the potential visual impacts of the proposed development on these key views. The significance of the visual effect resulting from the proposed development has been derived through the consideration of the sensitivity and magnitude of the change of the view. Account has also been taken of the likely attention to be focused on the view and the number of people affected. Table 4: Assessment of Operational Impacts on Visual Receptors in the LVIA concludes that there would be moderate adverse significance of effect to View 6 (West from Cannon Lane), major adverse significance of effect on View 10 (North East from public right of way off Firs Lane) and minor adverse significance of effect on View 3 (View South from Public Right of Way skirting southern edge of Maidenhead Thicket). Major adverse being defined in the LVIA as a substantial deterioration in the existing view caused by the development; moderate adverse being a noticeable deterioration in the existing view, and minor adverse meaning a barely perceptible deterioration in the existing view. As such, it is considered that the LVIA assessment supports the conclusion that the reduction in openness would be visually evident from Cannon Lane and the public right of way to the south off Firs Lane. The proposal includes embedded mitigation to reduce or compensate for predicted effects, which is outlined in Table 4 of the LVIA, but for View 6 (Cannon Lane) and View 10 (North East from public right of way off Firs Lane) it concludes that the proposal would still result in a minor and moderate adverse effect, respectively.
- 9.18 The Design and Access Statement states that whilst the Senior Building will have 3 storeys the impact of this is reduced by sinking the building into the sloping ground level which includes the regrading of this part of the site. However, the height of the building would still be around 12.5m when measured from its base to the maximum height and would read as a 3 storey building when viewed from the south, east and west.
- 9.19 For the reasons above it is considered that the proposed development would lead to a significantly greater spatial and visual impact on the openness of the Green Belt and would result in a significant loss of openness overall.
- 9.20 It is also considered that the proposal would conflict with 2 of the purposes of the Green Belt, namely 'to check the unrestricted sprawl of large built-up areas' and 'to assist in safeguarding the countryside from encroachment' which forms the first and third purposes listed in paragraph 134 of the NPPF. The existing boundary of this section of the built-up area of Maidenhead is formed by the properties boundaries on the eastern side of Cannon Lane, which forms a linear and durable line that provides a sense of containment, and the existing open land on the western side of Cannon Lane at this edge of settlement location is of significance in checking urban sprawl. However, the proposed access would extend from Cannon Lane into the open land to the west, breaking the present well-defined edge of Maidenhead and creating a physical and visual connection from the urban settlement of Maidenhead to the proposed development and the existing school and dispersed settlement of Woolley Green. This is considered to result in a degree of sprawl into the countryside and would also reduce the separation between the built-up area of Maidenhead and the Green Belt settlement of Woolley Green, increasing the impression of sprawl. This would be contrary to the first purpose of the Green Belt listed in paragraph 134 of the NPPF. In terms of the third purpose of the Green Belt listed in paragraph 134 of the NPPF, as inappropriate development the proposal would, by definition, conflict with one of the purposes of the Green Belt, namely to assist in safeguarding the countryside from encroachment. Furthermore, the eastern section of the site comprises of open, grassed land and is unspoiled. Together with the remainder of the open field, which falls outside of the application site, this is considered to have value as countryside. Therefore, the extension of development from the west is considered to represent encroachment into the countryside, in conflict with the third purposes of the Green Belt listed in paragraph 134 of the NPPF.
- 9.21 As it is considered that the proposed development would have a significantly greater spatial and visual impact on the openness of the Green Belt, and would be contrary to 2 of the purposes of the Green Belt, it follows that the cumulative effect of the proposed development together with the

residential development, ref: 18/00130/OUT, and sports development, ref: 17/04026/OUT encompassed in the ES as the Ridgeway Project would also cause harm to openness and be contrary to 2 of the purposes of the Green Belt.

- 9.22 The cumulative impact to openness is recognised by the ES. With the caveats outlined in paragraph 9.17 of this report, Table 5: Landscape Receptors – Cumulative Assessment of the LVIA concludes that the approximate zone of visual influence (ZVI), which is shown Figure 2, indicates there would be significant combined visibility and major reduction in the degree of openness within the site. Table 6: Visual Receptors – Cumulative Assessment concludes that View 6 (Cannon Lane) is subject to significant combined visibility at close range looking directly into the east boundary of the Ridgeway site, while View 10 (North East from public right of way off Firs Lane) is subject to significant combined visibility at close range looking directly south-east from the public right of way, and both visual receptors would experience a significant reduction in the existing degree of openness when viewing the site.

ii Loss of Open Space and Land for Sports and Recreation

- 9.23 Open space within the Borough underpins people's quality of life and well-being by providing green lungs in urban areas and opportunity for sports and recreation that is important to the health and well-being of communities, and acting as a visual amenity. The Council's Open Space Study (2019) reports that there is adequate provision of amenity space within the Borough against the Fields In Trust national guideline of 0.6ha / 1.000 population, but taking into account the anticipated increase in population by 2033 the current level of provision would leave a shortfall of 6ha. The Open Space Strategy goes on to advise that this needs to be mitigated by ensuring current levels are increased by including amenity greenspace in new development.
- 9.24 As a material consideration, BLPSV policy IF4 states that existing open space in the Borough will be protected and maintained, and the provision of alternative open space is deemed appropriate as part of development proposals if in a 'close by' suitable location which is flexible in meeting the needs of the community and lends itself to a greater range of functional uses required in that area. Given the extent of unresolved objections, BLPSV policy IF4 should be allocated significant weight. As a further material consideration of significant weight, paragraph 97 of the NPPF states that existing open space should not be built on unless an assessment has been undertaken which clearly shows that the open space or land is surplus to requirements; or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
- 9.25 Within the site is an area of open space used as playing field measuring approximately 2ha. Annex 2 of the NPPF defines open space as '*all open space of public value, including not just land, but also areas of water which offer important opportunities for sport and recreation and can act as a visual amenity*'. As such, it is considered to be a significant area of open space within the locality. While the proposal includes a running track, sports courts, MUGA and an environmental garden and ecological habitat area on the site, the proposal would represent an overall loss of approximately 1.3ha of open space (excluding agricultural land) with the erection of the proposed school buildings and associated development. Approximately 3.8ha of playing fields will be provided at the Ridgeway, which is subject to linked planning application ref: 17/04026/OUT for the recreation area and sports pitches to further support the school and to provide a new home for Maidenhead Hockey Club. This would compensate for the loss of open space at the existing Junior Boys School, in addition to the potential loss of open space due to the linked proposal at College Avenue, ref: 17/04001/OUT. It is noted that Sports England has raised no objection due to this reasoning. However, it should be noted that application 17/04026/OUT is recommended for refusal, and therefore it is considered that re-provision cannot be achieved. Having regard to the future deficit outlined in the Council's Playing Pitch Strategy this would result in harm. Through this application the requirements of the NPPF would not be met.

iii Impact on Character of the Area

9.26 Local Plan policy DG1 resists development which is cramped or which results in the loss of important features which contribute to local character. As a material consideration, BLPSV policy SP2 expects larger developments (over 1000sqm of floor space) such as this to foster a sense of community and sense of place, while policy SP3 requires development to achieve a high quality design and expects compliance with the design principles set out in the policy. Given the extent of unresolved objections to BLPSV policy SP2 and SP3 it is considered that these policies should be given significant weight. As a further material consideration, paragraph 124 of the NPPF advises that high quality buildings and places is fundamental to what the planning and development process should achieve, and good design is a key aspect of sustainable development. To achieve this, paragraph 127 of the NPPF advises that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and establish a strong sense of place using the arrangements of streets, spaces, building types and materials to create attractive and distinctive places to live, work and visit. Paragraph 130 of the NPPF states that planning permission should be refused for development of poor design that fails to take the opportunity available for improving the character and quality of an area and the way it functions.

Landscape Character Areas

9.27 Landscape is everywhere and has character. In this case, the site is identified in the Council's Landscape Character Assessment (LCA) Supplementary Planning Guidance (SPG) as an area of Open Chalk Farmland (5a - Littlewick Green). Open Chalk Farmland is considered to be a distinct and recognisable character type due to its key characteristics which is a flat, open and simple rural landscape with an expansive feel, commonly comprising of large arable fields with remnant hedgerows and trees. Roadways are minor roads which are narrow and lined with grass verges and hedgerows. Settlement within the landscape type is restricted to a number of individual farmsteads. In terms of rarity, the Open Chalk Farmland character type is only found at one location within the Borough, roughly contained between settlements along Bath Road to the north and the settlements of White Waltham and Waltham St Lawrence to the south. The overall condition is considered to be good-declining. However, based on its contribution towards consistent patterns in the landscape, occurrence and condition the LCA concludes that the landscape character of open chalk farmland is of moderate strength. In terms of capacity for change, due to the generally large scale, flat and open character the LCA concludes that Open Chalk Farmland is highly sensitive and therefore the capacity for change is low.

9.28 Figure 1.7 of the LVIA categorises the landscape character area of the site as School Amenity, which the LVIA identifies the key characteristics as being open playing fields including hard surfaces, all-weather and grassland with well-defined boundaries. However, the agricultural land which forms the eastern section is identifiably separate from the remainder of the site and therefore the character description in the LVIA is not considered to be wholly applicable. Within the school boundaries it is considered the identified characteristics identified in the LVIA are appropriate but are not exclusive and, while there would be some detracting influences due to the school use of the land, the landscape would largely conform to the Open Chalk Farmland character area of flat, open land with remnant hedgerows and trees.

9.29 Table 2: Assessment of Operational Impacts on Landscape Character Areas of the LVIA concludes that the significance of effect would be minor adverse to the character area of School Amenity. However, it is considered that the proposal would be atypical of the open chalk farmland character type. To the western section of the site the amount, scale, form, layout and siting of the proposed buildings and associated development would erode key characteristics of openness and the remnants of the quiet rural character, while to the east of the site the proposed piazza and car and coach parking areas would have an urbanising influence which would have a bearing on openness and the increase in noise, busyness and illumination of existing dark skies would adversely affect the existing rural character. The proposal also includes the regrading of land, which would introduce significant change in land levels of approximately 3.5m, which would be contrary to the flat character of the existing landscape. It is therefore considered that the proposal would be unduly harmful to the landscape character of the site.

- 9.30 To the north of the site is Maidenhead Thicket, which is identified in the LCA as Settled Wooded Chalk Knolls (9b – Cookham Dean). The key characteristics of the Settled Wooded Chalk Knolls character type is a rich, peaceful rural landscape of rolling, undulating wood covered landform with pronounced knolls with areas of open chalk land in adjacent landscapes. The loss of the contrasting open chalk land adjacent to Maidenhead Thicket and increase in noise, disturbance and illumination as a result of the proposed car parking, which extends approximately 93m across from Maidenhead Thicket, is considered to harm its setting and character. The submitted LVIA identifies the area as Woodland / Plantation (Maidenhead Thicket) and Table 2: Assessment of Operational Impacts on Landscape Character Areas of the LVIA concludes due to the reduction in sense of tranquillity and views of the proposed development in particular from the public right of way along the southern boundary of Maidenhead Thicket, the significance of effect on the landscape would be moderate adverse. This means that development would cause substantial permanent loss or alteration to one or more key elements of the landscape. However, it is noted that no reference or assessment is made to the loss of the contrasting character of the open chalk farmland to the woodland, which is identified in the Council's LCA as a key characteristic. A mitigation scheme is proposed, which comprises of an integrated landscape framework and enhanced external amenity to the application site. Following implementation, Table 2: Assessment of Operational Impacts on Landscape Character Areas of the LVIA concludes that the effect of the proposal on the woodland character would reduce to minor adverse. This means minor permanent and / or temporary loss of alterations to one or more key element or features of the landscape. However, this fails to address and compensate for the intrinsic value of the current contrasting open and rural character of the site as part of the setting and character of Maidenhead Thicket.
- 9.31 Having regard to the above points, it is considered that the proposed development would have an undue adverse impact on the landscape character of the site and to the setting and character of Maidenhead Thicket.
- 9.32 Given that the proposed development would result in undue harm to the character of the landscape character of the site and the setting of Maidenhead Thicket, it follows that the cumulative development (the proposed development; the housing development, ref: 18/00130/OUT; and sports development, ref: 17/04026/OUT) would also cause undue harm. The ES Volume 2: Main Text includes an assessment on the landscape from the cumulative development, and Table 13.2: Summary of the Inter-Project Effects confirms that operation of the school and housing development would have a moderate adverse effect to the Open Chalk Farmland and Woodland / Plantation character areas. The assessment and conclusions in Table 5: Landscape Receptors – Cumulative Assessment of the LVIA is in line with this and recognises the moderate adverse effect.

Layout, Scale and Appearance

- 9.33 Within the site itself, the large buildings are matched by the surrounding open space including greenspace, courtyards, forecourts and car parks, creating an appropriate setting for each building. It is not considered that the proposal would constitute overdevelopment. However, it is considered that the scale, proportions and aesthetic of the proposal would be clearly distinct from its surrounds. While the school accommodation has been broken down into a series of linked individual buildings rather than one large block, and bulk and mass of individual school buildings are further broken down by stepped height and elevations and visually by use of materials, the proposed scale and proportions of the buildings would still be substantial. The design is also contemporary, comprising of straight-line form with materials comprising of red/orange brick, Siberian larch timber cladding, black painted spandrel panels and large expanses of glazing. As a result, together with the access, piazza and parking areas it is considered that the proposal appears to be urban in character in contrast to the rural surroundings.

Alterations to Cannon Lane

- 9.34 The character of Cannon Lane would change in the vicinity of the new site access. As existing, the proportions of this section of the road are generally intact, emphasised and framed by the linear hedgerow on the western side and the row of houses on the eastern side. The realignment

of the road and new roundabout would widen the proportion of this section of Cannon Lane. However, while the visual change would be considerable, given the significance of the character of Cannon Lane, the harm would be relatively limited. More impactful would be the contribution to the urbanisation of the western side of Cannon Lane of the roadworks and the opening up of views of the housing development on the site to the detriment of the landscape character of the site, and the setting of this part of Maidenhead outlined above.

iv Trees and Hedgerows

- 9.35 Trees and hedgerows can make a valuable contribution to the visual amenity of an area and provides a valuable wildlife habitat. Local Plan policy N6 requires new development to allow for the retention of existing suitable trees wherever practicable, should include protection measures necessary to protect trees during development, and where the amenity value of trees outweigh the justification for development then planning permission may be refused. As a material consideration, BLPSV NR2 states that development proposals should carefully consider the impact of proposed development on existing trees and where harm is unavoidable provide appropriate mitigation measures, but where the amenity value of trees outweighs the justification for development then planning permission may be refused.
- 9.36 Local Plan policy N7 states that the Council will require the retention of hedgerows and where hedgerow removal is unavoidable, replacement and improved planting will be required. Of material consideration of significant weight, BLPSV policy NR2 states that development proposals should protect and retain hedgerows and where harm to hedgerows is unavoidable appropriate mitigation measures will be required.
- 9.37 An Arboriculture Report (December 2017) has been submitted to support the application. Reference for the trees and hedgerows in this report correspond with the references on Appendix A: Existing Tree Plan of the Arboriculture Report which plots out the locations of existing trees and hedgerows within the site and surrounds.
- 9.38 As part of the realignment of Cannon Lane and creation of the new roundabout and access from Cannon Lane, the proposal would involve the loss of approximately 170-200m of hedgerow H140 which lies adjacent to Cannon Lane. Hedgerow H140 is described in Appendix C: Tree Survey Review of the Arboriculture Report as a semi-mature hawthorn and blackthorn hedge of good condition with a height and crown spread of less than 2m. The removal of the hedge is considered to be a necessary requirement of the proposal's implementation, therefore as mitigation the proposal includes a replacement hedgerow on the western edge of the proposed roundabout. The indicative site layout demonstrates how a hedgerow of similar size to the existing could be accommodated. If minded to approve, a condition is recommended to secure the replacement and details of the hedgerow together with its management and future maintenance.
- 9.39 In relation to trees, the following trees are proposed to be removed:

Reference	Species	Class	Reason for removal
G25	Leyland Cypress	C	To accommodate new access path
T28	Sycamore	C	To accommodate new access path
T29	Oak	C	To accommodate new access path
G113-G114, G116-G117	Scots Pine	B	To accommodate new access road
T32-38	Lombardy Poplar	B	To accommodate Central Building
H40	Beech Hedge	B	To accommodate Central Building
T42	Walnut	B	To accommodate Central Building
G43	Silver Birch	B	To accommodate Central Building
G44	Monterey Cypress	A	To accommodate Central Building
T74	Whitebeam	C	To accommodate Central Building
G51	Winter Cherry	C	To accommodate Woodland Path
T67	Copper Beech	A	To accommodate Senior Building

A Class – Trees of high quality and value, capable of contributing to area for 40 years or more
 B Class – Trees of moderate quality or value, capable of contributing to area for 20 years or more

C Class – Trees of low quality, adequate for retention for a minimum of 10 years, or young trees

- 9.40 The removal of the trees is considered to be a necessary requirement to implement the proposed development. While some of the trees are of relatively low quality, given the amount of tree loss within the site their removal without mitigation would be harmful to ecology and visual amenity. Therefore, mitigation is considered necessary.
- 9.41 It is also considered that mitigation would be necessary to compensate for the potential loss of G31 and T72. The Arboriculture Report identifies G31 as 'A' class as it is a beech hedge in good physical condition and with high visual impact when viewed from the east, while T72 is identified as an established oak in good physical condition and therefore a 'B' class tree. While not shown to be removed, hardstanding is proposed within the root protection area (RPA) which is the minimum area around a tree deemed to contain sufficient roots and rooting volume to maintain the tree's viability. The intrusion into the RPA exceeds more than 20% of the RPA which is the maximum recommended in BS 5837: 2012 (Trees in relation to design, demolition and construction -Recommendations), therefore the viability of this tree cannot be assured and it should be assumed that this tree will be lost as a consequence.
- 9.42 The Arboriculture Report refers to replacement trees on land to the north and south of the access road. However, land to the north and south of the access road falls outside of the 'red line' (the application site) on the location plan, ref: ADP-XX-00-DR-L-1911 S1P2. Therefore, tree planting in this location cannot be secured by condition, and so should not be taken into consideration as part of this application. However, the Landscape General Arrangement Plan, ref: ADP-XX-00DR-L-1900 S1P10 in Annex G in ES Volume 5: Annexes shows the location and type of proposed trees within the site.
- 9.43 In addition to the new trees shown on the Landscape General Arrangement Plan, 6 additional trees will be planted along the western boundary as outlined in the letter from Temple, dated 14 August 2018. This is to mitigate the potential impact of the proposed running track and the sports pitch area on T83 (Hybrid Black Poplar) and T87 (Purple Plum) to the west of the site. The proposed sports facilities would intrude into the RPA of T83 and T87, which would compromise their rooting environment. Furthermore, due to the proximity between these trees and sports area there may be pressure to detrimentally prune or remove the trees to reduce shading and debris fall.
- 9.44 Concerns were raised over hardstanding to the west of the proposed car park, adjacent to the row of Pine trees subject to TPO 003/1972/TPO. The proposal was subsequently amended to remove parking that would intrude through RPA of the protected trees, with a low barrier around the area to prevent parking. The barrier would be constructed using 'no-dig' methods. This is considered to be acceptable.
- 9.45 Overall, the proposed mitigation in the form of replacement trees is considered to be sufficient and if minded to approve can be secured by condition. Details of underground tree pits underneath hardstanding, which would otherwise constrain rooting area, should also be submitted to demonstrate replacement trees can reach maturity and be viable in the long-term.
- 9.46 An Environmental Garden is proposed to the south of the site, which includes a path that intrudes through the RPA T60 (London Plane) and T64 (Sweet Chestnut). Following negotiation the area of hardstanding had been reduced so that it is outside of the RPA. In this respect if minded to approve it is recommended that permitted development for hard surfaces for schools be removed in the areas shown on the Permitted Development Removal Plan ref: ADP-XX-DR-L-1913 S1P1 under Schedule 2, Part 7, Class N of the Town and Country Planning (General Permitted Development) (England) Order 2015. The Permitted Development Removal Plan shows areas where additional hardstanding to what is proposed in close proximity to these remaining and existing trees have the potential to harm their long-term health and longevity.

v Highways

- 9.47 Local Plan policy T5 requires all development proposals to comply with adopted highway design standards, policy P4 requires all development proposals to accord with adopted car parking

standards, while policy T7 seeks to ensure that new development makes appropriate provision for cyclists including cycle parking. As a material consideration, BLPSV policy IF2 states that development proposals should support the policies and objectives of the Transport Strategy as set out in the Local Transport Plan and provide car and cycle parking in accordance with the current Parking Strategy. Given the lack of unresolved objections to policy IF2 it is considered that this policy should be afforded significant weight in the consideration of this application. As a further material consideration, paragraph 108 of the NPPF states that appropriate opportunities to promote sustainable transport modes should be taken up; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety should be cost effectively mitigated to an acceptable degree. Paragraph 109 of the NPPF goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Trip Generation

9.48 In order to establish a baseline of the existing peak hour traffic conditions on the local highway network, manual surveys were undertaken at 4 key junctions along Cannon Lane, which were:

- Cannon Lane / Highfield Lane
- Cannon Lane / Farmers Way
- Cannon Lane / Altwood Road
- Cannon Lane / Bath Road

The surveys by the applicant were undertaken in accordance with the recommended standards in the Design Manual for Roads and Bridges produced by Highways England.

9.49 As the surveys were undertaken in 2014 and could be considered out-of-date, the Local Highway Authority provided supplementary data from its permanent counter at a monitoring site on Cannon Lane (between Farmers Way and Altwood Road) for 2016. The Council's data from the counter at the monitoring site was not used in the junction assessments but to augment the 2014 traffic survey data at Farmers Way, Altwood Road and Bath Road junctions. A comparison between the data shows that the average peak hour flows is as follows:

		2014	2016
Morning Peak	Northbound	840 vehicles	768 vehicles
	Southbound	999 vehicles	964 vehicles
Evening Peak	Northbound	776 vehicles	697 vehicles
	Southbound	831 vehicles	725 vehicles

A new manual traffic survey was also undertaken in 2016 at the Cannon Lane and Bath Road roundabout junction, and in summary the overall changes through the junction amounted to a reduction in traffic of -416 vehicles in the AM peak and +39 vehicles in the PM peak in 2016 compared to the 2014 results.

9.50 As such, the 2014 data would represent the 'worst case scenario', and therefore the use of the 2014 data to assess the potential impact of the development onto the surrounding highway network in the submitted Transport Assessment is considered to be robust.

9.51 The TRICS database was interrogated to determine the potential number of trips generated by the proposed school development. The application is presented and assessed on the basis that the proposed school will accommodate up to 1190 pupils. It should also be noted that the Transport Assessment acknowledges that the nursery, primary and secondary schools would each have their own traffic characteristics so the Transport Assessment subdivided the school into these respective categories to identify comparable sites and trip rates. On this basis the school development as a whole would likely generate the following peak hour and daily movements:

	Arrive	Depart	Total
Morning Peak (08:00 – 09:00)	352	225	577

Evening Peak (17:00 – 18:00)	52	82	134
Daily	969	976	1945

- 9.52 It is expected that typical schools would have a different PM peak period from the PM peak period on the highway network, which generally occurs around 17:00 – 18:00. Based on the Claire’s Court website, lessons at the Junior Girls school finish between 15:30-15:50 with after school clubs finishing at 17:00; lessons at the Senior Girls school finish at 16:00 with after school clubs finishing at 17:10; and lessons at the Senior Boys school finish as 16:00 with after school clubs finishing at 17:25. As such, the figures for the evening peak reported in the table above are considered to be reflective of the actual operation of the schools.
- 9.53 Concerns have been raised over the use of sites which are not like-for-like to identify trip rates. In this case the applicant acknowledges that due to site specific characteristics there were no like-for-like sites, and so the industry standard approach was undertaken to identify suitable sites, which is considered acceptable. Furthermore, TRICS rank the available data and the usual methodology is to apply the 85th percentile data. Using the 85th percentile gives a factor of safety over and above reliance on the average.
- 9.54 To determine the impact of the development onto the surrounding highway network, the Transport Assessment has combined the trips generated by the school and the residential development, which presents a worst-case scenario. Therefore if the residential and school development combined scenario results in an acceptable impact then it would follow that the school development would also be acceptable.
- 9.55 Paragraph 8.19 of the Transport Assessment reports that the combined residential and school development would generate the following peak hour and daily movements:

	Arrive	Depart	Total
Morning Peak (08:00 – 09:00)	380	291	671
Evening Peak (17:00 – 18:00)	94	114	228
Daily	1366	1386	2752

- 9.56 In relation to cumulative impact, the Transport Assessment includes expected trips from all committed development that would impact significantly on the transport network, including extant planning permissions and development plan allocations. In relation to the linked application for the recreation pitches and pavilion, ref: 17/04026/OUT, as the use of the pitches and pavilion would be in association with the school during the day (school use during term time and holiday camp/clubs during holidays) it is considered that any additional traffic during peak periods would be included in figures for the school development. It would be unreasonable to ‘double count’. In relation the use by MHC, paragraph 4.2 - 4.3 of the Transport Assessment Addendum Note for this application refers to the Transport Assessment submitted to support 17/04026/OUT for details of days and times, but confirms that none of the practice sessions will generate traffic within the network peak periods during the week, and matches and tournaments will take place at weekends.

Junction Capacity Assessment

- 9.57 Junction capacity modelling was then undertaken to demonstrate whether the 4 key junctions would operate satisfactorily to maintain traffic flow if the proposed development is implemented. Each junction was modelled in PICADY and ARCADY which are accepted modelling software for major / minor junctions and roundabouts, respectively. Various scenarios were assessed the most relevant for this application being:
- 2021 without development
 - 2021 with residential development
 - 2021 with combined residential and school development
- 9.58 In general, Transport Assessments include the impact of the proposal at a future ‘Design Year’, which is usually 5-10 years from the date of the planning application. In this case as there is a degree of certainty that the development will proceed within the next 3 years if permission is granted the Design Year of 2021 is considered to be acceptable. Future traffic forecasts are

calculated using TEMPRO software, an industry standard tool for estimating traffic growth based on the site specific data and area specific datasets which adjust observed traffic flows with identified growth factors.

9.59 Reference is made to Ratio of Flow to Capacity (RFC) value, which provides a measure of the utilised capacity of a junction approach arm. Paragraph 8.34 of the Transport Assessment advises that a RFC value of less or equal to 1.00 indicates that the entry is operating within capacity and a RFC value of between 0.85 and 1.00 provides a degree of resilience to daily fluctuations in traffic demand.

9.60 *Cannon Lane junction with Highfield Lane*

Maximum RFC Value for all arms	Morning Peak	Evening Peak
2021 Without Development Scenario	0.626	0.328
2021 With Residential Development Without Mitigation Scenario	1.036	0.422
2021 With Residential and School Development Without Mitigation Scenario	1.126	0.620
2021 with Residential Development With Mitigation	No data	No data
2021 With Residential and School Development With Mitigation (left turn lane)	See below	

9.61 On the basis of these results it is shown that the Cannon Lane junction with Highfield Lane as existing would exceed capacity during the morning peak for both the 2021 school development scenario and the 2021 combined residential and school development scenario. In terms of mitigation, paragraph 8.47 of the Transport Assessment advises that given the limited land available at this location the only potential mitigation scheme would be a left-turn lane at the junction for vehicles turning south onto Cannon Lane, as shown on drawing ref: No. 13.73-004 (Appendix 13, Transport Assessment). A dataset for 2021 school development with mitigation scenario has not been provided.

9.62 The 2021 residential and school development combined with mitigation scenario indicates that while the Highfield Lane left turning movement would improve during the morning peak with the left-turn lane in place, operating with a maximum RFC value of 0.487, those turning right will still struggle to establish priority due to heavy north and southbound flows on Cannon Lane. The data indicates that during 08:00 to 09:00 period the right turning junction arm would be operating at over capacity with a maximum RFC value of 1.029 between 08:30 and 09:00. In relation to maximum queue length (passenger car unit) and average delay (minutes), a comparison between the 2021 without development scenario and 2021 residential and school development combined with mitigation scenario is set out below:

2021 Without Development Scenario (Morning Peak)		
	No of Vehicles in Queue (PCU)	Average Delay (min)
Highfield Lane turning right		
08.00-08.15	1.4	0.78
08.15-08.30	1.5	0.91
08.30-08.45	1.6	0.92
08.45-09.00	1.6	0.92

2021 With Residential and School Development Combined With Mitigation Scenario (Morning Peak)		
	No of Vehicles in Queue	Average Delay (min)
Highfield Lane turning right		
08.00-08.15	5.3	2.27
08.15-08.30	8.0	4.26
08.30-08.45	10.3	5.47
08.45-09.00	12.2	6.49

However, mindful of paragraphs 108 and 109 of the NPPF, the requirement is to assess the final residual cumulative implications for the highway network and establish if there would be a severe adverse impact and not if the proposal or highway improvements as part of the scheme delivers a nil-detriment. Whether this results in a severe residual cumulative impact is assessed below.

9.63 *Cannon Lane junction with Farmers Way and the site access roundabout*

Maximum RFC Value for all arms	Morning Peak	Evening Peak
2021 With School Development Scenario	0.84	0.55
2021 With Residential and School Development Scenario	0.85	0.57

The results show that for the 2021 School development scenario, and the combined school and residential development scenario, the Cannon Lane junction with Farmers Way will operate at a RFC value of or below 0.85 during the morning and evening peak, and would therefore operate satisfactorily.

9.64 *Cannon Lane junction with Altwood Road – mini roundabout*

Maximum RFC Value for all arms	Morning Peak	Evening Peak
2021 Without Development Scenario	1.50	1.20
2021 With Residential and School Development Scenario	1.96	1.26
2021 With Residential and School Development Scenario With Mitigation	1.50	0.94

The results show that the 2021 without development scenario the junction would operate over capacity during the morning and evening peak, resulting in queuing and delays. A dataset for 2021 school development without mitigation has not been provided, but in the assessment of the residential and school development combined scenario the junction would be further over capacity during the morning and evening peak. As mitigation a compact roundabout is proposed as shown on drawing ref: 13.73 – 005 (Appendix 13, Transport Statement). It should be noted that the main text of the Transport Statement refers to drawing 13.73 – 005A, but the applicant has confirmed the text and the drawing relate. The proposed layout passes a safety audit. With a compact roundabout there would still be capacity issues, but in comparison with the 2021 without development scenario the proposed mitigation would result in a nil-detriment in the morning peak and a betterment for the evening peak for the 2021 residential and school development combined with mitigation scenario. In relation to maximum queue length and average delay a comparison between the 2021 without development scenario and 2021 with residential and school development combined with mitigation is set out immediately below. It is noted that for both scenarios the maximum queue lengths and average delays would be significant and whether this represents a severe residual cumulative impact is assessed below.

	Maximum No. of Vehicles in Queue (PCU)	Maximum Average Delay (min.)
2021 Without Development Scenario AM Peak	381.86	26.57
2021 Without Development Scenario PM Peak	159.26	10.83
2021 With Residential and School Development Combined With Mitigation Scenario AM Peak	497.35	26.39
2021 With Residential and School Development Combined With Mitigation Scenario PM Peak	12.10	0.78

9.65 *A4 Bath Road junction with Cannon Lane*

Maximum RFC Value for all arms	Morning Peak	Evening Peak

2021 Without Development Scenario	1.16	0.85
2021 With Residential and School Development Scenario	1.29	0.96
2021 With Residential and School Development With Mitigation Scenario	1.00	0.75

The results show that the 2021 without development scenario the junction would operate over capacity during the morning peak, resulting in queuing and delays. The 2021 residential and school development without mitigation would be further over capacity during the morning peak and approaching capacity during the evening peak. The proposed mitigation measure comprises of a new bypass arm from Cannon Lane to the A4 Bath Road and to widen the three arms of the junction as shown in drawing ref: 13.73-006 (Appendix 13, Transport Assessment). It should be noted that the main text of the Transport Statement refers to drawing 13.73 – 006A, but the applicant has confirmed the text and the drawing relate. The proposed mitigation scheme passes a safety audit. For the 2021 residential and school development with mitigation scenario while there would be a betterment in the morning and evening peak than the ‘in any event’ scenario, the junction would be operating at capacity during the morning peak with a RFC value of 1.00. At capacity there would be no degree of resilience. Whether this results in a severe residual cumulative impact is assessed below.

Highway Mitigation

- 9.66 Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms, and paragraph 56 of the NPPF and the Community Infrastructure Regulations 2010 set out policy tests for the seeking of planning obligations which are that:
- they are necessary to make the development acceptable in planning terms
 - they are directly related to the development; and
 - they are fairly and reasonably related in scale and kind.
- 9.67 It is established that without the proposed mitigation as set out above for the Cannon Lane junction with Highfield Lane Altwood Road, and A4 Bath Road, the cumulative impact of the residential development combined with the school development would result in severe harm to the local highway network. The applicant has confirmed that residential and school proposals are linked and would come forward together, the residential and school development are subject to separate applications to be considered on their own merits. It does not follow that either one or the other or both will be approved; the applicant has failed to provide details of the impact of the schemes individually.
- 9.68 It is currently therefore unknown whether the school development in isolation area would need mitigation and if it does what mitigation would be sufficient to offset its impact and meet the tests set out above. Further advice is being sought, and will be reported in a panel update. If minded to approve it is recommended that this is subject to a S106 which includes a clause to trigger the mitigation works if the housing development subject to 18/00130 also comes forward. As it stands if minded to approve and the housing at the Ridgeway site is not approved it is recommended that the applicant be asked to carry out further work to establish the position in relation to appropriate mitigation.

Residual Cumulative Impact

- 9.69 To warrant refusal in relation to the impact on the local highway network, paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if the residual cumulative impacts on the road network would be severe. The term residual means the impact having applied any appropriate and possible mitigation. Currently it can only be assessed with regard to this application and the application for housing on land adjoining.
- 9.70 The junction capacity assessment indicates that there would be an adverse impact for right turning vehicles from Highfield Lane to Cannon Lane during the morning peak as a result of the residential and school development combined with mitigation scenario. This is confirmed in paragraph 8.6.23 of the ES Volume 2: Main Text, but the ES goes on to conclude that the impact on the road network would not be significant with the queue increasing from 2 to 12 vehicles in

the morning peak with an average delay of 6.49 minutes. Officers consider that whilst the residual impact is not severe and does not warrant refusal on this basis nevertheless harm does result from the development in this respect which will be considered in the planning balance.

- 9.71 In relation to the Cannon Lane junction with Altwood Road, the junction capacity assessments indicate that following mitigation the residential and school development combined would result in nil-detriment in the morning peak. Mindful of recent case law (Bovis Homes Ltd and Miller Homes Ltd v SSCLG [2016]) it is acknowledged that the existing or future 'in any event' situation of the highway network is not an unrelated problem which evaluation of the proposed development should not ignore, and for both the 'in any event' and residential and school development combined scenario would be significant with average delay of 26 minutes. However, of relevance, paragraph 9 of Department of Transport Circular 02/2013 – The Strategic Road Network and Delivery of Sustainable Development states that development proposals are likely to be acceptable if they do not increase demand for use of a section that is already operating at over-capacity levels, taking account of any traffic management and/or capacity enhancement measures that may be agreed.
- 9.72 In comparison to the future 'in any event' situation the proposed combined residential and school development with mitigation would result in a betterment for the junction at the A4 Bath Road with Cannon Lane in terms of capacity, although it would operate at a maximum capacity during the morning peak. This means there would be no capacity to neutralise any increase as a consequence of either known factors such as an event or diverted traffic as a result of roadworks, or unpredicted factors such as a local hold-up from a broken down vehicle or accident, which could lead to queues and delays. This is an appreciated concern. However, such fluctuations are abnormal traffic conditions and while it is desirable to maintain stable operation it is considered that the impact to the local network would not be severe.
- 9.73 Overall, it is considered that any significant impact on the highway network in terms of capacity and congestion has been effectively mitigated to an acceptable degree for the school and residential development combined, and would not have such a severe effect to warrant refusal in this respect. Whether there is a severe residual cumulative impact in respect of the school development in isolation is currently unknown. Further advice is being sought, and will be reported in a panel update. The harm that has been identified will be considered in the planning balance.

Travel Plan

- 9.74 As a material consideration of significant weight, BLPSV policy IF2 and paragraph 111 of the NPPF requires that development that will generate significant amounts of movement should be required to provide a travel plan. A travel plan is defined in Annex 2 as a long term management strategy for an organisation or site that seeks to deliver sustainable transport objectives.
- 9.75 In terms of giving priority to sustainable transport modes, the application site is not located in a high accessibility area. A Travel Plan (May 2017) has been submitted in support of this application, which assesses the existing transport provision; identifies what the Travel Plan expects to achieve in broad terms; the elements that the plan is intended to address; identifies specific, measureable, achievable, relevant and time-bounded thresholds; identifies the specific measures that will be undertaken to deliver the stated objectives with a clear timescale and assigned responsibilities; identifies contributions to wider services or schemes with access, mobility or environmental benefits; and describes how the plan will be monitored including indicators that will be measured, the methodology that will be used, the frequency of monitoring and reporting mechanisms.
- 9.76 Following comments from the Local Highway Authority, an amended Travel Plan (November 2018) was submitted which included information on car and cycle parking to be provided and a commitment to preparing a final target, setting a year on year improvement (final Travel Plan) to be submitted to the council for approval within a set timescale. However, to accord with the requirements of the Council's Planning Obligations and Developer Contributions SPD it was also advised that the Travel Plan acknowledged potential sanctions in the event of non-compliance with implementing the travel plan and failure to achieve targets which the amended Travel Plan

has omitted. As the submitted Travel Plan largely satisfies the Council's requirement, if minded to approve it is recommended that a final Travel Plan, which includes acknowledgement of sanctions in the event of non-compliance, is submitted to and approved by the Local authority and together with its implementation and monitoring by the school is secured by S106.

Pedestrian Crossing

- 9.77 A Toucan crossing is proposed to the north of Barley Mead, which is considered to enable pedestrian and cycle movements to and from Cox Green to the proposed development as part of creating sustainable communities. It is not considered to have an undue impact on the operation and traffic flow on Barley Mead or Cannon Lane and is therefore acceptable. The Toucan crossing would have to be secured through both a S106 agreement and a section 278 agreement to permit works within the highways; it may also require a Traffic Regulation Order, which is a separate process over which the planning authority has no control. Its provision cannot therefore be assured.

Proposed Vehicular Access

- 9.78 The scheme will be served by an access from the proposed roundabout junction with Cannon Lane and Farmer's Way. A Stage 1 Road Safety Audit is provided in Appendix 13 of the Transport Assessment, which assessed the safety implementation of the proposed junction. The audit raised a number of areas of concern, following which a Designer Response Report has been produced and submitted (Appendix 14, Transport Assessment). The recommendations of the Designer Response Report are considered to satisfactorily address the issues raised in the Road Safety Audit, which if minded to approve can be secured by condition and through Section 106/278 agreement.
- 9.79 In terms of the relationship with the proposed Toucan crossing, concerns were raised by local residents in respect to excessive speeds and insufficient stopping sight distances due to the brow of the hill for approaching traffic turning left from the access. However, the submission of a forward visibility splay profile demonstrates that this is not an issue that would warrant refusal.
- 9.80 The proposed access road would have a carriageway width of 6m which is considered to be sufficient for two vehicles to pass. The non-linear alignment and speed bumps would act as traffic calming measures. A 2m footpath is also proposed, which is an acceptable width for two pedestrians to pass. Acceptable visibility splays at the proposed roundabout junction can be secured by condition as part of the requisite details, in addition to the requirement that the sightlines are not obstructed above a height of 0.6 metres.
- 9.81 There is no change to the Ridgeway mini-roundabout and the existing private driveway from Cannon Lane. The existing access to the school from a private driveway will also remain, but the intention is to limited access to emergency services only. As use of this access as an alternative for the all-through school for non-emergency users has not been proposed or assessed, if minded to approve, it is recommended that a Car Parking and Traffic Management Plan is secured by condition in the interests of highway safety and neighbouring amenity.

Car, Coach and Cycle Parking, and Refuge Provision

- 9.82 The Council's Parking Strategy sets out a maximum parking standard of 1 space per 1 full time equivalent staff. Based on FTE staff figures provided this would equate to a maximum parking provision of 231 car parking spaces. A total of 248 spaces are proposed which exceeds the parking provision, but the Parking Strategy does not cover pupil or visitor parking which would have to be managed through the Travel Plan and Car Parking plan referenced above should permission be granted. Overall, the car parking provision is considered to be acceptable.
- 9.83 For new schools, the Parking Strategy sets out that bus/coach loading and waiting areas on the premises are required. To the south of the plaza is a parking area for 16 coaches and a Coach Tracking Layout, ref: 0501 rev.A, has been provided to demonstrate that a coach can enter and exit the coach parking area in forward gear.

- 9.84 In relation to cycle parking, to accord with the Parking Strategy at least 1 cycle parking space per 5 students is required. With a nominal roll of 1190 pupils this equates to 238 cycle spaces. Paragraph 5.9 of the Transport Assessment confirms the provision of 120 cycle parking spaces, which is below the requirement outlined in the Council's Parking Strategy. However, taking the pragmatic approach it is likely that only older students and staff will be cycling. As such, the proportional amount of cycle parking provided is acceptable. The cycle parking spaces are accommodated within a covered storage facility on school grounds, and therefore considered to be sufficiently secure.
- 9.85 As set out above a Coach Tracking Layout, ref: 0501 rev.A, has been provided to demonstrate that a coach can turn within the site so that it can enter and exit the site in forward gear. It is considered that this swept path analysis can also be applicable to demonstrate the same for a refuse truck. On the masterplan, a refuse store is located to the southwest corner of the proposed car park. If minded to approve, details of the storage and collection points can be secured by condition.

vi Neighbouring Amenity

- 9.86 As a material consideration of significant weight, BLPSV Policy SP3 seeks to ensure no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties, and Paragraph 127 of the NPPF states that planning decisions should create places with a high standard of amenity for existing and future users.

Ramblings and Windfall

- 9.87 To the east of the existing Junior Boys are 2 residential dwellings known as Ramblings and Windfall. The proposed Junior Girls and Nursery Building would be sited to the south of these dwellings but it is not considered to result in any undue visual intrusion or loss of light as the proposed building would have a maximum 2 storey height of around 8.8m with a separate distance of approximately 24m and over 80m from the dwellings. This distance is also considered to sufficiently mitigate any undue perceived and actual overlooking as a result of proposed first floor windows on the north elevation.
- 9.88 Between the proposed Junior Girls and Nursery Building and Ramblings and Windfall will be a play area for the Junior Girls and a garden with play features for the Nursery, while to the east of Ramblings and Windfall is a proposed car park. To assess the potential noise impact on Ramblings and Windfall, noise surveys were taken at the residential receptors in 2014 to establish baseline conditions, and the Ambient noise levels are reported as 57 LAeq,T dB during the day (07:00-23:00) and 49 LAeq,T dB during the night (23:00-07:00) (Table 10:9 Noise Survey Results at Residential Receptors, ES Volume 2: Main Text). To predict the potential noise level, noise measurements were undertaken at the existing playground and car park at the Junior Boys School which is considered to be a reasonable equivalent. On this basis, the ambient noise levels for the Junior and Nursery playground is predicted to be 54 LAeq,30min dB (Table 10.20: Predicted External Space LAeq,30min dB Levels, ES Volume 2: Main Text). In comparison with the baseline conditions it is considered that there will be no noticeable increase in the ambient noise level from playground activity. In terms of the noise from vehicle activities associated with the proposed car park, the predicted ambient noise levels are reported as 59 LAeq,1hr dB during the morning peak and 62 LAeq,1hr dB during the evening peak (Table 10:17: Ambient Baseline LAeq,1hr and Maximum LAmx,1h levels Against Predicted Levels from Car Park Noise, ES Volume 2: Main Text). In comparison with the existing ambient noise levels it is considered that there will be a negligible to minor increase in the ambient noise level from the development. An additional noise survey was undertaken in 2017 which confirmed that the main noise source and noise climate remain the same.
- 9.89 In terms of construction noise, the worse-case noise generation from construction is predicted to be 62 LAeq,day dB, which is a material increase compared to the ambient noise level of 57 LAeq,T dB (Table 10.13: Worst Case LAeq,day at Receptors During Construction, ES Volume 2: Main Text). However, while predicted to last approximately 21 months, the construction phase would be temporary and could be mitigated through a site specific construction environmental management plan via condition to ensure adoption of the best practicable means to reduce the

effect of noise and disturbance during construction. There would likely be some harm caused as a result over the construction period and this is addressed in the planning balance.

Thicket House, Thicket Barn, Thicket Lodge, Orchard Cottage and Wooley Cottage

- 9.90 To the west of the application site are 5 residential dwellings known as Thicket House, Thicket Barn, Thicket Lodge, Orchard Cottage and Wooley Cottage. The proposed Central and Senior Buildings are located to the east, but it is not considered to result in any undue visual intrusion, loss of light or overlooking. The Central Building, while sunken from the original ground level by approximately 3.5m, would have a maximum 2 storey height of around 8.8m (excluding mono-draughts) and the Senior building would have a maximum 3 storey height of around 12.5m, but would have a separation distance of at least 57m from the shared boundary and 135m from the nearest house. Along the shared boundary will be proposed sports facilities including a running track, sports courts and the ambient noise from this is predicted to be 54 LAeq,30min dB (Table 10.20: Predicted External Space LAeq,30min Levels, ES Volume 2: Main Text) against an Ambient Noise Level of 57 LAeq,T dB during the day (07:00-23:00) and 49 LAeq,T dB during the night (23:00-07:00) (Table 10:9 Noise Survey Results at Residential Receptors, ES Volume 2: Main Text).
- 9.91 In terms of construction noise, the worse-case noise generation from construction is predicted to be 66 LAeq,day dB, which is a significant increase compared to the ambient noise level of 57 LAeq,T dB (Table 10.13: Worst Case LAeq,day at Receptors During Construction, ES Volume 2: Main Text). However, while predicted to last approximately 21 months, the construction phase would be temporary and could be mitigated through a site specific construction environmental management plan via condition to ensure adoption of the best practicable means to reduce the effect of noise and disturbance during construction. There would likely be some harm caused as a result over the construction period and this is addressed in the planning balance.

Light Pollution

- 9.92 It is likely that the school development will have external lighting for internal spaces such as the quad, coach and car park areas and sports facilities, and pathways. If minded to approve, details of the external lighting including the siting, design (luminaire type and profiles, mounting height, aiming angles, and energy efficient measures) and beam orientation to ensure no undue harm to neighbouring amenity can be secured and controlled through a condition.

9.93 Air Pollution

An air quality assessment for the proposed residential development has been submitted (Appendix AIR.01, Environmental Statement Volume 4). Potentially negative dust and impacts resulting from the construction phase were assessed and predicted to be not significant. This is based on the recommendation that good practice control measures, as highlighted in the CoCP (Appendix GEN.05, Environmental Statement Volume 4). Potential air quality impacts from vehicle exhaust emissions during the operational phase were assessed and the results indicated that predicted annual mean concentration for nitrogen dioxide and PM10 were below the relevant Air Quality Objectives at all receptor points. The findings and conclusions of the Air Quality Assessment that the air quality impacts are considered to be not significant and are acceptable.

Cumulative Impact

- 9.94 There may be some overlap between the construction of the sports, school and housing development, but if best practices are implemented through a site-specific construction environmental management plan via condition it is not considered the cumulative impact would result in any significant impact. In terms of cumulative impact, the combined traffic associated with the school and residential development has been modelled and the additional flows are expected to result in a negligible noise effect.

vii Sustainable Drainage

- 9.95 As a material consideration, BLPSV policy NR1 requires development proposals to incorporate sustainable drainage systems, but given the extent of unresolved objections this policy should currently be allocated limited weight. However, as a further material consideration, paragraph 165 of the NPPF requires major development, such as this, to incorporate sustainable drainage systems (SUDS) unless there is clear evidence that this would be inappropriate.
- 9.96 The submitted Flood Risk Assessment and Drainage Strategy outlines a proposal for six cellular soakaways under paved areas which will store and discharge run-off via infiltration. Based on the information submitted it is likely that a viable drainage strategy can be implemented. Therefore, if minded to approve it is recommended that this should be subject to a condition that secures a surface water drainage scheme for the development to be submitted to and approved by the Local Planning Authority. Details should include:
- full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details;
 - supporting calculations confirming compliance with the Non-statutory Standards for Sustainable Drainage, proposed discharge rates and attenuation volumes to be provided; and
 - and details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented;

It is also recommended that the submission of the outputs from groundwater monitoring along with the drainage design that reflects these outputs are secured at the detailed design stage and approved prior to commencement of development.

viii Ecology

Special Area of Conservation

- 9.97 The site lies within 5km and within the zone of influence of Chilterns Beechwoods, a Special Area of Conservation (SAC), which is a European Designated site. The primary reason for designation is the significant presence of semi-natural dry grassland and scrubland facies on calcareous substrates (Festuco-Brometalia); Asperulo-Fagetum beech forest; and *Lucanus cervus*. The Natura 2000 data form for Chilterns Beechwoods reports that the main threats relate to forest and plantation management and use; invasive non-native species; problematic native species; and interspecific floral relations. Where any proposal is likely to have a significant effect on a European site either alone or in combination with other plans or projects, the Conservation of Habitats and Species Regulations 2017 requires an appropriate assessment to be made in view of that site's conservation objectives. Paragraphs 175 and 176 of the NPPF state that development resulting in the loss or deterioration of Special Areas of Conservation should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In this case the proposed development, along and in combination with the linked proposals, is not considered to have a significant effect on Chilterns Beechwoods due to its distance from the site, and therefore an appropriate assessment is not required.

Other Designations

- 9.98 There is a statutory designated site, Great Thrift Wood Site of Special Scientific Interest (SSSI), approximately 2km to the south-east of the application site. Natural England describe it as a predominately damp, ancient, coppiced woodland, and the SSSI is important for its representation of five semi-natural stand-types. To the north of the application site is Maidenhead Thicket Local Wildlife Site, a non-statutory designated site owned by the National Trust. Maidenhead Thicket comprises of a mixed woodland with 19 ancient woodland indicator species.
- 9.99 As a material consideration protecting and enhancing the natural environment forms part of the 'Environmental' dimension of 'Sustainable Development' and paragraph 170 of the NPPF states that planning decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 175(a) states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or as a last resort compensated for then planning permission should be refused. Paragraph 175(b) goes on to state that development on land

outside of a SSSI, which is likely to have an adverse effect on it, should not normally be permitted. BLPSV Policy NR3, which should be allocated significant weight in the consideration of this application, states that proposals should demonstrate how they maintain, protect and enhance the biodiversity of application sites and requires proposals to mitigate or as a last resort compensate for any adverse biodiversity impacts where unavoidable adverse impact on habitats and biodiversity arise.

- 9.100 To support the proposal, ecological information has been submitted contained within the ES Volume 2: Main Text and relevant appendices. This includes an extended Phase 1 Habitat Survey conducted in 2014 with a second survey conducted in 2017. Detailed species survey for dormice, breeding birds, reptiles and bats were also undertaken in 2017, while badger surveys were conducted in 2014, 2015, 2016 and 2018. This is in line with best practice guidelines and so the survey results are considered to be valid. Furthermore, the supporting ecological information submitted covers the application site in addition to the sites for 17/04026/OUT (recreation) and 18/00130/OUT (housing) to address the cumulative impact.

Badgers

- 9.101 There are badger setts within the site and surrounding area. 1 of the badger setts is within the construction zone of the development. To accommodate the proposed development the applicant has proposed to close this sett. While the closure of the sett is not ideal, it would be acceptable under licence from Natural England. Another sett is in close proximity to the construction zone and it is proposed that a no-works buffer is maintained by fencing with gaps for badgers. If minded to approve, such measures should be included within a Construction Environmental Management Plan for Biodiversity to be secured by condition. It is considered that no mitigation will be necessary for the remaining setts as they are located at a satisfactory distance from the construction zone.
- 9.102 A line of trees and hedges will be removed from the eastern boundary of the development site, but it appears that no mammal paths or latrines have been noted here and badger bait mark survey reveals that the badger social group occupying one of the setts within the surrounding area forage to the south of the site. As such, the loss of this vegetation to the east is unlikely to constitute a loss of a significant badger corridor. Compensation for any loss of foraging habitat has been proposed, including a wildflower and grassland area, appropriate management of the grassland, enhanced woodland planting, creation of a pond, and tree and hedgerow planting. If minded to approve this mitigation measure can be secured by condition. Furthermore, to ensure that badgers may transverse the site post-development, it is recommended that gaps at the base of any fences should be secured as part of the wildlife enhancement condition, or a boundary treatment condition. It is noted that the proposed access road would divide the existing greenfield site, but the applicant has proposed traffic calming measures which would reduce the risk of badger road traffic casualties.
- 9.103 The proposal includes the loss of a significant length of hedgerow along Canon Lane to accommodate the access, which is identified as a commuting route for badgers from the south of the site to Maidenhead Thicket to the north. Commuting routes are important to ensure badgers and other wildlife can access surrounding areas for foraging. Severance of commuting habitat would increase competition in foraging areas to the south of the site and reduction of food sources. As mitigation the proposal includes a replacement hedgerow on the western edge of the proposed roundabout. The indicative site layout demonstrates how a hedgerow of similar size to the existing could be accommodated. If minded to approve a condition is recommended to secure the replacement and details of the hedgerow.
- 9.104 In general, the submitted ecology report states that a method statement should be prepared to ensure that precautionary working methods are adopted, including timing of the works and covering of any open trenches overnight. If minded to approve these measures should be included within a Construction Environmental Management Plan for Biodiversity, secured via condition.

Bats

- 9.105 A bat survey confirmed bat roosts within the main school building and art block, which fall outside of the application site, but lines of trees and hedgerow within the site were recorded as having an important function in foraging and commuting resources for these bats. To facilitate development large sections of the tree and hedgerow line are proposed to be lost. As mitigation for the loss of these trees, a new north-south tree line is proposed along the eastern boundary which lies to the north of the access road. It is proposed to continue the tree line to the south of the access road on land subject to planning application 17/04026/OUT for the sports facilities. This would provide a 4m wide corridor for commuting bats from the south of the site through to Maidenhead Thicket. It is noted that the access road would intersect the line of trees, once the proposed trees on either side mature it is considered that the crown will form a continuous vegetated link. Therefore, if minded to approve, it is recommended that the north-south tree line on either side of the access road is secured by condition. While the land the south of the proposed access is outside of the application it is included in the 'blue line' (land under the control of the applicant) on the location plan. It is therefore evidenced that the land needed to enable the developer to comply with the condition is under the developer's control.
- 9.106 Three trees on site were assessed as having low potential to support roosting bats and to be retained and protected during development. As such, it is considered that no mitigation works in this respect would be required as part of this proposal.

Reptiles

- 9.107 A reptile survey confirmed that the site does not support a population of reptiles. The south-eastern section of the site is, however, considered to have potential to support reptiles. A proposed reptile receptor area to translocate captured reptiles from adjacent land subject to proposals under 18/00130/OUT and 17/04026/OUT is proposed in this area and measures to improve its suitability to support reptiles include a management scheme to manage grassland and scrub in the area; seeding of suitable wildflower mix; creation of scalloped edges along the boundary to increase the amount of edge habitat available; creation of log piles and / or hibernacula; and clearance and / or crown reduction of selected trees in the retained habitat to reduce shading. If minded to approve the mitigation strategy outlined in the Outline Ecological Mitigation and Management Plan can be secured by condition.

Dormice

- 9.108 A dormouse habitat suitability assessment of the site confirmed that there were no dormice or evidence of dormice recorded at the site or within 2km of the proposed development. While there are hedgerows at the linked sites, the hedgerows within the proposed development were recorded as having negligible potential to support dormice. As such, it is considered that no mitigation works in this respect would be required as part of this application.

Breeding Birds

- 9.109 The arable fields, scrub, trees and hedgerows within the site has the potential to support breeding bird habitat of protected or notable species, and notable species were confirmed as breeding on site. The loss of this habitat associated with the proposed development without mitigation would be to the detriment of bird-life. Therefore in order to compensate for the loss of breeding bird habitat the planting of new native trees, hedgerows, scrub and installation of bird boxes are proposed. These mitigation measures outlined in the Outline Ecological Mitigation and Management Plan are considered acceptable and can be secured by condition.

Biodiversity Enhancements

- 9.110 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity. Biodiversity net gain calculations have been submitted to demonstrate that there would be enhanced overall for wildlife. If minded to approved it is recommended that full details of biodiversity including, where applicable, bird and bat boxes, log piles / refugia, gaps at the base of fences to allow hedgehogs to transverse the site, wildlife friendly planting and traffic calming

measures for badgers and other wildlife as part of a wildlife friendly landscaping scheme for this part of the site and for this application is secured by condition. If minded to approved it is recommended that full details of biodiversity including, where applicable, bird and bat boxes, log piles / refugia, gaps at the base of fences to allow hedgehogs to transverse the site, wildlife friendly planting and traffic calming measures for badgers and other wildlife as part of a wildlife friendly landscaping scheme for this part of the site and for this application is secured by condition.

Lighting

- 9.111 The proposed development is likely to increase the light levels as a result of internal and external lighting within the new buildings, lighting around and within the car parking areas and along new roads and pathways. Without appropriate mitigation this could have a detrimental effect on nocturnal species such as bats, badgers and barn owls by disturbing foraging and commuting habitat and discouraging bats from roost sites. An external lighting strategy for the school has been submitted that demonstrates that there would be minimal light spillage onto boundary vegetation and the Local Wildlife Site (between 1-2 lux). This would be acceptable in terms of bats and other nocturnal wildlife.
- 9.112 In terms of the cumulative impact, assuming that ecological protection measures are implemented and a suitable lighting strategy is in place, the development of the 'Ridgeway Project' is not considered to result in any significant effects on ecology.

ix Archaeology

- 9.113 Local Plan policy ARCH 3 states that planning permission will not be granted for proposals which appear likely to adversely affect archaeological sites of unknown importance unless adequate evaluation enabling the full implications of the development on archaeological interests is carried out prior to the determination of the application. This is supported by paragraph 189 of the NPPF which states that where a development site has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 9.114 An Archaeological desk-based assessment, ref: Report No. 10750, dated February 2016, has been submitted to support the application. The assessment confirms there are no designated heritage assets and no known undesignated heritage assets within the application site. However, there are a number of monuments of prehistoric and Roman date recorded within the surrounding area including Roman Villas at Cox Green and Castle Hill, and a Bronze Age barrow and an Iron Age earthwork enclosure within Maidenhead Thicket which are nationally important Scheduled Monuments. With built development limited to the north-west of the site it is considered that past impacts resulted primarily from agricultural activities when the area had been enclosed for agricultural use c.1800, and therefore relatively superficial.
- 9.115 A geophysical survey of the site was undertaken, and no significant anomalies were recorded to indicate the presence of significant, widespread buried archaeological remains. However, paragraph 4.1.3 in the geophysical survey report notes that the potential for surviving archaeology within the Ridgeway site cannot be fully ruled out and so there remains a likelihood that lesser buried remains will survive that will be impacted by the proposed development.
- 9.116 Local Plan policy ARCH4 states that where evaluation of a site demonstrates the presence of archaeological remains which do not merit permanent in situ preservation, planning permission will not be granted for any development unless provision is made for an appropriate level of excavation, recording and off site preservation / publication / display of such remains. This is supported by paragraph 199 of the NPPF which requires developers to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and their impact, and to make this evidence publicly accessible. Policy HE1 of the BLPSV, which should be allocated significant weight given the number and extent of unresolved objections, states that the historic environment will be conserved and enhanced in a manner appropriate to its significance. Therefore, it is considered that prior to the commencement of development an initial programme of exploratory field evaluation by trial

trenching, which may be followed by more detailed investigations of areas of archaeological interest, in accordance with a written scheme of investigation is secured by condition together with an appropriate mitigation strategy following evaluation.

x Other Material Considerations

Loss of Agricultural Land

- 9.117 Local Plan policy GB2(b) states that planning permission will not be granted for new development within the Green Belt if it would harm the character of the countryside through the permanent loss of Grade 1, 2 or 3a agricultural land, but due to inconsistency with the NPPF this policy is afforded limited weight. However, as a material consideration of significant weight, paragraph 170 of the NPPF states that planning decisions should recognise the wider benefits from natural capital including the economic and other benefits of the best and most versatile agricultural land.
- 9.118 Approximately 5ha of the southern section of the site has been classified as Grade 2 of the Agricultural Land Classification, which Annex 2 of the NPPF confirms is the best and most versatile agricultural land. The proposal would clearly result in the permanent loss of this land, which is a material consideration and weighed in the planning balance.

Foul Water Sewage Network

- 9.119 The submitted FRA and Drainage Strategy indicates that surface water will not be discharged to the public network which is acceptable subject to an appropriate SUDS scheme as set out above. In relation to foul water discharge it is proposed to connect the development to an existing Thames Water sewer in Cannon Lane. Thames Water have confirmed that capacity exists in the current network for early phases of the development. With effective engagement and given the scale of any upgrades the time it will take for Thames Water to deliver would mean that works can be delivered in line with the development without the need for a phasing style planning condition.
- 9.120 To serve part of the site with a lower elevation, a pumping station may be required with a gravity connection to the public sewer on Cannon Lane. This would require planning permission, permission through a separate application, and if minded to approve it is recommended that this advice is included as an informative.

Water Pressure

- 9.121 Concerns have been raised by local residents over water pressure in the area, but no substantive information has been submitted by interested parties on how the school development harm water pressure on the area. South East Water were also consulted on the proposal on the 24 April 2018 with a following up on the 27 June 2018, but no comments have been received. In the absence of any evidence underpinning the concern, it is not considered reasonable to refuse an application on this basis.

xi The Case for Very Special Circumstances

- 9.122 It is considered that the proposal does not fall under any of the exceptions listed in paragraph 145 of the NPPF and therefore would be inappropriate development in the Green Belt. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and such development should not be approved except in Very Special Circumstances (VSC). Paragraph 144 of the NPPF states that Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 9.123 The Courts have not defined 'very special', beyond confirming that the words must be given their ordinary and natural meaning as contained in R(Chelmsford BC) v First Secretary of State [2004] EWHC 2978 (Admin):

'The words 'very special' must be given their ordinary and natural meaning. Since the expression 'very special' is so familiar, any attempt at definition is probably superfluous, but for what it is worth, the Shorter Oxford English Dictionary tells us that special means:

Of such a kind as to exceed or excel in some way that which is usual or common; exceptional in character, quality or degree. The circumstances must be not merely special in the sense of unusual or exceptional, but very special'

- 9.124 The decision-taker has to exercise a qualitative judgment and ask whether the circumstances, taken together, are very special.

Harm to the Green Belt and Any Other Harm

- 9.125 In accordance with Paragraph 144 of the NPPF, any harm to the Green Belt in relation to inappropriateness, conflict with the purposes of including land within the Green Belt and harm to openness should be given substantial weight against the development. As set out in this report, the proposal is inappropriate development in the Green Belt, and therefore, by definition, harmful to the Green Belt, contrary to 2 of the purposes of the Green Belt, and would result in a significant reduction in openness. Overall, this amounts to substantial weight against the development.
- 9.126 Other harm identified includes a detrimental impact on the character of the area, meriting significant weight. As the proposal under 17/04026/OUT for pitches and pavilion is recommended for refusal, it is considered that the loss of open space merits significant weight against the development. The loss of best and most versatile agriculture land is also considered to result in harm, which given the amount lost would merit limited weight. In terms of highway impact of the school development in isolation this is currently assessed on the basis of moderate harm. An updated VSC balance will be reported in an update if necessary.
- 9.127 Section 17 of the Very Special Circumstances Report (July 2019) sets out the benefits of the proposed scheme, which is updated in Section 11 of the Very Special Circumstances Addendum (July 2019). A summary is provided below:
- Provision of choice of education in line with NPPF
 - Increasing 0-5 childcare
 - Provision of holiday club places
 - Provision of teacher training provided by school
 - Addressing the inefficiencies associated with the school being split between three sites
 - Retention and enhancement of the school as 10th Biggest Employer
 - Retention and enhancement of economic footprint of school of over £12.3m
 - Employment opportunities derived as a result of construction of the Proposed Scheme
 - Provision for Maidenhead Hockey Club and Community Use Agreement
 - Provision of allotment space or open space for parish council
 - Provision of Local Play Area
 - Provision of affordable housing to meet significant unmet local demand
 - Provision of market housing to meet significant unmet local demand
 - Local Finance Considerations including CIL and New Homes Bonus
 - Protection of wildlife during and after construction

Each promoted VSC has been assessed as to whether it is considered to be VSC and the weight it would be given and then a balancing exercise carried out as required.

Choice of School Places

- 9.128 Paragraph 94 of the NPPF states that it is important that a sufficient choice of school place are available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.

- 9.129 It should be noted that there is no distinction in planning terms whether an educational establishment is maintained or independent and paragraph 94 of the NPPF applies equally to both. In terms of meeting the needs of existing and new communities, the NPPF does not offer a definition of 'need'. However, the use of the word 'need' in the plural rather than singular sense in the first sentence of the paragraph 94 indicates that it goes beyond addressing a narrow demographic necessity and therefore includes aspirations. Furthermore, the text of the NPPF explicitly refers to a 'choice of school places' to meet those needs.
- 9.130 It is noted that the Claire's Court School provides support for pupils with special educational needs (SEN) from September 2017 there have been 10 pupils at Claire's Court with Education, Health and Care Plans (EHCP) funded by the Local Authority. In absolute numbers the contribution towards meeting need for SEN demand is limited. However, it is noted that the Council's Infrastructure Delivery Plan is based on the existing provision for SEN by independent schools, and it should be acknowledged that Claire's Court School provides choice in school places for those with SEN.
- 9.131 In relation to sufficiency of choice, the Secretary of State decision of Ingleby Barwick (2013) (ref: APP/H0738/A/13/219538) makes clear that 'the loss of opportunity to widen choice would be regrettable and harmful' in the context of paragraph 72 of the NPPF (2012), which 'makes it obvious that widening choice in education is the critical consideration'. While NPPF (2012) has been superseded, paragraphs 72 of this document and paragraph 94 of the NPPF (2019) are the same.

Condition, Suitability and Sufficiency

- 9.132 At the heart of the applicant's case is the proposal to consolidate Claire's Court school onto one new school campus at the Ridgeway. On the face of it, relocation of an existing school does not increase choice, but the Very Special Circumstances Report puts forward that the existing school buildings at College Avenue and Ray Mill Road have come to the end of their natural life and would be unviable buildings within which to secure the school's future at these sites. A case of substandard accommodation has also been put forward, and the applicant makes the case that refurbishment of those buildings to fulfil the needs of the school would be at a significant financial cost which would make it unviable. Therefore, the applicants position is that if planning permission is not forthcoming for the new school campus then logically the next step would be the closure of the Nursery, Junior and Senior Girls, and Sixth Form at College Avenue and Senior Boys School at Ray Mill Road, and the operation of a reduced junior school provision at the Ridgeway. This would reduce the choice in education, contrary to paragraph 94 of the NPPF.
- 9.133 In this respect, the consideration is whether the existing accommodation is fit for purpose in terms of condition, suitability and sufficiency. Starting with condition, the submitted Conditions Survey reports on the physical condition of the existing accommodation which are of varying age and type. Local residents have raised concerns over management and maintenance, which is an important factor to extend life expectancy of the building, but while the tendency is to think of buildings as being permanent structures and there are buildings of considerable age, it should be acknowledged that that buildings will naturally deteriorate over time. In this case, while the buildings at College Avenue and Ray Mill Road East are in fair to good condition they have surpassed their life expectancy and renewal work is necessary with immediate works required to replace the majority of roofs, fascias and rainwater goods. This is accepted and it would be usual for such an establishment to have an asset management strategy, which has not been submitted to support this application. The cost to address the problems identified in the survey in addition to general modernisation such as heating, electrics, security and decoration, and routine repairs is set out in the Conditions Survey and estimated by the applicant to be around £9 million. Although the Very Special Circumstances Reports advises that the costs of continuing on-going repairs would not financially viable, no substantive information has been submitted to support this, which would allow the Council to review that position through independent advisors and consider whether it is reasonably the case.
- 9.134 Nevertheless, in terms of suitability and sufficiency, while the complex of buildings has been adopted to fit changing and growing needs the submitted Educational Needs Statement / Report identifies problems including under-sized teaching spaces, and poor acoustic conditions and

sound insulation between rooms and floors when considered against the Department for Education Building Bulletin 103 (2014). While Building Bulletin 103 is non-statutory, which tempers its significance, it is national guidance and it is accepted by officers that there are deficiencies inherent in the existing accommodation.

- 9.135 Also of note, officers from Children's Services and the RBWM's Property Services reviewed both the College Avenue and Ray Mill Road East site in 2013 to assess whether the two sites could be acquired by either the local authority or by the (then) Education Funding Agency for the provision of a new primary school in the east of Maidenhead. It was concluded that the buildings at both sites were considered to be unsuited for state school use.
- 9.136 There are also equality issues to accord with the Equality Act 2010 in relation to gender which is a protected characteristic as defined in the Act. The submitted Conditions Survey reports that there are rooms at both College Avenue and Ray Mill Road East that are accessible only via staircases or with changes in ground level, rendering these rooms inaccessible for all those with limited mobility. Ancillary facilities for disabled people such as washrooms are also deficient in the main block at College Avenue where there is no DDA compliant washroom, the nearest being in the Chapel Block. Furthermore, for schools that operate a 'diamond model' such as Claire's Court where children are taught together in the nursery setting and in the sixth form but are separated by gender in the primary and secondary phases, there is a requirement that not only does the choice in subjects have to be equally wide and teaching of the same quality, the facilities pupils of different gender have access to should be equally good. The Very Special Circumstances Addendum includes a set of tables which compare provision for boys and girls, which demonstrate where one gender is disadvantaged by the way provision is organised on separate sites. As noted in a letter from the Department of Education to the school, attached in Appendix 3 of the Very Special Circumstances Addendum, College Avenue has less outdoor space meaning the opportunities for Bushcraft and Woodland/Forest work for Early Years and Junior Girls is restricted in comparison to Junior Boys. As another examples, the lack of playing fields on the Ray Mill Road East site for Senior Boys means transportation off-site for games during the week, thereby reducing curriculum time by 2 lessons a week for boys compared with girls. No evidence has been submitted to suggest that this affects pupil attainment by gender.
- 9.137 Overall, it is considered that the failure to tackle deficiencies in accommodation could detract from the educational attainment, wellbeing and life chances of the students; the issues with compliance with the Equality Act 2010 are significant considerations.
- 9.138 It has been raised by local residents that the suitability, sufficient or condition of the buildings or otherwise has not affected the school being judged by the Independent Schools Inspectorate (ISI) to meet all the specified regulations and associated legal requirements set against a set of 8 standards. In this instance it is considered that the results have been achieved despite the existing environment rather than because of it.

Alternative Options

- 9.139 To accord with Part 2, Part 1 of Schedule 4 of the EIA Regulations, reasonable alternatives (for example in terms of development design, technology, location, size and scale) must be considered by the applicant and an indication given for selecting the chosen option.
- 9.140 As to why the above issues of suitability and sufficiency cannot be resolved on the existing sites, to fully provide accommodation to meet national guidelines in Building Bulletin 103, address DDA requirements and so that the provision for boys and girls are co-located at the same premises, this would likely require the re-engineering and redevelopment of the existing sites and buildings. This option was considered by the applicant but they concluded this would be both impractical and unviable. Paragraph 5.37 of the Very Special Circumstances reports that such a programme of works would involve approximately 3 years of construction on each site. As the works at each site could not be undertaken concurrently, it would be necessary to transfer teaching space, staff and pupils to the other sites, this would result in years of disruption. Furthermore, the applicant has put forward that in addition to the finances of undertaking the works, the disruptions would reduce the attractiveness of the school for paying customers which would have financial implications. The financial cost of redevelopment of the existing sites has been quantified and accepted. However, disruption to schooling and financial implications from the disruption are

unquantified by the applicant, and if redevelopment of the school on the existing sites were the only option it would not be unreasonable for the applicant to seek to limit the disruption through management. No information on management options has been submitted.

9.141 Alternative locations in the borough have also been considered through a sequential site assessment contained in Section 11 of the Very Special Circumstances Report.

9.142 The sites selected were drawn from the following:

- Local Plan
- Maidenhead Centre Area Action Plan
- BLPSV
- Evidence base documents including:
 - Strategic Housing Land Availability Assessment (SHLAA)
 - Housing Site Assessment
 - Edge of Settlement Analysis: Preferred Options (January 2014)
 - Edge of Settlement Analysis: Green Belt Purpose Assessment (July 2016)
 - Employment Land Review (2013)
 - Green Belt Boundary Study (December 2013)
 - Green Belt Purpose Assessment (July 2016)
 - Local knowledge of sites from hockey club members and advisers.

Since submission of the application it should be noted that the Council has published its Housing and Economic Land Availability Assessment (HELAA) (2018), which is addressed further below.

9.143 In terms of identifying alternative sites, the Sequential Sites Assessment has confined this to sites measuring 24.59ha or larger as 24.59ha would be the size of the site required to accommodate the combined school, sports and housing development. As the school intends to use the sports development as part of their school facilities, there may be a case that the proposed school and sports development should be located together or in close proximity but it is unclear why the housing needs to be. It is not considered that the issue of enabling development and viability requires that the housing to be developed on or around the same site and it should have been excluded from the site area.

9.144 Notwithstanding the above, it is concluded that there are no identified sites that are outside of the Green Belt that are suitable in size to accommodate the school development in isolation (6.5ha) or the school and sports development combined (15.2ha) with the exception of Maidenhead Retail Park on Stafferton Way. However, in relation to this site the HELAA advises that while the site was promoted it is likely to be unavailable until 2033 (the plan period of the BLPSV) due to existing leases.

9.145 In relation to alternative sites in the Green Belt, from the sources above the submitted Sequential Sites Assessment identified 10 sites which were 24.59ha or larger. These were discounted for the following reasons:

Site	Sequential Assessment by Applicant	LPA comments
Stubbings Farm, Burchetts Green Lane	Now site of proposed Beech Lodge School	Permission for Beech Lodge School was granted under 14/01581/FULL, and associated pre-commencement conditions have been discharged, ref: 16/03932/CONDIT. Therefore accepted that the development is progressing and the site is not reasonably available.
Town Farm, Marlow Road	Outside of settlement. Access issues.	The applicant has discounted the site as it is outside the settlement of Maidenhead. It is noted that Regina v Braintree District Council Ex Parte Clacton Common Development Limited [1998] concluded that for a town centre sequential test the search should be

		limited to the intended catchment area as the market which the developer is seeking to serve should be taken into account. As an independent school while the catchment area of the school can extend further it is recognised that it also seeks to serve a particular market and therefore, it is accepted that the site is not suitable.
Land South of A308(M), West of Ascot Road (known as the Triangle site)	Previously considered in early stages of Ridgeway Project and discounted on grounds of location and viability.	No information has been submitted with this application to expand on the reason of location or to support unviability. Notwithstanding this, the site is reserved for employment use in the BLPSV which is considered to be sound and legally compliant, and given significant weight as a whole. The most-up-to-date evidence also demonstrates need for employment need (FEMA study and EDNAs). As such, it is considered that the site would not be available for the use for which permission would be sought. The site is also subject to flooding.
St Leonards Farm St Leonards Hill	Out of settlement	It is acknowledged that the market which the developer is seeking needs to meet needs to be taken into account, therefore accepted that the site is not suitable.
Lillibrooke Estate area a, b and c, south of M4	Site not currently available.	No information has been submitted to demonstrate that the site is not available. However the site is not sequentially preferable. In addition to its Green Belt location the site also lies in Flood Zone 2 and 3, and incorporates ancient woodland, sites of special scientific interest and local wildlife sites.
Berkyn Manor & adjoining, Horton	In flood zone 3.	Accepted the site is not sequentially preferable. In addition to its Green Belt location the site also lies in Flood Zone 3.
Maidenhead Golf Course	Allocated as housing site with supporting facilities including education and community infrastructure in emerging local plan	In addition to housing the BLPSV has also allocated the site for educational facilities and playing pitches. However, the Council's Infrastructure Delivery plan has identified this site for a RBWM facilities to meet the statutory requirement to provide primary and secondary school places over the plan period and therefore it is acceptable that the site is not reasonable available.
Land North of Maidenhead Office Park	Site not currently available.	No information has been submitted to demonstrate that the site is not available. However, this site is to the south-west of the application site is considered that the site would be subject similar if not the same constraints and therefore not sequentially preferable.
White Waltham Airfield	Site not currently available.	No information has been submitted to demonstrate that the site is not available

		It has been promoted through the HELAA. However, while promoted the Council's Edge of Settlement Analysis assessed this parcel of land as making a strong / very strong contribution to 2 of the purposes of the Green Belt, namely to check unrestricted sprawl of large built up areas and to prevent neighbouring towns from merging. It also makes a lower contribution to safeguarding the countryside from encroachment and preserving the setting of historic towns. As such, the site is not considered to be sequentially preferable.
Cannon Court Farm	Outside of settlement area.	It is acknowledged that the market which the developer is seeking needs to be taken into account, therefore accepted that the site is not suitable.

9.146 In addition to the sites above, the SHLAA identifies 2 sites measuring 15.2ha or over (the size of site required for the school and sports development) which should be considered. These are Lodge Farm, and Philberds and Spencer's Farm. In addition to these 2 sites, the HELAA identifies 5 sites measuring 15.2ha or over. Commentary is provided below.

Site	LPA comments
Land at Lodge Farm & Philberds, Ascot Road, Maidenhead	Accepted that site is not sequentially preferable In addition to its Green Belt location the site is also in the setting of the Listed Building and within a Conservation Area.
Spencer's Farm, Maidenhead	The site allocated for housing, including a school to meet the LEA requirements over the plan period, in the BLPSV which is considered to be sound and legally compliant, and given significant weight as a whole.
Ascot Racecourse	It is acknowledged that the market which the developer is seeking needs to be taken into account, therefore accepted that the site is not suitable
Ham Island (M&W), Windsor	It is acknowledged that the market which the developer is seeking needs to be taken into account, therefore accepted that the site is not suitable
Eric Mortimer Rayner Memorial Lakes, Horton	It is acknowledged that the market which the developer is seeking needs to be taken into account, therefore accepted that the site is not suitable
Land to the East of Horton Road and to the West of the Colne Valley Way	It is acknowledged that the market which the developer is seeking needs to be taken into account, therefore accepted that the site is not suitable
Kings Beeches, Devenish Road	It is acknowledged that the market which the developer is seeking needs to be taken into account, therefore accepted that the site is not suitable

9.147 On the basis of the above it is considered that there are no suitable alternative sites for the proposed school and sports facilities.

9.148 As part of this options analysis, different options for the reprovision of the school on a single site were also considered, which is described in the Design and Access Statement as well as reasons for discounting these options. It was noted that the design options all contain similar if not the same levels of accommodation and facilities and there were concerns over the space provided within the new school and it was questioned whether a smaller school could not meet the needs of Claire's Court. However, an audit by Lloyd Wilson Partnership (Appendix 8, Very Special Circumstances Report) confirms that Building Bulletin 103 advises a maximum GIFA of 8005sqm against a GIFA for the school of 8702sqm. The departure from guidelines is justified by the

applicant as specialist provision to meet the requirement of this independent school (e.g. science labs, drama studios and tutorial rooms).

9.149 With regard to the above, evidence has been provided on the shortcomings of the existing school buildings and the challenges this puts in place for sustaining and improving educational standards in addition to complying with the Equality Act 2010. There is also evidence to demonstrate that alternatives in relation to addressing the shortcomings of the school buildings on the existing sites would present difficult challenges in terms of the practicalities and financially, and there are no suitable or reasonably available sites that are sequentially preferable than the proposed site. Therefore, it is considered that the proposal would maintain choice in school places that may otherwise be lost. In accordance with paragraph 94 of the NPPF this should be given great weight to support the proposal and as part of the case for VSC which is assessed below.

Addressing Issues Associated from 3 Sites

9.150 Addressing the inefficiencies associated with the school being split between three sites has also been put forward towards a case for VSC. Paragraph 11.1 of the Educational Needs Statement / Report sets out these benefits as:

- Better Operational Efficiency
- Easier journeys to and from school
- Easier arrangements for families with siblings currently on different sites
- Much improved social interactions between pupil groups
- Reduced stress on staff, parents and pupils

9.151 It is accepted that there would be operational efficiency from operating from one site, but this benefit would largely be for the school. It is unclear from the evidence provided how operation of the school from the Ridgeway Site would result in easier journeys to and from school in general and while it is acknowledged that there would be easier arrangements for families with siblings, it is also noted that families with siblings at different school sites only make up 12% of the total pupils. Stress levels for staff, parents and pupils from the school operating from 3 sites and any consequential reduction in stress from operating from 1 site is not evidenced in the applicant's submission. It is however, accepted that there would be an increase in social interaction between pupil groups thereby improving social skills, as the school currently operates a 'diamond model' from different sites. Overall, the benefits of addressing issues associated with the school being split between three sites merits limited weight as a VSC.

Nursery Provision

9.152 Turning to an increase in 0-5 childcare, for the avoidance of doubt this provision does not represent an increase from the nominal roll of 1190 pupils. The existing nursery is situated at College Avenue and is an 80-places Early Years setting for 3-4 year olds, which is seasonally based with the funded Early Years component delivered in the morning. The take up of these sessions delivers the equivalent of 40 FTE places. At the proposed school campus at the Ridgeway, the capacity is for 60 Early Year places, but can be delivered for both the morning and afternoon. This results in the equivalent of 60 FTE places, an increase on 20FTE places.

9.153 The Council's Infrastructure Delivery Plan estimates that the housing target set out in the BLSV would generate a need for an extra 1,016 funded early years and childcare places for 2-4 year olds. While the Local Authority has a role in ensuring there is sufficient early year places to meet demand, the additional demand is expected to be met primarily through a mixed market of private and voluntary providers including schools. As such, the maintenance of 40FTE places and an additional 20 FTE places at the nursery would be a benefit. Furthermore, Children Services have advised that the provision at College Avenue is located close to other private early year provision at Highfield, St Piran's, Patchwork Nursery (Belmont), and Mulberry Nursery which are all within about half a mile. At the Ridgeway there are only two existing pre-school providers in Cox Green

and Woodlands Park. The proposal therefore represents a better geographical spread of private early year provision in the town. Overall, this is considered to merit moderate weight in the case for VSC.

Teacher Training

- 9.154 Paragraph 5.25 of the Very Special Circumstances Report advises that the school undertakes teacher training through work-based learning undergraduate and graduate studies. In September 2017 this included 8 trainees at level 3, 11 at level 5, 9 at level 6 (Qualified Teacher Status) and 4 at level 3 (Masters). The continuation of the training would be a benefit, but it is unclear how this benefit is distinguished and not included in the overall weighting given to the relocation of the school to secure its long-term future. Furthermore, it is a fairly limited number of trainees in absolute numbers. As such, this merits no additional weight in the case for VSC.

Holiday Childcare

- 9.155 Paragraph 2.11 of the Very Special Circumstances Report advises that during half term and full term holidays the school runs holiday clubs that are open to the local community. For the 7 weeks of summer in 2017 there was an average daily attendance of 110 children, 78% from within the Borough. Paragraph 5.17 of the Very Special Circumstances Report advises that this represents the single largest provision of holiday childcare in RBWM.
- 9.156 As with the teacher training this is an existing provision by the school. It is therefore unclear how this benefit is distinguished and included in the overall weighting given the relocation of the school to secure its long-term future. As such, this merits no additional weight in the case for VSC.

Economic Footprint and Employment Opportunities

- 9.157 While presented as separate benefits, as the economic footprint of an enterprise normally includes employment from its operation this is considered jointly. The staff number in FTE is 231 with 54% living within the Borough. In addition, the school employs 93 contractors consisting of specialists that provide a regular service but with a low level time input. Approximately 44% of contractors reside inside the Borough. It is considered that the potential loss of the school as an employer in the area would have a significant impact on the local economy and employment opportunities. In addition to payroll, paragraph 12.6 of the Very Special Circumstance Report outlines the school spends approximate £2.1million on core activities, and an estimated 23% of this being spent at local businesses. It is considered that the consequence potential loss of this spend would also have significant impact on the local economy and employment opportunities.
- 9.158 Based on the costings to build the new school this would be around £29million, so it is accepted that the proposal would create additional jobs and spending output as part of the construction phase.
- 9.159 Overall the economic benefits from the above is attributed significant weight in the case for VSC.

Market Housing and Affordable Housing Provision

- 9.160 At the time of writing the Local Planning Authority cannot demonstrate a five year housing supply of deliverable housing sites with an appropriate buffer. In the absence of a five year housing supply and the Government's objective to significantly boost the supply of housing, as set out in paragraph 59 of the NPPF, the provision of housing would weigh in favour of a proposal.
- 9.161 This application does not include any market or affordable housing as part of the proposal. However, it could potentially free the sites at College Avenue and Ray Mill Road East for housing development which are subject to planning application 17/04002/OUT and 17/04001/OUT as the

application represents the re-provision of community facilities that would otherwise be lost at these sites following development for housing.

- 9.162 In relation to the proposal at College Avenue this is also reliant on the proposal under 17/04026 for pitches at the Ridgeway as mitigation for the loss of open space that would be lost as a result of the residential development at College Avenue. As application 17/04026 is recommended for refusal, it is considered that the proposal fails to compensate for the loss of open space. In relation to Ray Mill Road, this is also recommended for refusal on the grounds of flood risk. It is therefore considered that the housing at College Avenue and Ray Mill Road East cannot be achieved and therefore merits no weight in the case for VSC.

CIL and New Homes Bonus

- 9.164 While this is a material consideration in the overall planning balance with reference to the definition of 'special' this is not considered to be a very special circumstance.

Provision of Local Area of Play (LAP)

- 9.165 Within the site, an area of play is provided for the Junior and Nursey Building, but in the absence of a legal agreement to secure authorised access to school facilities to the community this is not considered to represent an LAP. While it has not been put to the school it is considered that due to school security such an arrangement is unlikely to be agreed. Therefore, no weight is given as a VSC.
- 9.166 A LAP is provided within the site for the housing development subject to 18/00130/OUT but as this does not directly rely in the school development coming forward this could not be a VSC for this application and no weight can be attributed. Furthermore, the LAP is required to comply with Local Plan policies R3, R4 and R5 to meet the need for open space, including play space for children and young people, generated by the housing development. It therefore does not represent a benefit of the scheme in any case.

Provision for Maidenhead Hockey Club

- 9.167 The pitches and pavilion for MHC are provided within the site for application 17/04026/OUT. While the facilities are also intended to support the school use, the provision does not directly rely on the school proposal coming forward. As such, this is not considered to constitute a VSC for this application and attracts no weight.

Provision of Allotment /Open space

- 9.168 Paragraph 13.10 of the Very Special Circumstances Report states that Cox Green Parish Council has identified a need for allotments within the local area, and following discussions with the Parish Council an area of approximately 2 acres for allotments has been provided to the south, adjacent to Firs Lane. However, this land and intended use does not form part of the site but part of the site for the sports and recreation facilities subject to 17/04026/OUT. While the facilities are intended to support the school use, the provision does not directly rely on the school proposal coming forward and cannot be considered as a VSC for this application. As such, this is benefit merits no weight.

Biodiversity Gain

- 9.169 The protection of wildlife during and after construction, and biodiversity gain through an Ecological Management Plan have been put forward as a benefit of the scheme. It is considered that the protection and translocation of wildlife during construction, as is mitigation for the loss habitat and commuting/connecting corridors, are necessary to offset the impact of the development on ecology and make the proposal acceptable in planning terms. However, biodiversity gain as a result of biodiversity enhancements which can be achieved on site, as

shown by the Biodiversity net gain calculations is considered to be a benefit of the scheme and therefore given moderate weight towards the case for VSC.

Green Belt Balance

- 9.170 The harm to the Green Belt is given **substantial weight** against the development in accordance with the NPPF. It is considered that **significant weight** should be given to the harm to the character of the area, the landscape character and the setting of the settlement of Maidenhead and in relation to Maidenhead Thicket. There is also **significant weight** against the development from the loss of open space. There is **limited weight** to the loss of best and most versatile agricultural land and **limited weight** to the noise during the construction phase. Currently **moderate weight** is given to the harm to the highway network which arises from the cumulative impact of the development, whilst this does not meet the test of residual harm which is severe it constitutes harm to be considered as 'any other harm'.
- 9.171 Against this harm, in favour of the scheme the proposal should be given **great weight** to maintaining sufficient choice of school places. There is **significant weight** given to the economic and employment opportunities from the construction and operation of the school development. **Moderate weight** is given to increasing nursery place provision to meet the needs of the local community. **Moderate weight** is also given to biodiversity gains. **Limited weight** is given in relation to addressing issues associated from operating from 3 sites.
- 9.172 It is not considered that the harm to the Green Belt and any other harm from the proposal is clearly outweighed by other considerations. Therefore, the case for Very Special Circumstances has not been demonstrated either individually or cumulatively. It is concluded, in relation to the Green Belt, the proposal is inappropriate development in the Green Belt and a VSC case does not exist to outweigh the harm.

xii Planning Balance

- 9.173 Paragraphs 10 and 11 of the NPPF (2018) set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

- 9.174 However, in this instance subsection d(i) of paragraph 11 is engaged as Green Belt policies in the NPPF, which protect areas or assets of particular importance, provides a clear reason for refusing the development proposed. As such, the tilted balance is not engaged and the planning balance is carried out in the ordinary way, having regard to the statutory test in section 38(6) of the 2004 Act. This is carried out in the conclusion of this report with reference to relevant material planning considerations set out below.

Material considerations: CIL and New Homes Bonus

- 9.175 The NPPG advises that a sum that a local authority could receive, such as CIL payments and New Homes Bonus could be a material consideration dependant on whether it could help to make the development acceptable in planning terms.
- 9.176 In terms of CIL, the proposed development would be CIL liable but in line with the Council's adopted CIL Charging Schedule this would attract a payment of £0 per square metre based upon the chargeable floor area.

- 9.177 As with the market and affordable housing provision, the proposal could potentially free the sites at College Avenue and Ray Mill Road East for housing development. Should these applications be approved and a satisfactory S106 is completed to ensure that that these housing development comes forward following the relocation of the school, the CIL payment would represent a benefit of the scheme. However, this is balanced against the impact of the proposed development in terms of additional pressure on infrastructure. CIL is a mandatory planning charge introduced by the Planning Act 2008 to fund service and infrastructure support to growth in the area. As such, this is given neutral weight.
- 9.178 It is also acknowledged that the New Homes Bonus would represent an economic benefit, but given that the applications at College Avenue and Ray Mill Road East are outline applications with all matters reserved apart from access, and given that the New Homes Bonus is calculated using banding for Council Tax purposes, there is some uncertainty on the likely financial contribution through New Homes Bonus payments. As such, this is given neutral weight.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 Concerns have been raised by local residents on the increased pressure on local infrastructure. The appropriate mechanism to deliver the infrastructure necessary to support growth of an area is through the Community Infrastructure Level (CIL). The application includes school buildings, which in line with the Council's Charging Schedule would be CIL liable, but the required CIL payment would be £0 per square metre based upon the chargeable floor area.

11. CONCLUSION

- 11.1 In terms of highway impact of the housing development in isolation this is currently unknown. An updated planning balance will be reported in an update if necessary. Nevertheless, the proposed development constitutes an inappropriate form of development in the Green Belt, would be contrary to two of the purposes of the Green Belt and would result in harm to the openness of the Green Belt. This harm to the Green Belt is afforded substantial weight against the development. The benefit of the scheme put forward by applicant is not considered to clearly outweigh harm to the Green Belt or any other harm. Therefore, it is considered that VSC has not been demonstrated to justify the proposal in accordance with Local Plan Policy GB1 and GB2(a), BLPSV policies SP1 and SP5, paragraphs 133, 134, 143, 144 and 145 of the NPPF. As satisfactory compensation for the loss of open space at the existing Junior Boys School has not been secured, having regard to the future deficit outlined in the Council's Playing Pitch Strategy this would consequently result in harm, contrary to BLPSV policy IF4 and paragraph 97 of the NPPF. There would be harm to the character of the site and to the setting and character of Maidenhead Thicket and the urban settlement of Maidenhead due to the scale, form, layout and siting of the school and associated development, contrary to Local Plan policy DG1, BLPSV policies SP2 and SP3, and paragraph 124, 127 of the NPPF, and in accordance with paragraph 130 of the NPPF. There would also be harm due to the loss of the best and most versatile agricultural land contrary to paragraph 170 of the NPPF.
- 11.2 There would also be harm in the absence of a completed S106 to secure a satisfactory travel plan, Toucan Crossing, highway mitigations works if the school development subject to 17/04018/FULL also comes forward, and that the housing development subject to 17/04001/OUT and/or 17/04002/OUT comes forward following the relocation of the school, contrary to Local Plan policies T5, GB1 and GB2(a), BLPSV policies SP1, SP5 and IF2, and paragraphs 108, 109, 111, 133, 134, 143, 144 and 145 of the NPPF.
- 11.3 The harm arising from the above is not considered to be outweighed by the benefits that weigh in favour of the scheme, including maintaining sufficient choice of school places, addressing issues associated from operating from the existing 3 school sites, the economic and employment opportunities from the construction and operation of the school, increasing nursery place provision, biodiversity gains, housing provision to meet demand and any financial contributions from CIL and the New Homes Bonus.
- 11.4 Subject to conditions, the proposal is considered compliant with Local Plan policy N6 and BLPSV policy NR2 in relation to trees. There are no undue concerns in relation to neighbouring amenity

to comply with BLPSV Policies SP3 and HO5 and paragraph 127 of the NPPF. The impact on ecology is considered to be acceptable subject to conditions to accord with BLPSV Policy NR3, and paragraphs 109, 170, 175 and 176 of the NPPF. In accordance with BLPSV policy NR and paragraph 165 of the NPPF, an acceptable SUDS scheme can be provide and secured on site. There are no objection in relation to archaeology as the proposal can with comply with Local Plan policies ARCH3 and ARCH4, BLPSV policy HE1, and paragraphs 189 and 199 of the NPPF. These are given neutral weight in the planning balance and therefore the conclusion remains the same.

- 11.5 The proposal does not comply with the Development Plan and should be refused, relevant material planning considerations do not indicate a different outcome: the application is therefore recommended for refusal.

12. APPENDICES TO THIS REPORT

- Appendix A - Site Location Plan and Proposed Masterplan
- Appendix B – Proposed Elevations (senior building)
- Appendix C – Proposed Elevations (central building)
- Appendix D – Proposed Elevations (junior building)
- Appendix E – Proposed Floorplans for all three buildings

13. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

1. The proposal represents inappropriate development in Green Belt, which is by definition harmful to the Green Belt and would conflict with two of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment' and 'to check the unrestricted sprawl of large built-up areas', and would be harmful to actual openness of the Green Belt. No Very Special Circumstances have been demonstrated that clearly individually and cumulatively outweigh the harm to the Green Belt and any other harm. The proposal is therefore contrary to the provisions of saved policies GB1 and GB2(a) of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003), policies SP1 and SP5 of the Borough Local Plan Submission Version (2017), and paragraphs 133, 134, 143, 144 and 145 of the National Planning Policy Framework (2019).
2. Due to the amount, scale, form, layout and siting of the proposed school buildings and associated development, the proposal is considered to result in harm to the character of the site, to the setting and character of Maidenhead Thicket, and to the setting and character of the urban settlement of Maidenhead. Therefore, the proposal is considered to be contrary to the provisions of saved policy DG1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003), policies SP2 and SP3 of the Borough Local Plan Submission Version (2017), and paragraphs 124, 127 of the National Planning Policy Framework (2019).
3. The proposal would result in the loss of open space and it has not been demonstrated that the open space is surplus to requirements or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Therefore, the proposal is considered to be contrary to the provision of policy IF4 of the Borough Local Plan Submission Version (2017), and paragraph 97 of the National Planning Policy Framework (2019).
4. In the absence of a S106 legal agreement the proposed development fails to secure a satisfactory travel plan, the Toucan Crossing, highway mitigation works if the school development subject to 17/04018/FULL also comes forward, and that the housing development subject to 17/04001/OUT and / or 17/04002/OUT comes forward following the relocation of the school, contrary to Local Plan policies T5, GB1 and GB2(a), BLPSV policies SP1, SP5 and IF2, and paragraphs 108, 109, 111, 133, 134, 143, 144 and 145 of the NPPF.

Appendix A- Site Location Plan and Proposed Masterplan



Appendix B- Proposed elevations (senior school)



1 Senior Building_East Elevation
1:100



2 Senior Building_West Elevation
1:100



1 Senior Building_South Elevation (Part 1 of 2)
1:100



2 Senior Building_South Elevation (Part 2 of 2)
1:100

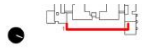


1 Senior Building_North (Quad Facing) Elevation (Part 1 of 2)
1:100



2 Senior Building_North (Quad Facing) Elevation (Part 2 of 2)
1:100

Appendix C- Proposed elevations for central building



1 Central Building_East (Main) Elevation
1:100



1 Central Building_West Elevation
1:100





1 Central Building_North Elevation
1 : 100



2 Central Building_South Elevation
1 : 100

Appendix D – Proposed elevations for junior school building



1 Junior Girls_South Elevation
1 : 100



2 Junior Girls_North Elevation
1 : 100



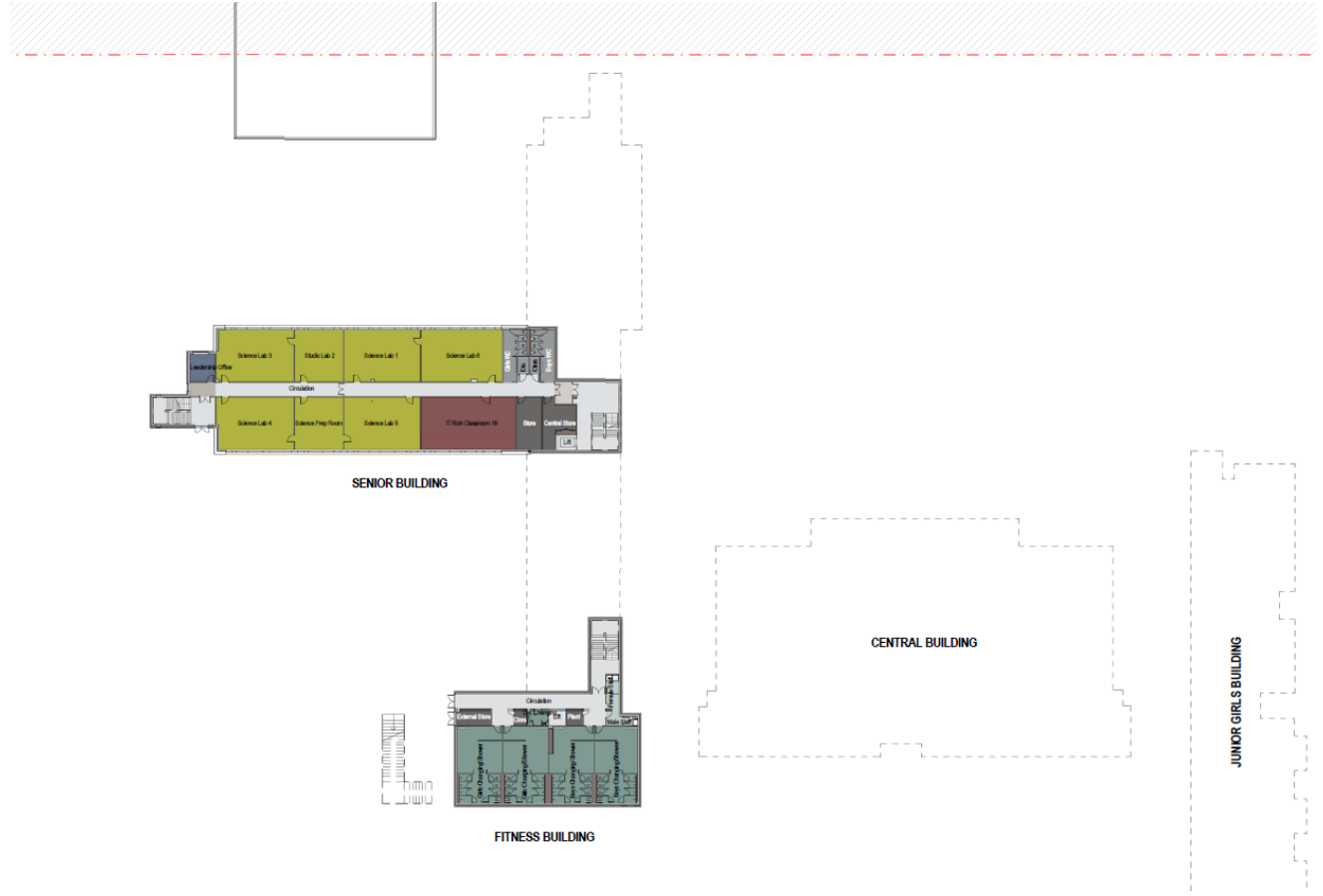
1 Junior Girls_East Elevation
1 : 100



2 Junior Girls_West Elevation
1 : 100

Appendix E- Proposed Floorplans for all three buildings

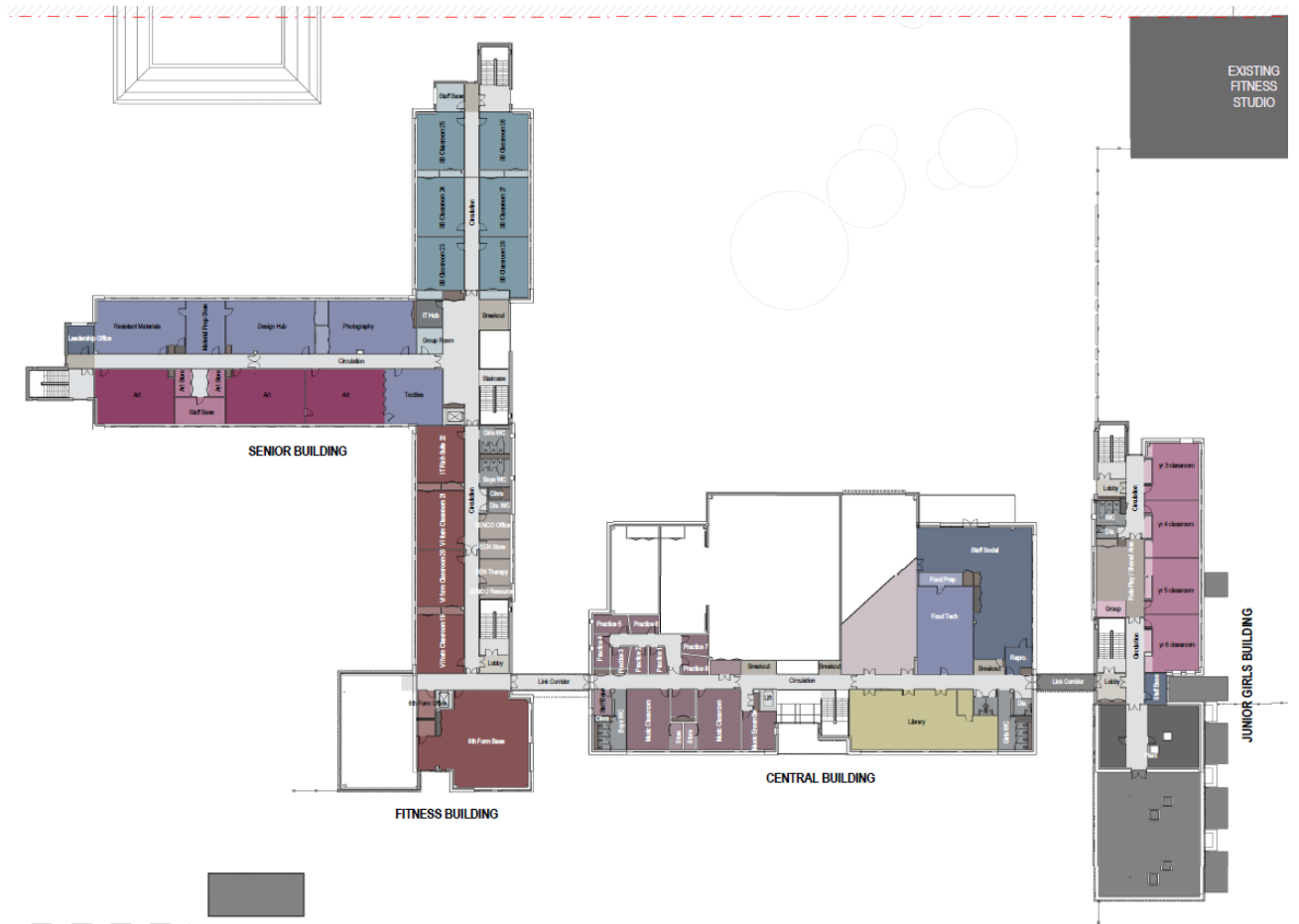
Low ground floor plans



Ground floor plans



First floor plans



MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

28 August 2019

Item: 3

Application no.:	18/00130/OUT
Location:	Ridgeway, The Thicket, Cannon Lane, Maidenhead, SL6 3QE
Proposal:	Outline application for layout, scale and mean of access only to be considered at this stage with all other matters to be reserved for 157 residential units
Applicant:	PRP Planning
Agent:	PRP Planning
Parish/Ward:	Cox Green / Cox Green
If you have a question about this report, please contact: Antonia Liu on 01628 79 6034 or antonia.liu@rbwm.gov.uk .	

1. SUMMARY

- 1.1 This is an outline planning application for 157 residential units, with matters of layout, scale and means of access for consideration.
- 1.2 The application is linked with 2 applications for housing development at Claire's Court School on College Avenue and Ray Mill Road East and 2 further applications for a development for a recreation area including sports pitches to support the school and provide a new home for Maidenhead Hockey Club (MHC), and an all-through school campus comprising nursery and junior building; central building and senior building; provision amenity area; sport/running track; environmental garden; games area; car parking; coach parking; and drop-off / pick-up area. There will also be a new access road from a new roundabout on Cannon Lane and associated development.
- 1.3 The site the subject of this application is situated within the designated Metropolitan Green Belt as shown on the adopted Local Plan Proposals Map. The proposed development does not fall under any of the exceptions to inappropriate development in the Green Belt, and therefore constitutes inappropriate development which causes harm, by definition. The scheme would have a harmful impact on the spatial and visual openness of the Green Belt. The scheme would also conflict with two of the purposes of the Green Belt which are to assist in the safeguarding of the countryside from encroachment, and to check the unrestricted sprawl of built up areas. The harm to the Green Belt is afforded substantial weight in accordance with the NPPF.
- 1.4 It is considered that the proposal, as a result of the quantum of development, scale and layout would cause harm to the character of the site, to the setting and character of Maidenhead Thicket, and to the setting and character of the urban settlement of Maidenhead.
- 1.5 The application proposes 47 affordable units, 6 units being affordable rented and 41 units as shared ownership. For the reasons set out in the report, this provision of affordable housing is considered to be acceptable; as a legal agreement has not been entered into, this affordable housing provision cannot be secured.
- 1.6 Mitigation for the adverse impact on the local highway network is required for this application in combination with other development under planning reference 17/04018/FULL which appears on this agenda; clarification is sought from the Highway Authority as to whether highway mitigation is required for this application in isolation; these comments will be reported in the Panel Update. A Travel Plan, and potentially highway mitigation would need to be secured through a legal agreement, without which these matters cannot be secured.

- 1.7 The proposed development is considered to have an acceptable impact upon residential amenity. Subject to planning conditions, the development would have an acceptable impact on ecology and would provide net biodiversity gains. The scheme could achieve an acceptable Sustainable Drainage Strategy. The proposed development would result in the loss of trees and hedgerow, however, it is considered that replacement hedge and tree planting could be secured to mitigate for this loss.
- 1.8 The National Planning Policy Framework 2019 (a material consideration of significant weight) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It further explains that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The case of Very Special Circumstances is advanced by the applicant, which in summary are:
- Provision of choice of education in line with the NPPF
 - Increasing 0-5 year old childcare
 - Provision of holiday club places
 - Provision of teacher training
 - Addressing the inefficiencies associated with the school being split between three sites
 - Retention and enhancement of the school as 10th Biggest Employer within the Borough
 - Retention and enhancement of economic footprint of school of over £12.3m
 - Employment opportunities derived as a result of construction of the Proposed Scheme
 - Provision for Maidenhead Hockey Club and Community Use Agreement
 - Provision of allotment space or open space for Parish Council
 - Provision of Local Play Area
 - Provision of affordable housing to meet significant unmet local demand
 - Provision of market housing to meet significant unmet local demand
 - Local Finance Considerations including CIL and New Homes Bonus
 - Protection of wildlife during and after construction
- 1.9 The Very Special Circumstances put forward includes benefits arising from the proposed school development on the adjacent site, as the applicant has made the case that the housing is only being applied for in order to fund the proposed new school.
- 1.10 It is not considered that a case for Very Special Circumstances exists to outweigh the harm to Green Belt, and other the harm identified (namely the harm to character, the lack of affordable housing provision, and the failure to secure a Travel Plan and appropriate highway mitigation). The application is therefore recommended for refusal.

It is recommended that planning permission be REFUSED for the following summarised reasons (the full reasons with policy references are identified in Section 13 of this report):	
1.	The proposal represents inappropriate development in Green Belt, which is by definition harmful. It would conflict with two of the purposes of the Green Belt, and would be harmful to the openness of the Green Belt. There is no case for Very Special Circumstances that exists to clearly outweigh the harm to the Green Belt and any other harm.
2.	Due to the amount, scale, layout and siting of the residential units and access, the proposal is considered to result in harm to the landscape and character of the site, to the setting and character of Maidenhead Thicket, and to the setting and character of the urban settlement of Maidenhead.
3.	In the absence of a S106 legal agreement the proposed development fails to secure a satisfactory level of affordable housing provision, a satisfactory travel plan, highway mitigations works if the school development subject to planning reference: 17/04018/FULL also comes forward, and authorised access in perpetuity for bus providers.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is approximately 7.4ha of open agricultural land and part of a private driveway located to the north of the site, running west - east, which forms the existing access to Claire's Court Junior Boys School and residential properties. The agricultural land itself does not have a formal vehicular or pedestrian access point, but the site is open and accessible from the access road. There are no existing buildings or structures within the site, but running parallel to Cannon Lane is a line of trees and shrubs which is set approximately 45m from the public highway. Overall, the site gradually slopes from the north-west to south-east with a gradual fall of approximately 6m. The entire sites lies within the designated Metropolitan Green Belt.
- 3.2 To the north of the private access is Maidenhead Thicket, a mature woodland which is designated as a Local Wildlife Site and bounded to the north by the A404(M). Cannon Lane, a local distributor road, running north-south, forms the eastern boundary for the majority of the site and part of the western boundary to the urban settlement of Maidenhead. On the opposite side of Cannon Lane and within the urban settlement is Cox Green which comprises predominately of medium density, late 20th century houses. Towards the northeast corner of the site are 5 residential dwellings known as Cannon Lodge, Ridgeway Lodge, Datcha, Littlewick Cottage and Pen-y-bryn. To the south is agricultural land subject to an outline planning application for 2 artificial grass hockey pitches, 2 artificial grass practice areas, an artificial grass rugby pitch, other grass pitches and pavilion building, ref: 17/04026/OUT. Beyond are residential properties fronting onto Cannon Lane and Firs Lane; Foundation Business Park; and land participating in a 'wildlife-friendly farming' scheme comprising of wildflower (Woolley Firs). To the west is more agricultural land and Claire's Court Junior Boys School, which is subject to a full planning application for an all-through school campus, landscaping, amenity area, sports/running track, environmental garden, covered multi-use games area, and car-parking and drop-off area ref: 17/04018/FULL. To the northwest, sited between agricultural land and the school subject to 17/04018/FULL are 2 residential dwellings known as Ramblings and Windfall.

4. CLAIRE'S COURT BACKGROUND AND 'THE RIDGEWAY PROJECT'

- 4.1 Claire's Court is an independent day school founded in 1960 and currently located at 3 separate sites in Maidenhead at the Ridgeway (Junior Boys), Ray Mill Road East (Senior Boys) and College Avenue (Nursery, Junior and Senior Girls, and 6th Form). It is the largest independent school in the Borough and only all-through school which offers education from Nursery to Sixth Form for boys and girls in Maidenhead and represents just under 20% of the RBWM independent school capacity.
- 4.2 Junior Boys at The Ridgeway has a nominal capacity of 280 pupils; Senior Boys at Ray Mill Road East is 360; and the Nursery, Junior and Senior Girls, and Sixth Form at College Avenue is 550. However, while the total nominal capacity is 1190 pupils the school group is unable to operate at more than 96% capacity (1142 pupils) due to physical and statutory constraints. From the annual school census as of January 2018 there were 1055 pupils on the roll, which equates to 89% capacity. Around 56% of pupils live within the Borough.
- 4.3 Claire's Court School provides support for pupils with special educational needs. From September 2017 there have been 10 pupils at Claire's Court with Education, Health and Care Plans (EHCP) funded by the Local Authority.
- 4.4 The nursery situated at College Avenue is an 80-places Early Years setting for 3-4 year olds, which is seasonally based with the funded Early Years component delivered in the morning. The nursery therefore provides 40 FTE places.

- 4.5 The school groups has experienced an approximate 15% rise in admissions between 2013 and 2017, with a current trend of 2%. If growth is sustained at the current trend (2%) then the school will be at operational capacity during the 2020-2021 academic year.
- 4.6 In terms of work-force, as of December 2017 there are 171 are full time members of staff, 50% of which live in the Borough, and 120 part-time with 64% living in the Borough. The staff number in FTE is 231 with 54% living within the Borough. In addition, the school employs 93 contractors consisting of specialists that provide a regular service but with a low level time input. Approximately 44% of contractors reside inside the Borough. Claire's Court is the 10th largest employer in RBWM.
- 4.7 A Educational Needs Statement / Report (Appendix 5, Very Special Circumstances Report or Appendix 2, Very Special Circumstances Addendum) has been submitted which identifies problems of operating across multiple sites. The report was updated and provided in Appendix 2 of the Very Special Circumstances Addendum. In summary, this includes economic inefficiencies with the duplication / triplication of facilities and administrative and caretaking services; and time inefficiencies with travel between sites for lessons and activities by staff and pupils, and approximately 12% of families having siblings based at different school sites.
- 4.8 Ray Mill Road East and College Avenue have at their cores Victorian buildings and both sites have been progressively and fractionally developed over the years. A Conditions Survey has also been submitted (Appendix 6, Very Special Circumstances Report) for Ray Mill Road East and College Avenue, which reports that the buildings at College Avenue and Ray Mill Road East are in fair to good condition but have surpassed their life expectancy and renewal work is necessary. In terms of sufficiency and suitability of accommodation, based on national criteria for mainstream schools outlined in the Department for Education Building Bulletin 103 (2014), the Educational Needs Statement / Report identifies problems relating the existing accommodation at Ray Mill Road East and College Avenue. In summary, identified problems includes under-sized teaching spaces, poor acoustic conditions and sound insulation between rooms and floors and poor DDA accessibility.
- 4.9 The fundamental aim of the proprietors is to consolidate the existing three sites into one campus onto extended grounds at the Ridgeway Junior Boys School. A cost plan indicates that the cost of the new school campus would be approximately £29 million, which would be met through the sale of Ray Mill Road East for £3.6 million, College Avenue site for £8.5 million, and land at the Ridgeway for £12.2 million for housing development with the remaining amount made up from school investment and borrowing. The 'Ridgeway Project' also comprises of the development of a recreation area including sports pitches to support the school and provide a new home for Maidenhead Hockey Club (MHC).
- 4.10 In determining a planning application the Local Planning Authority is required under planning law to assess a proposal against the relevant Development Plan policies unless there are material considerations which indicate otherwise. The National Planning Practice Guidance (NPPG) advises that the scope of what can constitute a material consideration is very wide, but in general planning is concerned with land use in the public interest. As such, the protection of purely private interest could not be a material consideration, but it is considered that the school's operational and financial situation would constitute a material consideration as the repercussions could impact the educational use of land which is in the public interest. However, when assessing the operational and financial matters as a material consideration it is necessary to assess precisely who the said benefits accrue to, and attribute weight accordingly.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The application is for outline permission for the erection of 157 residential units. Outline planning permission enables the principle of development and specified details to be agreed. In addition to the principle of development, permission is sought for details relating to the way in which buildings and open space are provided within the development and their relationship to buildings and spaces outside the development (layout); the height, width and length of each building (scale), and the accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulations routes and how these fit into the

surrounding access network (access). All other matters (appearance and landscaping) are reserved.

- 5.2 Based on the site layout a 3m wide access road is proposed to the south of the site, running east-west from a proposed roundabout on Cannon Lane at the junction with Farmers Way to the proposed Claire's Court School campus subject to planning application ref: 17/04018/FULL. From this access road the residential scheme is served by 2 access points located approximately 84m and 171m from the roundabout. The access points run south-north, each terminating in a cul-de-sac. A third road is proposed running east-west through the centre of the application site also terminating in cul-de-sacs at both ends.
- 5.3 The residential units comprise predominately of semi-detached and detached houses which are arranged in 9 perimeter blocks, fronting onto the internal access road with interlocking back gardens. The east-central perimeter block also includes of a block of flats. There are 2 rows of terraces fronting onto Cannon Lane and to the south of these terraces are 2 further blocks of flats. The proposed houses are between 8.5m to 10.5m in height while the blocks of flats have a ridge height of approximately 12.3m.
- 5.4 A schedule of accommodation is outlined in paragraph 9.2 of the submitted Planning and Affordable Housing Statement and comprises of the following:

Type	No. of Units
<i>Private Residential</i>	
2 Bed House	4
3 Bed House	38
4 Bed House	50
5 Bed House	18
Private Total	110 (70%)
<i>Affordable Rented</i>	
1 Bed Flat	4
2 Bed Flat	2
<i>Shared Ownership</i>	
1 Bed Flat	7
2 Bed Flat	14
2 Bed House	8
3 Bed House	12
Affordable Total	47 (30%)

- 5.5 There is no relevant planning history for the site, but there are 4 other linked and pending applications which are as follows:

Planning reference	Site	Proposal
17/04018/FULL	Claire's Court School, Cannon Lane	Construction of an all-through school comprising nursery and junior building; central building and senior building. Provision of landscaping, amenity area, sport/running track, environmental garden and covered multi-use games area. Provision of staff and visitor car parking, parent drop off and coach parking area
17/04026/OUT	Claire's Court School, Cannon Lane	Outline application (access) for the development of 2 artificial grass hockey pitches, 2 artificial grass practice areas, a new pavilion building for shared use by the hockey club and school together with an artificial grass rugby pitch and associated other recreation grass pitches.
17/04002/OUT	Claire's Court School, Ray Mill Road East	Outline application (layout, scale and access) for the erection of 11 no. dwelling.

17/04001/OUT	Claire's Court School, College Avenue	Outline application (layout, scale and access) for the erection of 53 no. dwellings.
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- 5.6 These 5 applications have been put forward by the applicant on an inter-linked basis. Officers have reported on the relationship between these applications where due regard should be given. The cumulative impacts of 3 applications at The Ridgeway, which is covered in the Environmental Statement (ES) is also reported on. However, submitted as separate applications each application must be considered and determined on its own merits.
- 5.7 The submitted environmental statement is relevant to this application and referred to accordingly.
- 5.8 The applicant wishes for the benefits arising from all 5 applications to be considered against each individual application. However, in submitted the applications separately without any mechanism by which the local planning authority can consider them holistically it is not reasonable for the benefits as a whole to be considered against each application.

6 DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

- 6.1 The Council, in determining the planning application has the following main statutory duties to have regard to the provisions of the development plan so far as material to the application and any other material considerations. (Section 70(2) Town & Country Planning Act 1990), and to determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
- 6.2 The main strategic planning considerations applying to the site and the associated policies are:

Issue	Adopted Local Plan Policy
Green Belt	GB1, GB2(a), GB3
Design, Character and Appearance	DG1, H10
Open Space	R3, R4, R5
Housing Provision	H3, H8, H9
Highways and Parking	P4, T5, T7
Trees and Hedgerow	N6, N7
Environmental Protection and Pollution	NAP1, NAP3, NAP4
Public Right of Way	R14
Archaeology	ARCH 3, ARCH 4

These policies can be found at https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

- Section 2 - Achieving Sustainable Development
- Section 4 - Decision-Making
- Section 5 - Delivering a Sufficient Supply of Homes
- Section 8 - Promoting Healthy and Safe Communities
- Section 9 - Promoting Sustainable Transport
- Section 11 - Making Effective Use of Land
- Section 12 - Achieving Well-Designed 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
- Section 16 - Conserving and Enhancing the Historic Environment

Borough Local Plan: Submission Version (BLPSV)

Issue	Local Plan Policy
Green Belt	SP1, SP5
Design, Character and Appearance	SP2, SP3
Housing Provision	SP1, HO1, HO2, HO3, HO5
Trees and Nature Conservation	NR2, NR3
Acceptable Impact on Historic Environment	HE1
Environmental Protection and Pollution	EP1, EP2, EP3, EP4
Highways and Parking	IF2
Makes Suitable Provision for Infrastructure	IF1, IF5, IF7, IF8

- 7.1 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Supplementary Planning Documents

- Interpretation of Policies R2, R3, R4, R5 and R6
- Planning Obligations and Developer Contributions
- Landscape Character Assessment
- Draft Borough Design Guide

Other Local Strategies or Publications

- 7.2 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy
- Affordable Housing Planning Guidance
- Townscape Assessment
- RBWM Open Space Study
- RBWM Highway Design Guide
- RMWB Playing Pitch Strategy
- Infrastructure Delivery Plan

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

Publicity for Environmental Impact Assessment

Statutory site notices advertising the proposal as EIA development were posted at the entrance of the private access leading to Claire's Court Junior Boys School, on Cannon Lane opposite Farmer's Way, and on Firs Lane on 11 July 2018, and an advert was placed in the Maidenhead Advertiser on the 19 July 2018.

Publicity for Planning Application

45 occupiers were notified directly of the application. Site notices advertising the application were posted at the entrance of the private access leading to Claire's Court Junior Boys School, on Cannon Lane opposite Farmer's Way, and on Firs Lane on 18.01.2018 and the application was advertised in a local paper distributed in the borough on 25.01.2018.

Representations supporting and objection to the application received up to the 15 August 2019 are summarised below. Any representations received after this date will be reported in an update.

Around 2107 letters were received supporting the application, summarised as:

Comment	Approximate number of representation on this issue	Where in the report this is considered
1. Would facilitate relocation and provision of high quality education securing the future of Claire's Court School, and high quality sports facilities, including new homes for Maidenhead Hockey Club.	2088	Section xiii
2. Would provide much needed houses within the Borough.	2070	Section xiii
3. Includes transport infrastructure improvements	2067	Section vii
4. Would reduce traffic in town centre and across the Borough as teachers and parents will not have to travel between the 3 Claire's Court sites, and solve on-street parking problems during drop-off / pick up peaks	29	Not evidenced and if evidenced should be weighed against the impact on the local highway infrastructure in the vicinity of the relocated school considered in section vii
5. Provision of affordable housing	24	Section vi
6. Would provide 2 acres of public open land at the Ridgeway site for community use	13	Section iv
7. The proposal would safeguard / provide jobs, and would encourage investment in Maidenhead	9	Section xiii
8. If Claire's Court school closes then over 1000 children will have to find alternative places	4	Section xiii
9. General support, no reason given	2	Noted.
10. Increase in demand on physical and social infrastructure is not an issue	1	Section 10.

Around 964 letters were received objecting to the application, summarised as:

Comment	Approximate number of representation on this issue	Where in the report this is considered
1. Increase in traffic resulting in congestion	886	Section vii
2. Inappropriate development in Green Belt, harm to Green Belt	874	Section i
3. Impact on social infrastructure (GPs, Schools, Police)	861	Section xiv
4. Impact on physical infrastructure (roads, sewers, water pressure)	823	Section xii

5.	Urbanisation / loss of habitat resulting in harm to wildlife	790	Section x
6.	No very special circumstances demonstrated to outweigh harm to Green Belt	763	Sections xiii and xiv
7.	Concerns over highway safety due to increase in traffic, displaced animals and infrastructure works	758	Noted, highway safety from traffic impact contained in section vii, no evidence to demonstrate that highway safety from displaced animals is an issue.
8.	Noise and light pollution to the detriment of local amenity	699	Section viii
9.	Insufficient parking	698	Section vii
10.	Noise and light pollution to the detriment of local wildlife	680	Section x
11.	Higher pollution levels from congestion and idling cars	636	Section viii
12.	Urbanisation and harm to semi-rural character of the locality	52	Section ii
13.	Loss of and harm to trees	20	Section iii
14.	Loss of agricultural land	19	Section xii
15.	No need for additional housing, RBWM has 5 year housing supply	18	Section xiv
16.	Lack of Affordable Housing	12	Section vi
17.	Unsustainable location, lack of sustainable travel modes	11	Noted, Highway impact and encouragement of support for sustainable is contained in Section vii
18.	Loss of openness / open space	7	Section I, ii, iv
19.	Harm to archaeological potential	6	Section xi
20.	Aviation concerns with loss of open space for planes to land in an emergency, development would be a distraction to pilots, wildlife may migrate onto airfield	5	Noted, no evidence to demonstrate that aviation safety is an issue.
21.	Noise and safety of future occupants from aircrafts / would compromise the ability for White Waltham Airfield to operate	5	Noted, no evidence to demonstrate noise and safety from White Waltham Airfield will unduly compromise future occupants nor the ability for white Waltham airfield to operate.
22.	Loss of visual amenity for neighbouring properties	5	Section viii
23.	Inadequate sustainable drainage	5	Section ix
24.	Type of housing not needed to meet demand	4	Section v
25.	Application fails to take into account accumulative impact of all applications	3	Para. 5.6
26.	Harm to The Thicket and the setting of The Thicket	3	Section ii
27.	Inconvenience to local residents during construction	2	Section viii
28.	Overdevelopment of the site	1	Section ii
29.	Loss of privacy to neighbouring houses	1	Section viii

30.	Land levels would mean the buildings would be higher than Cannon Lane and visually prominent	1	Section ii
31	Area unsafe due to WWI mortars and craters	1	Not a material planning consideration. However, if discovered then Official Ministry of Defence advice is to leave the suspected device alone, call the police who will contact the Army Bomb Disposal unit.

1 petition with 302 signatures was also received objecting to the application on the grounds of Increase in traffic congestion, highway safety, noise and pollution, loss of Green Belt, harm to wildlife, harm to local infrastructure (water, sewage).

1 letter from Cllr McWilliams – local residents are strongly opposed to development, harm to Green Belt, congestion, and inadequate infrastructure.

Consultees

Consultee	Comment	Where in the report this is considered
Arboriculture Officer	Unconvinced that the indicative planting shown will be sustainable given that some trees are very close to buildings and may affect outlook and cause shading. Hardstanding is also a significant constraint. The existing hedgerow makes a contribution to the character of the area and may be historically / archaeologically important. It contributes significantly to biodiversity. The applicant is to replace the length of hedgerow to be removed with a commensurate amount but replacing large section of the hedgerow may not be regarded as equal value as historic associations and other attributes may not be necessarily transferred. There are also concerns that the hedge will come up to the back edge of the pavement, which may be unsustainable. Principle routes for the surface water drainage is acceptable in principle.	Section iii
Affordable Housing Officer	Policy requirements are for 30% affordable housing on sites of 0.5Ha or over, or schemes proposing 15 or more net additional dwellings. The required composition of the affordable housing is informed by the latest Strategic Housing Market Assessment, which informs the emerging Borough Local Plan This application proposes 157 residential dwellings resulting in the policy requirement of 47 affordable homes. 21 of the affordable homes should be for affordable rent capped at Local Housing Allowance levels, 17 for social rent, and 9 provided as an intermediate tenure such as shared ownership. Affordable housing provision is required to be representative of the market homes delivered.	Section vi
Berkshire Archaeology	Concurs with the conclusions of the desk-based archaeological assessment and geophysical survey reports incorporated into 'Archaeological and Heritage' chapters of the ES, and agrees that further archaeological investigation can be undertaken post consent, which can be secured by condition. Advises	Section xi

	that further exploratory field evaluation to be undertaken before the finalisation of reserved matters application so that appropriate mitigation measures, including the preservation in situ, can be considered.	
Ecology Officer	No objection subject to conditions relating to securing an appropriate licence for the closure of a badger sett issued by Natural England; a wildlife friendly landscaping plan; wildlife sensitive lighting scheme; and Biodiversity Enhancement Plan. However, the ES Addendum does not refer to the closure of this sett and therefore should be updated.	Section x. The ES Addendum is a supplement and to be read in conjunction with the original ES, which does refer to the closure of the sett.
Environmental Protection	No objections subject to conditions relating a site specific construction environmental management plan; plant noise condition; vibration, dust management plan, construction fires, mechanical plants and equipment details, construction working hours, vehicle deliveries including building sites, contaminated land, lighting and air quality	Noted, and section viii
Cox Green Parish Council	<p>Raises objections for the following reasons:</p> <p>Development is inappropriate development in the Green Belt. Green Belt Assessment as part of the emerging BLP process establishes that the site contributes strongly towards Green Belt objectives. Recognises there are some economic and social benefits and would contribute towards housing need, but Very Special Circumstance has not been demonstrated.</p> <p>Increase in traffic which would aggravate existing congestion problems resulting from restrictive access to Cox Green.</p> <p>Increase in air pollution due to concentration of slow or stationary vehicles queueing.</p> <p>Insufficient on-site car parking provision resulting in increase in parking pressure on surrounding roads.</p> <p>Impact on existing infrastructure including water, sewerage, healthcare and school places.</p>	Section i, vii, viii, xiii, 10
Highways Officer	<p>Raises no objection to the traffic generation of the combined school and residential trip data subject to mitigation for Cannon Lane Junction with Highfield Lane, the Cannon Lane Junction with Altwood Road, and Cannon Lane with A4 Bath Road junction.</p> <p>New roundabout at the access, new crossing and footway improvements will need to be secured by a combined section 38 / 278 agreement.</p> <p>There are concerns over the visibility splays at the various junctions across the site, but can be agreed at detailed design stage.</p> <p>Recommended that any approval is subject to conditions to secure a S278 Agreement (Highways Act 1980) to ensure off-site highway works are to a standard approved by the local planning authority; and internal road specifications.</p>	Section vii
Highways England	No objection, but due to the site's proximity to the A404(M) Junction 9B, Highway England expects to be consulted on any future Construction Management Plan.	Section vii
Lead Local	No objections. Whilst the calculations submitted to	Section ix

Flood Authority	date do not demonstrate that the proposed drainage strategy will fully meet the non-statutory technical standards for SUDS, it is accepted that it has been demonstrated that a viable drainage strategy can be implemented and due to the large green spaces proposed on this development site there is scope for the proposed infiltration devices to be enlarged if required. Recommends a pre-commencement condition requiring submission and approval of full details of the proposed surfaces water drainage system and its maintenance arrangements.	
Natural England	No objection as based on the plans submitted the proposed development will not have significant adverse impacts on statutorily protected sites or landscapes.	Section x
National Trust	<p>Raises concerns over the following:</p> <p>The impact on Maidenhead Thicket, which is owned by the National Trust. Maidenhead Thicket is designated as a Local Wildlife Site and an important habitat for a variety of species. Therefore, the impact of the proposed development should be carefully considered and mitigation measures proposed to prevent any loss of or damage to habitat, and to ensure a net gain for nature.</p> <p>The increase in the number of people and increased recreational pressure on Maidenhead Thicket. The impact needs to be managed and mitigation measures need to be considered to prevent any damage to habitats and infrastructure.</p> <p>Impact of light pollution on the environment and wildlife. Mitigation measures, by way of appropriate design features should be proposed to prevent artificial light spill.</p>	Section viii, x
Sports England	The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case,	Noted.
South East Water	No comments received.	Noted.
Thames Water (Foul Water Sewage Network)	<p>Comments reflect their duties under the Water Industry Act which requires Thames Water to provide, maintain and extent the networks to accommodate new development.</p> <p>Comments are ones of no objection / no concern. Once there is certainty about the proposed development (planning approval) Thames Water in conjunction with the developer and Local Authority will identify off-site infrastructure needs.</p> <p>Capacity currently exists in the current network for early phase of development. The likely scale of any updates and the time it will take for Thames Water to deliver mean that with effective engagement they are confident that any upgrades can be delivered in line with the development and without the need on this occasion for a phasing style planning condition.</p>	Section xii
White Waltham	Raises objections for the following reasons:	Section i, ii, vii, viii, xiii

Parish Council	<p>Land is designated as Green Belt and inappropriate development</p> <p>Site is adjacent to ancient woodland at Maidenhead Thicket / National Trust.</p> <p>Concerns over the impact on local roads which are already congested</p> <p>Impact on residential amenity and rural village character from floodlights at the Hockey Club.</p> <p>Considers the proposal to be overdevelopment.</p>	
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Others

Group	Comment	Where in the report this is considered
Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT)	<p>Raises objections due to insufficient information on the ecological impacts of the proposed development; conflicting information submitted on proposed mitigation and enhancement measures; lack of evidence that a net biodiversity gain will be achieved; and proposed lighting is contrary to biodiversity and enhancement objectives.</p>	Section x
Binfield Badger Group	<p>Raises objections as it is considered that insufficient account has been taken on the impact on badger setts and territory, and impact from roads and traffic, and lighting and noise.</p> <p>In the event of revisions or planning permission being granted, any work in the vicinity of an active sett must be in accordance with a specific licence obtained from Natural England and under the responsibility of a suitably trained ecologist.</p> <p>If minded to approve, the following conditions are also recommended:</p> <p>Construction Phase</p> <ul style="list-style-type: none"> - Employment of ecological consultancy to carry out regular checks of known and new setts, and ensure impact on wildlife is minimised - No heavy machinery or ground digging within 30m of any active sett entrance without a qualified ecologist obtaining a licence from Natural England and continuous monitoring to ensure compliance - No works that cause noise or ground vibrations within 70m of active setts during December – June - No works within 100m of any sett from dusk to dawn - Inclusion of escape ramps for any trenches, and deep excavations must have wildlife impermeable fencing - No fires or littering - Appropriate storage of building materials to prevent collapse on wildlife and materials hazardous <p>Habitation Phase</p> <ul style="list-style-type: none"> - Pupils, staff and residents of the development must be kept away from main setts by wildlife permeable fencing to prevent 	Section x

	<p>disturbance</p> <ul style="list-style-type: none"> - Provision of additional badger foraging habitat 	
Littlewick Green Society	<p>Raises objections due harm to the Green Belt, in particular urban sprawl. Can see no merits of the proposal to justify the conditions of very special circumstances.</p> <p>Noise and light pollution in relation to the hockey pitches from the use of the pitches and club house, and flood lights.</p> <p>Congestion from additional traffic on roads that are already congested in the morning and evenings.</p> <p>Proposed mitigation will not address the issue.</p>	Section i, vii, viii, xii, xiii
Maidenhead Civic Society	<p>In reviewing the proposal, there are integral aspects between the application for the pitches, school and housing at the Ridgeway.</p> <p>There are merits in the proposal, especially the consolidation of the 3 existing school sites into one purpose built campus at the Ridgeway and reduction in car/bus journeys created by triple locations; the provision of a new home for Maidenhead Hockey Club and improved sports facilities; and provision of affordable housing.</p> <p>Conversely, the proposal would add to the exiting traffic pressure on Cannon Lane, there will be light pollution from night time use of the sports facilities, and harm to the rural character of the area including the Thicket and National Trust land.</p> <p>Notwithstanding the merits or otherwise of the proposal, determination should fall to Green Belt. This is a highly visible and sensitive area of Green Belt which was not identified for development as part of the Borough Local Plan process, and Very Special Circumstances must be proven.</p>	Section i, vii, xiii

9. EXPLANATION OF RECOMMENDATION

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 is the legislative basis for the determination of planning applications and requires planning decision to be made in accordance with the development plan unless material considerations indicate otherwise.
- 9.2 The key issue for consideration is the extent to which the proposed development is consistent with Development Plan Policies, taking into account proposed plans, technical studies and the Environmental Statement.
- 9.3 As the proposal comprises of an urban development project which is listed in column 1 and meets the relevant threshold / criteria in column of Schedule 2 of the Environmental Impact Assessment (EIA) Regulations 2011, and considered likely to have a significant effect on the environment, an EIA would be required. It should be noted that 2011 EIA Regulations are applicable, because the scoping opinion for this proposal was requested prior to 16th May 2017 (which is when the 2017 EIA Regulations came into force), and the EIA transitional arrangements allows for this. The accompanying ES and addendum includes a description of the proposed development; a description of the likely significant effects of the proposed development on the environment including cumulative impacts; a description of any features or measures envisaged in order to avoid, prevent or reduce likely significant adverse effects on the environment; a description of the reasonable alternatives by the development; a non-technical summary of the information; and any additional information specified in Schedule 4 relevant to the specific characteristics of the development and to the environment features likely to be significantly affected. The ES meets the terms of the EIA Regulations 2011 and provides the data and information required to adequately assess the impact of the proposals on the environment.

9.4 The key issues for consideration are:

- i Green Belt
- ii Impact on Character of the Area
- iii Trees
- iv Open Space Provision In New Residential Development
- v Housing Mix
- vi Affordable Housing
- vii Highways
- viii Residential amenity
- ix Sustainable Drainage
- x Ecology
- xi Archaeology
- xii Other Considerations
- xiii The Case for Very Special Circumstances
- xiv Planning Balance

i. Green Belt

Appropriate Development

9.5 The site lies within the Metropolitan Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 145 of the NPPF (2019) states that new buildings in the Green Belt would be regarded as inappropriate development with some exceptions. While the Development Plan comprises of the Local Plan, policies GB1 and GB3 are not entirely consistent with the NPPF (2019) and are not given full weight for the purposes of this assessment. Under transitional arrangements the BLPSV is assessed against the NPPF (2012) and therefore policy SP5 is considered to be consistent in this respect, but due to unresolved objections policy SP5 should only be given moderate weight as a material consideration. The NPPF is considered to be a more up-to-date expression of Government intent and is afforded significant weight as a material consideration.

9.6 In this context the proposed development does not fall under any of the exceptions listed in paragraph 145 of the NPPF and, as stated in paragraph 8.17 of the submitted Planning and Affordable Housing Statement, it is common ground between the applicant and officers that the proposed development would be inappropriate development in the Green Belt.

9.7 Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and such development should not be approved except in Very Special Circumstances (VSC). The applicant has put forward a case for VSC, which is considered in 'The Case for Very Special Circumstances' section of this report.

Openness and Purpose of the Green Belt

9.8 In terms of any other harm to the Green Belt, Local Plan policy GB2(a) states that permission will not be granted for new development which would have a greater impact on openness of the Green Belt or the purposes of including land within it than existing development on the site. This

is generally consistent with the NPPF and therefore should be given significant weight. Paragraph 133 of the NPPF makes it clear that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Green Belt are their openness and their permanence. Paragraph 134 of the NPPF sets out the five specified purposes of the Green Belt which are as follows:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 9.9 In terms of actual openness, with the exception of the private driveway to the north of the site, the site currently comprises of undeveloped grassed land and is a green field site. The proposed houses and flats would introduce a built footprint of approximately 12,257sqm distributed across the site, and given the depth, widths and height of the proposed houses and blocks of flats there would be a significant increase in volume. In addition, while there would be some undeveloped features including gardens, these spaces would be more formal, and there would be a loss of openness from their associated paraphernalia such as outbuildings and fences. Consequently, the proposed development would clearly have a greater spatial impact on the openness of the Green Belt in comparison to the existing situation.
- 9.10 While the concept of openness relates to the lack of development or built form, the NPPG advises that the openness is capable of having both spatial and visual aspects. Mindful of this the visual effect of layout and scale of the proposed houses in addition to the urbanising influence from street lights, and hardstanding forming the access road and car parking areas would also have a bearing on openness.
- 9.11 There are currently fairly open views of the site from Cannon Lane to the east and the public right of way off Firs Lane to the south, and partial views from the public right of way to the north running along the southern edge of Maidenhead Thicket due to intervening vegetation. This is supported by the submitted Landscape and Visual Impact Assessment (LVIA) which states that View 6 (West from Cannon Lane) affords clear open views of the site, resulting in a high sensitivity to change with key receptors being users of the highway; View 9 (north from public right of way off First Lane) and View 10 (North-East from public right of way off Firs Lane) have a high sensitivity to change due to the open panoramic view of the site, the relative proximity and public nature of the receptor; and View 3 (View South from Public Right of Way skirting southern edge of Maidenhead Thicket) affords more restricted views of the site despite the proximity to the site due to intervening vegetation, however predicted effects would increase during the winter period due to the deciduous nature of the intervening vegetation.
- 9.12 It is considered that the consequent spatial reduction in openness would be visually evident from these public vantage points. The LVIA does not specifically assess the impact on openness of the Green Belt and with appearance as a reserved matter there are limitations to the assessment, but of relevance it does consider the potential visual impacts of the proposed development on these key views. The significance of the visual effect resulting from the proposed development has been derived through the consideration of the sensitivity and magnitude of change of the view. Account has also been taken of the likely attention to be focused on the view and the number of people affected. Table 4: Assessment of Operational Impacts on Visual Receptors in the LVIA concludes that there would be a major adverse effect to View 6 (West from Cannon Lane), View 9 (north from public right of way off First Lane) and View 10 (North-East from public right of way off Firs Lane) from the proposed housing due to the open views of the site, relative proximity and public nature of the receptors. Major adverse effect meaning the development would cause substantial deterioration in the existing view. In relation to View 3 (View South from Public Right of Way skirting southern edge of Maidenhead Thicket) despite the proximity to the proposed development there would be more moderate adverse effect as a result due to the screening from the existing vegetation, which means development would cause a noticeable deterioration in the existing view. As such, it is considered that the LVIA assessment supports the conclusion that the reduction in physical openness would be visually evident from these public view points. The proposal includes embedded mitigation to reduce or compensate for predicted effects, which is

outlined in Table 4 of the LVIA, but for View 6 and View 9 it concludes that the proposal would still result in a moderate adverse effect.

- 9.13 For the reasons above it is considered that the proposed development would lead to a significantly greater spatial and visual/physical impact on the openness of the Green Belt and would result in a significant loss of openness overall.
- 9.14 It is also considered that the proposal would conflict with two of the purposes of designating land as Green Belt: namely 'to check the unrestricted sprawl of large built-up areas' and 'to assist in safeguarding the countryside from encroachment' which forms the first and third purposes listed in paragraph 134 of the Framework. The existing boundary of this section of the built-up area of Maidenhead is formed by the properties boundaries on the eastern side of Cannon Lane, which forms a linear and durable line that provides a sense of containment. Comprising of open land on the western side of Cannon Lane it is considered that the site does not fall clearly within the perceived boundary of the settlement and this edge of settlement location is significant in checking urban sprawl. By breaking the present well-defined edge of Maidenhead into open land to the west of Cannon Lane, the development of 157 residential units would result in a protrusion in the existing linear settlement boundary resulting in a degree of sprawl into the countryside. The proposal would also reduce the separation between the built-up area of Maidenhead and the Green Belt settlement of Woolley Green, increasing the impression of sprawl. This would be contrary to the first purpose of the Green Belt listed in paragraph 134 of the NPPF. Comprising of open, grassed land the site is unspoiled and therefore considered to have value as countryside. The encroachment into the countryside as a result of the proposed development would therefore be contrary to the third purpose of the Green Belt listed in paragraph 134 of the NPPF.
- 9.15 This is supported by the Council's Edge of Settlement Analysis (2016) which includes an analysis of the site as part of a wider parcel of land (ref: M10) and concludes that the parcel of land makes a strong contribution in preventing sprawl and encroachment.
- 9.16 In terms of the cumulative effects of the 3 linked proposals at the Ridgeway given that the proposed development would result a detrimental impact on openness and conflict with 2 of the purposes of the Green Belt, it follows that the cumulative effect of the proposed development together with the school development, ref: 17/04018/FULL, and sports development, ref: 17/04026/OUT, would also cause harm to openness and be contrary to 2 of the purposes of the Green Belt.
- 9.17 The cumulative impact to openness is recognised by the ES. With the caveats outlined in paragraph 9.12 of this report, Table 5: Landscape Receptors – Cumulative Assessment of the LVIA concludes that the approximate zone of visual influence (ZVI), which is shown Figure 2, indicates there would be significant combined visibility and major reduction in the degree of openness within the site. Table 6: Visual Receptors – Cumulative Assessment concludes that View 6 (Cannon Lane) is subject to significant combined visibility at close range looking directly into the east boundary of the Ridgeway site, while View 10 (North East from public right of way off Firs Lane) is subject to significant combined visibility at close range looking directly south-east from the public right of way, and both visual receptors would experience a significant reduction in the existing degree of openness when viewing the site.
- 9.18 To conclude on the Green Belt, the proposal constitutes inappropriate development in the Green Belt, conflicts with two of the purposes of designating land as Green Belt and would cause physical and spatial harm to the openness of this Green belt in this location; of itself and in combination with the Ridgeway Projects. The proposal causes substantial harm to the Green Belt. The case for Very Special Circumstances is considered later in this report.

ii Impact on Character of the Area

- 9.19 Appearance is not to be considered as part of this application, it includes aspects of a building or place that affect the way it looks including the built form, its architectural details, materials and lighting; landscaping which comprises of the treatment of land including the planting of trees, hedges, shrubs or grass, and screening by fences, walls or other means is also a reserved matter. However, density, layout and scale are to be considered and contribute towards the visual

impression of a place. As part of this outline application it should be demonstrated that the proposal for 157 residential units can be satisfactorily accommodated on site without undue harm to the character of the area.

- 9.20 Local Plan policy H10 states that new residential schemes will be required to display a high standard of design and landscaping and where possible enhance the existing environment, while Local Plan policy DG1 resists development which is cramped or which results in the loss of important features which contributes local character. As a material consideration, BLPSV policy SP2 expects larger developments (over 10 residential units) such as this to foster a sense of community and sense of place, while policy SP3 requires development to achieve a high quality design and expects compliance with the design principles set out in the policy. Given the extent of unresolved objections to BLPSV policy SP2 and SP3 it is considered that these policies should be given significance weight. As a further material consideration, paragraph 124 of the NPPF advises that high quality buildings and places is fundamental to what the planning and development process should achieve, and good design is a key aspect of sustainable development. To achieve this, paragraph 127 of the NPPF advises that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and establishes a strong sense of places using the arrangements of streets, spaces, building types and materials to create attractive and distinctive places to live, work and visit. Paragraph 130 of the NPPF states that planning permission should be refused for development of poor design that fails to take the opportunity available for improving the character and quality of an area and the way it functions.

Landscape and Townscape Character Areas

- 9.21 Landscape is everywhere and has character. In this case, the site is identified in the Council's Landscape Character Assessment (LCA) Supplementary Planning Guidance (SPG) as an area of Open Chalk Farmland (5a - Littlewick Green). Open Chalk Farmland is considered to be a distinct and recognisable character type due to its key characteristics which is a flat, open and simple rural landscape with an expansive feel, commonly comprising of large arable fields with remnant hedgerows and trees. Roadways are minor roads which are narrow and lined with grass verges and hedgerows. Settlement within the landscape type is restricted to a number of individual farmsteads. In terms of rarity, the Open Chalk Farmland character type is only found at one location within the Borough, roughly contained between settlement along Bath Road to the north and the settlements of White Waltham and Waltham St Lawrence to the south. Due to the detracting influences of its 'edge of town' location the condition of this particular site is considered to be good-declining. However, overall, based on its contribution towards consistent patterns in the landscape, occurrence and condition the LCA concludes that the landscape character of open chalk farmland is of moderate strength. In terms of capacity for change, due to the generally large scale, flat and open character the LCA concludes that Open Chalk Farmland is highly sensitive and therefore the capacity for change is low.
- 9.22 As the LCA describes the relevant landscape and thereby local distinctiveness, it is considered that this provides an understanding of how the landscape within the Borough is perceived, experienced and valued by people who interact with it. Therefore, in addition to its intrinsic value there is also the amenity value of the relevant landscape which should be borne in mind.
- 9.23 In this case it is considered that the proposal would be atypical of the open chalk farmland character type and due to the number, scale and layout of residential units it would significantly erode key characteristics including of openness and rurality. In addition there is the loss of the quiet rural character through the increase in noise and busyness and illumination of existing dark skies. It is therefore considered that the proposal would be unduly harmful to landscape character of the site.
- 9.24 A harmful impact to landscape character as a result of the proposal is acknowledged by the LVIA. Figure 1.7 of the LVIA categorises the landscape character area of the site as Open Chalk Farmland (Cultivated), while Table 2: Assessment of Operational Impacts on Landscape Character Areas concludes that the significance of effect would be major adverse. This means that the development would irrevocably damage, degrade or diminish landscape character features and their setting. Following proposed mitigation, which comprises of an integrated

landscape framework and enhanced external amenity to the application site, Table 2: Assessment of Operational Impacts on Landscape Character Areas indicates that the significance of effect would reduce to moderate adverse. Whilst for the purposes of the Environmental Impact Assessment, the impact on Landscape character would not have a significant environmental impact with appropriate mitigation, the scheme still represents substantial permanent loss or alteration to one or more key element of the landscape and this is relevant to the planning assessment and planning balance.

- 9.25 To the north of the site is Maidenhead Thicket, which is identified in the LCA as Settled Wooded Chalk Knolls (9b – Cookham Dean). The key characteristics of the Settled Wooded Chalk Knolls character type is a rich, peaceful rural landscape of rolling, undulating wood covered landform with pronounced knolls with areas of open chalk land in adjacent landscapes. The substantial loss of the contrasting open chalk land adjacent to Maidenhead Thicket and increase in noise, disturbance and illumination as a result of the development is therefore considered to harm the setting and character of Maidenhead Thicket. The submitted LVIA identifies the area as Woodland / Plantation (Maidenhead Thicket) and Table 2: Assessment of Operational Impacts on Landscape Character Areas of the LVIA concludes that due to the reduction in sense of tranquillity and views of the proposed development in particular from the public right of way along the southern boundary of Maidenhead Thicket the significance of effect on the landscape would be moderate adverse. However, it is noted that no reference or assessment is made to the loss of the contrasting character of the open chalk farmland to the woodland, which is identified in the Council's LCA as a key characteristic. A mitigation scheme is proposed, which comprises of an integrated landscape framework and enhanced external amenity to the application site. Following implementation, Table 2: Assessment of Operational Impacts on Landscape Character Areas of the LVIA concludes that the effect of the proposal on the woodland character would reduce to minor adverse. However, this fails to address and compensate for the intrinsic value of the current contrasting open and rural character of the site as part of the setting and character of Maidenhead Thicket.
- 9.26 To the east of the site and Cannon Lane is the urban settlement of Maidenhead. Insofar as the site is urban fringe which is visually influenced by built development and the presence of traffic, the site is largely unspoiled. It is therefore considered to have value as a rural setting to this western edge of Maidenhead. The property boundaries on the eastern side of Cannon Lane and Cannon Lane itself also form a strong, linear urban / rural edge, clearly defining the two character types. The residential scheme would result in the direct loss of the open chalk land and would increase noise, disturbance and illumination, to the detriment of the rural setting. Furthermore, by breaking the present well-defined edge of Maidenhead into open land to the west of Cannon Lane it is considered that the built development would not fall within the perceived boundary of the settlement nor would the built development be as strongly contained as present. As such, it is considered that there would be a degree of blurring between the urban / rural character. The LVIA also considered the effect of proposal on the urban settlement and Table 2: Assessment of Operational Impacts on Landscape Character Areas concludes the significance of effect being moderate adverse due to the relative openness between the proposed development and the urban settlement. Following implementation of proposed mitigation, which comprises of an integrated landscape framework and enhanced external amenity to the application site, the effect reduces to minor adverse. However, the proposed mitigation fails to address and compensate for the intrinsic value of the current open and rural character of the site at the edge of Maidenhead, clearly defining the urban/ rural boundary which is considered important to its setting and character. In support, the LCA identifies local forces for change and for Open Chalk Farmland this includes piecemeal loss of urban fringe land through urban expansion. As part of an outline landscape strategy for managing change, the LCA advises that development on the western edge of Maidenhead which adversely affects the rural character of the landscape should be resisted to address this.
- 9.27 Having regard to the above points, and notwithstanding the reserved matters of appearance and landscaping, it is considered that the proposed development would have an adverse impact on the landscape character of the site and to the setting and character of Maidenhead Thicket and the urban settlement of Maidenhead contrary to planning policy.

9.28 Given that the proposed development would have undue harm to the character of the landscape character of the site, the setting of Maidenhead Thicket and the urban settlement of Maidenhead, it follows that the cumulative development (the proposed development; the school development, ref: 17/04018/FULL; and sports development, ref: 17/04026/OUT) would also cause undue harm. The ES Volume 2: Main Text includes an assessment on the landscape from the cumulative development, and Table 13.2: Summary of the Inter-Project Effects confirms that operation of the development the Open Chalk Farmland, Woodland / Plantation and Urban Settlement character areas would experience moderate adverse effects. The assessment and conclusions in Table 5: Landscape Receptors – Cumulative Assessment of the LVIA is in line with this and recognises the moderate adverse effect.

9.29 Notwithstanding the above conclusion that the scheme results in harm to landscape character of the site, the setting of Maidenhead Thicket and the settlement of Maidenhead, the assimilation of the proposed buildings into its surrounds is assessed below.

Density, Layout and Scale

9.30 The proposed development would result in a density of around 20 dwellings per hectare (dph) which spread across the site represents a spacious, low density housing scheme. As a material consideration, paragraph 123 of the NPPF states that where there is an existing or anticipated shortage of land for meeting identified housing needs, as identified later in this report, it is especially important that planning decisions avoid homes being built at low densities and ensure developments make optimal use of the potential of each site. Paragraph 123 of the NPPF goes on to state that Local Planning Authorities should refuse applications which fail to make efficient use of land. However, density is only one indication to the appropriateness of a development and balanced against this are the design policies and other provisions in the Framework including paragraph 122 of the NPPF which states that making efficient use of land should take into account the desirability of maintaining an area's prevailing character and the importance of securing well-designed places.

9.31 In this case, the existing residential development to the east of Cannon Lane is around 30dph. Furthermore, it is considered that the transition to and from the adjacent character areas necessitates development at a relatively low density in order to better integrate with and complement the surrounding character areas. While the proposed density is lower overall than the existing house to the east of Cannon Lane, a higher density is proposed towards the Cannon Lane frontage. Together with the approximate 9m set back from the public highway, which would retain the spacious character of Cannon Lane, this is considered to result in a satisfactory interface between the medium density housing to the east of Cannon Lane and the proposed development before transitioning into the more spacious development within the interior of the site. In terms of Maidenhead Thicket to the north and open space to the south, a green edge has been incorporated, providing a transitional rural / urban edge. As such, the proposed density is considered, on balance, to be acceptable.

9.32 The proposed layout includes cues from the existing pattern of development to the east of Cannon Lane, comprising largely of detached and semi-detached houses on regular plots with short front gardens and longer back gardens on long curvilinear feeder streets with short subsidiary roads culminating in cul-de-sacs/dead ends. Other shared characteristics include wide grass verges and shared amenity greenspaces which make a valuable contribution to the streetscene. It is therefore considered that the proposed layout would sufficiently connect with the character of surrounding development.

9.33 The proposal includes blocks of flats sited towards Cannon Lane, while flatted development is not prevalent in the area there is no objection in principle. The proposed scale of the building would result in a building larger than the majority in the streetscene and surrounding locality, but the proposed layout shows there would be sufficient circulation space around the blocks to create its own setting. It is noted that a large proportion of the circulation space comprises of hardstanding for vehicular parking, but it is considered that there is still space adjacent to the buildings for sufficient landscaping to soften the impact of the proposed buildings and vehicular parking areas. Furthermore, appearance is a reserved matter and there is no indication that a suitably designed blocks of flats in terms of visual bulk and mass that relates well to its context could not be developed on site.

Alterations to Cannon Lane

- 9.34 The character of Cannon Lane would change in the vicinity of the new site access. As existing, the proportions of this section of the road are generally intact, emphasised and framed by the linear hedgerow on the western side and the row of houses on the eastern side. The realignment of the road and new roundabout would widen the proportion of this section of Cannon Lane. However, while the visual change would be considerable, given the significance of the character of Cannon Lane, the harm would be relatively limited. More impactful would be the contribution to the urbanisation of the western side of Cannon Lane of the roadworks and the opening up of views of the housing development on the site to the detriment of the landscape character of the site, and the setting of this part of Maidenhead outlined above.

iii Trees and Hedgerow

- 9.35 Trees and hedgerows can make a valuable contribution to the visual amenity of an area and provides a valuable wildlife habitat. Local Plan policy N6 requires new development to allow for the retention of existing suitable trees wherever practicable, should include protection measures necessary to protect trees during development, and where the amenity value of trees outweigh the justification for development then planning permission may be refused. As a material consideration, BLPSV NR2 states that development proposals should carefully consider the impact of proposed development on existing trees and where harm is unavoidable provide appropriate mitigation measure, but where the amenity value of trees outweighs the justification for development than planning permission may be refused.
- 9.36 Local Plan policy N7 states that the Council will require the retention of hedgerows and where hedgerow removal is unavoidable, replacement and improved planting will be required. Of material consideration of significant weight, BLPSV policy NR2 states that development proposals should protect and retain hedgerows and where harm to hedgerows are unavoidable appropriate mitigation measures will be required.
- 9.37 As shown on Appendix A: Existing Tree Plan of the Arboriculture Report (December 2017), to the east of the site there is currently a belt of trees running parallel to Cannon Lane, set back approximately 40-45m from the public highway (T108, G109, G110, T111, T112, G113, G114, T115). Along the eastern boundary of the site, adjacent to Cannon Lane, is a hedgerow (H140). Along the northern boundary is a line of trees along the southern edge of Maidenhead Thicket (G107).
- 9.38 As part of the realignment of Cannon Lane and creation of the new roundabout and access from Cannon Lane, the proposal would involve the loss of approximately 170-200m of hedgerow H140. Hedgerow H140 is described in Appendix C: Tree Survey Review of the Arboriculture Report as a semi-mature hawthorn and blackthorn hedge of good condition with a height and crown spread of less than 2m. The removal of the hedge is considered to be a necessary requirement of the proposal's implementation, therefore as mitigation the proposal includes a replacement hedgerow of the western edge of the proposed roundabout. The indicative site layout demonstrates how a hedgerow of similar size to the existing could be accommodated. If minded to approve a condition is recommended to secure the replacement and details of the hedgerow together with its retention and management/maintenance.
- 9.39 The proposal access would also result in the loss of defined groupings of Scots Pine including G110 and G114, and two larches within the linear grouping (T115 and T111). The Arboriculture Report identifies the larch (T115) as a 'B' category tree (with reference to British Standards), which normally applies to trees of moderate quality and value for their arboricultural qualities as well as their contribution to visual amenity and biodiversity. The other large (T111) Scot Pine trees (G110 and G114) are identified as 'C' category trees and therefore of lower quality. However, while it noted that the majority comprise of 'C' category trees individually, the loss of trees as a group is considered to be harmful to ecology and visual amenity and therefore their loss should be mitigated.
- 9.40 As mitigation, the Arboriculture Report advises that in relation to T111 and G110 replacement planting post-development could be undertaken, while mitigation for T115 and G114 are

proposed to the north of the access road. Concerns were raised that some of the replacement planting would not be sustainable given their proximity to proposed buildings and hardstanding. This relationship could result in pressure to prune or fell the trees if they effected outlook and shading, and the hardstanding could be a constraint in terms of their rooting environment. However, given the size of the site, the amount of open space proposed within it and that additional planting is proposed, it is considered that sufficient mitigation could be achieved. Details could be addressed at a reserved matters stage where landscaping is considered.

- 9.41 Of note, the Arboriculture Report also refers to replacement trees on land to the south of the access road as mitigation for the loss of T115 and G114. However, the southern side of the access road falls outside of the 'red line' (the application site) the location plan, ref: 2255-A-1000-B. Therefore, tree planting as mitigation to the south of the access road cannot be secured by condition, and therefore should not be taken into consideration as part of this application.
- 9.42 To conclude on this matter, trees and hedgerows will be lost as part of the development but it is considered that their loss could be appropriately mitigated through reserved matters applications, should permission be granted, and by planning condition and legal agreements (for management/maintenance). The proposal complies with the stated development plan policies.

iv Open Space Provision In New Residential Development

- 9.43 Open spaces within the Borough underpin people's quality of life and well-being by providing green lungs in urban areas and opportunity for sports and recreation that is important to health and well-being of communities and acts as a visual amenity. The Council's Open Space Study (2019) reports that there is adequate provision of amenity space within the Borough against the Fields In Trust national guideline of 0.6ha / 1000 population, but taking into account the anticipated increase in population by 2033 the current level of provision would leave a shortfall of 6ha. The Open Space Strategy goes on to advise that this needs to be mitigated by ensuring current levels are increased by including amenity greenspace in new development.
- 9.44 Local Plan policy R3, R4 and R5 requires the proposal to make appropriate provision for public open space within the development which should amount to 15% of the site, contained within one area, and incorporating a local area for open space play (LAP) and a local equipped area for play (LEAP). Approximately 15% of the site as proposed comprises of open space, but comprising of several areas dispersed throughout the site, contrary to policy. However, given the size of the application site it is considered beneficial that open space is evenly distributed. The proposed areas of open space are also considered to be functional in terms of shape and dimensions with the largest area to the south measuring approximately 2865sqm and the majority of the remaining space measuring approximately 300sqm-400sqm.
- 9.45 With regard to the provision of a LAP and LEAP, Fields in Trust standards which supersedes the standards for a LAP and LEAP set out in Appendix 2 of the Local Plan, sets out the minimum dimensions for a LAP (10 x 10m) and LEAP (20 x 20m). It is considered that the majority of open spaces within the site would be able to accommodate this. If minded to approve, it is recommended that the siting, size, landscaping and equipping of the LAP and LEAP is secured by condition/legal agreement as appropriate; management of those spaces would be the responsibility of the applicant.

v Housing Mix

- 9.46 Local Plan policy H8 states that the Council will expect development to contribute towards improving the range of housing accommodation within the Borough and will favour proposals which include dwellings for small householders and those with special needs. As a material consideration of significant weight, BLPSV policy HO2 states that the provision of new homes should contribute to meeting the housing needs of the current and projected households by providing an appropriate mix of dwelling types and sizes reflecting most up-to-date evidence.
- 9.47 The proposed housing mix is set out in paragraph 9.2 of the submitted Planning and Affordable Housing Statement. The most up-to-date evidence on identified need is set out in the Berkshire Strategic Housing Market Assessment (SHMA) (2016) and, in a comparison with the identified

need by number of bedrooms for the market sector, with its focus on 4+ bedroom units the proposed development would not accord with the most appropriate mix. However, the proposed balance is not objectionable when compared with the completions by housing size for the past 3 years (2015 to 2018) (Monitoring Report 2018, Table 7) and given that the Council's 5 Year Housing Land Supply Statement (March 2019) reports a housing delivery rate of 97% based on the 2018 Housing Delivery Test. The completions by housing size relate to all housing, but given that affordable housing as a percentage of total net completions are 23% (2013/14), 14.2% (2014/15), 2.5% (2015/16), 2.6% (2016/17) and 4.5% (2017/18), the picture still suggests that the proposal would contribute to the apparent shortfall of 3 and 4 bed housing.

	1 bed	2 bed	3 bed	4+ bed
Need (2013 – 2036) (Market Sector)	966 7.9%	3,508 28.6%	4,737 38.6%	3,074 25.0%
Completions (2013 – 2018) (Total)	531 20.5%	1112 43%	486 18.8%	453 17.5%
Proposed (Market Sector)	0	4	38	68

9.48 Paragraph 9.3 of the Planning and Affordable Housing Statement advises that the mix of units is indicative for this outline application. However, it is considered that housing mix cannot be considered under a reserved matters for appearance or landscaping, and therefore if minded to approve the proposed housing mix should be secured by condition. This is considered to be necessary to achieve a sustainable development / community.

9.49 It should also be noted that the viability report submitted to support the proposed affordable housing provision and subsequent viability assessment is based on this schedule of accommodation. Changes to the housing mix would have implications on these matters, which further justifies for a condition to secure the proposed housing mix in the interest of proper planning.

vi Affordable Housing

9.50 For residential development sites of 0.5ha or over or schemes proposing 15 or more net additional dwellings, such as this, Local Plan policy H3 requires the provision of 30% of the total units provided on site as Affordable Housing. BLPSV Policy HO3 is given limited weight due to the extent of unresolved objections but for a scheme of this size would result in the same affordable housing requirement. On this basis 47 units of affordable housing are required as part of this proposal to meet policy.

9.51 Local Plan policy H3 of the adopted Plan is silent on tenure mix, but it makes reference to identified local need which the SHMA sets out in detail. The SHMA sets out a tenure of 80% as social/affordable rented and 20% as intermediate housing, which would equate to 38 units as social/affordable rented and 9 units as intermediate housing. As a material consideration, Paragraph 64 of the NPPF states that at least 10% of the overall homes are expected to be available for affordable home ownership as part of the affordable housing contribution from the site unless this would exceed the level of affordable housing required in the area or prejudice the ability to meet the identified affordable housing need within the Borough. This would equate to 16 units. 'Affordable homes ownership' is not defined but on the basis of the definition of affordable housing in Appendix 2 of the NPPF the indication is that this would be made up of starter homes, discounted market sales housing or other affordable routes to home ownership (shared ownership or shared equity units). In this respect, while the SHMA does identify the need for affordable housing in this borough as being predominantly social rent and then affordable rent, the NPPF is more recent and given significant weight. As such, having to regard to the NPPF, and the Council's own evidence the expectation would be that the scheme would bring no more than 16 units forward for Low Cost Home Ownership and the remaining 31 for rented products.

9.52 The proposal is for 157 units with a total of 47 affordable units which equates to a policy compliant 30%. 6 units are affordable rented and 41 units are shared ownership. To demonstrate that the proposed development is unable to support a tenure mix with a higher proportion of social/affordable rent in line with need the applicant submitted a viability report in May 2018. This

was independently assessed by the District Valuer. It should be noted that the funding of the new school subject to planning application ref: 17/04018/FULL is being met from a combination of sources including the land receipts from this site (and the 2 other sites at Ray Mill Road East and College Avenue) and therefore included in the residual land value for the purposes of the viability assessment. The District Valuer concluded that the proposed development is deliverable but a higher proportion of social/affordable rent would be unviable.

9.53 On balance, given the viability position and in the context of the overall Ridgeway Project, it is considered that the proposed total units for affordable housing and tenure mix is acceptable and if minded to approve the affordable housing contribution of 47 affordable units, 6 units being affordable rented and 41 units as shared ownership can be secured by S106 legal agreement. The agreement would include a clause requiring the viability to reviewed prior to implementation to enable the provision of a greater proportion of homes for rent should the viability permit at that point in time. The proposal is in compliance with policy on affordable housing.

vii Highways

9.54 Local Plan policy T5 requires all development proposals to comply with adopted highway design standards, policy P4 requires all development proposals to accord with adopted car parking standards, while policy T7 seeks to ensure that new development makes appropriate provision for cyclists including cycle parking. As a material consideration, BLPSV policy IF2 states that development proposals should support the policies and objectives of the Transport Strategy as set out in the Local Transport Plan and provide car and cycle parking in accordance with the current Parking Strategy. Given the lack of unresolved objections to policy IF2 it is considered that this policy should be afforded significant weight in the consideration of this application. As a further material consideration, paragraph 108 of the NPPF states that appropriate opportunities to promote sustainable transport modes should be taken up; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety should be cost effectively mitigated to an acceptable degree. Paragraph 109 of the NPPF goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Trip Generation

9.55 In order to establish a baseline of the existing peak hour traffic conditions on the local highway network, manual surveys were undertaken at 4 key junctions along Cannon Lane, which were:

- Cannon Lane / Highfield Lane
- Cannon Lane / Farmers Way
- Cannon Lane / Altwood Road
- Cannon Lane / Bath Road

The surveys by the applicant were undertaken in accordance with the recommended standards in the Design Manual for Roads and Bridges produced by Highways England.

9.56 As the surveys were undertaken in 2014 and could be considered out-of-date, the Local Highway Authority provided supplementary data from its permanent counter at a monitoring site on Cannon Lane (between Farmers Way and Altwood Road) for 2016. The Council’s data from the counter at the monitoring site was not used in the junction assessments but to augment the 2014 traffic survey data at Farmers Way, Altwood Road and Bath Road junctions. A comparison between the data shows that the average peak hour flows is as follows:

		2014	2016
Morning Peak	Northbound	840 vehicles	768 vehicles
	Southbound	999 vehicles	964 vehicles
Evening Peak	Northbound	776 vehicles	697 vehicles
	Southbound	831 vehicles	725 vehicles

A new manual traffic survey was also undertaken in 2016 at the Cannon Lane and Bath Road roundabout junction, and a comparison was undertaken for each turning movement between the 2014 and 2016 results (Appendix 7, Transport Assessment). In summary, the overall changes through the junction amounted to a reduction in traffic of -416 vehicles in the AM peak and +39 vehicles in the PM peak in 2016.

9.57 As such, the 2014 data would represent the 'worst case scenario', and therefore the use of the 2014 data to assess the potential impact of the development onto the surrounding highway network in the submitted Transport Assessment is considered to be robust.

9.58 To determine the potential number of trips generated by the residential development the TRICS database was interrogated and a comparable site in Lincoln comprising of 150 dwellings located at an 'edge of town' location and close to a major 'A' road was identified (TRICS ref: LN-03-A-01). Based on the trip rates per dwelling for the comparable development the Transport Assessment reports that the proposal for 157 residential dwellings would likely generate the following peak hour and daily movements:

	Arrive	Depart	Total
Morning Peak (08:00 – 09:00)	28	66	94
Evening Peak (17:00 – 18:00)	62	32	94
Daily	397	410	807

9.59 It is noted that the Local Highway Authority also interrogated the TRICS database and consider that the proposed residential development could potentially generate 98 vehicular trips during the am and pm peak periods and 928 trips throughout the day, which is higher than the figures reported in the Transport Assessment for the proposed development. However, to determine the impact of the development onto the surrounding highway network, the Transport Assessment has combined the trips generated by the residential development and school development proposed under linked application 17/04018/FULL. It would likely represent a greater impact than the residential development alone, and the difference would be less discernible in absolute numbers. Therefore if the residential and school development combined scenario results in an acceptable impact then it would follow that the residential development would also be acceptable.

9.60 Paragraph 8.19 of the Transport Assessment reports that the combined residential and school development would generate the following peak hour and daily movements:

	Arrive	Depart	Total
Morning Peak (08:00 – 09:00)	380	291	671
Evening Peak (17:00 – 18:00)	94	114	228
Daily	1366	1386	2752

9.61 In relation to cumulative impact, the Transport Assessment includes expected trips from all committed development that would impact significantly on the transport network, including extant planning permissions and development plan allocations. In relation to the linked application for the recreation pitches and pavilion, ref: 17/04026/OUT, as the use of pitches and pavilion would be in association with the school during the day (school use during term time and holiday camp/clubs during holidays) it is considered that any additional traffic during peak periods would be included in figures for the school development. It would be unreasonable to 'double count'. In relation the use by MHC, paragraph 4.2 - 4.3 of the Transport Assessment Addendum Note for this application refers to the Transport Assessment submitted to support 17/04026/OUT for details of days and times, but confirms that none of the practice sessions will generate traffic within the network peaks periods during the week, and matches and tournaments will take places at weekends.

Junction Capacity Assessment

9.62 Junction capacity modelling was then undertaken to demonstrate whether the 4 key junctions would operate satisfactorily to maintain traffic flow if the proposed development is implemented. Each junction was modelled in PICADY and ARCADY which are accepted modelling software for major / minor junctions and roundabouts, respectively. Various scenarios were assessed the most relevant for this application being:

- 2021 without development
- 2021 with residential development
- 2021 with combined residential and school development

9.63 In general, Transport Assessments include the impact of the proposal at a future 'Design Year', which is usually 5-10 years from the date of the planning application. In this case as there is a degree of certainty that the development will proceed within the next 3 years if permission is granted the Design Year of 2021 is considered to be acceptable. Future traffic forecasts are calculated using TEMPRO software, an industry standard tool for estimating traffic growth based on the site-specific data and area specific datasets which adjust observed traffic flows with identified growth factors.

9.64 Reference is made to Ratio of Flow to Capacity (RFC) value, which provides a measure of the utilised capacity of a junction approach arm. Paragraph 8.34 of the Transport Assessment advises that a RFC value of less or equal to 1.00 indicates that the entry is operating within capacity and a RFC value of between 0.85 and 1.00 provides a degree of resilience to daily fluctuations in traffic demand.

9.65 *Cannon Lane junction with Highfield Lane*

Maximum RFC Value for all arms	Morning Peak	Evening Peak
2021 Without Development Scenario	0.626	0.328
2021 With Residential Development Without Mitigation Scenario	1.036	0.422
2021 With Residential and School Development Without Mitigation Scenario	1.126	0.620
2021 with Residential Development With Mitigation	No data	No data
2021 With Residential and School Development With Mitigation (left turn lane)	See below	

On the basis of these results it is shown that the Cannon Lane junction with Highfield Lane as existing would exceed capacity during the morning peak for both the 2021 residential development scenario and the 2021 combined residential and school development scenario. In terms of mitigation, paragraph 8.47 of the Transport Assessment advises that given the limited land available at this location the only potential mitigation scheme would be a left-turn lane at the junction for vehicles turning south onto Cannon Lane is proposed, as shown on drawing ref: No. 13.73-004 (Appendix 12, Transport Assessment). A dataset for 2021 residential development with mitigation scenario has not been provided.

9.66 The 2021 residential and school development combined with mitigation scenario indicates that while the Highfield Lane left turning movement would improve during the morning peak with the left-turn lane in place, operating with a maximum RFC value of 0.487, those turning right will still struggle to establish priority due to heavy north and southbound flows on Cannon Lane. The data indicates that during 08:00 to 09:00 period the right turning junction arm would be operating at over capacity with a maximum RFC value of 1.029 between 08:30 and 09:00. In relation to maximum queue length (passenger car unit) and average delay (minutes), a comparison between the 2021 without development scenario and 2021 residential and school development combined with mitigation scenario is set out below:

2021 Without Development Scenario (Morning Peak)		
	No of Vehicles in Queue (PCU)	Average Delay (min)
Highfield Lane turning right		
08.00-08.15	1.4	0.78
08.15-08.30	1.5	0.91
08.30-08.45	1.6	0.92
08.45-09.00	1.6	0.92

2021 With Residential and School Development Combined With Mitigation Scenario
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(Morning Peak)		
	No of Vehicles in Queue	Average Delay (min)
Highfield Lane turning right		
08.00-08.15	5.3	2.27
08.15-08.30	8.0	4.26
08.30-08.45	10.3	5.47
08.45-09.00	12.2	6.49

However, mindful of paragraphs 108 and 109 of the NPPF, the requirement is to assess the final residual cumulative implications for the highway network and establish if there would be a severe adverse impact and not if the proposal or highway improvements as part of the scheme delivers a nil-detriment. Whether this results in a severe residual cumulative impact is assessed below.

9.67 *Cannon Lane junction with Farmers Way and the site access roundabout*

Maximum RFC Value for all arms	Morning Peak	Evening Peak
2021 With Residential Development Scenario	0.65	0.54
2021 With Residential and School Development Scenario	0.85	0.57

The results show that for the 2021 residential development scenario, and the combined residential and school development scenario, the Cannon Lane junction with Farmers Way will operate at a RFC value of or below 0.85 during the morning and evening peak, and would therefore operate satisfactorily.

9.68 *Cannon Lane junction with Altwood Road – mini roundabout*

Maximum RFC Value for all arms	Morning Peak	Evening Peak
2021 Without Development Scenario	1.50	1.20
2021 With Residential and School Development Scenario	1.96	1.26
2021 With Residential and School Development Scenario With Mitigation	1.50	0.94

The results show that the 2021 without development scenario the junction would operate over capacity during the morning and evening peak, resulting in queuing and delays. A dataset for 2021 residential development without mitigation has not been provided, but in the assessment of the residential and school development combined scenario the junction would be further over capacity during the morning and evening peak. As mitigation a compact roundabout is proposed as shown on drawing ref: 13.73 – 005 (Appendix 12, Transport Statement). It should be noted that the main text of the Transport Statement refers to drawing 13.73 – 005A, but the applicant has confirmed the text and the drawing relate. The proposed layout passes a safety audit, subject to the recommendations of the Designer Response Report. With a compact roundabout there would still be capacity issues, but in comparison with the 2021 without development scenario the proposed mitigation would result in a nil-detriment in the morning peak and a betterment for the evening peak for the 2021 residential and school development combined with mitigation scenario. In relation to maximum queue length and average delay a comparison between the 2021 without development scenario and 2021 with residential and school development combined with mitigation is set out immediately below. It is noted that for both scenarios the maximum queue lengths and average delays would be significant and whether this represents a severe residual cumulative impact is assessed below.

scenario	Maximum No. of Vehicles in Queue (PCU)	Maximum Average Delay (min.)
2021 Without Development Scenario AM Peak	381.86	26.57
2021 Without Development Scenario PM Peak	159.26	10.83
2021 With Residential and School Development Combined With	497.35	26.39

Mitigation Scenario AM Peak		
2021 With Residential and School Development Combined With Mitigation Scenario PM Peak	12.10	0.78

9.69 *A4 Bath Road junction with Cannon Lane*

Maximum RFC Value for all arms	Morning Peak	Evening Peak
2021 Without Development Scenario	1.16	0.85
2021 With Residential and School Development Scenario	1.29	0.96
2021 With Residential and School Development With Mitigation Scenario	1.00	0.75

The results show that the 2021 without development scenario the junction would operate over capacity during the morning peak, resulting in queuing and delays. The 2021 residential and school development without mitigation would be further over capacity during the morning peak and approaching capacity during the evening peak. The proposed mitigation measure comprises of a new bypass arm from Cannon Lane to the A4 Bath Road and to widen the three arms of the junction as shown in drawing ref: 13.73-006 (Appendix 12, Transport Assessment). It should be noted that the main text of the Transport Statement refers to drawing 13.73 – 006A, but the applicant has confirmed the text and the drawing relate. The proposed layout passes a safety audit, subject to the recommendations of the Designer Response Report. For the 2021 residential and school development with mitigation scenario while there would be a betterment in the morning and evening peak than the ‘in any event’ scenario, the junction would be operating at capacity during the morning peak with a RFC value of 1.00. At capacity there would be no degree of resilience. Whether this results in a severe residual cumulative impact is assessed below.

Highway Mitigation

9.70 Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms, and paragraph 56 of the NPPF and the Community Infrastructure Regulations 2010 sets out policy tests for the seeking of planning obligations which are that:

- they are necessary to make the development acceptable in planning terms
- they are directly related to the development; and
- they are fairly and reasonably related in scale and kind.

9.71 It is established that without the proposed mitigation as set out above for the Cannon Lane junction with Highfield Lane Altwood Road, and A4 Bath Road, the cumulative impact of the residential development combined with the school development would result in severe harm to the local highway network. The applicant has confirmed that residential and school proposals are linked and would come forward together, the residential and school development are subject to separate applications to be considered on their own merits. It does not follow that either one or the other or both will be approved; the applicant has failed to provide details of the impact of the schemes individually.

9.72 It is currently therefore unknown whether the residential development in isolation area would need mitigation and if it does what mitigation would be sufficient to offset its impact and meet the tests set out above. Further advice is being sought, and will be reported in a panel update. If minded to approve it is recommended that this is subject to a S106 which includes a clause to trigger the mitigation works if the school development subject to 17/04018/FULL also comes forward. As it stands if minded to approve and the school is not approved it is recommended that the applicant be asked to carry out further work to establish the position in relation to appropriate mitigation.

Residual Cumulative Impact

9.73 To warrant refusal in relation to the impact on the local highway network, paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if the residual cumulative impacts on the road network would be severe. The term residual means the

impact having applied any appropriate and possible mitigation. Currently it can only be assessed with regard to this application and the application for the new school on land adjoining.

- 9.74 The junction capacity assessment has been set out in some detail above. It indicates that there would be an adverse impact for right turning vehicles from Highfield Lane to Cannon Lane during the morning peak as a result of the residential and school development combined with mitigation scenario, which is confirmed in paragraph 8.6.19 of the ES Volume 2: Main Text. The ES goes on to conclude that the residual cumulative impact on the road network would not be severe with the queue increasing from 2 to 12 vehicles in the morning peak with an average delay of 6.49 minutes. Officers consider that whilst the residual impact is not severe and does not warrant refusal on this basis nevertheless harm does result from the development in this respect which will be considered in the planning balance.
- 9.75 In relation to Cannon Lane junction with Altwood Road, the junction capacity assessments indicate that following mitigation the residential and school development combined would result in nil-detriment in the morning peak. Mindful of recent case law (Bovis Homes Ltd and Miller Homes Ltd v SSCLG [2016]) it is acknowledged that the existing or future 'in any event' situation of the highway network is not an unrelated problem which evaluation of the proposed development should ignore, and for both the 'in any event' and residential and school development combined scenario the impact would be significant with an average delay of 26 minutes. However, of relevance, paragraph 9 of Department of Transport Circular 02/2013 – The Strategic Road Network and Delivery of Sustainable Development states that development proposals are likely to be acceptable if they do not increase demand for use of a section that is already operating at over-capacity levels, taking account of any traffic management and/or capacity enhancement measures that may be agreed.
- 9.76 In comparison to the future 'in any event' situation the proposed combined residential and school development with mitigation would result in a betterment for the junction at the A4 Bath Road with Cannon Lane in terms of capacity, although it would operate at a maximum capacity during the morning peak. This means there would be no capacity to neutralise any increase as a consequence of either known factors such as an event or diverted traffic as a result of roadworks, or unpredicted factors such as a local hold-up from a broken-down vehicle or accident, which could lead to queues and delays. This is an appreciated concern. However, such fluctuations are abnormal traffic conditions and while it is desirable to maintain stable operation it is considered that the impact to the local network would not be severe.
- 9.77 Overall, it is considered that any significant impact on the highway network in terms of capacity and congestion has been effectively mitigated to an acceptable degree for the school and residential development combined, and would not have such a severe effect to warrant refusal in this respect. Whether there is a severe residual cumulative impact in respect of the school development in isolation is currently unknown. Further advice is being sought, and will be reported in a panel update. The harm that has been identified will be considered in the planning balance.

Travel Plan

- 9.78 As a material consideration of significant weight, BLPSV policy IF2 and paragraph 111 of the NPPF requires development that will generate significant amounts of movement should be required to provide a travel plan. A travel plan is defined in Annex 2 as a long term management strategy for an organisation or site that seeks to deliver sustainable transport objectives.
- 9.79 In terms of giving priority to sustainable transport modes, the application site is not located in a high accessibility area. A Travel Plan (May 2017) has been submitted in support of this application, which assesses the existing transport provision; identifies what the Travel Plan expects to achieve in broad terms; the elements that the plan is intended to address; identifies specific, measureable, achievable, relevant and time-bounded thresholds; identifies the specific measures that will be undertaken to deliver the stated objectives with a clear timescale and assigned responsibilities; identifies contributions to wider services or schemes with access, mobility or environmental benefits; and describes how the plan will be monitored including indicators that will be measured, the methodology that will be used, the frequency of monitoring and reporting mechanisms.

- 9.80 Following comments from the Local Highway Authority, an amended Travel Plan (November 2018) was submitted which included information on car and cycle parking to be provided and a commitment to preparing final targets setting a year on year improvement (final travel plan) will to be submitted to the council for approval within a set timescale. However, to accord with the requirements of the Council's Planning Obligations and Developer Contributions SPD it was also advised that the Travel Plan acknowledged potential sanctions in the event of non-compliance with implementing the travel plan and failure to achieve targets which the amended Travel Plan has omitted. As the submitted Travel Plan largely satisfies the Council's requirement, if minded to approve it is recommended that a final travel plan, which includes acknowledgement of sanctions in the event of non-compliance, is submitted and approved by the Local Authority and together with its implementation and monitoring by the school is secured by S106 agreement.

Bus Route

- 9.81 As part of the promotion and encourage of sustainable means of travel, a bus route through the site has been proposed. This would require the applicant to enter into a dialogue with the service provider (currently Courtney Buses) and agree that the current service would be run through the application site and for the operator to set out any associated costs to that additional length of route. Without agreement with the operator, whilst designing a route in to the scheme is welcomed, it would be difficult to afford the serving of the site via bus any weight in the overall planning balance. Any future provision would need to be facilitated by S106 as the internal road layout would not be adopted and therefore authorised access in perpetuity needs to be secured. It should also be noted that bus stop facilities would require planning permission and the S106 agreement would have to cover who would fund these, apply for them and maintain them (outside of the adopted highway) together with the provision of real time passenger information and also advising new residents coming to the site of the service and providing a mechanism to persuade them to use it in preference to the private car. The applicant has not demonstrably progressed any of these matters; any resolution to approve would require this to be further considered as part of discussions on heads of terms.

Pedestrian Crossing

- 9.82 A Toucan crossing is proposed to the north of Barley Mead, which is considered to enable pedestrian and cycle movements to and from Cox Green to the proposed development as part of creating sustainable communities. It is not considered to have an undue impact on the operation and traffic flow on Barley Mead or Cannon Lane and is therefore acceptable in highway terms. The Toucan crossing would have to be secured through both a S106 agreement and a section 278 agreement to permit works within the highways; it may also require a Traffic Regulation Order, which is a separate process over which the planning authority has no control. Therefore, provision cannot be assured.

Proposed Vehicular Access

- 9.83 The scheme will be served by an access from the proposed roundabout junction with Cannon Lane and Farmer's Way. A Stage 1 Road Safety Audit is provided in Appendix 13 of the Transport Assessment, which assessed the safety implementation of the proposed junction. The audit raised a number of potential issues including skidding, surface water drainage, speeding, path curvatures, tight kerb ratio, stopping distances, lane changes, pedestrian facilities, road markings, and construction details, following which a Designer Response Report has been produced and submitted (Appendix 14, Transport Assessment). The recommendations of the Designer Response Report are considered to satisfactorily address the issues raised in the Road Safety Audit, which if minded to approve can be secured by condition. The provision of the roundabout itself including triggers for its construction and operation on the network would also require securing through S106 agreement and Section 278 provisions.

- 9.84 In terms of the relationship with the proposed Toucan crossing, concerns were raised by local residents in respect to excessive speeds and insufficient stopping sight distance due to the brow of the hill for approaching traffic turning left from the access. However, the submission of a forward visibility splay profile demonstrates that this is not an issue that would warrant refusal.

- 9.85 In accordance with the Council's Highway Design Guide, the proposed access would be classed as a major access road as it would serve between 100 to 300 dwellings. The Highway Design

Guide advises that major access roads should have a carriageway width of 6m with a 2m footpath, which the proposal complies with; the non-linear alignment and speed bumps would act as traffic calming measures. Acceptable visibility splays for internal junctions within the development and at the proposed roundabout junction can be secured by condition, in addition to the requirement that the sightlines are not obstructed above a height of 0.6 metres. As such, the proposed access is considered to be acceptable.

Car Parking Provision

- 9.86 A total of 371 spaces are proposed, the breakdown of which is set out below and compared with the Council's Parking Strategy requirements. On this basis, the parking provision is considered to be acceptable and if minded to approve can be secured by condition.

Type	Maximum Parking Standards for Area of Poor Accessibility	Number of units Proposed	Number of spaces proposed for each units
1 bed flats	1 space per unit	11	11
2 bed flat	2 spaces per unit	16	32
2 bed house	2 spaces per unit	12	24
3 bed house	2 spaces per unit	50	100
4 bed house	3 space per unit	50	150
5 bed house	3 space per unit	18	54
		Total	371

Cycle Parking and Refuse Provision

- 9.87 At least 1 cycle parking space should be provided for each unit. It is considered that there would be sufficient space within the site and within the relevant plots to accommodate this, details of which can be secured by condition.
- 9.88 Drawing ref: 2255-A-1005.1-J demonstrate that a satisfactory swept path for a typical refuse vehicle currently employed by RBWM so that it can enter and exit the site in forward gear. Refuse storage and collection points should comply with the guidelines set out in Manual for Streets and if minded to approve it is recommended that this is secured by condition, and as the internal roads are not proved to be Provision for the refuse service to access the site may be required if the roads are not adopted.
- 9.89 To conclude on highway matters: the proposal includes the provision of mitigation works at key junctions and an assessment of the operation of those junctions has concluded that the residual impact is not severe. Harm has been identified though which will be considered in the planning balance. Car parking, refuse and cycle storage, visibility splays and swept path movement is all acceptable subject to conditions or legal agreement as appropriate. The provision of a bus service and authorised access for refuse services through the site would require conditions/legal agreement and would have to be considered further if the application were to be approved. The proposals complies with the stated transport polices.

viii Residential Amenity

- 9.90 As a material consideration of significant weight, BLPSV Policy SP3 and HO5 seeks to ensure no undue harm to residential amenity enjoyed by the occupants of adjoining properties, and Paragraph 127 of the NPPF states that planning decisions should create places with a high standard of amenity for existing and future users.

Loss of Light, Loss of Privacy and Visual Overbearing

- 9.91 To the north-east of the application site are 5 existing residential properties (Cannon Lodge, Ridgeway Lodge, Datcha, Littlewick Cottage, and Pen-y-Bryn). The proposed houses to the west would have an side-to-rear relationship with Datcha, Littlewick Cottage and Pen-y-Bryn due to their orientation with an overall separation distance of over 30m between the houses, including a 10-12m wide strip of open land sited between the flank boundaries of the proposed houses and the rear boundaries of Datcha, Littlewick Cottage and Pen-y-Bryn. It is therefore considered that

there would be no undue harm to their residential amenity in terms of loss of light, loss of privacy or visual overbearing. Datcha and Ridgeway Lodge separates Cannon Lodge from the proposed houses and therefore it is unlikely there would be any undue harm in terms of loss of light, loss of privacy or visual overbearing as a result of the development to Cannon Lodge. In relation to Ridgeway Lodge, which fronts onto the private access to the north, the nearest proposed house is sited further south resulting in an off-set side-to-side relationship. As a result, the most impacted part of Ridgeway Lodge would be the south-western corner of their amenity space. The south-western corner of their garden is not considered to be the most usable or sensitive part of the garden, and together with the proposed strip of green space measuring approximately 6m in width separating the two properties, it is considered that there would be no undue harm to residential amenity to Ridgeway Lodge in terms of loss of light, loss of privacy or visual overbearing.

- 9.92 To the south of Pen-Y-Bryn is a proposed terrace of 4 houses fronting onto Cannon Lane. The terrace would be sited approximately in line with Pen-y-Bryn and would not extend significantly further or rearwards than this existing house. It would also be separated by a strip of open space measuring approximately 7.5m in width. It is therefore not considered that the proposed terrace would result in undue loss of light, loss of privacy or visual overbearing to Pen-y-Bryn.
- 9.93 The proposed houses and flats would have a separation distance of at least 21m with the existing residential properties on the eastern side of Cannon Lane which is considered to sufficiently mitigate any undue harm to their neighbouring amenity in respect of light, privacy and visual overbearing. To the south is open agricultural land subject to planning application ref: 17/04026/OUT (recreational pitches and pavilion). The nearest neighbour otherwise to the south are residential properties at the junction of Cannon Lane and Firs Lane, and to the south of Firs Lane which are over 220m away and so there are no neighbouring amenity concerns. To the west of the site is open agricultural land subject to planning application ref: 17/04018/FULL (school) which separates the proposal by over 90m from existing residential properties known as Ramblings and Windfall.

Noise

- 9.94 Concerns have been raised by local residents over noise and disturbance, in particular on the peaceful experience of Maidenhead Thicket for its users. As a material consideration, paragraph 170 of the NPPF states that planning decisions should contribute to the natural environment by preventing new development from contributing to unacceptable levels of noise pollution. Based on surveys of existing noise, the highest ambient noise level across the application site is approximately 58 LAeq,T dB during the day (07:00-23:00) and approximately 51 LAeq,T dB during the night (23:00-07:00) during the night, with the noise environment dominated by road traffic noise from the surrounding road network (paragraphs 10.4.11, ES Volume 2: Main Text).
- 9.95 As a result of the development, the worse-case noise generation from construction is predicted to be 72 LAeq,day dB (Table 10:12: Worse Case LAeq,day at Receptors During Construction, ES Volume 2: Main Text), which is considered to be significant compared to the ambient noise level of 58 LAeq,T dB. However, while predicted to last approximately 18 months, the construction phase would be temporary and could be mitigated through a site-specific construction environmental management plan via condition to ensure adoption of best practice to reduce the effect of noise and disturbance during construction and its harm.
- 9.96 There may be some overlap between the construction of the sports, school and housing development, but if best practices are implemented through a site-specific construction environmental management plan via condition it is not considered the cumulative impact would result in any significant impact, subject to appropriate controls through condition.
- 9.97 In relation to the operation of the development, given the nature of residential use it is not considered that it would generate undue noise and disturbances in general, but the ES identifies mechanical plants associated with the proposed residential houses and flats, and additional road traffic as the main potential sources of noise. No detailed information on noise generating plants and equipment has been submitted with the application. However, to accord with BS4142:2014 noise levels collectively from plant, equipment and vents etc. should be less than or equal to the existing background level. It is noted that BS4142:2014 relates to industrial and commercial

sound, but the ES considers this document to be relevant and the test to be appropriate to residential, and the Council's Environmental Protection Officer has no raised no objections in this respect. Therefore, if minded to approve, it is recommended that this could be secured by condition.

- 9.98 In terms of noise from additional road traffic, Department of Transport / Welsh Office Memorandum Calculation of Road Traffic Noise (CRTN) advises on procedures for traffic noise calculation for schemes where road traffic noise would have an impact. These calculations have been carried out and the results presented in Table 10.16: Operational Road Traffic Noise Assessment, ES Volume 2: Main Text. The results show that the increase in traffic noise level would be approximately +0.1 LA10,18hr dB, which is considered to be negligible. As such, it is not considered that the proposal would result in undue noise to the Maidenhead Thicket nor existing residential neighbours. Furthermore, any noise that unreasonably and substantially interferes with the use or enjoyment of a home or other premise is covered by the Environmental Protection Act 1990.
- 9.99 In terms of cumulative impact, the combined traffic associated with the school and residential development has been modelled and the additional flows are expected to result in a negligible noise effect.
- 9.100 Local Plan policy NAP1 states that the Council will not grant planning permission for new noise sensitive development in areas subject to external daytime noise levels over 63 dB LAeq (16 hours) at day time, and 57dB LAeq (8 hours) at night time from road traffic. Residential units are considered to be noise sensitive development, but as the highest ambient levels across the application site are within the policy parameters the proposal for residential development is acceptable in this respect.

Light Pollution

- 9.101 It is likely that the residential development would include street lighting for the internal roads. If minded to approve details of the external lighting including the siting, design (luminaire type and profiles, mounting height, aiming angles, and energy efficient measures) and beam orientation to ensure no undue harm to neighbouring can be secured and controlled through a condition.

Air Pollution

- 9.102 An air quality assessment for the proposed residential development has been submitted (Appendix AIR.01, Environmental Statement Volume 4). Potentially negative dust and impacts resulting from the construction phase were assessed and predicted to be not significant. This is based on the recommendation that good practice control measures, as highlighted in the CoCP (Appendix GEN.05, Environmental Statement Volume 4). Potential air quality impacts from vehicle exhaust emissions during the operational phase were assessed and the results indicated that predicted annual mean concentration for nitrogen dioxide and PM10 were below the relevant Air Quality Objectives at all receptor points. The findings and conclusions of the Air Quality Assessment that the air quality impacts are considered to be not significant and are acceptable.

Quality of Accommodation

- 9.103 There are no specific Local Plan policy regarding the provision of suitable residential amenity for future occupants of the development. However, as a material consideration of significant weight, BLPSV Policy HO5 seeks to ensure satisfactory residential amenity for the proposed accommodation while paragraph 127 of the NPPF states that planning decisions should create places with a high standard of amenity for existing and future users.
- 9.104 The indicative site layout show that the site could accommodate a development for 157 units avoiding any significant potential loss of light, overlooking or visual overbearing for the proposed units due to their siting, orientation and separation distances. Individual layouts for the proposed houses and flats have not been provided with this application but is also considered that based on the scale of the proposed units, all units would have sufficient internal floor space to accommodate adequate room shapes and sizes.

ix Sustainable Drainage

- 9.105 As a material consideration, BLPSV policy NR1 requires development proposals to incorporate sustainable drainage systems, but given the extent of unresolved objections this policy should currently be allocated limited weight. However, as a further material consideration, paragraph 165 of the NPPF requires major development, such as this, to incorporate sustainable drainage systems (SUDS) unless there is clear evidence that this would be inappropriate.
- 9.106 The submitted Flood Risk Assessment and Drainage Strategy outlines a proposal to provide sufficient storage requirements in the form of attenuating infiltration basins with all surface water discharged to ground. The submitted information fails to clearly demonstrate that the proposed drainage strategy would fully meet the Non-Statutory Technical Standards for Sustainable Drainage, however due to the green spaces proposed on this development site there is scope to accommodate amendments to proposed infiltration devices as required, therefore it is considered likely that a viable drainage strategy could be implemented. If minded to approve it is recommended that this should be subject to a condition that secures a surface water drainage scheme for the development to be submitted to and approved by the Local Planning Authority. Details should include:
- full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details;
 - supporting calculations confirming compliance with the Non-statutory Standards for Sustainable Drainage, proposed discharge rates and attenuation volumes to be provided; and
 - details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented.
- It also recommended and the submission of the outputs from groundwater monitoring along with the drainage design that reflects these outputs are secured at the detailed design stage and approved prior to commencement of development.

x Ecology

Special Area of Conservation

- 9.107 The site lies within 5km and within the zone of influence of Chilterns Beechwoods, a Special Area of Conservation (SAC), which is a European Designated site. The primary reason for designation is the significant presences of semi-natural dry grassland and scrubland facies on calcareous substrates (Festuco-Brometalia); Asperulo-Fagetum beech forest; and *Lucanus cervus*. The Natura 2000 data form for Chilterns Beechwoods reports that the main threats relate to forest and plantation management and use; invasive non-native species; problematic native species; and interspecific floral relations. Where any proposal is likely to have a significant effect on a European site either alone or in combination with other plans or projects, the Conservation of Habitats and Species Regulations 2017 requires an appropriate assessment to be made in view of that site's conservation objectives. Paragraph 175 and 176 of the NPPF states that development resulting in the loss of deterioration of Special Areas of Conservation should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In this case the proposed development, alone and in combination with the linked proposals, is not considered to have a significant effect on Chilterns Beechwoods due to its distance, therefore an Appropriate Assessment is not required.

Other Designations

- 9.108 There is a statutory designated site, Great Thrift Wood Site of Special Scientific Interest (SSSI), approximately 2km to the south-east of the application site. Natural England describe it as a predominately damp, ancient, coppiced woodland, and the SSSI is important for its representation of five semi-natural stand-types. To the north of the application site is Maidenhead Thicket Local Wildlife Site, a non-statutory designated site owned by the National Trust. Maidenhead Thicket comprises of a mixed woodland with 19 ancient woodland indicator species.
- 9.109 As a material consideration protecting and enhancing the natural environment forms part of the 'Environmental' dimension of 'Sustainable Development' and paragraph 170 of the NPPF states that planning decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 175(a) states that if significant harm to biodiversity resulting from a development

cannot be avoided, adequately mitigated or as a last resort compensated for then planning permission should be refused. Paragraph 175(b) goes on to state that development on land outside of a SSSI, which is likely to have an adverse effect on it, should not normally be permitted. BLPSV Policy NR3, which should be allocated significant weight in the consideration of this application, states that proposals should demonstrate how they maintain, protect and enhance the biodiversity of application sites and requires proposals to mitigate or as a last resort compensate for any adverse biodiversity impacts where unavoidable adverse impact on habitats and biodiversity arise.

- 9.110 To support the proposal, ecological information has been submitted contained within the ES Volume 2: Main Text and relevant appendices. This includes an extended Phase 1 Habitat Survey was conducted in 2014 with a second survey conducted in 2017. Detailed species survey for breeding birds, reptiles and bats were also undertaken in 2017, while badger surveys were conducted in 2014, 2015, 2016 and 2018. This is in line with best practice guidelines and so the survey results are considered to be valid. Furthermore, the supporting ecological information submitted covers the application site in addition to the sites for 17/04026/OUT (recreation) and 18/00130/OUT (housing) to address the cumulative impact.

Badgers

- 9.111 There are badger setts within the site and surrounding area. An outlier sett will be lost to facilitate the school development proposed under 17/04018/FULL and the applicant has proposed to close this sett. It is considered that while the closure of the sett is not ideal, it would be acceptable under licence from Natural England. It is considered that no mitigation will be necessary for the remaining setts as they are located at a satisfactory distance from the construction zone.
- 9.112 The proposal includes the loss of significant hedgerow along Canon Lane, which, while species-poor, is identified as a commuting route for badgers from the south of the site to Maidenhead Thicket to the north. Commuting routes are important to ensure badgers and other wildlife can access surrounding areas for foraging. Severance of commuting habitat would increase competition in foraging areas to the south of the site and reduction of food sources. To mitigate the potential harm, the applicant has proposed three sections of scattered native trees over species-rich grass planted in a south to north direction across the development site to provide connectivity. Therefore, if minded to approve new native species hedgerow and tree planting within a wildlife-friendly landscaping plan, including a continuous green corridor from the south to the north of the site to Maidenhead Thicket to preserve badger commuting routes through the site, can be secured via a planning condition. It is noted that the proposed access road would divide the existing greenfield site, but the applicant has proposed traffic calming measures including its non-linear alignment and speed bumps, which would reduce the risk of badger road traffic casualties.
- 9.113 In relation to construction, the submitted ecology report states that a method statement should be prepared to ensure that precautionary working methods are adopted, including timing of the works and covering of any open trenches overnight. If minded to approve these measures should be included within a Construction Environmental Management Plan for Biodiversity, which can be secured by condition.

Bats

- 9.114 There are no buildings or trees on site with the potential to support roosting bats and therefore no further survey for roosting bats is required as part of this application. The borders of the site comprising of a tree line and hedgerow were recorded as having an important function in providing foraging and commuting habitat for bats and large sections in particular the line adjacent to Cannon Lane, will be lost in order to facilitate the development. The mitigation to address the loss of a commuting corridor for badgers would also address the loss of connectivity for bats and can be secured by condition.

Reptiles

- 9.115 A reptile survey confirmed that the majority of the site does not comprise of a suitable habitat for reptiles, however the survey indicates that there is a good population of slow worms in an area to the north-east comprising of scrub and ruderal vegetation and a low population of slow worms within the tree line to the east. A reptile mitigation strategy in relation to the protection of reptiles

during the development, including the creation of a suitable receptor site within the adjacent land, sensitive clearance of suitable reptile habitat and programme of reptile capture and release into the newly created receptor site has been proposed. It should be noted that the proposed receptor site is on land at the existing Junior Boys School and land that forms part of the school proposal ref: 17/04018/FULL, which has been identified as land with the potential to support reptiles and measures to improve its suitability to support reptiles have been put forward. As the land required for this is not under the control of the applicant this measure cannot be secured by condition, but can be secured through legal agreement irrespective of whether 17/04018/FULL is approved.

Dormice

- 9.116 A dormouse habitat suitability assessment of the site confirmed that there were no dormice or evidence of dormice recorded at the site or within 2km of the proposed development. The line of scots pine to the east of the site and the hedgerow alongside Cannon Lane which are affected by the development have been assessed as having negligible and low potential to support hazel dormouse, respectively. An outline mitigation strategy to safeguard dormice at the site should they be present during development has been proposed including the checking for dormice prior to clearance works, two stage cutting of hedgerows and the planting and management of new hedgerows with species known to be of value to dormice. If minded to approve it is recommended that details of the mitigation strategy is secured via condition.

Breeding Birds

- 9.117 The arable fields, scrub and scattered trees within the site has the potential to support breeding bird habitat, and a breeding bird survey recorded 24 species likely to be breeding on the site. In order to compensate for the loss of breeding bird habitat, enhancements are proposed including planting of new native trees, hedgerows and scrub and installation of bird boxes. It is also proposed that tree and scrub removal, and building demolition is undertaken outside of the breeding bird season (March to August inclusive). These mitigation measures are considered acceptable and if minded to approve should be included within a Construction Environmental Management Plan for Biodiversity to be secured by condition.

Biodiversity Enhancements

- 9.118 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity. Biodiversity net gain calculations have been submitted to demonstrate that there would be enhanced overall for wildlife. If minded to approved it is recommended that full details of biodiversity including, where applicable, bird and bat boxes, log piles / refugia, gaps at the base of fences to allow hedgehogs to transverse the site, wildlife friendly planting and traffic calming measures for badgers and other wildlife as part of a wildlife friendly landscaping scheme for this part of the site and for this application is secured by condition.

Lighting

- 9.119 Given that the majority of the site comprises of agricultural fields, the current light levels at the site are minimal. The proposed development is likely to increase the light levels as a result of internal and external lighting within the new buildings, lighting around car parking areas and along roads and pathways. Lighting could have a severe detrimental effect on nocturnal animals by disturbing dark foraging and commuting lines and discouraging bats from roost sites. A sensitive, wildlife friendly lighting strategy should be submitted to the council via condition. The strategy should include prevention of increased lux and illumination levels within sensitive areas such as tree lines, use of UV light, avoidance of lighting in woodland areas, creation of dark zones by removing or limiting lighting within a 5-10m buffer around vegetation and avoidance of uplighters.
- 9.120 In terms of the cumulative impact, assuming that ecological protection measures are implemented and a suitable lighting strategy is in place, the development of the 'Ridgeway Project' is not considered to result in any significant effects on ecology.

xi Archaeology

- 9.121 Local Plan policy ARCH 3 states that planning permission will not be granted for proposals which appear likely to adversely affect archaeological sites of unknown importance unless adequate

evaluation enabling the full implications of the development on archaeological interests is carried out prior to the determination of the application. This is supported by paragraph 189 of the NPPF which states that where a development site has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

- 9.122 An Archaeological desk-based assessment, ref: Report No. 10750, dated February 2016, has been submitted to support the application. The assessment confirms there are no designated heritage assets and no known undesignated heritage assets within the application site. However, there are a number of monuments of prehistoric and Roman date recorded within the surrounding area including Roman Villas at Cox Green and Castle Hill, and a Bronze Age barrow and an Iron Age earthwork enclosure within Maidenhead Thicket which are nationally important Scheduled Monuments. With past activities limited primarily to agriculture when the area had been enclosed for agricultural use c.1800 it is considered that past impacts to archaeology would be relatively superficial.
- 9.123 A geophysical survey of the site was undertaken, and no significant anomalies were recorded to indicate the presences of significant, widespread buried archaeological remains. However, paragraph 4.1.3 in the geophysical survey report notes the potential for surviving archaeology within the Ridgeway site cannot be fully ruled out and so there remains a likelihood that lesser buried remains will survive that will be impacted by the proposed development.
- 9.124 Local Plan policy ARCH4 states that where evaluation of a site demonstrates that the presence of archaeological remains which do not merit permanent in situ preservation, planning permission will not be granted for any development unless provision is made for an appropriate level of excavation, recording and off site preservation / publication / display of such remains. This is supported by paragraph 199 of the NPPF which requires developers to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence publicly accessible. Policy HE1 of the BLPSV, which should be allocated significant weight given the number and extent of unresolved objections, states that the historic environment will be conserved and enhanced in a manner appropriate to its significance. Therefore, it is considered that prior to the commencement of development an initial programme of exploratory field evaluation by trial trenching, which may be followed by more detailed investigations of areas of archaeological interest, in accordance with a written scheme of investigation is secured by condition together with an appropriate mitigation strategy following evaluation.

xii Other Material Considerations

Loss of Agricultural Land

- 9.125 Local Plan policy GB2(b) states that planning permission will not be granted for new development within the Green Belt if it would harm the character of the countryside through the permanent loss of Grade 1, 2 or 3a agricultural land, but due to inconsistency with the NPPF this policy is afforded limited weight. However, as a material consideration of significant weight, paragraph 170 of the NPPF states that planning decisions should recognise the wider benefits from natural capital including the economic and other benefits of the best and most versatile agricultural land.
- 9.126 Approximately 4ha towards the south-west of the site has been classified as Grade 2 (Agricultural Land Classification), which Annex 2 of the NPPF confirms is the best and most versatile agricultural land. The proposal would clearly result in the permanent loss of this land, which is material consideration and weighed in the planning balance.

Foul Water Sewage Network

- 9.127 The submitted FRA and Drainage Strategy indicates that surface water will not be discharged to the public network which is acceptable subject to an appropriate SUDS scheme. In relation to foul water discharge it is proposed to connect the development to an existing Thames Water sewer in Cannon Lane. Thames Water has confirmed that capacity exists in the current network for early phases of the development. With effective engagement and given the scale of any upgrades the time it will take for Thames Water to deliver would mean that works can be delivered in line with the development without the need for a phasing style planning condition.

- 9.128 To serve part of the site with a lower elevation, a pumping station may be required with a gravity connection to the public sewer on Cannon Lane. This would require planning permission through a separate application, and if minded to approve it is recommended that this advice is included as an informative.

Water Pressure

- 9.129 Concerns have been raised by local residents over water pressure in the area, but no substantive information has been submitted by interested parties on how the development might harm water pressure in the area. South East Water was consulted on the proposal on the 24 April 2018 with a follow up on the 27 June 2018, but no comments have been received. In the absence of any evidence underpinning the concern, it is not considered reasonable to refuse an application on this basis.

xiii The Case for Very Special Circumstances

- 9.130 The proposal constitutes inappropriate development in the Green Belt. Paragraph 143 of the NPPF states that in inappropriate development is, by definition, harmful to the Green Belt and such development should not be approved except in Very Special Circumstances (VSC). Paragraph 144 of the NPPF states that Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 9.131 The Courts have not defined ‘*very special*’, beyond confirming that the words must be given their ordinary and natural meaning as contained in R(Chelmsford BC) v First Secretary of State [2004] EWHC 2978 (Admin):

‘The words ‘very special’ must be given their ordinary and natural meaning. Since the expression ‘very special’ is so familiar, any attempt at definition is probably superfluous, but for what it is worth, the Shorter Oxford English Dictionary tells us that special means:

Of such a kind as to exceed or excel in some way that which is usual or common; exceptional in character, quality or degree. The circumstances must be not merely special in the sense of unusual or exceptional, but very special

- 9.132 The decision-taker has to exercise a qualitative judgment and ask whether the circumstances, taken together, are very special.

Harm to the Green Belt and Any Other Harm

- 9.133 In accordance with Paragraph 144 of the NPPF, any harm to the Green Belt in relation to inappropriateness, conflict with the purposes of including land within the Green Belt and harm to openness should be given substantial weight against the development. It has been concluded that the proposal constitutes inappropriate development in the Green Belt, and therefore, by definition, harmful to the Green Belt, contrary to two of the purposes of the Green Belt, and would result in a significant reduction in spatial and physical openness. Overall, this amounts to substantial harm and it is given substantial weight.
- 9.134 Other harm identified includes a detrimental impact on the landscape, on the character of the area, on Maidenhead Thicket and on the setting of Maidenhead constituting significant harm. The site is currently open space which would be lost to the development which is considered to be harmful, given significant weight in the context of the NPPF. The loss of best and most versatile agriculture land is considered to result in harm, which given the amount lost would also merit limited weight. Noise during construction can be mitigated to a degree but will result in some harm which is afforded limited weight. The impact on the character of Cannon Lane is also noted as being given very limited weight. In terms of highway impact of the housing development in isolation this is currently unknown; the current position is that there is harm to the local highway network which should be afforded some weight, likely moderate. The assessment will proceed on this basis.
- 9.135 An updated VSC balance will be reported in an update if necessary.

9.136 Section 17 of the Very Special Circumstances Report (July 2019) sets out the applicant's position on the benefits of their proposals taken in the round rather than in relation to this specific scheme. This was updated in Section 11 of the Very Special Circumstances Addendum (July 2019). A summary is provided below:

- Provision of choice of education in line with NPPF
- Increasing 0-5 childcare
- Provision of holiday club places
- Provision of teacher training provided by school
- Addressing the inefficiencies associated with the school being split between three sites
- Retention and enhancement of the school as 10th Biggest Employer
- Retention and enhancement of economic footprint of school of over £12.3m
- Employment opportunities derived as a result of construction of the Proposed Scheme
- Provision for Maidenhead Hockey Club and Community Use Agreement
- Provision of allotment space or open space for parish council
- Provision of Local Play Area
- Provision of affordable housing to meet significant unmet local demand
- Provision of market housing to meet significant unmet local demand
- Local Finance Considerations including CIL and New Homes Bonus
- Protection of wildlife during and after construction

Each benefit has been assessed as to whether it constitutes a VSC in relation to this application, what weight it should be given and then a balancing exercise carried out as required.

Funding for New School Campus

9.137 At the heart of the applicant's case is the proposal to consolidate Claire's Court school onto one new school campus at the Ridgeway. In this context, this application does not include school development but, in addition to the funds from the sale of the College Avenue and Ray Mill Road East sites, it has been put forward that all of the housing development is essential to fund the new school subject to planning application 17/04018/FULL. Viability information has been submitted to demonstrate that the proposed scheme, in addition to the town centre proposals at College Avenue and Ray Mill Road East are necessary to substantially cover the costs of the school when all other matters are taken into account (i.e. construction costs for the housing, developer profit, other s.106 contributions etc.). It has to be considered whether this is a VSC for this application.

9.138 The benefit of the school has been assessed under 17/04018/FULL. In summary, paragraph 94 of the NPPF states that it is important that a sufficient choice of school places are available to meet the needs of existing and new communities. The NPPF says that Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. It is considered that Claire's Court School provides choice in school places for the community, and it is considered that it has been demonstrated that the existing school is not fit for purposes in terms of condition, suitability and sufficiency.

9.139 Furthermore, alternatives in relation to addressing the issues on site, alternative sites and design were explored, and reasons for discounting these options were accepted. It was questioned whether a smaller school, or reduced facilities, could meet the needs of Claire's Court thereby requiring less housing development. However, an audit by Lloyd Wilson Partnership (Appendix 8, Very Special Circumstances Report) confirms that Building Bulletin 103 advises a maximum GIFA of 8005sqm against a GIFA for the school of 8702sqm. In comparison, the extra space is not considered to be overly excessive and the departure from guidelines is justified as specialist provision to meet the requirement of this independent school (e.g. science labs, drama studios and tutorial rooms) which are not considered unreasonable. Therefore, officers considered that the proposal would maintain choice in school places that may otherwise be lost. In accordance with paragraph 94 of the NPPF this was given great weight towards their case for VSC for the school application 17/04018/FULL.

9.140 It is acknowledged that the proposed development would enable the school development to proceed subject to planning approval. However, as the school application is recommended for

refusal it is considered that the benefit of choice in school places has to fall away. As such, the benefit for the school is given no weight towards VSC for this proposal.

Other Benefits as a Result of the School Development

- 9.141 Turning to the increase in 0-5 childcare, provision of holiday club places, provision of teacher training provided by school and addressing the inefficiencies associated with the school being split between three sites, these would be benefits as a result of the school proposal going ahead. As the school application is recommended for refusal, it is considered that these benefit cannot be achieved and therefore merit no weight towards VSC for this proposal.

Market Housing and Affordable Housing Provision

- 9.142 The applicant has put forward the provision of 221 high quality homes. It should be noted that this figure includes the 53 residential units at College Avenue (17/04001/OUT) and 11 residential units at Ray Mill Road East (17/04002/OUT), which would potentially be released for housing following the relocation of the Nursery, Junior Girls, Senior School and 6th form to the proposed campus at the Ridgeway (ref: 17/04018/FULL). While regard should be given to the relationship of the 5 linked applications, this particular application would provide 157 homes and is considered on this basis.
- 9.143 At the time of writing the Local Planning Authority cannot demonstrate a five year housing supply of deliverable housing sites with an appropriate buffer. In the absence of a five year housing supply and the Government's objective to significantly boost the supply of housing, as set out in paragraph 59 of the NPPF, the provision of housing would weigh in favour of the proposal. Of note, the Written Ministerial Statement of 17 January 2014 and 17 December 2015 confirmed that unmet need for housing is unlikely on its own to outweigh harm to the Green Belt and any other harm to constitute the very special circumstances justifying inappropriate development in the Green Belt; which was subsequently confirmed to be national policy in Secretary of State decision of Jotmans Farm (2017) (ref: APP/M1520/A/14/2216062). It is capable of being a VSC in this case. In this context and given that the number of units the proposal would make a significant contribution to the Borough's Housing stock, this VSC is afforded significant weight.
- 9.143 Of the 157 homes provided this includes 47 Affordable Homes, which is in compliance with policy. There is no provision above and beyond what is necessary to meet policy expectation. Therefore, while it is considered that the provision of 47 affordable units would make a valued contribution towards identified need, compliance with planning policy to achieve an acceptable development in planning terms should not be constitute a VSC, it is given no weight in addition to the significant weight given to housing provision.
- 9.144 In the VSC case put forward, the housing to be provided has been framed as being of high quality. However, it is considered that good design is indivisible from the policy context with good design being fundamental to comply with relevant Local Plan design policies and paragraph 124 of the NPPF. Therefore high quality homes should not be counted as a benefit additional to the significant benefit of the overall housing provision. As such, this is not a VSC.

Other Economic Benefits

- 9.145 The applicant has put forward the retention and enhancement of the school as 10th Biggest Employer and retention and enhancement of economic footprint of school of over £12.3m. These would be a benefit of the school proposal proceeding but is not secured through this application. The applicant has not provided information on the likely economic benefits from the residential dwellings proposed in terms of spending locally, this is capable of being a VSC but given the absence of information can only be given very limited weight. The economic benefit of the school cannot be considered a VSC for this application, it is given no weight.

Provision of Local Area of Play (LAP)

- 9.146 The applicant has put forward the provision of a local play area as benefits of the proposal. However, the provision of a local play area is required to comply with Local Plan policies R3, R4 and R5 to meet the need for open space, including play space for children and young people, generated by the development. Compliance with policies to mitigate the impact of the proposal and ensure a development is acceptable in planning terms is not VSC.

Provision for Maidenhead Hockey Club and Community Use

- 9.147 The pitches and pavilion for MHC are provided within the site for application 17/04026/OUT, and it is proposed that there would be an element of community use. Application 17/04026/OUT is recommended for refusal. Notwithstanding, this application does not deliver that benefit and it cannot count as a VSC for this scheme. As such, this is considered to merit no weight.

Provision of Allotment /Open space

- 9.148 Paragraph 13.10 of the Very Special Circumstances Report states that Cox Green Parish Council has identified a need for allotments within the local area, and following discussions with the Parish Council an area of approximately 2 acres for allotments has been provided to the south, adjacent to Firs Lane. However, this land and intended use does not form part of the site but part of the site for the sports and recreation facilities subject to 17/04026/OUT where the requirement for any such provision is separately considered. It would not be delivered by this proposal and cannot be a VSC.

Biodiversity Gain

- 9.149 The protection of wildlife during and after construction, and biodiversity gain through an Ecological Management Plan have been put forward as a benefit of the scheme. It is considered that the protection and translocation of wildlife during construction, as is mitigation for the loss habitat and commuting/connecting corridors, are necessary to offset the impact of the development on ecology and make the proposal acceptable in planning terms. However, biodiversity gain as a result of biodiversity enhancements which can be achieved on site, as shown by the Biodiversity net gain calculations is considered to be a benefit of the scheme and therefore given moderate weight as a VSC.

CIL and New Homes Bonus

- 9.150 While this is a material consideration in the overall planning balance with reference to the definition of 'special' this is not considered to be a very special circumstance.

Green Belt and VSC conclusion

- 9.151 The harm to the Green Belt should be given **substantial weight** against the development. **Significant weight** is given to the harm to the landscape, character of the area, Maidenhead Thicket and the setting of the urban settlement of Maidenhead. There is also **significant weight** against the development from the loss of open space; **moderate weight** to the residual impact on the highway network which is not sufficient to justify refusal on its own but constitutes any other harm; **limited weight** to the loss of best and most versatile Grade 2 agricultural land and **limited weight** to noise during construction phases.
- 9.152 Against this harm in favour of the proposal is **significant weight** to the housing provision. **Moderate weight** is given to biodiversity gains and **very limited weight** to the economic benefit which has not been quantified for this scheme alone.
- 9.153 From the above, the harm to the Green Belt and the identified any other harm from the proposal is not clearly outweighed by other considerations either individually or cumulatively. A case for Very Special Circumstances to outweigh the harm has not been made.

xiv. Planning Balance

- 9.155 Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

9.156 Footnote 7 of the NPPF (2019) clarifies that:

'out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer)'

9.157 Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council formally submitted the BLPSV for Examination in January 2018. The BLPSV is not yet adopted planning policy and the Council's adopted Local Plan is more than five years old. Therefore, for the purposes of decision making, the starting point for calculating the five year housing land (5yhs) should be the 'standard method' as set out in the NPPF (2019). At the time of writing, the Council is currently unable to demonstrate a 5 year housing land supply (with the appropriate buffer).

9.158 However, in this instance subsection d(i) of paragraph 11 sets out that Green Belt policies in the NPPF, which protect areas or assets of particular importance, provide a clear reason for refusing the development proposed. As such, the tilted balance is not engaged and the planning balance is carried out in the ordinary way, having regard to the statutory test in section 38(6) of the 2004 Act. This is carried out in the conclusion of this report and has regard to any other material considerations set out below.

CIL and New Homes Bonus

9.159 The NPPG advises that a sum that a local authority could receive, such as CIL payments and New Homes Bonus could be a material consideration dependant on whether it could help to make the development acceptable in planning terms. The applicant has put forward CIL receipts of c. £5million and New Homes Bonus of c. £1-4million as benefits towards their case for VSC. The NPPG advises that a sum that a local authority could receive, such as CIL payments and New Homes Bonus could be a material consideration dependant on whether it could help to make the development acceptable in planning terms.

9.160 In terms of CIL, the proposed development would be CIL liable in line with the Council's adopted CIL Charging Schedule on the chargeable floor space. Liability is normally calculated at Reserved Matters stage and no proposed floor plans have been submitted with this outline application, but based on the floor area provided in the viability assessment the quoted amount can be verified. The proposal would therefore likely bring additional expenditure in the area through CIL, which would have an economic benefit. However, this is balanced against the impact of the proposed development in terms of additional pressure on infrastructure and CIL is a mandatory planning charge introduced by the Planning Act 2008 to fund service and infrastructure support to growth in the area. This development is additional to the planned development in the BLPSV and would place additional pressure on the requirements for infrastructure provision. As such, this is given limited weight as a material planning consideration.

9.161 There is some uncertainty on the likely financial contribution through New Homes Bonus payments. Paragraph 12.14 of the Very Special Circumstances Report states that using the New Homes Bonus calculator issued by the DCLG and the assumption that all proposed units are Band H for council tax purposes and a policy compliant level of affordable housing is provided, approximately £1.1million would be generated by the housing across the schemes at the application site, College Avenue and Ray Mill Road East. However, the New Homes Bonus for College Avenue and Ray Mill Road East is weighed up in the balance for the school application subject to 17/04018/FULL as the housing provision at these sites directly depends on the school development coming forward, while the housing development at College Avenue and Ray Mill Road East could come forward independently of this particular application. Based on the information provided, it is not possible for officers to extract the New Homes Bonus for College Avenue and Ray Mill Road East from the figure of £1.1million. As further uncertainty, in paragraph 9.2 of the Very Special Circumstances Addendum, the New Homes Bonus is given as approximately £4million but no substantive reason is given for the increase. As such, it is considered that this represents limited weight as a material consideration.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 Concerns have been raised by local residents on the increased pressure social infrastructure including schools and GP surgeries. To help delivery of infrastructure to support growth of an area, the Council has approved a Community Infrastructure Level (CIL). In line with the Council's Charging Schedule the proposal development would be CIL liable. The required CIL payment for the proposed development would be £240 per square metre based upon the chargeable residential floor area. The chargeable floor area would be calculated at the reserved matters stage, but based on the floor area provided in the viability assessment this could be a figure of approximately £4.9million.

11. CONCLUSION

- 11.1 In terms of highway impact of the housing development in isolation this is currently unknown. An updated planning balance will be reported in an update if necessary.
- 11.2 The harm to the Green Belt is afforded substantial weight against the development. The benefit of the scheme put forward by applicant is not considered to clearly outweigh harm to the Green Belt or any other harm. It is considered that VSC has not been demonstrated to justify the proposal in accordance with Local Plan Policy GB1 and GB2(a), BLPSV policies SP1 and SP5, paragraphs 133, 134, 143, 144 and 145 of the NPPF.
- 11.3 Whilst being considered in the overall Green belt balance: due to the amount, scale and layout of the residential units, the proposal is considered to result in harm to the character of the site and to the setting and character of Maidenhead Thicket and the urban settlement of Maidenhead as a basis for refusal. Therefore, the proposal is considered to be contrary to Local Plan policies H10 and DG1, BLPSV policies SP2 and SP3, and paragraphs 127 of the NPPF, and in accordance with paragraph 130 of the NPPF. There would also be harm due to the loss of the best and most versatile agricultural land contrary to paragraph 170 of the NPPF.
- 11.4 As other material planning considerations in the ordinary planning balance here would also be harm in the absence of a completed S106 to secure a satisfactory level of affordable housing provision, a satisfactory travel plan, highway mitigations works if the school development subject to planning reference: 17/04018/FULL also comes forward, and authorised access in perpetuity for bus providers, contrary to Local Plan H3, BLPSV policies HO3 and IF2 of the Borough Local Plan Submission Version (2017), and paragraphs 64 and 111 of the NPPF.
- 11.5 The harm arising from the above is not considered to be outweighed by the benefits that weigh in favour of the scheme, including the contribution of the housing to meet the housing needs of the Borough (including affordable housing); employment and spends from construction, biodiversity gains, and any financial contributions from CIL and the New Homes Bonus.
- 11.6 Subject to conditions, the proposal is considered compliant with Local Plan policy N6 and BLPSV policy NR2 in relation to trees. It is also considered that sufficient open space with a LAP and LEAP can be achieved on site and secured by condition to accord with Local Plan policies R3, R4 and R5. An acceptable housing mix in accordance with Local Plan policies H3 and H8, BLPSV policy HO2 and HO3, and paragraph 64 of the NPPF. There are no undue concerns in relation to neighbouring amenity to comply with BLPSV Policies SP3 and HO5 and paragraph 127 of the NPPF. The impact on ecology is considered to be acceptable subject to conditions to accord with BLPSV Policy NR3, and paragraphs 109, 170, 175 and 176 of the NPPF. In accordance with BLPSV policy NR and paragraph 165 of the NPPF, an acceptable SUDS scheme can be provide and secured on site. There are no objection in relation to archaeology as the proposal can with comply with Local Plan policies ARCH3 and ARCH4, BLPSV policy HE1, and paragraphs 189 and 199 of the NPPF. These are given neutral weight in the planning balance and therefore the conclusion remains the same.

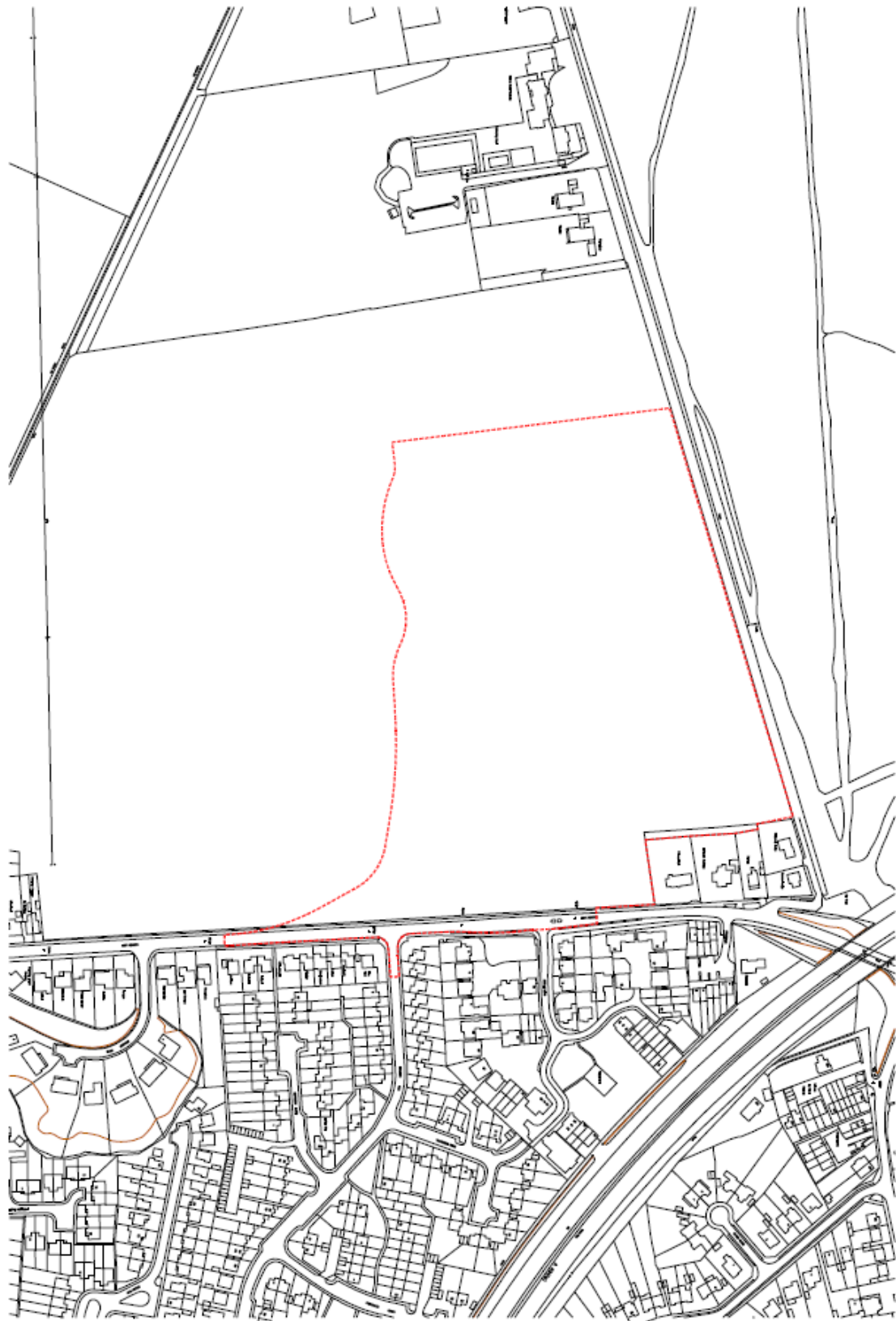
12. APPENDICES TO THIS REPORT

- Appendix A – Site Location Plan
- Appendix B – Site Layout

13. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

1. The proposal represents inappropriate development in Green Belt, which is by definition harmful to the Green Belt and would conflict with two of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment' and 'to check the unrestricted sprawl of large built-up areas', and would be harmful to actual openness of the Green Belt. No Very Special Circumstances have been demonstrated that clearly either individually or cumulatively outweigh the harm to the Green Belt and any other harm. The proposal is therefore contrary to the provisions of saved policies GB1 and GB2(a) of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003), policies SP1 and SP5 of the Borough Local Plan Submission Version (2017), and paragraphs 133, 134, 143, 144 and 145 of the National Planning Policy Framework (2019).
2. Due to the amount, scale, layout and siting of the residential units and access, the proposal is considered to result in harm to the character of the site, to the setting and character of Maidenhead Thicket, and to the setting and character of the urban settlement of Maidenhead. Therefore, the proposal is considered to be contrary to the provisions of saved policies H10 and DG1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003), policies SP2 and SP3 of the Borough Local Plan Submission Version (2017), and paragraphs 127 and 130 of the National Planning Policy Framework (2019).
3. In the absence of a S106 legal agreement the proposed development fails to secure a satisfactory level of affordable housing provision, a satisfactory travel plan, authorised access in perpetuity for refuse collection services and bus providers, the Toucan Crossing, and highway mitigations works if the school development subject to planning reference: 17/04018/FULL also comes forward. The proposed development is therefore contrary to policies H3 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations made in 2003), policies HO3 and IF2 of the Borough Local Plan Submission Version (2017), and paragraphs 64 and 111 of the National Planning Policy Framework (2019).

Appendix A - Site Location Plan



Appendix B – Site Layout



Agenda Item 6

Royal Borough of Windsor and Maidenhead Planning Committee

MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

28 August 2019

Item: 4

Application no.:	17/04001/OUT
Location:	Claire's Court School Senior Girls, 1 College Avenue, Maidenhead, SL6 6AW
Proposal:	Outline planning permission with means of access only to be considered at this stage with all other matters to be reserved for redevelopment of the existing school facilities and the erection of 53no. dwellings
Applicant:	Berkeley Homes
Agent:	PRP Planning
Parish/Ward:	Maidenhead Unparished/Belmont Ward
If you have a question about this report, please contact: Antonia Liu on 01628 79 6034 or antonia.liu@rbwm.gov.uk .	

1. SUMMARY

- 1.1 This application is one of two involving the redevelopment of sites currently occupied by Claire's Court School to housing, (the other application being 17/04002). These applications link to three further applications, collectively known as the 'Ridgeway Project', which together propose a new school, hockey pitches and 157 dwellings. This application is in outline, assessing whether the principle of 53 dwellings on the site, together with the proposed access, is acceptable.
- 1.2 The existing school on the site is a community facility, which would not be lost if the separate application for a new school (17/04018) is approved. The proposal would also contribute to the housing supply (including affordable housing) in the Royal Borough, would be compatible with the character of the area in which it would be located and would result in fewer traffic movements to and from the site than the existing school use.
- 1.3 However, the application for the new school and hockey pitches is recommended for refusal and therefore, if application 17/04018 is determined in accordance with that recommendation, this application would involve the loss of a school, (specifically a day nursery and a Junior and Senior Girls School and Sixth Form, amounting to 550 places), together with the loss of approximately 260 jobs, and would also involve the loss of an important area of open space.
- 1.4 While there are benefits to the proposed development they do not outweigh the adverse impact caused by the loss of day nursery and school places, loss of jobs and loss of open space, which would result from approving the application.

It is recommended that planning permission be REFUSED for the following summarised reasons (the full reasons with policy references are identified in Section 12 of this report):

- | | |
|----|---|
| 1. | Loss of an important community facility. Specifically, the loss of a day nursery and school resulting in the loss of approximately 550 places for children together with the loss of approximately 260 jobs. Not outweighed by the benefits of the scheme. |
| 2. | Loss of important open space. |

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site, measuring approximately 1.6ha, is located within Maidenhead and currently comprises of Claire's Court Junior and Senior Girls School at 1 College Avenue. College Avenue bounds the site to the south with detached houses on the opposite side of the road. To the east are detached and semi-detached houses which also front onto College Avenue which turns northwards. To the north is Grassy Lane and to the west is College Road both with detached residential dwellings on the opposite side. The wider surrounds is predominately residential in character mainly comprising of inter-war and suburban housing, with Maidenhead Town Centre located approximately 370m to the east.
- 3.2 The site itself consists of school buildings sited to the south and west with areas for play and sports to the northeast. The main parking area is located on an area of hardstanding along the College Road frontage with an in-out vehicular access arrangement. There is an Oak positioned in between the accesses, which is subject to a TPO, ref: 055/2001/TPO. There are also a number of mature trees sited along the boundary with Grassy Lane. Overall the site gradually slopes downwards from west to east, and south to north by approximately 2m-3m but with a more pronounced change in ground level between the site and Grassy Lane with Grassy Lane sited approximately 1m below the site.

4. CLAIRE'S COURT BACKGROUND AND 'THE RIDGEWAY PROJECT'

- 4.1 Claire's Court is an independent day school founded in 1960 and currently located at 3 separate sites in Maidenhead, at the Ridgeway (Junior Boys), Ray Mill Road East (Senior Boys) and College Avenue (Nursery, Junior and Senior Girls, and 6th Form). It is the largest independent school in the Borough and the only all-year groups school which offers education from Nursery to Sixth Form for boys and girls in Maidenhead. The school represents just under 20% of the RBWM independent school capacity.
- 4.2 Junior Boys at The Ridgeway has a nominal capacity of 280 pupils; Senior Boys at Ray Mill Road East is 360; and the Nursery, Junior and Senior Girls, and Sixth Form at College Avenue is 550. However, while the total nominal capacity is 1190 pupils the school group is unable to operate at more than 96% capacity (1142 pupils) due to physical and statutory constraints. From the annual school census as of January 2018 there were 1055 pupils on the roll, which equates to 89% capacity. Around 56% of pupils live within the Borough.
- 4.3 Claire's Court School provides support for pupils with special educational needs. From September 2017 there have been 10 pupils at Claire's Court with Education, Health and Care Plans (EHCP) funded by the Local Authority.
- 4.4 The nursery situated at College Avenue is an 80-place Early Years setting for 3-4 year olds, which is seasonally based with the funded Early Years component delivered in the morning. The nursery therefore provides 40 FTE places.
- 4.5 The school group experienced growth of approximately 15% between 2013 and 2017. If this is sustained at the current rate (2%) then the school will reach operational capacity during the 2020-2021 academic year.
- 4.6 In terms of work-force, there are 171 full time members of staff, 50% of whom live in the Borough, and 120 part-time with 64% living in the Borough. The staff number in FTE is 231 with 54% living within the Borough. In addition, the school employs 93 contractors consisting of specialists that provide a regular service but with a low level time input. Approximately 44% of contractors reside inside the Borough. Claire's Court is the 10th largest employer in RBWM.
- 4.7 An Educational Needs Statement / Report (Appendix 5, Very Special Circumstances Report) has been submitted which identifies problems of operating across multiple sites. The report was

updated and provided in Appendix 2 of the Very Special Circumstances Addendum. In summary, this includes economic inefficiencies with the duplication / triplication of facilities and administrative and caretaking services; and time inefficiencies with travel between sites for lessons and activities by staff and pupils, and approximately 12% of families having siblings based at different school sites.

- 4.8 College Avenue has at its cores Victorian buildings and the site has been progressively and fractionally developed over the years. The space at College Avenue is broken down by age in the submitted Very Special Circumstances Report (paragraph 5.31) and is as follows:

College Avenue							
Decade of Construction	1890	1940	1950	1960	2000	Temp.	Total
GIA sqm	968	373	1103	1340	389	723	4896 sqm
GIA as % of Total	20%	8%	23%	27%	8%	15%	

- 4.9 A Conditions Survey has also been submitted (Appendix 6, Very Special Circumstances Report), which reports that the buildings are in fair to good condition but have surpassed their life expectancy and renewal work is necessary with immediate works required to replace the majority of roofs, fascias and rainwater goods.
- 4.10 In terms of sufficiency and suitability of accommodation, based on national criteria for mainstream schools outlined in the Department for Education Building Bulletin 103 (2014), the Educational Needs Statement / Report identifies problems relating the existing accommodation at College Avenue. In summary, identified problems include under-sized teaching spaces, poor acoustic conditions and sound insulation between rooms and floors and poor DDA accessibility.
- 4.11 The fundamental aim of the proprietors is to consolidate the existing three sites into one campus onto extended grounds at the existing Ridgeway Junior Boys School to address constraints in terms of operational capacity, diseconomies from operating across three separate sites, condition of existing accommodation, and sufficiency and suitability. A cost plan indicates that the cost of the new school campus would be approximately £29 million, which is proposed to be met through the sale, and redevelopment to housing, of the Ray Mill Road East site for £3.6 million, the College Avenue site for £8.5 million, and land at the Ridgeway for £12.2 million, with the remaining amount made up from school investment and borrowing.
- 4.12 The 'Ridgeway Project' also includes the development of a recreation area including sports pitches to support the school together with the provision of a new home for Maidenhead Hockey Club (MHC), a community club of approximately 450 members playing on a regular basis at local and regional level. This element is excluded from the cost plan for the new school campus. However, taking into account the £29 million cost for the new school campus, paragraph 1.6 of the Very Special Circumstances Report states that the school and recreation facilities will cost approximately £38 million to build and fit out, thereby indicating that the sports pitches and pavilion will cost approximately £9million.
- 4.13 In determining a planning application the Local Planning Authority is required under planning law to assess a proposal against the relevant Development Plan policies unless there are material considerations which indicate otherwise. The National Planning Practice Guidance (NPPG) advises that the scope of what can constitute a material consideration is very wide, but in general planning is concerned with land use in the public interest. As such, the protection of a purely private interest could not be a material consideration, however it is considered that the school's operational and financial situation would constitute a material consideration as the repercussions could impact the educational use of land which is in the public interest. When assessing the operational and financial matters as a material consideration it is necessary to assess precisely who the said benefits accrue to, and attribute weight accordingly.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The application is for outline permission for the demolition of the existing school facilities and the erection of 53 dwellings. Outline planning permission enables the principle of development to be established with specific details to be agreed later as reserved matters. In this case, in addition to the principle of development, approval is sought in relation to the accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access, circulation, and how these fit into the surrounding access network (access). The proposal originally submitted also included layout and scale for consideration, but these were subsequently removed from the application by the applicant. While all other matters are reserved apart from access, information on the use, amount of development for each use, indicative layout, and the upper and lower limits for height, width and length of each building are required to be submitted with an outline application.
- 5.2 The indicative layout is shown on plan ref: 2107.1-C-1005-L which comprises of an internal T-shape road layout with the trunk leading into the site from College Road with the top arm running parallel to the eastern boundary. Fronting onto the trunk element of the road on the northern side is a row of 6 semi-detached houses flanked by a detached house at either end, and on the eastern side of the top arm is a row of 12 semi-detached houses also with a detached house at each end. A single detached house is located to the western side of the top arm adjacent to the northern boundary, and there is another single detached house sited to the south of the entrance with an area of open space to the west of this house. To the south of the area of open space is a block of flats. There are another two block of flats to the north-west corner of the site served by a second access from College Road. The proposed houses would have ridge heights of between 9.9m and 12.5m, while the block of flats would have a ridge height of c.12m. A schedule of accommodation is provided in paragraph 7.12 of the submitted Planning and Affordable Housing Statement, and comprises the following:

Type	No. of Units
<i>Private Residential</i>	
2 Bed Flats	10
4 Bed House	15
5 Bed House	9
Private Total	34
<i>Affordable Shared Ownership</i>	
1 Bed Flat	4
2 Bed Flat	15
Affordable Total	19

- 5.3 The planning history for the site is as follows:

Planning references	Proposal	Decision
08/01631/FULL	Single storey side extension to existing temporary building	Approved - 20.08.2008
05/00473/FULL	Construction of new lift shaft and stairs to serve basement, ground, first and second floors linking the Chapel to the main building. Removal of existing external fire escape stairs	Approved - 18.04.2005
04/01355/FULL	Erection of a covered walkway under existing roof overhang with new access ramp	Approved - 15.12.2004
04/00587/TEMP	Construction of temporary single storey classroom and toilet block.	Approved - 22.09.2004
00/36004/FULL	Two storey extension to provide tutorial rooms G.F. Stores and Plant Room.	Approved - 14.02.2002
00/35769/TEMP	To site single storey classrooms and ancillary buildings	Approved - 05.10.2000
90/00688/FULL	Extension to provide four classrooms	Approved - 11.03.1991

583/66	New training block and school	Refused – 10.10.1966
526/65	Infants School and dormitory	Approved – 31.08.1965
536/65	Outside toilets	Approved – 22.09.1965
268/65 334/64 869/63 868/63	Swimming pool	Approved – 28.04.1965 Refused – 26.08.1964 Refused – 26.08.1964 Refused – 26.08.1964
519/63		Refused – 21.08.63 Appeal dismissed
665/61		Approved – 25.09.1961
6/62	First floor addition	Approved – 25.01.1962
764/61	Lobby and music room	Approved – 19.11.1961
681/58	Oil storage tank and shed	Approved – 01.12.1958
536/57	Additional classrooms and hall	Approved – 06.11.1957
444/57	Additional classroom	Approved – 25.09.1957
367/57	Classroom and hall/gym	Approved – 31.07.1955
265/55	Private chapel	Approved – 27.07.1955
467/54	Extension to refectory	Approved – 30.11.1954
219/54	Dormitory	Approved – 30.06.1954
17/51	Additional classroom	Approved – 28.02.1951
204/50	Additional classroom	Approved - 27.09.50

5.4 There are 4 other linked and pending applications which are as follows:

Planning reference	Site	Proposal
17/04018/FULL	Claire's Court School, Cannon Lane	Construction of an all-through school comprising nursery and junior building; central building and senior building. Provision of landscaping, amenity area, sport/running track, environmental garden and covered multi-use games area. Provision of staff and visitor car parking, parent drop off and coach parking area
18/00130/OUT	Claire's Court School, Cannon Lane	Outline application (layout, scale and access) for the erection of 157 residential units.
17/04026/OUT	Claire's Court School, Cannon Lane	Outline application (access) for the development of 2 artificial grass hockey pitches, 2 artificial grass practice areas, a new pavilion building for shared use by the hockey club and school together with an artificial grass rugby pitch and associated other recreation grass pitches.
17/04002/OUT	Claire's Court School, Ray Mill Road East	Outline application (layout, scale and access) for the erection of 11 no. dwelling.

5.5 While there is a relationship between the applications and due regard should be given to that relationship, each application should be considered on its own merits.

6 DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

- 6.1 The Council, in determining the planning application, has a statutory duty to have regard to the provisions of the development plan so far as material to the application and any other material considerations, (Section 70(2) Town & Country Planning Act 1990), and to determine the application in accordance with the development plan unless other material considerations indicate otherwise, (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
- 6.2 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Protection of Existing Facilities	CF1
Design, character and appearance	DG1, H10, H11
Open Space	R1, R3, R4
Affordable Housing	H3
Housing Mix	H8
Highways	P4, T5, T7
Trees	N6
Archaeology	ARCH3

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 2 - Achieving Sustainable Development

Section 4 - Decision-Making

Section 5 - Delivering a Sufficient Supply of Homes

Section 8 - Promoting Healthy and Safe Communities

Section 9 - Promoting Sustainable Transport

Section 11 - Making Effective Use of Land

Section 12 - Achieving Well-Designed Places

Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change

Section 15 - Conserving and Enhancing the Natural Environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Housing provision	SP1, HO1, HO2, HO3, HO5
Trees and nature conservation	NR2, NR3
Environmental protection and pollution	RP2
Highways and parking	IF2
Makes suitable provision for infrastructure	IF1, IF4, IF7, IF8

- 7.1 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

This document can be found at:

Supplementary Planning Documents / Guidance

- Interpretation of Policies R2, R3, R4, R5 and R6
- Planning Obligations and Developer Contributions

Other Local Strategies or Publications

7.2 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy
- Affordable Housing Planning Guidance

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

47 occupiers were notified directly of the application. The planning officer posted a notice advertising the application at the site on 18.01.2018 and the application was advertised in a local paper distributed in the borough on 25.01.2018

Representations supporting and objection to the application received up to the 15 August 2019 are summarised below. Any representations received after this date will be reported in an update to Panel.

Around 2103 letters were received supporting the application, summarised as:

Comment	Approximate number of representation on this issue	Where in the report this is considered
1. Would facilitate relocation and provision of high quality education securing the future of Claire's Court School, and high quality sports facilities, including new homes for Maidenhead Hockey Club.	2098	Paragraph 9.56
2. Would provide much needed houses within the Borough.	2078	Paragraph 9.56
3. Includes transport infrastructure improvements	2077	Section 10
4. Would reduce traffic in town centre and across the Borough as teachers and parents will not have to travel between the 3 Claire's Court sites, and solve on-street parking problems during drop-off / pick up peaks	27	Paragraph 9.34.
5. Provision of affordable housing	20	9.29 – 9.32
6. Would provide 2 acres of public open land at the Ridgeway site for community use	10	9.6 – 9.11
7. The proposal would safeguard / provide jobs, and would encourage investment in Maidenhead	6	9.2 – 9.5
8. If Claire's Court school closes then over 1000 children will have to find alternative places	2	9.2 – 9.5, 9.56
9. Increase in demand on physical and social infrastructure is not an issue	1	Section 10
10. General support, no planning reason given	2	Noted.

Around 59 letters were received objecting to the application, summarised as:

Comment		Approximate number of representation on this issue	Where in the report this is considered
1.	Increase in traffic resulting in congestion and to the detriment of highway safety.	49	Paragraphs 9.33 – 9.38
2.	Density represents overdevelopment of the site	45	9.12 – 9.23
3.	Height of buildings is overbearing, overly dominant and out of keeping	40	9.39-9.42
4.	Layout and type of development is out of keeping with pattern of development with semi-detached and detached housing fronting onto the streets	35	9.12-9.23
5.	Pressure on physical infrastructure (sewers, water pipes etc.)	31	Section 10
6.	Inadequate parking resulting in on-street parking pressures	29	9.36
7.	Access onto Grassy Lane resulting in loss of green verge and trees that characterises the road, introduction of more traffic to a quiet road, and width is too narrow to accommodate turning and extra traffic	30	9.35
8.	Loss of / harm to trees	24	9.21 – 9.23
9.	Loss of privacy	23	9.40
10.	Area of open space would attract anti-social behaviour, no details of management, maintenance, security	22	Comment noted. 9.41
11.	Increase in noise	17	9.41
12.	Light pollution	17	9.41
13.	Harm to ecology	16	9.45 - 9.50
14.	Increase in pressure on social infrastructure (schools, GP surgeries etc.)	14	Section 10
15.	Loss of educational facility in town centre	8	9.2 – 9.5
16.	Housing not required	8	9.53 - 9.55
17.	Affordable housing should be pepper potted throughout the site, and on all 3 residential development sites for the linked applications.	7	Noted.
18.	Existing building is not in poor state of repair, and should be retained as it is of historic and architectural interest	5	Noted.
19.	Flood Risk from surface water flooding	5	9.43 – 9.44
20.	Increase in air pollution	4	9.39 – 9.42
21.	Loss of sunlight and daylight	3	9.39 – 9.42
22.	Design and details of the houses are out of keeping with the streetscape and locality	2	9.12 – 9.23
23.	Letters of support are not from local residents directly affected by the development and should not carry as much weight	2	Noted.
24.	Affordable housing not required	1	9.29 – 9.32
25.	Location of LEAP close to road is not safe for children	1	9.12 – 9.23
26.	Materials not in keeping with arts and crafts movement	1	Reserved matters
27.	Quality of design is often watered down through subsequent amendments and should be protected via condition	1	Covered by reserved matters.

Consultee	Comment	Where in the report this is considered
Berkshire Archaeology	No objection subject to a condition relating to a programme of archaeological field evaluation in accordance with an approved written scheme of investigation.	Paragraphs 9.51-9.52
Ecology	No objection subject to conditions relating to a European Protected Species licence for bats issued by Natural England, a lighting strategy and Biodiversity Enhancement Plan; and either a condition or informative relating to breeding birds.	Paragraphs 9.45-9.50
Environmental Protection	No objection subject to conditions relating to a Construction Environmental Management Plan, Dust Management Plan, restriction on construction fires, details on mechanical plant and equipment, vehicle deliveries, contaminated land, a lighting scheme and air quality.	Noted.
Highways	No objection subject to conditions relating to access as approved, visibility splays as drawn and the stopping up of the existing access.	Paragraphs 9.33 – 9.38
Sports England	Supports the application subject to a condition that details of design and layout of Artificial Grass Pitches, Multi Use Games Areas and Pavilion have been submitted to and approved in writing by the Local Planning Authority (consultation with Sport England).	Noted.

Others

Group	Comment	Where in the report this is considered
Maidenhead Civic Society	Affordable housing should be dispersed through the scheme. The new access off Grassy Lane is regrettable and consideration should be given to providing an access through the site to the north-east corner of the site rather than Grassy Lane. Additional parking should be provided if possible to ease on-street parking pressures. If the public open space is removed this should be reallocated to increase spaciousness, private amenity space and parking. It is important that the architectural design reflects the prevailing character of the area.	Comments noted.

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Principle of Development
- ii Impact on Character of the Area
- iii Open Space Provision In New Residential Development

- iv Housing Mix
- v Affordable Housing
- vi Highways
- vii Residential Amenity
- viii Sustainable Drainage
- ix Ecology
- x Archaeology
- xi Planning Balance

i Principle of Development

Loss of Community Facility

- 9.2 Local Plan policy CF1 states that the Council will not permit the loss of existing community facilities and buildings unless it is satisfied that there is no longer a need for them or an acceptable alternative provision is to be made elsewhere. The policy itself does not define what a community facility is, however, while the Independent school at College Avenue does not primarily exist to meet the needs of local residents and is not an asset available to meet the needs for all in the community, it is considered that the school does meet a local community need. As reported in section 4, of the 1055 pupils on the roll of the school group around 56% live within RBWM, and it is not a matter of dispute that the school group contributes to the choice of school places and is very popular, successful and highly regarded due to the quality of education provided. Furthermore, College Avenue provides the equivalent of 40 FTE early year education places at the Nursery. Under the Childcare Act 2006 and Childcare Act 2016, the Council has a responsibility to secure sufficient childcare for working parents to meet the universal and extended entitlements (up to 1,140 hours of free early education or childcare per year for children aged 3 to 4 years old). Therefore in the assessment of whether CF1 should be applied, it is considered in this context that it should.
- 9.3 As a material consideration, BLPSV policy IF7 states that existing community facilities should be retained and applications for redevelopment will be resisted unless it can be demonstrated that there is no longer a demand for the facility within the area or the proposed development would provide sufficient community benefit to outweigh the loss of the existing facility or there is provision for new or replacement facilities to meet an identified need in locations which are well related and easily accessible to the settlement or local community. In the justification text for BLPSV policy IF7 the definition of community facility includes schools. It does not distinguish between the types of schools. Given the extent of unresolved objections BLPSV Policy IF7 should be allocated significant weight as a material consideration. As a further material consideration, paragraph 92 of the NPPF states that planning decisions should provide the social, recreational and cultural facilities and services the community needs and guard against the unnecessary loss of valued facilities, while paragraph 94 of the NPPF states that it is important that a sufficient choice of school places is available to meet the needs of communities.
- 9.4 Given the policy context it is considered that the existing Nursery, Junior and Senior Girls School, and 6th Form School at College Avenue constitute community facilities and the proposed redevelopment of the site for housing would result in its loss. There is no substantive evidence that there is no longer a need for the school. Given the housing targets set out in the BLPSV, for the early years provision the Council's Infrastructure Delivery Plan (IDP) indicates that there would be a need for an extra 1,016 funded early years and childcare places for 2-4 year olds which is expected to be met primarily through a mixed market of private and voluntary providers. For primary education the analysis in the IDP indicates that the demand for reception places in the Borough could increase by 23.4 'Form of Entry' (FE) (the equivalent of one class of 30 pupils)

with the majority of the increase in Maidenhead. For secondary education the IPD indicates that the demand could increase by 22.3 FE with the majority of the increase in Maidenhead. For special education needs, the Borough is in the process of assessing the likely future demand arising from the housing target in the BLPSV, but for the purposes of the IDP an assumption has been made that 300 places overall will be needed. In respect of future requirements, the Council has identified capacity to meet the projected demand, but on the basis that the current independent school sector will continue to provide the same number of spaces. It should be noted that Section 5 of the Very Special Circumstances Report also presents a case against the lack of need for the school.

- 9.5 In respect of an acceptable alternative provision it is proposed that the Nursery, Junior and Senior Girls, and Sixth-Form School is re-provided at a new all-through (all year groups) school campus at the Ridgeway, which is subject to a linked planning application, ref: 17/04018/FULL. This alternative provision is considered to be acceptable in principle, as unlike state funded schools, the Claire's Court school group does not serve a set catchment area so there is more flexibility in its location. Furthermore, the school would still be located in the Maidenhead area. However, the application for the school under 17/04018/FULL is recommended for refusal. As such, it is considered that the re-provision of the community facility cannot be achieved. Therefore the proposal is contrary to Local Plan policy CF1, BLPSV policy IF7 and the provision of paragraph 94 of the NPPF.

Loss of Open Space and Land for Sports and Recreation

- 9.6 Open space within the Borough underpins people's quality of life and well-being by providing green lungs in urban areas and opportunity for sports and recreation, which are important to the health and well-being of communities, as well as acting as a visual amenity. The Council's Open Space Study (2019) indicates that there is currently adequate provision of amenity space against the Field In Trust national guidelines of 0.6ha/1000 population. However, taking into account the anticipated increase in population there would be a shortfall at the current level. Therefore, it is important to protect open space where appropriate.
- 9.7 Local Plan policy R1 states that the Council will not approve proposals which would result in the loss of existing areas of important urban open land, which are identified on the Proposals Map, and other areas of open space which are important to the visual and environmental quality of urban areas, unless they are replaced by new provision which is at least comparable in terms of facilities, amenity and location. The supporting text to policy R1 states that other areas of open land includes playing fields and other privately owned amenity spaces and which may not be publically accessible but would still contribute to the visual and environmental quality of the area. This application site not allocated as an important urban open space on the proposals map, but it is considered to be an important area of open space within the locality.
- 9.8 As a material consideration, BLPSV policy IF4 states that existing open space in the Borough will be protected and maintained, and the provision of alternative open space is deemed appropriate as part of development proposals if in a 'close by' suitable location, which is flexible in meeting the needs of the community and lends itself to a greater range of functional uses required in that area. The supporting text of policy IF4 indicates that this applies to public and private open spaces as both underpin quality of life and well-being, and green 'lungs' in urban areas. Given the extent of unresolved objections, BLPSV policy IF4 should be attributed significant weight.
- 9.9 As a further material consideration, paragraph 97 of the NPPF states that existing open space should not be built on unless an assessment has been undertaken which clearly shows that the open space or land is surplus to requirements; or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. Annex 2 of the NPPF defines open space as '*all open space of public value, including not just land, but also areas of water which offer important opportunities for sport and recreation and can act as a visual amenity*'.
- 9.10 Within the site is an area of open space, which is used as a multi-use games area (MUGA) and playing field, measuring approximately 5436sqm. As such, it is an important area of open space

within the locality. Based on the indicative layout, approximately 1650sqm of open space would be provided within the site as part of the residential development, which falls well below the amount of existing open space. Approximately 38,000sqm of playing fields is proposed at the Ridgeway, which is subject to linked planning application ref: 17/04026/OUT for the recreation area and sports pitches to support the school and to provide a new home for Maidenhead Hockey Club. While this provision will not be comparable in terms of location, this would compensate for the loss of open space at College Avenue in terms of quantity and quality, in addition to the potential loss of open space arising from the linked proposal for the Junior Boys School at the Ridgeway, ref: 17/04018/FULL. It is noted that Sports England has raised no objection due to this reasoning.

- 9.11 However, the application for the pitches and pavilion under 17/04026/OUT is recommended for refusal and, as such, the re-provision of open space cannot be achieved. The proposal therefore involves the loss of important open space contrary to Policy R1 of the Local Plan, Policy IF4 of the BLPSV and paragraph 97 of the NPPF.

Residential Development

- 9.12 The site is not allocated for housing in the Local Plan or BLPSV. However, the site lies within the urban settlement of Maidenhead, is considered to fall under the definition of previously developed land, and is not within a flood zone. Given the key aim to boost significantly the supply of housing as set out in paragraph 59 of the NPPF, and the substantial weight that should be given to the value of using suitable brownfield land within settlement for homes as set out in paragraph 118 of the NPPF there is no objection in principle to the redevelopment of the site for housing development subject to the re-provision of the community facility and open space.

ii Impact on Character of the Area

- 9.13 For an outline application, while all matters apart from access is reserved, it should be demonstrated that a proposal for 53 dwellings can be satisfactorily accommodated on site without undue harm to the character of the area.
- 9.14 Local Plan policy H10 states that new residential schemes will be required to display a high standard of design and landscaping and where possible enhance the existing environment, policy DG1 resists development which is cramped or which results in the loss of important features which contribute local character, and in established residential areas policy H11 resists development would introduces a scale or density which would be in incompatible with or cause damage to the character of the area. As a material consideration, BLPSV policy SP2 expects larger developments (over 10 residential units) to foster a sense of place, while SP3 requires development to achieve a high quality design and sets out design principles. With regard to unresolved objections to BLPSV policy SP2 and SP3 it is considered that these policies should be given significant weight. As a further material consideration, paragraph 122 of the NPPF states that planning decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting and the importance of securing well-designed and attractive places. Paragraph 124 of the NPPF goes on to state that good design is a key aspect of sustainable development and indivisible from good planning, while paragraph 130 of the NPPF states that planning permission should be refused for development of poor design that fails to take the opportunity available for improving the character and quality of an area and the way it functions.
- 9.15 The site is located within an area defined as a 'Leafy Residential Suburb' in the Council's Townscape Character Assessment, along with the adjacent houses sited to the south, east and west of the site. However, the northern boundary of the site forms the edge of this character area with the houses to the north falling within an area defined as an 'Inter-War Suburb'.
- 9.16 The key characteristics of a 'Leafy Residential Suburb' are a low to medium density residential development defined by suburban-style detached and semi-detached two-storey houses on medium to large plots, located on wide primary roads with narrower subsidiary streets terminating in cul-de-sacs or 'turning circles'. The leafy character is a result of properties being set

significantly back from the road, often bounded by hedges to the front, behind which are private gardens with mature trees and shrubs. The leafy character is reinforced by street trees and/or planting. An 'Inter-War Suburb' incorporates similar characteristics including medium density residential development but largely defined by suburban style two-storey semi-detached houses on a distinctive network of curvilinear and linear streets, and 'dead ends'. The semi-detached houses are typically set on regular plots with shorter front gardens and larger rear gardens. Green spaces in and around housing, including grass verges and small ornamental street trees.

Density

- 9.17 The proposed development would result in a density of around 33 dwellings per hectare (dph). This would be higher than the density of the existing locality which is around 15 – 20 dph, but would represent a more efficient use of land which is encouraged by Section 11 of the NPPF and would still represent a low density development that is typically up to 35 dph, thereby generally in keeping with its surrounds.

Layout

- 9.18 The indicative layout illustrates a low density development mainly defined by semi-detached houses on medium sized plots terminating in a 'dead end', which incorporates key characteristics of a 'Leafy Residential Suburbs', but the short front gardens conform more with the characteristics of the 'Inter-War Suburb'. However, located on the edge of the 'Leafy Residential Suburbs' area as it transitions to 'Inter-War Suburb', the blended character is considered to be acceptable.
- 9.19 The proposal would also incorporate blocks of flats, while flatted development are not prevalent in the area there is no objection in principle. The indicative scale parameters illustrate blocks which would be larger than the majority of buildings within the locality, the indicative plans show how an appropriate setting could be achieved with sufficient green, circulation space around the blocks. Scale and appearance are reserved matters, and there is no indication that a suitable scaled and designed block of flats could not be developed on site.
- 9.20 In terms of the leafy character, given the limited set back of proposed buildings from the internal road there would be limited scope for the cultivation of large trees or significant planting to the front of the proposed buildings. The layout nevertheless demonstrates that a green margin to the street could be created using smaller tree species and shrubs, in keeping with an 'Inter-War Suburb' character area. The central area of open space would also contribute to greenery within the site. While it is unlikely this open space could accommodate large trees or a significant amount of planting, it could also accommodate smaller trees and shrubs. As existing, the site presents a relatively hard edge along the western and southern boundary due to the substantial school buildings along these perimeters and the minimal landscaping to soften and screen the development. Given the limited set back of the proposed buildings from the western and southern boundary there would be limited opportunity to plant medium to large trees along these boundaries, but again it is considered that smaller trees and shrubs could be planted in this location to improve the visual qualities of this section of the street and contribute to the leafy character of the area.
- 9.21 In terms of existing trees, they are considered to contribute significantly and positively to the green and leafy character of the area. There are only 2 trees on site, which are no. 5 (an oak covered by TPO ref: 055/2001/TPO) and no. 8 (sycamore) as shown on the submitted Tree Constraints Plan ref: 8442-KC-XX-YTREE-TCP01 Rev A, but there are also a number of mature trees positioned along the boundary of the site, most notably on the verge adjacent to Grassy Lane and College Avenue.
- 9.22 Local Plan policy N6 requires new development to allow for the retention of existing suitable trees wherever practicable, should include protection measures necessary to protect trees during development, and where the amenity value of trees outweighs the justification for development then planning permission may be refused. As a material consideration, BLPSV NR2 states that development proposals should carefully consider the impact of proposed development on existing

trees and where harm is unavoidable provide appropriate mitigation measures, but where the amenity value of trees outweighs the justification for development than planning permission may be refused.

- 9.23 Based on the indicative layout, there is potential conflict between the proposed development and existing trees no. 28-31 (maple), 49 (turkey oak) and 50 (turkey oak) along the northern perimeter of the site, TPO tree no. 5 on the western perimeter, and trees no. 6 (Norway Maple) and 7 (Sycamore) on the southern perimeter due to close proximity. Furthermore, no details on underground utilities which would be required to serve the development have been provided to demonstrate no additional incursion into Root Protection Area (RPA). Within a short distance of the stem, the roots of trees are highly branched so as to form a network of small-diameter woody roots, and all parts of this system bear a mass of fine non-woody absorptive roots typically concentrated within the uppermost 600mm of the soil. The uptake of water and mineral nutrient by the root system takes place via the fine non-woody roots and associated beneficial fungi, and the root system tends to develop sufficient volume and area to provide stability. Their survival and functioning, which are essential for the health of the tree as a whole, depend on the maintenance of favourable soil conditions. The RPA is the minimum area around a tree deemed to contain sufficient roots and rooting volume to maintain the tree's viability and where the protection of the roots and soil structure is treated as a priority. With the exception of trees no. 28-31 the noted trees are mature, with the influence of trees no. 28-31 increasing over time. However, as an outline application, it is also considered that alterations could be made to reduce the conflict. Nevertheless, in relation to the indicative layout, with the removal of the existing hardstanding in the locality of these trees there is potential betterment of the rooting environment and it is considered that there are potential technical solutions to mitigate the impact of any new hardstanding (no dig construction).

iii Open Space Provision In New Residential Development

- 9.24 As set out in paragraph 9.6 of this report, taking into account the anticipated increase in population there would be a shortfall of amenity space by 2033 at the current level of provision. As such, this needs to be mitigated by ensuring that current levels are not only safeguarded but increased by including open space in new development. Local Plan policy R3, R4 and R5 requires this site to make appropriate provision for public open space within the development, which should amount to 15% and should incorporate a local area for play (LAP) and a local equipped area for play (LEAP). The indicative layout shows approximately 10% of open space (1650sqm) can be accommodated on site, which is considered acceptable. While not in compliance with the minimum standards set out in Local Plan policies, it is noted that policy R3 sets out a minimum on-site open space provision of 4.3ha per 1000 population, which is well in excess of the requirements set out in national guidance (Guidance for Outdoor Sports and Play: Beyond the Six Acre Standards) for equipped / designated play areas (0.25ha/1000) and in excess of assessed need within the Borough for amenity green space (0.60ha/1000) and provision for children and young people (0.25ha/1000) identified in the Councils Open Space Study (2019). Furthermore, the supporting text for policy R3, R4 and R5 states that the minimum provision can be applied flexibly. As such, no objection is raised to the proposal on this ground.
- 9.25 With regard to the provision of a LAP and LEAP guidance in 'Beyond the Six Acre Standard', which supersedes the standards for a LAP and LEAP set out in Appendix 2 of the Local Plan, sets out the minimum dimensions for a LAP (10 x 10m) and LEAP (20 x 20m). It is considered that proposed space as shown is sufficient in size to accommodate this.

iv Housing Mix

- 9.26 Local Plan policy H8 states that the Council will expect development to contribute towards improving the range of housing accommodation within the Borough and will favour proposals which include dwellings for small householders and those with special needs. As a material consideration, BLPSV policy HO2 states that the provision of new homes should contribute to meeting the housing needs of the current and projected households by providing an appropriate mix of dwelling types and sizes reflecting most up-to-date evidence.

9.27 The proposed housing mix is set out in paragraph 7.12 of the submitted Planning and Affordable Housing Statement. The most up-to-date evidence on identified need is set out in the Berkshire Strategic Housing Market Assessment (SHMA) (2016) with the utmost need being 3-bed units. In comparison with this identified need by number of bedrooms, with its focus on 4+ bedroom units the proposed development would not provide an appropriate mix for market housing. However, the proposed balance is not in itself objectionable when compared with the completions by housing size for the past 3 years (2015 to 2018) (Monitoring Report 2018, Table 7) and given that the Council's 5 Year Housing Land Supply Statement (March 2019) reports a housing delivery rate of 97% based on the 2018 Housing Delivery Test. The completions by housing size relate to all housing, but given that affordable housing as a percentage of total net completions are 23% (2013/14), 14.2% (2014/15), 2.5% (2015/16), 2.6% (2016/17) and 4.5% (2017/18), the picture still suggests that the proposal would contribute to the apparent shortfall of 4+ bed housing.

	1 bed	2 bed	3 bed	4+ bed
Need (2013 – 2036) (Market Sector)	966 7.9%	3,508 28.6%	4,737 38.6%	3,074 25.0%
Completions (2013 – 2018) (Total)	531 20.5%	1112 43%	486 18.8%	453 17.5%
Proposed (Market Sector)	0	10	0	24

9.28 Paragraph 9.3 of the submitted housing statement advises that the mix of units is indicative for this outline application. However, if minded to approve it is recommended that the proposed housing mix should be secured by condition. The viability report submitted to support the proposed affordable housing provision and subsequent viability assessment is based on this schedule of accommodation. Changes to the housing mix would have implications on these matters, which justifies the need for a condition to secure the proposed housing mix in the interest of proper planning.

v Affordable Housing

9.29 For residential development sites of 0.5ha or over or schemes proposing 15 or more net additional dwellings, such as this, Local Plan policy H3 requires the provision of 30% of the total units provided on site as Affordable Housing. BLPSV Policy HO3 is given limited weight due to the extent of unresolved objections but for a scheme of this size would result in the same affordable housing requirement. On this basis 16 units should be affordable as part of this proposal.

9.30 Policy H3 of the adopted Plan is silent on tenure, but it makes reference to identified local need which the SHMA sets out in detail. The SHMA sets out a tenure of 80% of social/affordable rented and 20% intermediate housing to meet, which would equate to 13 units of social/affordable rented and 3 units of intermediate housing. Paragraph 64 of the NPPF, which is a material consideration, states that at least 10% of the overall homes are expected to be available for affordable home ownership unless this would exceed the level of affordable housing required in the area or prejudice the ability to meet the identified affordable housing need within the Borough. This would equate to 5 units. 'Affordable homes ownership' is not defined but on the basis of the definition of affordable housing in Appendix 2 of the NPPF the indication is that this would be made up of starter homes, discounted market sales housing or other affordable routes to home ownership (shared ownership or shared equity units). In this respect, while the SHMA does identify the need for affordable housing in this borough as being predominantly social rent and then affordable rent, the NPPF is more recent and given significant weight. As such, for a policy compliant scheme the expectation would be that the scheme would bring no more than 5 units forward for Low Cost Home Ownership and the remainder for rented products.

9.31 The proposal is for 53 units with a total of 19 affordable units which equates to 36%. However, it should be noted that the affordable housing element associated with 17/04002/OUT at Ray Mill Road East is provided at this site, hence the additional provision of 6%. All of the affordable units are for shared ownership. To demonstrate that the proposed development is unable to support a tenure mix with a higher proportion of social/affordable rent in line with need, the applicant submitted a viability report in May 2018. This was independently assessed by the District Valuer.

It should be noted that the funding of the new school subject to planning application ref: 17/04018/FULL is being met from a combination of sources including the land receipts from this site (and the 2 other sites at Ray Mill Road East and The Ridgeway), and therefore included in the residual land value for the purposes of the viability assessment. The District Valuer concluded that the proposed development is deliverable but a higher proportion of social/affordable rent would be unviable.

- 9.32 On balance, it is considered that the proposed total units for affordable housing and tenure mix is acceptable and if minded to approve can be secured by a S106 agreement. As the affordable housing element associated with 17/04002/OUT at Ray Mill Road East is provided at this site, if the application 17/04002/OUT at Ray Mill Road East were to be refused then the affordable housing requirement for that scheme provided at this site falls away. In such an circumstances the applicant has confirmed it would be necessary to seek a change in the affordable housing provision at College Avenue and a review mechanism should be included as part of the S106 agreement. There are no objections to this in principle.

vi Highways

- 9.33 Local Plan policy T5 requires all development proposals to comply with adopted highway design standards, policy P4 requires all development proposals to accord with adopted car parking standards, while policy T7 seeks to ensure that new development makes appropriate provision for cyclists including cycle parking. As a material consideration, BLPSV policy IF2 states that development proposals should support the policies and objectives of the Transport Strategy as set out in the Local Transport Plan and provide car and cycle parking in accordance with the current Parking Strategy. Given the lack of unresolved objections to policy IF2 it is considered that this policy should be afforded significant weight in the consideration of this application. As a further material consideration, paragraph 108 of the NPPF states that appropriate opportunities to promote sustainable transport modes should be taken up; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network or on highway safety should be cost effectively mitigated to an acceptable degree. Paragraph 109 of the NPPF goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Trip Generation

- 9.34 A traffic survey to/from the school shows that the school generates 179 inbound and 133 outbound vehicle during the morning peak, while the afternoon peak shows the school generates 122 inbound and 155 outbound vehicle movements. It should be noted that this does not include pick-up and drop-offs by parents / guardians as they are restricted from school grounds, and therefore the number of inbound and outbound vehicles movements generated by the school during the am and pm peaks within the immediate locality are likely to be higher. To determine the potential number of trips generated by the proposed residential development, the TRICS database was interrogated and, based on a comparable residential site of similar size and accessibility criteria, the data demonstrates that the development would potentially generate 8 inbound and 27 outbound vehicle movements between the morning peak, and 25 inbound and 14 outbound vehicle movements during the afternoon peak. As such, the development is likely to result in a reduction in vehicular activity during the peak times and would not result in undue harm to the local highway infrastructure network in terms of capacity and congestion.

Access

- 9.35 The indicative layout shows that the proposal seeks to provide two vehicle accesses from College Road. Drawing ref: 2107.1-A-1105-D has been submitted to demonstrate satisfactory visibility splays, which if minded to approve can be secured by condition.

Car Parking Provision

- 9.36 Car Parking is normally a consideration with layout, and therefore a reserved matter. However, the submitted Transport Statement confirms that the proposed market housing (plots 1-34) will be provided with the maximum car parking spaces (92 spaces) outlined in the Council's adopted Parking Strategy (2004), while the affordable housing (plots 35-53) will be provided with 29 spaces (a ratio of 1.5), resulting in a provision slightly below the maximum standard (34 spaces). The Transport Statement justifies the below maximum provision for the affordable units to reflect the nature of these plots. The Council's Parking Strategy makes no distinction between market and affordable unit and no evidence has been put forward that affordable homes attract a lower level of car ownership to justify this statement, nevertheless, the overall parking provision is considered to comply with the maximum car parking standards and is therefore acceptable. The indicative layout demonstrates how the proposed level of parking can be achieved on site through individual garages and driveways and communal parking courtyards.

Cycle Parking and Refuse Provision

- 9.37 At least 1 cycle parking space should be provided for each unit. It is considered that there would be sufficient space within the site and within the relevant plots to accommodate this, details of which can be secured by condition.
- 9.38 Layout is a reserved matter, but a swept path analysis would be required to demonstrate that a refuse vehicle (2.5m x 11.35m) can enter and exit the site in forward gear and refuse storage and collection points should comply with the guidelines set out in Manual for Streets. If minded to approve it is recommended that this is secured by condition.

vii Residential Amenity

- 9.39 Local Plan policy H11 states that in established residential areas planning permission will not be granted for schemes which introduce a scale or density of new development which would cause damage to the amenity of the area. As a material consideration of significant weight, BLPSV Policies SP3 and HO5 also seek to ensure no undue harm to residential amenity enjoyed by the occupants of adjoining properties would be caused. Paragraph 127 of the NPPF states that planning decisions should create places with a high standard of amenity for existing and future users, but this is balanced against paragraph 123 which seeks to ensure that developments make optimal use of land when considering applications for housing, with local planning authorities required to take a flexible approach in applying policies or guidance relating to daylight and sunlight where they would otherwise inhibit making efficient use of a site, (as long as the resulting scheme would provide acceptable living standards).
- 9.40 The proposal is sited within a residential area, close to neighbouring properties, and a number of concerns have been raised by local residents over the impact on neighbouring amenity including loss of sunlight and daylight, loss of privacy and being visually overbearing. Based on the indicative height parameters and layout there is no indication that a scheme with an acceptable impact on neighbouring amenity could not be delivered. The existing houses to the north, west and south are separated from the development by Grassy Lane, College Road and College Avenue respectively. Due to the separation distance and orientation of the existing and proposed building, it is likely that there would be no undue overlooking, visual intrusion or loss of light to these neighbouring houses. There would be a back-to-back distance of over 40m between the proposed development and the existing houses fronting east onto College Avenue (3a to 17 College Avenue), and a side to minimum rear-to-side distance of approximately 12.5m with the houses fronting south onto College Avenue (Donnington Cottage and Donnington House), which would be sufficient to mitigate any undue overlooking, visual intrusion or loss of light. However, layout, scale and appearance (siting of windows) are reserved matters and therefore the impact on neighbouring amenity would be considered further as part of any reserved matters application.
- 9.41 Concerns have been raised by local residents over potential noise and disturbances and light pollution. If minded to approve, it is considered the effects of noise, vibration, dust and site lighting during the construction of the development can be mitigated by a construction environmental management plan. In terms of light pollution, if minded to approve, details of the external lighting including the siting, design (luminaire type and profiles, mounting height, aiming angles, and energy efficient measures) and beam orientation can be secured and controlled

through a condition. Given the nature of residential use it is not considered that there would undue noise and disturbances generated, but any noise that unreasonably and substantially interferes with the use or enjoyment of the a home or other premises is covered by the Environmental Protection Act 1990.

- 9.42 There are no specific Local Plan policies regarding the provision of suitable residential amenity for future occupants of the development. However, as a material consideration of significant weight, BLPSV Policy HO5 seeks to ensure satisfactory residential amenity for the proposed accommodation, while paragraph 127 of the NPPF states that planning decisions should create places with a high standard of amenity for existing and future users. The indicative site layout shows that the site could accommodate a development for 53 units without any potential loss of light, overlooking or visual overbearing for the proposed units due to their siting, orientation and separation distances. Individual internal layouts for the proposed houses and flats have not been provided with this application, but it is considered that based on the indicative scale of the proposed units that all units would have sufficient internal floor space to accommodate adequate room shapes and sizes.

viii Sustainable Drainage

- 9.43 As a material consideration, BLPSV policy NR1 requires development proposals to incorporate sustainable drainage systems, but given the extent of unresolved objections this policy should currently be allocated limited weight. However, as a further material consideration, paragraph 165 of the NPPF requires major development, such as this, to incorporate sustainable drainage systems (SUDS) unless there is clear evidence that this would not be appropriate.
- 9.44 A SUDS scheme has been submitted to support the application which proposes source control and infiltration for surface water control of the site. The scheme also includes soakaways for the houses, access road and communal areas. While further details were requested by the Lead Local Flood Authority it is considered that the SUDS scheme is acceptable in principle and a detailed design can be submitted for consideration as part of the reserved matters. This can be secured by condition.

ix Ecology

- 9.45 As a material consideration Paragraph 175 states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or as a last resort compensated for then planning permission should be refused. BLPSV Policy NR3, which should be allocated significant weight in the consideration of this application, states that proposals should demonstrate how they maintain, protect and enhance the biodiversity of application sites and requires proposals to mitigate or as a last resort compensate for any adverse biodiversity impacts where unavoidable adverse impact on habitats and biodiversity arise. Protecting and enhancing the natural environment forms part of the 'Environmental' dimension of 'Sustainable Development' and paragraph 170 of the NPPF states that planning decisions should minimise impacts on and provide net gains for biodiversity.

Bats

- 9.46 In 2014 the buildings on site were assessed for their potential to support roosting bats. Buildings B and C, as identified on Map 4 within the submitted Ecology Report and Mitigation Strategy, were recorded as having moderate potential, Building A as having low potential and the remaining buildings as having negligible potential. During further surveys in 2015 and 2016, one soprano pipistrelle was recorded roosting within Building A. No other buildings were recorded as being used as bat roosts.
- 9.47 As the buildings will be demolished, bat mitigation measures have been proposed including pre-demolition surveys of all buildings with the potential to support bats, sensitive timing of the works to avoid hibernation period, removal of all bat roosting features within the buildings by hand under ecological supervision, the provision of permanent roosting features on retained mature trees, and sensitive lighting. All of this would be detailed within a method statement to accompany a

European Protected Species licence (EPSL) obtained from Natural England. In addition, the applicant had agreed to additional bat roosting features to be incorporated into a number of new buildings on site in order to provide appropriate compensation for the loss of the roost within the existing school building. If these compensation measures are incorporated into the development it is considered the proposals will not have an undue detrimental effect to the maintenance of the population of bats species, and therefore if minded to approve should also be secured by condition.

Amphibians and Reptiles

- 9.48 There are a number of ponds and lakes within 500m of the application site, but separated from the site by roads and residential development. It is considered that the site itself provides limited suitability for these species, and therefore no further survey for these species is required.

Breeding Birds

- 9.49 The buildings and vegetation were recorded as having the potential to support breeding birds and there is a bird box situated on Building A. If minded to approve it is recommended that an informative note is included to advise that the removal of vegetation and bird boxes, and building demolition should be timed to void the breeding bird season.

Biodiversity Enhancements

- 9.50 The submitted ecology report provides recommendations for ecological enhancements including wildlife friendly planting, border planting, provision of a wildflower meadow, sensitive lighting, construction of invertebrate loggeries, and installation of bird boxes within the site. If minded to approve, it is recommended that the biodiversity enhancements detailed in the Ecology Report are secured by condition.

x Archaeology

- 9.51 Local Plan policy ARCH3 states planning permission will not be granted for proposals which appear likely to adversely affect archaeological sites of unknown importance unless adequate evaluation enabling the full implications of the development on archaeological interests is carried out prior to the determination of the application. This is supported by paragraph 189 of the NPPF which states that where a development site has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 9.52 According to Berkshire Archaeology's Historic Environmental Record there are no known heritage assets within or in close proximity to the application site, but the known archaeology of the wider Middle Thames Valley includes prehistoric, Neolithic, Bronze Age, and Roman remains. It is therefore considered that there are potential archaeological implications with this proposal and further archaeological investigation would be merited, particularly given the size of the site (0.73ha) and undeveloped areas within it. Paragraph 15.33 of the Very Special Circumstances Report states that there are no archaeological impacts from the development at the College Avenue site, although no substantive evidence has been submitted to support. As such if minded to approve, it is recommended that a programme of archaeological field evaluation in accordance with a written scheme of investigation, and any subsequent mitigation strategy is secured by condition. In this instance it is considered that further archaeological investigation can be undertaken post-permission as there has been some previous development on the site.

xi Planning Balance

- 9.53 Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

Footnote 7 of the NPPF (2019) clarifies that:

‘out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer)’

- 9.54 Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council formally submitted the BLPSV for Examination in January 2018. The Borough Local Plan Submissions Version sets out a stepped housing trajectory over the plan period (2013-2033) to meet the Boroughs Housing need. However, the BLPSV is not yet adopted planning policy and the Council’s adopted Local Plan is more than five years old. Therefore, for the purposes of decision making, currently the starting point for calculating the 5 year housing land supply should be the ‘standard method’ as set out in the NPPF (2019). At the time of writing, the LPA currently cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer).
- 9.55 There are no ‘restrictive’ policies relevant to the consideration of this planning application which would engage section d(i) of paragraph 11 of the NPPF (2019). Therefore, for the purpose of this application and in the context of paragraph 11 of the NPPF, including footnote 7, the ‘tilted balance’ is engaged.
- 9.56 Weighing in favour of the proposal is the provision of housing (including affordable housing) on previously developed land, which is attributed substantial weight in accordance with the NPPF. Against this would be the loss of a community facility, i.e. the loss of the day nursery, junior and senior girls school and sixth form, amounting to 550 pupil places, of which approximately half are currently taken up by children living within the Royal Borough, to which great weight is attributed (in accordance with paragraph 94 of the NPPF). The loss of the College Avenue site to housing with no replacement school provision would also mean the potential loss of approximately 262 full and part-time jobs of residents living in the Royal Borough, to which significant weight is attributed against the development (in accordance with paragraph 80 of the NPPF). Having regard to the loss of nursery and schools places together with the loss of employment, substantial weight is given to the loss of the community facility. In addition, the proposal would result in the loss of open space which, in the absence of evidence to demonstrate it is surplus to requirements or unless it is replaced by new provision comparable in terms of facilities, amenity and location, (which in this case cannot be provided with the recommendation to refuse application 17/04026/OUT), amounts to significant weight against the proposal. Accordingly, with the tilted balance applied, the adverse impacts of approving the proposal would significantly and demonstrably outweigh the benefits.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 Concerns have been raised by local residents on the increased pressure social infrastructure including schools and GP surgeries. To help delivery of infrastructure to support growth of an area, the Council has approved a Community Infrastructure Level (CIL). In line with the Council’s Charging Schedule the proposal development would be CIL liable. The required CIL payment for the proposed development would be £100 per square metre based upon the chargeable residential floor area. The chargeable floor area would be calculated at the reserved matters stage, but based on the floor area provided in the viability assessment this may be a figure of approximately £730,700 although there is relief for social housing.

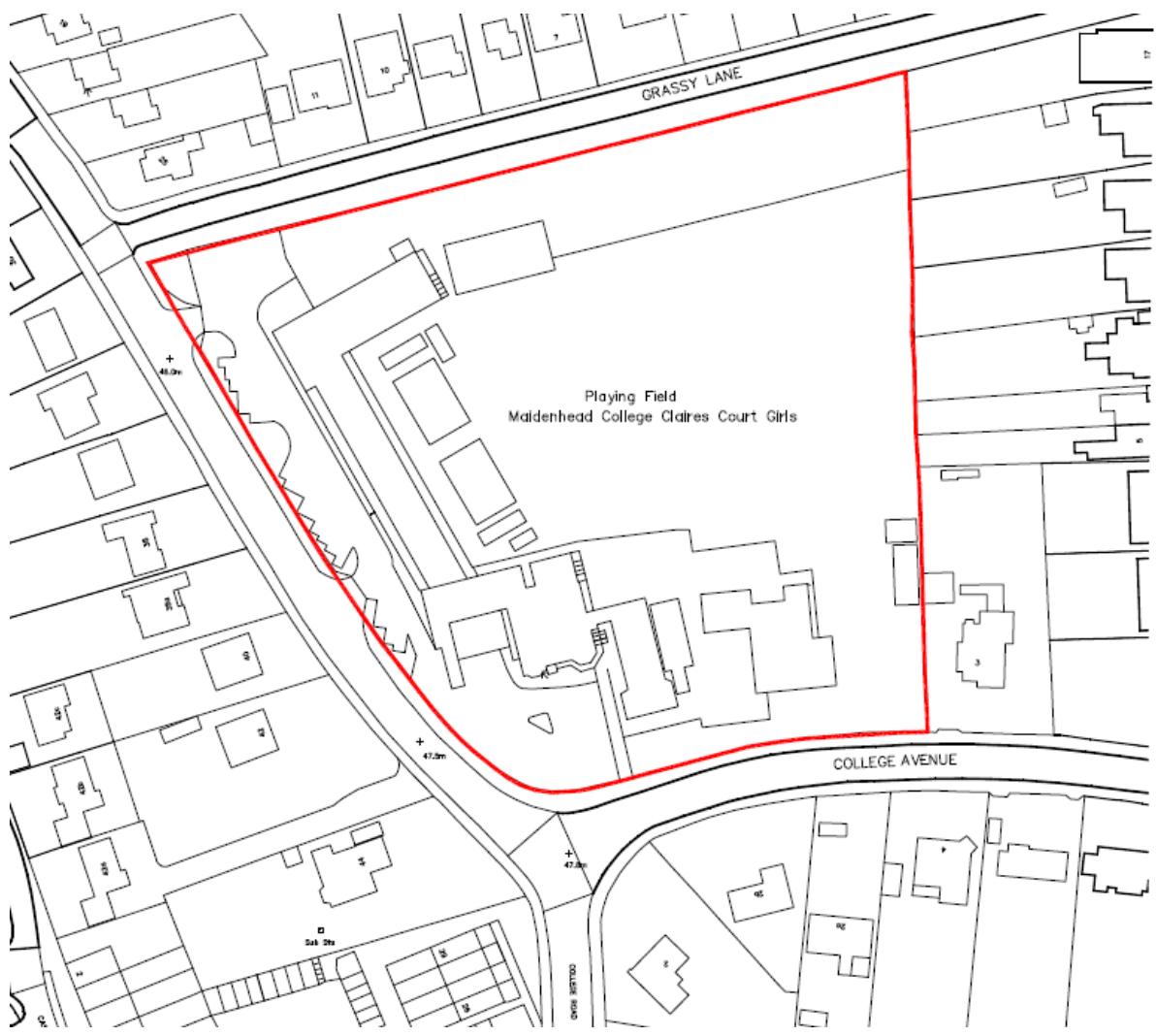
11. APPENDICES TO THIS REPORT

- Appendix A – Site Location Plan
- Appendix B – Indicative Site Layout

12. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

1. The proposal would result in the loss of an important community facility, leading to the loss of day nursery and school places and loss of jobs, and it has not been demonstrated that there is no longer a need for the facility within the local area or that an acceptable alternative is to be provided elsewhere within the local area. As such, the proposal is contrary to adopted Policy CF1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (including Alterations Adopted 2003), Policy IF7 of the Borough Local Plan Submission Version 2018 and the provisions of Paragraph 94 of the National Planning Policy Framework (2019).
2. The proposal results in the loss of important open space which would not be replaced by new provision of comparable facilities, amenity and location. It is therefore contrary to the saved Policy R1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (including Alterations Adopted 2003), Policy IF4 of the Borough Local Plan Submission Version 2018, and paragraph 97 of the National Planning Policy Framework (2019).

Appendix A- Site location plan



Appendix B- Proposed illustrative layout



Appendix C- Access parameter plan



**Royal Borough of Windsor and Maidenhead
Planning Committee**

MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

28 August 2019

Item: 5

Application no.:	17/04002/OUT
Location:	Claire's Court School Senior Boys, Ray Mill Road East, Maidenhead, SL6 8TE
Proposal:	Outline application for access only to be considered at this stage with all other matters to be reserved for the redevelopment of the existing school facilities and the erection of 11 no. four and five bed detached private dwellings
Applicant:	Berkeley Homes
Agent:	PRP Planning
Parish/Ward:	Maidenhead Unparished/ Maidenhead Riverside Ward
If you have a question about this report, please contact: Antonia Liu on 01628 79 6034 or antonia.liu@rbwm.gov.uk .	

1. SUMMARY

- 1.1 This application is one of two involving the redevelopment of sites currently occupied by Claire's Court School to housing, (the other application being 17/04001). These applications link to three further applications, collectively known as the 'Ridgeway Project', which together propose a new school, hockey pitches and 157 dwellings. This application is in outline, assessing whether the principle of 11 dwellings on this site, together with the proposed access, is acceptable.
- 1.2 The existing school on the site is a community facility, which would not be lost if the separate application for a new school (17/04018) is approved. The proposal would also contribute to the housing supply (including affordable housing) in the Royal Borough, would be compatible with the character of the area in which it would be located and would result in fewer traffic movements to and from the site than the existing school use.
- 1.3 However, the application site is located within an area at high risk of flooding where, over the lifetime of the dwellings, a flood event is highly probable. In such an event, residents would be unable to escape their properties safely and it would be dangerous for emergency services to access the site. In addition, the proposed development would likely reduce the capacity of the site to store flood water so that in the event of a flood, water would be displaced to areas currently not liable to flood resulting in more people and properties being put at risk.
- 1.4 While there are benefits to the proposed development they do not outweigh the potential risk to lives and properties from flooding which would result from approving the application.

It is recommended that planning permission be REFUSED for the following summarised reasons (the full reasons with policy references are set out in Section 12 of this report):	
1.	The application site is in an area at high risk from flooding and the proposal has failed to demonstrate that safe access and egress to and from the site could be achieved in the event of a flood, putting people at risk. It has also failed to demonstrate that it would not increase flooding elsewhere. The proposal therefore fails the Exception Test and is contrary to adopted Local Plan Policy and National Planning Policy.
2.	Loss of community facility contrary to Local and National Planning Policies.

3.	Failure to provide 30% affordable housing contrary to Local and National Planning Policies.
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2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site, measuring approximately 0.73ha, is located within Maidenhead and currently comprises of Claire's Court Senior Boys School at Ray Mill Road East. The school buildings are mainly sited along the western boundary of the site comprising of the main school building (c.1850) and a technology centre (c.1988), and sports hall (c.1983) and bus shelter building (c. 2007) to the south-east. There are also two artificial grass sports area which are sited along the southern and eastern boundary. Car parking is located within a central area of hardstanding and to the north-eastern corner. The entire site lies within Flood Zone 3 with reference to the Environment Agency national flood map for planning. There is a London Plane located towards the entrance of the site which is subject to TPO ref: 050/1998/TPO. A Horse Chestnut also covered by the same TPO is no longer present, having been felled following a Tree Work application ref: 05/02041.
- 3.2 The site is accessed from Ray Mill Road East, which along with residential properties fronting onto Ray Mill Road East bounds the site to the north. To the east is an unnamed Ordinary Watercourse and beyond are residential properties fronting Woodhurst Road. To the west are residential properties fronting Ray Park Avenue, while to the south are residential properties on Camperdown. The wider surrounds is predominately residential in character mainly comprising of suburban housing. The River Thames is approximately 350m to the east and Maidenhead Town Centre approximately 1km to the south-west.

4. CLAIRE'S COURT BACKGROUND AND 'THE RIDGEWAY PROJECT'

- 4.1 Claire's Court is an independent day school founded in 1960 and currently located at 3 separate sites in Maidenhead at the Ridgeway (Junior Boys), Ray Mill Road East (Senior Boys) and College Avenue (Nursery, Junior and Senior Girls, and 6th Form). It is the largest independent school in the Borough and only all-through school which offers education from Nursery to Sixth Form for boys and girls in Maidenhead and represents just under 20% of the RBWM independent school capacity.
- 4.2 Junior Boys at The Ridgeway has a nominal capacity of 280 pupils; Senior Boys at Ray Mill Road East is 360; and the Nursery, Junior and Senior Girls, and Sixth Form at College Avenue is 550. However, while the total nominal capacity is 1190 pupils the school group is unable to operate at more than 96% capacity (1142 pupils) due to physical and statutory constraints. From the annual school census as of January 2018 there were 1055 pupils on the roll, which equates to 89% capacity. Around 56% of pupils live within the Borough.
- 4.3 Claire's Court School provides support for pupils with special educational needs. From September 2017 there have been 10 pupils at Claire's Court with Education, Health and Care Plans (EHCP) funded by the Local Authority.
- 4.4 The nursery situated at College Avenue is an 80-places Early Years setting for 3-4 year olds, which is seasonally based with the funded Early Years component delivered in the morning. The nursery therefore provides 40 FTE places.
- 4.5 The school groups has experienced an approximate 15% rise in admissions between 2013 and 2017. If growth is sustained at the current trend (2%) then the school will be at operational capacity during the 2020-2021 academic year.

- 4.6 In terms of work-force, as of December 2017 there were 171 full time members of staff, 50% of which live in the Borough, and 120 part-time with 64% living in the Borough. The staff number in FTE is 231 with 54% living within the Borough. In addition, the school employs 93 contractors consisting of specialists that provide a regular service but with a low level time input. Approximately 44% of contractors reside inside the Borough. The submission sets out that Claire's Court is the 10th largest employer in RBWM.
- 4.7 A Educational Needs Statement / Report (Appendix 5, Very Special Circumstances Report) has been submitted which identifies problems of operating across multiple sites. The report was updated and is provided in Appendix 2 of the Very Special Circumstances Addendum. This includes economic inefficiencies with the duplication / triplication of facilities and administrative and caretaking services; and time inefficiencies with travel between sites for lessons and activities by staff and pupils, and approximately 12% of families having siblings based at different school sites.
- 4.8 Ray Mill Road East has at its cores Victorian buildings and the site has been progressively and fractionally developed over the years. The space at Ray Mill Road East is broken down by age in the submitted Very Special Circumstances Report and is as follows:

Ray Mill Road East							
Decade of Construction	1850	1960	1970	1980	2000	Temp.	Total
GIA sqm	653	184	421	1214	266	338	3076 sqm
GIA as % of Total	21%	6%	14%	39%	9%	11%	

- 4.9 A Conditions Survey has also been submitted (Appendix 6, Very Special Circumstances Report) which reports that the buildings at Ray Mill Road East are in fair to good condition but have surpassed their life expectancy and renewal work is necessary with immediate works required to replace the majority of roofs, fascias and rainwater good.
- 4.10 In terms of sufficiency and suitability of accommodation, based on national criteria for mainstream schools outlined in the Department for Education Building Bulletin 103 (2014), the Educational Needs Statement / Report identifies problems relating to the existing accommodation at Ray Mill Road East. In summary, identified problems includes under-sized teaching spaces, poor acoustic conditions and sound insulation between rooms and floors and poor DDA accessibility.
- 4.11 In determining a planning application the Local Planning Authority is required under planning law to assess a proposal against the relevant Development Plan policies unless there are material considerations which indicate otherwise. The National Planning Practice Guidance (NPPG) advises that the scope of what can constitute a material consideration is very wide, but in general planning is concerned with land use in the public interest.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The application is for outline permission for the demolition of the existing school buildings and facilities and the erection of 11 dwellings. Outline planning permission enables the principle of development and specified details to be agreed. In this case, in addition to the principle of development, permission is sought for details relating to the accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access, circulation, and how these fit into the surrounding access network (access). The proposal originally submitted also included layout and scale for consideration, but these were subsequently removed from the application by the applicant. While all matters other than access are reserved, information on the use, amount of development for each use, indicative layout, and the upper and lower limits for height, width and length of each building is required to be submitted with an outline application.
- 5.2 As shown on the indicative layout, plan ref: 2107.2-C-1005-X, the proposal seeks to retain the existing access via Ray Mill Road East with a 4.8 wide shared surface to serve 11 detached houses. The houses are arranged in a perimeter block around a central area of open space and

fronting onto an internal access road which runs north to south with two arms running west to east, all terminating in 'dead ends'. The houses would be up to 2 and half storeys with a ridge height of between 9.1m and 11.2m. Paragraph 4.3 of the Planning and Affordable Housing Statement advises that the scheme comprises of 2 x 4-bed houses and 9 x 5-bed houses, this could of course change within any agreed parameters.

5.3 The planning history for the site as follows:

Planning references	Proposal	Decision
10/01982/CPD	Certificate of lawfulness to determine whether a proposed erection of two canopy shades is lawful	Approved - 09.09.2010
10/01762/NMA	Non material amendment to planning permission 09/01189 for alterations to canopy to allow for a fabric roof	Approved - 06.08.2010
09/01189/FULL	Construction of detached locker store and toilet facilities with freestanding canopy shelter	Approved - 17.07.2009
05/00310/FULL	Construction of a two storey lift shaft and stairs to serve ground and first floors, second floor extension (office) and first floor extension (classroom)	Approved - 17.03.2005
01/36913/FULL	Ground and first floor extension to existing sports hall to improve sports facilities	Approved - 21.03.2002
98/32787/TEMP	To replace existing two temporary classrooms with a double unit	Approved - 25.08.1998
96/30660/TEMP	Retention of two terrapin classrooms	Approved - 13.11.1996
92/00882/FULL	Installation of 3 external escape staircases and 1 over flat roof walkway	Approved - 18.08.1992
94/01022/TEMP 92/00881/TEMP 90/01046/TEMP 88/01123/TEMP 408667 306/65 423/63	Continued use of two terrapin classrooms	Approved - 20.09.1994 Approved - 18.08.1992 Approved - 18.06.1990 Approved - 09.06.1988 Approved - 14.03.1979 Approved - 25.06.1965 Approved - 15.07.1963
88/01122/TEMP	Erection of a porta cabin for use as temporary classroom	Approved - 27.05.1988
88/01121/FULL	Construction of a gas meter	Approved - 10.02.1989
87/00994/FULL	Construction of a technology wing with a covered way and bridge link to main school	Approved - 24.07.1987
87/00993/FULL	Construction of corridor	Approved - 30.11.1987
416962 413903	Renewal of temporary permission for 5 classrooms	Approved - 29.03.1985 Approved - 08.03.1982
414412 413855	Erection of sports hall	Refused - 03.09.1982 Appeal Allowed - 30.08.83 Refused - 05.05.1982
405139 409/71 302/62	Add classrooms and toilet accommodation	Approved - 18.03.1977 Approved - 03.02.1972 Approved - 12.06.1962
1294/72 214/68	Hutted classroom unit	Approved - 15.01.1973 Approved - 24.04.68
323/67	Extension to school premises	Approved - 12.06.1967

- 5.4 There are 4 other linked and pending applications which are included on this agenda and are as follows:

Planning reference	Site	Proposal
17/04018/FULL	Claire's Court School, Cannon Lane	Construction of an all-through school comprising nursery and junior building; central building and senior building. Provision of landscaping, amenity area, sport/running track, environmental garden and covered multi-use games area. Provision of staff and visitor car parking, parent drop off and coach parking area
18/00130/OUT	Claire's Court School, Cannon Lane	Outline application (layout, scale and access) for the erection of 157 residential units.
17/04026/OUT	Claire's Court School, Cannon Lane	Outline application (access) for the development of 2 artificial grass hockey pitches, 2 artificial grass practice areas, a new pavilion building for shared use by the hockey club and school together with an artificial grass rugby pitch and associated other recreation grass pitches.
17/04001/OUT	Claire's Court School, College Avenue	Outline application (layout, scale and access) for the erection of 53 no. dwellings.

- 5.5 While there is a relationship between the applications and due regard should be given to that relationship, each application should be considered on its own merits.

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

- 6.1 The Council, in determining the planning application has the following main statutory duties to have regard to the provisions of the development plan so far as material to the application and any other material considerations. (Section 70(2) Town & Country Planning Act 1990), and to determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
- 6.2 The main strategic planning considerations applying to the site and the associated policies are:

Issue	Adopted Local Plan Policy
Protection of Existing Facilities	CF1
Flood Risk	F1
Design, character and appearance	DG1, H10, H11
Open Space	R1, R3, R4
Affordable Housing	H3
Housing Mix	H8
Highways	P4, T5, T7
Trees	N6
Archaeology	ARCH3

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 2 - Achieving Sustainable Development
 Section 4 - Decision-Making
 Section 5 - Delivering a Sufficient Supply of Homes

- Section 8 - Promoting Healthy and Safe Communities
- Section 9 - Promoting Sustainable Transport
- Section 11 - Making Effective Use of Land
- Section 12 - Achieving Well-Designed Places
- Section 14 – Meeting the Challenges of Climate Change, Flooding and Coastal Change
- Section 15 - Conserving and Enhancing the Natural Environment
- Section 16 - Conserving and Enhancing the Historic Environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Housing provision	SP1, HO1, HO2, HO3, HO5
Trees and nature conservation	NR2, NR3
Flood Risk	NR1
Highways and parking	IF2
Makes suitable provision for infrastructure	IF1, IF4, IF7, IF8

- 7.1 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Supplementary Planning Documents / Guidance

- RBWM Interpretation of Policy F1
- Interpretation of Policies R2, R3, R4, R5 and R6
- Planning Obligations and Developer Contributions
- Draft Borough Design Guide

Other Local Strategies or Publications

- 7.2 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy
- Affordable Housing Planning Guidance
- RBWM Strategic Flood Risk Assessment

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

36 occupiers were notified directly of the application. The planning officer posted a statutory notice advertising the application at the site on 18.01.2018 and the application was advertised in a local paper distributed in the borough on 25.01.2018.

Representations supporting and objection to the application received up to the 15 August 2019 are summarised below. Any representations received after this date will be reported in an update.

Around 2083 letters were received supporting the application, summarised as:

Comment		Approximate number of representation on this issue	Where in the report this is considered
1.	Would facilitate relocation and provision of high quality education securing the future of Claire's Court School, and high quality sports facilities, including Maidenhead Hockey Club	2082	9.2-9.5
2.	Would provide much needed houses within the Borough	2068	9.6
3.	Includes transport infrastructure improvements	2064	9.5
4.	Would reduce traffic in town centre and across the Borough as teachers and parents will not have to travel between the 3 Claire's Court sites, and solve on-street parking problems during drop-off / pick up peaks	28	9.52
5.	Would provide much needed affordable homes	22	9.45-9.49
6.	The proposal would safeguard / provide jobs, and would encourage investment in Maidenhead	8	4.11
7.	Would provide 2 acres of public open land at the Ridgeway site for community use	7	4.12
8.	If Claire's Court school closes then over 1000 children will have to find alternative places	2	9.5
9.	Proposed housing is in keeping with character of area	1	9.35-9.36
10.	Increase in demand on physical and social infrastructure is not an issue	1	10.1

13 letters were received objecting to the application, summarised as:

Comment		Approximate number of representation on this issue	Where in the report this is considered
1.	Increase in traffic resulting in harm to highway safety and congestion	6	9.52
2.	No affordable housing on site	4	9.47
3.	Overdevelopment of the site	5	9.35, 9.36
4.	The proposal is out of keeping in terms of height, form, design to the detriment of the streetscene and local character.	3	9.31-9.40
5.	Insufficient parking proposed resulting in an increase in on-street parking pressure	3	9.55
6.	Increase in flood risk	3	9.8-9.30
7.	Housing not required as RWBM can demonstrate 5 year housing supply	3	9.72
8.	Increase in pressure on physical infrastructure (e.g. roads, sewers)	3	10.1
9.	Increase in pressure of social infrastructure (e.g. GPs, Schools, Police)	3	10.1

10.	Harm to neighbouring amenity in terms of visual overbearing, noise, light pollution, and loss of privacy	3	9.58-9.61
11.	Loss of school within the town centre	2	3.1 Not in town centre.
12.	Loss of building of merit and heritage	2	3.1
13.	Harm to ecology	2	9.62-9.68
14.	Loss of / harm to trees	3	9.38-9.40
15.	Disturbance during construction	1	Can be conditioned.
16.	Loss of property value	1	Not a planning matter.
17.	Inaccurate traffic survey	1	9.52

Consultees

Consultee	Comment	Where in the report this is considered
Berkshire Archaeology	No objection subject to a condition relating to a programme of archaeology field evaluation in accordance with an approved written scheme of investigation.	9.69-9.70
Ecology	No objection subject to conditions relating to a European Protected Species licence for bats issued by Natural England, updated surveys to be submitted as part of any reserved matters application, and Biodiversity Enhancement Plan; and either a condition or informative relating to breeding birds.	9.62-9.68
Environment Agency	Raises no objection to the application, subject to a condition to secure measures in the Flood Risk Assessment relating to flood compensation, and the height of the finished floor levels for buildings. [Note for clarity: the EA does not consider the Sequential and Exception Test, this has to be done by the LPA]	9.8-9.11
Environmental Protection	No objection subject to conditions relating to a Construction Environmental Management Plan, Dust Management Plan, restriction on construction fires, details on mechanical plants and equipment, vehicle deliveries, contaminated land, a lighting scheme and air quality.	Noted
Highways	No objection subject to a condition relating to visibility splays to be provided in accordance with the approved plans. Future reserved matter planning application should include details of parking and turning, cycle and refuse details and a construction management plan.	9.50-9.57
Lead Local Flood Authority	No objection subject to compliance with a condition to secure full details of all components of the proposed surface water drainage system.	9.28
Sports England	The proposed development does not fall within the statutory remit and therefore do not want to give a detailed response, but if the proposal involves the loss of any sports facilities then full consideration should be given to whether the proposal meets para. 74 of the NPPF (2012) and whether the proposal is in accordance with local policies to protect social infrastructure. Consideration should also be given to how any new development, especially for housing will provide opportunities for people to lead healthy lifestyles and communities.	Noted
Trees	Amended arboriculture information submitted is acceptable,	9.38-9.40

	but the development should include a shared surface for the driveway in the interest of tree no. 1, 2 and 3. In terms of the tree no. 21 more can be done in terms of an alternative layout / design of the house to reduce the conflict.	
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Others

Group	Comment	Where in the report this is considered
Maidenhead Civic Society	No objection subject to relocation to the combined campus on the Ridgeway site. The dwellings are in character with the neighbourhood and would welcome the reduction in car and bus traffic. Gardens are small, but welcome the central landscaped space to create a more open aspect for the development visually.	Noted

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Principle of Development
- ii Flood Risk
- iii Impact on Character of the Area
- iv Open Space Provision In New Residential Development
- v Housing Mix
- vi Affordable Housing
- vii Highways
- viii Residential Amenity
- ix Ecology
- x Archaeology
- xi Planning Balance

i. Principle of Development

Loss of Community Facility

9.2 Local Plan policy CF1 states that the Council will not permit the loss of existing community facilities and buildings unless it is satisfied that there is no longer a need for them or an acceptable alternative provision is to be made elsewhere. The policy itself does not define what a community facility is, however, while the Independent school at College Avenue does not primarily exist to meet the needs of local residents and is not an asset available to meet the needs for all in the community, it is considered that the school does meet a local community need. Therefore in the weighing up of whether CF1 should be applied, it is considered in this context that it should.

- 9.3 As a material consideration, BLPSV policy IF7 states that existing community facilities should be retained and applications for redevelopment will be resisted unless it can be demonstrated that there is no longer a demand for the facility within the area or the proposed development would provide sufficient community benefit to outweigh the loss of the existing facility or there is provision for new or replacement facilities to meet an identified need in locations which are well related and easily accessible to the settlement or local community. In the justification text for BLPSV policy IF7 the definition of community facility includes schools. It does not distinguish between the types of schools. Given the extent of unresolved objections BLPSV Policy IF7 should be allocated significant weight as a material consideration. As a further material consideration, paragraph 92 of the NPPF states that planning decisions should provide the social, recreational and cultural facilities and services the community needs and guard against the unnecessary loss of valued facilities while paragraph 94 of the NPPF states that it is important that a sufficient choice of school places is available to meet the needs of communities.
- 9.4 Given the policy context it is considered that the existing Senior Boys School at Ray Mill Road East constitutes a community facility and the proposed redevelopment of the site for housing would result in its loss. There is no substantive evidence that there is no longer a need for the school. Given the housing targets set out in the BLPSV, the Council's Infrastructure Delivery Plan (IDP) indicates that demand could increase by 22.3 'Form of Entry' (FE - the equivalent of one class of 30 pupils) with the majority of the increase in Maidenhead. For special education needs, the Borough is in the process of assessing the likely future demand arising from the housing target in the BLPSV, but for the purposes of the IDP an assumption has been made that 300 places overall will be needed. In respect of future requirements, the Council has identified capacity to meet the projected demand, but on the basis that the current independent school sector will continue to provide the same number of spaces. It should be noted that Section 5 of the Very Special Circumstances Report also presents a case against the lack of need for the school.
- 9.5 In respect of an acceptable alternative provision it is proposed that the Senior Boys School is re-provided at a new all-through school campus at The Ridgeway, which is subject to a linked planning application, ref: 17/04018/FULL. This is an acceptable alternative provision in principle, as unlike state funded schools the Claires Court school group does not serve a set catchment area and there is more flexibility in its location. Furthermore it would still be located in the Maidenhead area. However, the application for the school under 17/04018/FULL is recommended for refusal. As such, it is considered that the re-provision of the community facility cannot be achieved and therefore the proposal is contrary to Local Plan policy CF1, BLPSV policy IF7 and the provisions of paragraph 94 of the NPPF.

Residential Development

- 9.6 The site is not allocated for housing in the Local Plan or BLPSV but the site lies within the urban settlement of Maidenhead and is previously developed land. Given the key aim to boost significantly the supply of housing as set out in paragraph 59 of the NPPF, and the substantial weight that should be given to the value of using suitable brownfield land within settlement for homes as set out in paragraph 118 of the NPPF there is no objection in principle to the redevelopment of the site for housing development subject to the re-provision of the community facility. However, the site is located in Flood Zone 3, and flood risk is assessed below.

ii Flood Risk

- 9.7 Adopted Local Plan policy F1 advises that development will not be permitted within areas liable to flood unless it can be demonstrated that it would not in itself or cumulatively in conjunction with other development impede the flow of flood water; reduce the capacity of the flood plain to store flood water; or increase the number of people or properties at risk from flooding. Policy F1 broadly reflects the more recent advice contained in paragraph 155 of the NPPF, a material consideration of significant weight, which requires development to be safe for its lifetime without increasing flood risk elsewhere. However, in the first instance the NPPF requires development to be steered away from areas at highest risk (paragraph 158 of the NPPF). BLPSV policy NR1 states that within designated flood zones development proposals will only be supported where an appropriate flood risk assessment has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is

acceptable in planning terms. Due to the level of unresolved objection to Policy NR1 of the BLPSV, this policy is afforded limited weight as a material consideration. In applying the Sequential Test, development proposals should show how they have had regard to the availability of suitable alternative sites in areas of lower flood risk, the vulnerability of the proposed use and the flood zone designation, the present and future flood risk, the scale of potential consequences and site evacuation in the event of potential flooding.

Flood Zone

- 9.8 Following the publication of the Lower River Thames model (2018) by the Environment Agency (EA), which updated the Flood Zone 3 modelled extents of the flood map for planning, the entire site falls in Flood Zone 3 which is land with a greater than 1% annual probability of river flooding. The sub-categorisation into Flood Zone 3a and 3b for the new modelled extent, however, has not yet been undertaken as this requires further data from the EA which at the time of writing has not yet been released. Flood Zone 3a (High Probability) is defined in the Council's Strategic Flood Risk Assessment (SFRA) as areas that are situated within the 1% or greater annual probability of river flooding, while Flood Zone 3b (Functional Flood Plan) is land subject to flooding in the 5% annual probability and land which provides a function of flood conveyance or flood storage. Flood Zone 2 in this reach of the river uses older modelling of the Thames. Furthermore, the EA has advised that no data from the 2018 modelling is available for applicants to use to inform their flood risk assessment. As such, for the purposes of this assessment, the 2007 Lower River Thames modelling is considered to be the best available data set for this area.
- 9.9 On the basis of the above and using the 2007 Lower River Thames modelling data, the site is classified as being Flood Zone 3a with a section along the eastern boundary lying in Flood Zone 3b and the north-west section of the site lying in Flood Zone 2 (RBWM Strategic Flood Risk Assessment, Figure 6).

Site Specific Flood Risk Assessment

- 9.10 A site specific Flood Risk Assessment (FRA), dated December 2017, was submitted to support the application. During the course of the application, FRA Addendum Issue 1 (20 February 2019), FRA Addendum Issue 2 (1 March 2019) and FRA Addendum Issue 3 (20 March 2019) were subsequently submitted. An additional Flood Risk Note was submitted on 2 August 2019.
- 9.11 Notwithstanding the commentary in paragraph 9.8 of this report, the assessment within the FRA Addendum Issue 3 is based on the 2018 Lower Thames Model. However, there is no objection to this, as in comparison to the 2007 Lower Thames Model for the site the 2018 Lower Thames Model is more onerous.

Sequential Test

- 9.12 Paragraph 155 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, while paragraph 158 states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The aim of the 'Sequential Test' is to ensure that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. Only where there are no other reasonably available sites in Flood Zone 1 or 2 should the suitability of sites in Flood Zone 3 be considered, taking into account the flood risk vulnerability of land uses.
- 9.13 The Council has carried out a Sequential Test for the site as part of the Council's SFRA Level 2 (2018), which concluded that it passes a sequential assessment. Nevertheless, a Sequential Assessment has also been submitted to support the application. The Sequential Assessment uses the Council's Strategic Housing Land Availability Study (SHLAA) (2014) and Housing and Economic Land Availability Assessment (HELAA) (2016) to identify potential sites which are comparable in area and potential yield across the Borough. An analysis of these sites has also been undertaken, determining whether sites with a lower probability of flood risk have a realistic prospect of being successful in securing comparable residential development and whether they would be reasonably available. The Sequential Assessment concludes that there are no other

sites within the Borough with a lower risk and of a similar size that are available for the proposal. It is considered that the Sequential Test for flood risk is passed.

Exceptions Test

- 9.14 Paragraph 159 of the NPPF states that if it is not possible for development to be located in zones with a lower flood risk of flooding the Exception Test may have to be applied depending on the potential vulnerability of the site and the proposed development. In this case, *Table 2: Flood Risk Vulnerability Classification* of the NPPG classifies housing as 'More Vulnerable', while *Table 3: Flood Risk Vulnerability and Flood Zone Compatibility* indicate that 'More Vulnerable' development in Flood Zone 3b is incompatible and should not be permitted. However, paragraph 5.4 of FRA Addendum Issue 3 confirms that there will be no changes to levels and the indicative layout shows how the development could be designed so that there will be no built development within the existing Flood Zone 3b extent. 'More Vulnerable' development is considered to be acceptable in Flood Zone 3a, provided that it passes the Exception Test, considered below.
- 9.15 In accordance with paragraph 160 of the NPPF, for the Exceptions Test to be passed an application should be informed by a site-specific flood risk assessment (FRA) and it should be demonstrated that the development would provide wider sustainability benefits to the community that outweigh the flood risk; and the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. Paragraph 161 of the NPPF goes on to state that both elements of the Exception Test should be satisfied for development to be permitted. The Exception Test is a matter for the local planning authority, it is not considered by the Environment Agency or encompassed in its response to this application.
- 9.16 In terms of not increasing flood risk elsewhere, a compensation assessment is normally carried out to determine the loss of floodplain area at 100mm to 300mm intervals with losses calculated up to 1% annual probability plus climate change. The appropriate level of allowance for climate change is dependent on the flood zone and flood risk vulnerability classification and, in accordance with *Table 1: Peak River Flow Allowances by River Basin District* of the NPPG, for more vulnerable development in Flood Zone 3a in the Thames River basin where the lifetime of the development is a minimum of 100 years, the higher central (35%) allowance should be used.
- 9.17 Figure 3 in FRA Addendum Issue 3 shows the existing flood volume of floodplain storage on the site for each 200mm slice between the lowest ground level and the 1 in 100 (1%) plus 35% climate change allowance level. Figure 5 in the FRA Addendum Issue 3 shows the proposed flood compensation volumes which show an increase of approximately 455 cubic metres. However, as shown in Figure 5 approximately 1441 cubic metres of the flood compensation volume is provided by voids under 10 of the 11 dwellings. The supporting text for Local Plan policy F1 indicates that flood compensation schemes must be carried out on a level for level basis (paragraph 2.4.10). Level for level compensation is the matching of volumes lost by lowering of ground levels on land connected to the floodplain and above the 1% annual probability flood level plus an appropriate allowance for climate change, whereas voids are considered to be mitigation of risk by design rather than a direct replacement for the loss of storage volume and there is no guarantee that the floodplain will be retained in the same way as the effectiveness of voids would depend on keeping the voids open and on proper maintenance for the lifetime of the development. A Void Maintenance Plan is included in Appendix C of the FRA Addendum Issue 3, which advises that on purchase of the dwellings residents will be provided with a copy of the Void Management Plan, informed of the importance of ensuring the voids remain fully useable at all times and the requirement for the management company to undertake annual external checks and internal checks every 10 years without hindrance. Residents will then be informed of any issues accordingly. However it is not considered that the maintenance plan can be effectively enforced through a condition nor is there a planning mechanism to guarantee residents will comply, in particular giving access to their property or action on any advice. As such, voids are not considered to be an effective alternative for level for level flood plain compensation, and the proposal development would therefore increase flood risk elsewhere. This is consistent with the Local Plan and the consideration of other applications in Flood Zone 3a and has been supported consistently at planning appeal.

- 9.18 In terms of demonstrating that the development will be safe for its lifetime the NPPG advises that the development should be designed to reduce flood risk, and to adequately protect property and people from flooding the EA advises that finished floor levels should normally be 300mm above the estimated 'design flood' plus an appropriate level of climate change and flood resistant and resilient measures should be incorporated where possible. For fluvial flooding, the 'design flood' is generally taken as 1 in 100 (1% annual probability) flood event. FRA Addendum Issue 3 identifies the 1 in 100 flood level plus 35% climate change allowance for the site as 24.66 Above Ordnance Datum (AOD). Paragraph 6.4 of FRA Addendum Issue 3 goes on to confirm that the finished floor levels of the proposed dwellings will be at least 300mm higher at 24.96m AOD – the current artificial pitch on site has a level of around 23.60m taken from the site survey submitted, whilst the access from Ray Mill Road is around 24.7m. The proposal includes other resistant and resilient measures such as flood resilient plaster, flood resilient flooring and raised wiring and sockets, which are also considered acceptable in principle. If minded to approve it is recommended the minimum finished floor level and details of the flood resistant and resilient measures are secured by condition.
- 9.19 The NPPG also advises that access and egress during a design flood is important to the overall safety of the development. For a route to be considered safe during a 1 in 100 plus climate change flood event, EA guidance states that the route should have a 'very low' hazard rating in accordance with the Framework and Guidance for Assessing and Managing Flood Risk for New Development (FD2320/TR2). Any other classification of route including 'danger for some', 'danger for most' and 'danger for all' would place future occupants of the development at risk. Paragraph 8.2 of FRA Addendum Issue 3 states safe access and egress has been assessed against the 1 in 100 year plus 35% climate change flood level, and Figure 7 shows flood depths of up to c. 1.2m. At this depth a safe route from the development to an area wholly outside the floodplain cannot be demonstrated. Paragraph 8.2 of FRA Addendum Issue 3 goes on to state it would be necessary for the development to rely on a Flood Emergency Plan which includes an evacuation strategy.
- 9.20 It is acknowledged that in some respect the 2018 Lower River Thames Model is more onerous than using the 2007 Lower River Thames Model. However, the 2007 Lower River Thames Model formed the basis of the FRA originally submitted, which also failed to demonstrate safe access. Paragraph 10.2 of the original FRA states that a detailed analysis of the predicted flood depths and grounds levels had not been undertaken of the identified route from the site to an area wholly outside of the floodplain but is likely to represent 'danger for some' or even 'danger for most'. The default position for future users of the site will be dependent on flood warnings and a Flood Emergency Plan including a flood evacuation plan, and as a last resort people would be required to take refuge at first floor level within the properties.
- 9.21 A Flood Evacuation Plan is included in Appendix C of the FRA Addendum Issue 3, which has been reviewed and agreed by the Council's Emergency Planning Manager. It is noted that the Thames is a slow responding catchment with typically a week's notice before significant flood arrives in Maidenhead. However, paragraph 4.1 and 4.3 of the Flood Evacuation Plan indicates that it is ultimately the responsibility of the resident and there is no planning mechanism that could guarantee that residents would heed flood warnings or taking into account potentially vulnerable occupiers could and would vacate at the time of any warning.
- 9.22 If residents remain in their homes, taking refuge at first floor level within the properties, there is no guarantee that residents would have sufficient supplies of food, drinking water and medical treatment for the duration of a flood event. A flood event could also be affected by the failure of infrastructure such as power and water supply and sewage provision. Consequently in this scenario it would be likely that emergency services would be called upon to move occupants, especially those less able. This is acknowledged in paragraph 13.5 of the submitted Flood Emergency Plan which states that where residents are trapped for extended periods they are more likely to need rescue from emergency services. The NPPG states that the emergency services are unlikely to regard developments that increase the burden and risk to emergency staff as being safe. Therefore, it is considered that due to the failure to provide a safe route of access and egress and reliance on a Flood Emergency Plan the proposed development is not considered safe for its lifetime.

- 9.23 A school and residential uses have the same flood risk vulnerability and a school is likely to have more people at the site than a development of 11 dwellings, but whereas a school could close following a flood warning, and this would be enforced by the management of the site by the school itself, this would not be an option for dwellings. A dwelling would also represent an intensive living environment being occupied at night when a flood event could occur.
- 9.24 The applicant has referred to consented residential schemes (ref: 13/00768, 15/02641, 15/02081 and 16/01769) which have been approved on the basis of an Flood Emergency Escape Plan, but each application should be determined on its own merits with regard to the development plan and other material considerations. The applications the applicant seeks to rely on are not directly comparable and are afforded very limited weight as material considerations against the failure of the scheme to comply with the NPPF which has significant weight as a material consideration; those applications also serve to demonstrate why it is important to determine applications based on planning policy to ensure consistency of decision making across the borough.
- 9.25 In terms of wider sustainable benefits, the applicant has put forward that the scheme has an opportunity to improve the visual amenity of the site and immediate surrounding area. It is accepted that residential development would be more in keeping with general character of the area, but with layout, scale and appearance reserved matters yet to be considered and thus no indication of what these might entail it is considered that this is given limited weight as a wider sustainable benefit – the need to ‘lift’ the development above the 1 in 100 year plus 35% climate change allowance and what that might look like has to be a factor in that consideration too. It is accepted that the proposal represents a net increase in 11 dwellings, which would contribute towards boosting the Council’s housing supply, and the location is considered to be sustainable one, sited within the built extent of Maidenhead with a range of services, facilities and transport links.

Paragraph 163 of the NPPF

- 9.26 When determining any planning application, paragraph 163 of the NPPF states that local planning authorities should ensure that flood risk is not increased elsewhere and through a site-specific FRA (and the sequential and exceptions tests as applicable) it can be demonstrated that the most vulnerable development is located in areas of lowest flood risk within the site unless there are overriding reasons to prefer a different location; the development is appropriately flood resistant and resilient; it incorporates sustainable drainage systems (SUDS) unless there is clear evidence that this would be inappropriate; any residual risk can be safely managed and safe access and escape routes are included where appropriate as part of an agreed emergency plan.
- 9.27 Flood resistance and resilience, and safe access is assessed under the Exception Test. Turning to the remaining tests outlined in paragraph 163 of the NPPF, paragraph 5.4 of FRA Addendum Issue 3 confirms no building development will be located in Flood Zone 3b with built development located in the lowest areas of flood risk within the site (Flood Zone 3a and 2).
- 9.28 A SUDS scheme has been submitted to support the application which proposes source control and infiltration for surface water control of the site. This is acceptable in principle and sufficient details have been submitted to demonstrate that such a scheme would be effective and can be achieved on site. If minded to approve it is recommended that a detailed sustainable drainage scheme for the development including full details such as location; dimensions; gradients; invert levels; cover levels; calculations confirming compliance with the Non-statutory Technical Standards for Sustainable Drainage Systems based on infiltration testing results in accordance with BRE 365 if infiltration is employed; construction details; and maintenance is secured by condition.
- 9.29 Residual risk is defined in the SFRA as a measure of outstanding flood risks and uncertainties that have not been explicitly quantified and or accounted for. There is no substantive assessment of residual risk submitted with the application or information on how residual risk would be safety managed. However, as the proposal fails to demonstrate that flood risk can be safety managed during a 1 in 100 flood event plus climate change then it follows that the proposal would not be safe when considering any additional residual risk.

Flood Risk Summary

- 9.30 The site lies within an area of flood risk: the site specific FRA and addendums to it fail to demonstrate that the proposal would not increase flood risk elsewhere, that it would be safe for its lifetime, and how residual risk would be safely managed. The proposal is therefore contrary to Local Plan policy F1 and paragraph 160 and 163 of the NPPF.

iii Impact on Character of the Area

- 9.31 For an outline application, while all matters apart from access is reserved, it should be demonstrated that a proposal for 11 dwellings can be satisfactorily accommodated on site without undue harm to the character of the area.
- 9.32 Local Plan policy H10 states that new residential schemes will be required to display a high standard of design and landscaping and where possible enhance the existing environment, policy DG1 resists development which is cramped or which results in the loss of important features which contributes local character, and in established residential areas policy H11 resists development would introduces a scale or density which would be in incompatible with or cause damage to the character of the area. As a material consideration, BLPSV policy SP2 expects larger developments (over 10 residential units) to foster a sense of place, while SP3 requires development to achieve a high quality design and sets out design principles; these policies should be given significant weight. As a further material consideration, paragraph 122 of the NPPF states that planning decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting and the importance of securing well-designed and attractive places. Paragraph 124 of the NPPF goes on to state that good design is a key aspect of sustainable development and indivisible from good planning, while paragraph 130 of the NPPF states that planning permission should be refused for development of poor design that fails to take the opportunity available for improving the character and quality of an area and the way it functions.
- 9.33 The site is located within an area defined as a 'Leafy Residential Suburb' in the Council's Townscape Character Assessment, along with the adjacent houses sited to the north, south and west. Ray Mill Road East and the eastern boundary of the site forms the edge of this character area with houses to the north of Ray Mill Road East and houses to the east fronting onto Woodhurst Road falling within an area defined as a 'Late 20th century Suburb'.
- 9.34 The key characteristics of a 'Leafy Residential Suburb' is low to medium density residential development defined by suburban-style detached and semi-detached two-storey houses on medium to large plots on wide primary roads with narrower subsidiary streets terminating in cul-de-sacs or 'turning circles'. The leafy character is a result of properties being set significantly back from the road, often bounded by hedges to the front behind which are private gardens with mature trees and shrubs. The leafy character is reinforced by street trees and/or planting. The 'Late 20th Century Suburbs' are medium density residential suburbs consisting of long curvilinear feeder streets with short subsidiary roads culminating in cul-de-sacs. The built form is defined by suburban style demi-detached and detached two-storey houses set in regular plots with short front and longer back gardens. Consistency in plot form, density and building scale results in harmonised streetscape character. Car parking is provided off-street often on driveways (sometimes with garages) or communal parking bays. Unfenced front gardens, wide grass verges and shared amenity greenspace blur the boundary between public and private realms.

Density

- 9.35 The proposed development would result in a density of around 16 dwellings per hectare (dph). This represents a lower density than the existing which is around 20 – 25 dph and would not represent the efficient use of land as encouraged in section 11 of the NPPF. Low density development is typically up to 35 dph, smaller dwellings on the same footprint would have been a means to increase density and make more efficient use of the land whilst maintaining character.

Layout

- 9.36 The indicative layout comprises of detached dwellings on a short subsidiary street leading off a long feeder street (Ray Mill Road East) and terminating in a cul-de-sac. The houses are set in regular, medium sized plots with short front gardens and longer back gardens, and parking provision is off-street on driveways and garages. Overall, it is considered that the indicative layout conforms more to the characteristics of the 'Late 20th Century Suburbs' but located on the edge of the 'Leafy Residential Suburbs' area as it transitions to 'Late 20th Century Suburbs', and given that the application site would be viewed in close connection with both character areas, this is considered to be acceptable.
- 9.37 It has been advised that the land adjacent to the watercourse / ditch to the east of the site would remain in ownership of Claire's Court School, but the indicative layout shows how a footway access can be incorporated to ensure there would be access for maintenance.
- 9.38 Existing trees are considered to contribute positively to the visual amenity of the area and Local Plan policy N6 requires new development to allow for the retention of existing suitable tree wherever practicable and should include protection measures necessary to protect trees during development. Where the amenity value of trees outweighs the justification for development then planning permission may be refused. As a material consideration, BLPSV NR2 states that development proposals should carefully consider the impact of proposed development on existing trees and where harm is unavoidable provide appropriate mitigation measure, but where the amenity value of trees outweighs the justification for development than planning permission may be refused. As originally submitted there were concerns over the impact to tree no. 1 (London Plane), no. 2 (Scots Pine) and no. 3 (Oak) as shown on the Tree Constraints Plan, ref: 8441-KC-XX-YTREE-TCP01 Rev. A, due to a proposed pedestrian walkaway sited adjacent to the main vehicular access into the site. However, the pedestrian walkway has subsequently been removed from the scheme and the vehicular access has been amended so that it is now a 'shared surface'. The acceptability of the shared surface in terms of highway safety is assessed below in paragraph 9.54.
- 9.39 Tree no. 21 is an Oak which due to its size has the potential to be visually and physically dominant overshadowing dwellings and gardens. Overlaying the indicative site layout with the Tree Constraints Plan shows that the crown of the Oak would cover around a quarter of the garden for plot no 3 (as indicated on the on Tree Protection Plan, ref: 8441-KC-XX-YTREE-TPP02 Rev B). This would result in poor amenity for this dwelling, and crown reduction could result in a detrimental impact to the health and longevity of the Oak. At reserved matters alterations to the siting or shape of the house would be expected to reduce the conflict.
- 9.40 Trees no. 6-18 along the northern boundary are shown to be removed, as a row of poor quality Leyland Cypress trees there is no objection. The applicant has confirmed that they will be replaced with hedging and standard trees as part of a reserved matters application where landscaping would be considered. It would be desirable to retain tree no. 45 (Lime), which is proposed to be removed, as it is visible from Ray Mill Road East and therefore contributes to public visual amenity, but it is accepted that a bat-house is required in this location and therefore on balance its loss is acceptable.

iv Open Space Provision In New Residential Development

- 9.41 Local Plan policy R3, R4 and R5 requires this site to make appropriate provision for public open space within the development. In this case, the requirement is for the provision of a Local Area for Play (LAP). National guidance (Guidance for Outdoor Sports and Play: Beyond the Six Acre Standards), which supersedes the standards for a LAP set out in Appendix 2 of the Local Plan, sets out the minimum dimensions for a LAP as 10 x 10m. The indicative layout shows approximately 5.5% of open space (390sqm) can be accommodated on site, which is sufficient to accommodate a LAP and therefore considered to be acceptable.

v Housing Mix

- 9.42 Local Plan policy H8 states that the Council will expect development to contribute towards improving the range of housing accommodation within the Borough and will favour proposals which include dwellings for small householders and those with special needs. As a material

consideration, BLPSV policy HO2 states that the provision of new homes should contribute to meeting the housing needs of the current and projected households by providing an appropriate mix of dwelling types and sizes reflecting most up-to-date evidence.

- 9.43 The proposed housing mix is set out in paragraph 4.3 of the Planning and Affordable Housing Statement. The most up-to-date evidence on identified need is set out in the Berkshire Strategic Housing Market Assessment (SHMA) (2016) with the utmost need being 3-bed units. In comparison with this identified need by number of bedrooms, with its focus on 5 bedroom units the proposed development would not provide an appropriate mix for market housing. However, the proposed balance is not in itself objectionable when compared with the completions by housing size for the past 3 years (2015 to 2018) (Monitoring Report 2018, Table 7) and given that the Council's 5 Year Housing Land Supply Statement (March 2019) reports a housing delivery rate of 97% based on the 2018 Housing Delivery Test. The completions by housing size relate to all housing, but given that affordable housing as a percentage of total net completions are 23% (2013/14), 14.2% (2014/15), 2.5% (2015/16), 2.6% (2016/17) and 4.5% (2017/18), the picture still suggests that the proposal would contribute to the apparent shortfall of 4+ bed housing.

	1 bed	2 bed	3 bed	4+ bed
Need (2013 – 2036) (Market Sector)	966 7.9%	3,508 28.6%	4,737 38.6%	3,074 25.0%
Completions (2013 – 2018) (Total)	531 20.5%	1112 43%	486 18.8%	453 17.5%
Proposed (Market Sector)	0	2	0	9

- 9.44 If minded to approve it is recommended that the proposed housing mix should be secured by condition. The viability report submitted to support the proposed affordable housing provision and subsequent viability assessment is based on this schedule of accommodation. Changes to the housing mix would have implications on these matters, which justifies a condition to secure the proposed housing mix in the interest of proper planning.

vi Affordable Housing

- 9.45 For residential development sites of 0.5ha or over, as in this case, Local Plan policy H3 requires the provision of 30% of the total units provided on site as Affordable Housing. BLPSV Policy HO3 is given limited weight due to the extent of unresolved objections but for a scheme of this size would result in the same affordable housing requirement. On this basis 3 units should be affordable as part of this proposal.
- 9.46 Policy H3 of the adopted Plan is silent on tenure, but it makes reference to identified local need which the SHMA sets out in detail. The SHMA sets out a tenure of 80% of social/affordable rented and 20% intermediate housing to meet, which would equate to 2 units of social/affordable rented and 1 units of intermediate housing. Paragraph 64 of the NPPF, which is a material consideration, states that at least 10% of the homes are expected to be available for affordable home ownership as part of the overall affordable housing contribution from the site unless this would exceed the level of affordable housing required in the area or prejudice the ability to meet the identified affordable housing need within the Borough. This would equate to 1 units. 'Affordable homes ownership' is not defined but on the basis of the definition of affordable housing in Appendix 2 of the NPPF the indication is that this would be made up of starter homes, discounted market sales housing or other affordable routes to home ownership (shared ownership or shared equity units). In this respect, while the SHMA does identify the need for affordable housing in this borough as being predominantly social rent and then affordable rent, the NPPF is more recent and given significant weight. As such, for a policy compliant scheme the expectation would be that the scheme would bring no more than 1 units forward for Low Cost Home Ownership and the remainder for rented products.
- 9.47 The proposal is for 11 residential dwellings all of which are private, but with 3 affordable units (30%) proposed at 1 College Avenue (ref: 17/04001/OUT). The Council's Affordable Housing Planning Guidance advises that affordable housing provision can be provided through a proposed alternative site and so there is no objection in principle to the provision of the affordable

housing at 1 College Avenue provided that both schemes are approved and can be tied together through a legal agreement.

- 9.48 The proposal is for 100% of the 3 units to be shared ownership. However, the applicant submitted a viability report in May 2018 in support of this planning application that sought to demonstrate that the proposed development is unable to support a tenure mix with a higher proportion of social/affordable rent in line with need. This was independently assessed by the District Valuer. It should be noted that the funding of the new school subject to planning application ref: 17/04018/FULL is being met from a combination of sources including the land receipts from this site (and the 2 others at College Avenue and The Ridgeway), and therefore included in the land value for the purposes of the viability assessment. The District Valuer concluded that the proposal scheme is deliverable but a higher proportion of social/affordable rent would be unviable.
- 9.49 However, it should be noted that if the proposal under 17/04001/OUT at 1 College Avenue were to be refused in accordance with the officer recommendation then the affordable housing element associated with this application cannot be achieved and it should be refused on this basis.

vii Highways

- 9.50 Local Plan policy T5 requires all development proposals to comply with adopted highway design standards, policy P4 requires all development proposals to accord with adopted car parking standards, while policy T7 seeks to ensure that new development makes appropriate provision for cyclists including cycle parking. As a material consideration, BLPSV policy IF2 states that development proposals should support the policies and objectives of the Transport Strategy as set out in the Local Transport Plan and provide car and cycle parking in accordance with the current Parking Strategy; this policy should be afforded significant weight in the consideration of this application. As a further material consideration, paragraph 108 of the NPPF states that appropriate opportunities to promote sustainable transport modes should be taken up; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network or on highway safety should be cost effectively mitigated to an acceptable degree. Paragraph 109 of the NPPF goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.51 It should be noted that highways comments reported in section 8 of this report were provided prior to the withdrawal of layout and scale for consideration. However, the access off Ray Mill Road East is unchanged as is the number of residential units and schedule of accommodation and therefore the comments are still considered applicable.

Trip Generation

- 9.52 A traffic survey to/from the school shows that the school generated 57 inbound and 20 outbound vehicles movements during the morning peak, while the afternoon peak shows the school generated 15 inbound and 29 outbound vehicle movements. It should be noted that this does not include pick-up and drop-offs by parents / guardians as they are restricted from school grounds, and therefore the number of inbound and outbound vehicles movements generated by the school during am and pm peaks within the immediate locality are likely to be higher. To determine the potential number of trips generated by the proposed residential development the national TRICS database was interrogated and, based on a comparable residential site of similar size and accessibility criteria, the data demonstrates that the development would potentially generate 2 inbound and 6 outbound during the morning peak and 6 inbound and 3 outbound during the afternoon peak. This represents a reduction in vehicular activity during the peak times, and so the proposal would not result in undue harm to the local highway infrastructure network in terms of capacity and congestion

Access

- 9.53 The proposal seeks to retain the existing vehicular access of Ray Mill Road East. Based on drawing ref: 2107.2.C-1005-X the existing access will be able to achieve the best possible

visibility splays of 2.4m x 16m to the left by 2.4m x 15m to the right. This is below the 25m required: it is considered that the visibility splays are acceptable in this particular instance as the access is as existing, there would be a likely reduction in vehicle movements and there have been no reported injury accidents near the access within the last 10 years.

- 9.54 The shared surface proposed is considered acceptable as the width of the access (4.8m-5m) would meet standards in the Council's Highway Design Guide for a shared surface serving a cul-de-sac with up to 25 dwellings. Drawing ref: 2107.2.C-1005-X also shows that a new set of gates at the access. The gates will be set back 12m from the back edge of the carriageway to enable all vehicles to safety pull off the adopted highway before gates are opened and closed, and therefore acceptable. For these reason the proposed development would not result in undue harm to highway safety.

Car Parking

- 9.55 Car Parking is normally a consideration with layout, and therefore a reserved matter, however the Design and Access Statement states that the school has 47 parking spaces which are used by 76 members of staff while parents / guardians are prohibited from the school site to drop off / pick up pupils. As such, there is currently a high demand for on-street parking within the vicinity of the school. The proposed development is for 11 x 4+ bed houses which would generate a demand for 3 on-site car parking spaces per dwelling. The indicative layout illustrates at least 3 car parking spaces per dwelling. Therefore, the proposal is considered to remove a significant demand for on-street parking, which would be a highway benefit.

Cycle Parking and Refuse Provision

- 9.56 At least 1 cycle parking space should be provided for each unit. It is considered that there would be sufficient space within the site and within the relevant plots to accommodate this, details of which can be secured by condition.
- 9.57 Layout is a reserved matter, but a swept path analysis would be required to demonstrate that a refuse vehicle (2.5m x 11.35m) can enter and exit the site in forward gear and refuse storage and collection points should comply with the guidelines set out in Manual for Streets. If minded to approve it is recommended that this is secured by condition.

viii Residential Amenity

- 9.58 Local Plan policy H11 states that planning permission will not be granted for schemes which introduce a scale or density of new development which would cause damage to the amenity of the area. As a material consideration of significant weight, BLPSV Policy SP3 and HO5 also seeks to ensure no undue harm to residential amenity enjoyed by the occupants of adjoining properties. Paragraph 127 of the NPPF states that planning decisions should create places with a high standard of amenity for existing and future users but this is balanced against paragraph 123 which to ensure that developments make optimal use of land when considering applications for housing a local planning authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).
- 9.59 The proposal is sited within a residential area and close to neighbouring residences. Based on the indicative height parameters and layout there is no indication that a scheme with an acceptable impact on neighbouring amenity could not be delivered. The indicative layout shows that it is possible to achieve back-to-back or side-to-back distances of over 21m between the proposed houses and the existing houses on Ray Park Avenue, Camperdown, Woodhurst Road and Ray Mill Road East with the exception of the proposed dwelling to the north-west corner of the site. This distance would be sufficient to mitigate any undue loss of light, visual overbearing and overlooking to habitable rooms. There would be potential for views into neighbouring rear gardens, but given the mutual level of overlooking that is common in a suburban area this would not likely to be considered to result in significant harm to neighbouring amenity. If approved regard would have to be had to the finished floor levels of dwellings and the height of any

required boundary treatment. In relation to the proposed house to the north-west corner of the site, the side elevation of the two-and-half storey element would be sited at a greater distance from the rear elevation of no. 84 – 90 Ray Mill Road East (approximately 18m) than the existing two and half storey school building (approximately 16m). The width of built development proposed across the shared boundary would also be reduced. As such, it is not considered that there would be undue harm in terms of loss of light, visual overbearing or overlooking to this neighbouring property as a result of the development.

- 9.60 Concerns have been raised by local residents over potential noise and disturbances during construction works, and light pollution and noise and disturbance from the operation of the residential development. If minded to approve, it is considered the effects of noise, vibration, dust and site lighting during the construction of the development can be mitigated by a construction environmental management plan. In terms of light pollution, if minded to approve details of the external lighting including the siting, design (luminaire type and profiles, mounting height, aiming angles, and energy efficient measures) and beam orientation can be secured and controlled through a condition. Given the nature of residential use it is not considered that there would be undue noise and disturbances, but any noise that unreasonably and substantially interferes with the use or enjoyment of a home or other premises is covered by the Environmental Protection Act 1990.
- 9.61 There are no specific Local Plan policies regarding the provision of suitable residential amenity for future occupants of the development. However, as a material consideration of significant weight, BLPSV Policy HO5 seeks to ensure satisfactory residential amenity for the proposed accommodation, while paragraph 127 of the NPPF states that planning decisions should create places with a high standard of amenity for existing and future users. The indicative site layout show that the site could accommodate a development for 11 dwellings to mitigate any potential loss of light, overlooking or visual overbearing for the proposed houses due to their siting, orientation and separation distances. Individual layouts for the proposed houses have not been provided with this application, but based on the indicative scale of the proposed units it is considered that all units would have sufficient internal floor space to accommodate adequate room shapes and sizes.

ix Ecology

- 9.62 As a material consideration Paragraph 175 states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or as a last resort compensated for then planning permission should be refused. BLPSV Policy NR3, which should be allocated significant weight in the consideration of this application, states that proposals should demonstrate how they main, protect and enhance the biodiversity of application sites and requires proposals to mitigate or as a last resort compensate for any adverse biodiversity impacts where unavoidable adverse impact on habitats and biodiversity arise. Protecting and enhancing the natural environment forms part of the 'Environmental' dimension of 'Sustainable Development' and paragraph 170 of the NPPF states that planning decisions should minimise impacts on and provide net gains for biodiversity.

Bats

- 9.63 In 2014 the buildings on site were assessed for their potential to support roosting bats and bat dropping were recorded and 319 soprano pipistrelle bats were counted emerging from Building A, as identified on Map 3 within the submitted Ecology Report and Mitigation Strategy. Following inspections of all buildings in 2015 Building A was confirmed as a roost of soprano pipistrelles, Building B was recorded as a confirmed roost of brown long-eared bats and Building D was recorded as having low potential to support bats. The remaining 5 buildings and all trees within the and immediately bordering the site were considered to have negligible potential to support bats. During a further survey of Building A, B and D in 2015 and 2016, soprano pipistrelles were recorded emerging and returning to roost from Building A and B with no bats recorded within Building D. It has been concluded that Building A supports a moderate to large maternity roost and possible hibernation roost of soprano pipistrelle bats and Building B is a confirmed small non-breeding day roost for soprano pipistrelles and a historic roost for brown-long eared bats. The bat assemblage at the site is considered to be of county importance.

- 9.64 Details of mitigation and compensation measures to ensure the maintenance of the population of bats on site has been proposed which includes updated emergence / re-entry surveys annually in the lead up to a reserved matters application; further internal and external surveys and emergence survey immediately prior to the commencement of development; dedicated bat house close to the current roosts that will be constructed at least one maternity season prior to the demolition of the buildings; installation of tree mounted bat boxes prior to commencement of works; timing of works to buildings to avoid the hibernation and maternity periods; the soft strip of buildings by hand; ecological supervision of works to buildings with confirmed roost features or buildings with bat potential; measures to ensure noise and lighting during the construction phase will not impact bats; sensitive lighting post construction; and maintenance of commuting features and vegetation cover for bats. It is considered that the implementation of these measure would adequately mitigate and compensate for the disturbance and loss of these roosts. These mitigation and compensation measures will be detailed within a method statement to be submitted to Natural England to secure a European Protected Species licence (EPSL) prior to the commencement of works.
- 9.65 It is also recommended that a condition is attached to any permission requiring that the results of the updated bat surveys should be submitted as part of any subsequent reserved matters application. This is to ensure that any changes to the mitigation or compensation required as a result of the updated surveys are taken into account.

Amphibians

- 9.66 There are a number of ponds and lakes within 500m of the application site which have the potential to support amphibians, but separated from the development by roads and residential development. It is considered that the site itself provides limited suitability for these species, and therefore no further survey for these species is required.

Breeding Birds

- 9.67 There was evidence of birds nesting within the loft of Building 2. If minded to approve, it is recommended that an informative note is included to advise that the removal of vegetation and bird boxes, and building demolition should be timed to void the breeding bird season.

Biodiversity Enhancements

- 9.68 The submitted ecology report provides recommendations for ecological enhancements including bird boxes to retained mature trees, creation of a pond within the site boundaries, an invertebrate logger on the eastern boundary of the site close to the dry ditch to benefit saproxylic invertebrates, and the planting of native species. If minded to approve it is recommended that the biodiversity enhancements detailed in the Ecology Report are secured by condition.

x Archaeology

- 9.69 Local Plan policy ARCH 3 states that planning permission will not be granted for proposals which appear likely to adversely affect archaeological sites of unknown importance unless adequate evaluation enabling the full implications of the development on archaeological interests is carried out prior to the determination of the application. This is supported by paragraph 189 of the NPPF which states that where a development site has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 9.70 Although Berkshire Archaeology's Historic Environmental Record shows no known heritage assets within or in close proximity to the application site there is potential archaeological implications with this proposal given the size of the site and undeveloped areas within it, and the known archaeology of the wider Middle Thames Valley that includes prehistoric, Neolithic, Bronze

Age, and Roman remains. It is therefore considered that further archaeological investigation would be merited. Paragraph 15.33 of the Very Special Circumstances Report states that there are no archaeological impacts from the development at the Ray Mill Road East site, although no substantive evidence has been submitted to support. As such, if minded to approve, a programme of archaeological field evaluation in accordance with a written scheme of investigation, and any subsequent mitigation strategy, can be secured by condition. In this instance it is considered that any further archaeological investigation can be undertaken post-permission as there has been some previous development on the site.

xi Planning Balance

9.71 Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

Footnote 7 of the NPPF (2019) clarifies that:

'out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer)'

9.72 Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council formally submitted the BLPSV for Examination in January 2018. The Borough Local Plan Submissions Version sets out a stepped housing trajectory over the plan period (2013-2033) to meet the Boroughs Housing need. However, the BLPSV is not yet adopted planning policy and the Council's adopted Local Plan is more than five years old. Therefore, for the purposes of decision making, currently the starting point for calculating the 5 year housing land supply should be the 'standard method' as set out in the NPPF (2019). At the time of writing, the LPA currently cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer).

9.73 However footnote 6 of the NPPF further clarifies that section d(i) of paragraph 11 of the NPPF (2019) is not applied where '*policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed*'. This includes areas at risk of flooding. Where there are such restrictive policies in play, and their requirements are not satisfied by the development proposal, the "tilted balance" does not apply, and the planning balance is to be carried out having regard to the statutory test in section 38(6) of the 2004 Act. In this instance, subsection d(i) of paragraph 11 is engaged as flood risk policies in the NPPF provides a clear reason for refusing the development proposed as set out in paragraphs 9.14 to 9.30 above.

Conclusion

9.74 Accordingly, in the ordinary planning balance, while there are benefits that weigh in favour of supporting the scheme, such as the contribution the new dwellings would make (including affordable housing) to the supply of housing within the Royal Borough, less traffic movements to and from the site and biodiversity enhancements, these do not outweigh the risk to lives and properties that would occur as a direct result of the site's location within an area at high risk from flooding. In the event of a flood, which is highly probable over the lifetime of the dwellings, residents would not be able to escape safely from their homes and it would not be safe for the emergency services to access the site. Flood Evacuation Plans have been shown to be ineffective as people prefer to stay in their homes not fully aware of the risks involved. In addition, the development would likely lead to a reduction in the capacity of the site to store flood

water such that, in a flood event, water would be displaced to land outside the site, that does not currently flood, increasing the risk to more people and properties. The proposal fails to accord with the development plan and having regard to material considerations a different decision is not indicated, therefore the application is recommended for refusal.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 Concerns have been raised by local residents on the increased pressure social infrastructure including schools and GP surgeries. To help delivery of infrastructure to support growth of the area, the Council has approved a Community Infrastructure Level (CIL). In line with the Council's Charging Schedule the proposal development would be CIL liable. The required CIL payment for the proposed development would be £100 per square metre based upon the chargeable residential floor area. The chargeable floor area would be calculated at the reserved matters stage, but based on the floor area provided in the viability assessment this may be a figure of around £255,000.

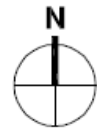
11. APPENDICES TO THIS REPORT

- Appendix A – Site Location Plan
- Appendix B – Indicative Site Layout

12. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

1. The application site is located in Flood Zone 3 where there is a high risk of flooding and the proposal is for a more vulnerable type of use, as identified in Table 2: Flood risk vulnerability classification of National Planning Policy Guidance, 2014. The application has failed to demonstrate that safe escape from the site and safe access to the site could be achieved in the event of a flood, resulting in lives and properties being put at risk. In addition, the application has failed to demonstrate that it would not reduce the capacity of the site to store water in the event of a flood and not displace that flood water outside the site further increasing risk to lives and properties. Accordingly, the application has failed to demonstrate that the proposal would be safe over its lifetime and subsequently fails the Exception Test and for this reason the proposal is contrary to adopted Policy F1 of the Windsor and Maidenhead Local Plan, 1999 (including Adopted Alterations 2003), Policy NR1 of the Borough Local Plan Submission Version 2018 and paragraphs 155, 160 and 163 of the National Planning Policy Framework (2019).
2. The proposal would result in the loss of a community facility and it has not been demonstrated that there is no longer a need for the facility within the local area or that an acceptable alternative is to be provided elsewhere within the local area. As such, the proposal is contrary to policy CF1 of the Windsor and Maidenhead Local Plan, 1999 (including Adopted Alterations 2003), policy IF7 of the Borough Local Plan Submission Version 2018, and f paragraph 94 of the National Planning Policy Framework (2019).
3. In the absence of a S106 legal agreement the proposed development fails to secure a satisfactory level of affordable housing the proposal is contrary to policy H3 of the Windsor and Maidenhead Local Plan, 1999 (including Adopted Alterations 2003), policy HO3 of the Borough Local Plan Submission Version 2018 and paragraph 64 of the National Planning Policy Framework (2019).

Appendix A – Site Location Plan



Appendix B – Indicative Site Layout



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