

MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

22 November 2017

Item: 2

Application No.:	17/02230/FULL
Location:	Lowbrook Academy The Fairway Maidenhead SL6 3AS
Proposal:	Proposed two storey detached building to accommodate 4 additional classrooms and sports hall
Applicant:	Mrs Reid
Agent:	Not Applicable
Parish/Ward:	Cox Green Parish/Cox Green Ward

If you have a question about this report, please contact: Christine Ellera on 01628 795963 or at chrissie.ellera@rbwm.gov.uk

1 SUMMARY

- 1.1 The proposed development relates to a two storey classroom block located on land to the south west of Lowbrook Academy. National policy supports the redevelopment of state funded schools which should be supported by LPA's and advises that a collaborative approach must be given to ensure their successful delivery.
- 1.2 The proposal is considered to be visually acceptable it is located well within the confines of the school site and would not appear overly prominent within the street scene. Furthermore due to its siting the proposed development would not impact on amenities of local residential in terms of loss of light overbearing impact.
- 1.3 There are a number of concerns from about the significant adverse impact the development would have to the local highway network with safety and capacity concerns. Contrary to the claims of the applicants supporting Transport Assessment it is considered that a number of off-site works are required to make the development acceptable in highway terms. Subject to these mitigations measures being secured through legal agreements and delivered prior to occupation the proposed development is considered to be acceptable.
- 1.4 The provision of additional school places at a school like Lowbrook Academy to meet the needs of the local community weighs heavily in favour of this scheme. Having due regard to the significant adverse impact on the highway network it is considered, on balance, that the development is acceptable subject to the highway mitigation works which will need to be implemented in advance of any development approved being occupied.
- 1.5 On this basis the Officer recommendation is to permit.

To grant planning permission subject to the conditions listed in Section 10 of this report.

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 as the Council has an interest in the land (ownership); such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site relates to part of a plot of land located between Manor Green School, Cox Green School and Lowbrook Academy. The boundaries of the site are defined by a high wire mesh fence on all sides. The site boundaries are drawn tightly around the confines of the school building, and as such no further works are proposed as part of this development. This piece of land used to be within the curtilage of Cox Green School however as it has been fenced off for a

number of years and not utilised by this school it is proposed that this land would instead be utilised by Lowbrook Academy.

3.2 Lowbrook Academy is a primary school from reception (age 4 to 5) though to Year 6 (age 10 to 11). It has a capacity for approximately 330 pupils and it employs a total of 27 staff. The catchment area for the school is south of Highfield Lane.

3.3 Access to Lowbrook Academy is via The Fairway and shares the same access/ site entrance to Patchwork Montessori Nursery.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 This is a full planning application for the erection of a new classroom block to be used in connection with Lowbrook Academy. The proposed new building would provide a new sports hall (effectively two story's in height) and a further four classrooms (two on each floor), along with associated changing facilities and circulation space. The proposed new building would be part pitch roof, part flat roof.

4.2 The proposed development would result in an increase of 90 pupils and 5 members of staff.

4.3 There is extensive planning history to Lowbrook Academy, the most relevant being:

Ref.	Description	Decision and Date
16/02247/FULL	Extension to form new classroom, washrooms, lobby and outside breakout area	Approved: 08.09.2016
15/01345/FULL	Erection of detached classroom with changing facilities (amendments to 14/01773/FULL)	Approved: 26.06.2015
14/01773/FULL	Erection of detached classroom with changing facilities	Approved: 31.07.2014
13/00605/FULL	Single storey front extension	Approved: 15.04.2013
12/02061/FULL	Erection of a cantilevered entrance canopy	Approved: 24.09.2012

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework (NPPF) (2012) and the Policy statement – planning for schools development (2011) is a strong material consideration in this application.

5.2 The latter document states that the Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards. State-funded schools - which include academies and free schools, as well as local authority maintained schools (community, foundation and voluntary aided and controlled schools) - educate the vast majority of children in England. The Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state-funded school sector to meet both demographic needs and the drive for increased choice and higher standards.

- 5.3 It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations.
- 5.4 The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools

Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Trees
DG1, CF2	P4, T5	N6

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Makes suitable provision for infrastructure	IF1

- 5.6 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 Proposed Submission Document was published in June 2017. Public consultation ran from 30 June to September 2017 with the intention to submit the Plan to the Planning Inspectorate towards the end of 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.
- 5.7 This document can be found at: <http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Other Local Strategies or Publications

- 5.8 Other Strategies or publications relevant to the proposal are:
- RBWM Townscape Assessment – view at:
 - RBWM Parking Strategy – view at:
- 5.9 More information on these documents can be found at: https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:
- Principle of the development
 - Design Considerations
 - Highway Safety and Parking Considerations
 - Impact on Neighbouring Amenity
 - Environmental Considerations

Principle of the development

Education Case

- 6.2 The Royal Borough produces annual projections of demand for school places and reports these to the Department for Education. The projections for Reception intake in Maidenhead suggest that demand is going to fall slightly for September 2018 and 2019, before recovering again in September 2020. However significant housing development is expected in Maidenhead, and this is likely to boost demand.
- 6.3 The Education Authority have confirmed that Lowbrook Academy is the second most popular primary school in the borough, with 86 first preference applications for the 30 places available in September 2017. It is the most oversubscribed primary school in the borough, with 56 more first preference applications than places available for September 2017. The proposed development would facilitate in providing a greater choice of schools for parents and provide additional school places to meet future need.

Principle of the redevelopment of the site

- 6.4 The proposed development would be located on an underused piece of land between the 3 schools. The site does not offer any opportunities for sport and recreation and does not act as a visual amenity. The proposed site therefore does not fall within the definition of open space as defined by the NPPF (2012).
- 6.5 The NPPF (2012) further sets out strong emphasis and presumption in favour of the development of state funded schools (including Academy's). The Policy Statement for schools further states that Local Planning Authorities (LPA) should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.
- 6.6 The above provides a clear national policy that the redevelopment of state funded schools is one which should be supported by LPA's and that a collaborative approach must be given to ensure their successful delivery. Local Plan policy CF2 also offers support for improved or new school facilities (subject to suitable parking facilities).
- 6.7 Accordingly the principle of the development of this school to meet the existing and future needs of the Borough weighs heavily in favour of this scheme.

Design Considerations

- 6.8 The NPPF (2012) states that planning policies and decisions should not attempt to impose architectural styles or particular tastes but should concentrate on such matters as overall scale, density and layout in relation to neighbouring buildings and the local area more generally. It is also recognised that it is proper to seek to promote or reinforce local distinctiveness.
- 6.9 Policy DG1 of the Boroughs current Local Plan seeks to ensure that development will be of high standard of design and landscaping, compatible with the area and streetscene.
- 6.10 The building is located well within the confines of the school two storey in height with a part pitch flat roof and would appear as a new classroom block, situated between the three schools. Due to its siting and position within the main confines of the school it would not appear overly prominent or overbearing within the confines of the school and any views of this building from the surrounding area would be very limited.
- 6.11 The elevations of the proposed new building would be a mix of brick, cedar cladding and painted cladding. The proposed roof would utilise a variety of finishes including tile, sedum, mono pitch and flat roof single ply and cedar shingles. These are considered to be visually acceptable within the confines of the surrounding school sites. Condition 2 is however recommended for samples of these materials to be submitted to the LPA to ensure that they are of durable high-quality finish.

Impact on Highway Safety and Parking Considerations

- 6.12 A key concern is the impact this proposal would have on the road network and highway safety. Ensuring that the surrounding road network can accommodate any increase in vehicle movements is key.
- 6.13 A Transport Assessment (TA) was submitted in support of this application. The TA includes a parking survey which was conducted in mid-January 2017 to look at the parking arrangement for this school. This solely looked at the traffic movements on one day, at the main access point and did not consider the wider traffic flow and impact on the wider highway network. The summary of the survey concluded only at one point during the day was the free flow of traffic affected in the morning.
- 6.14 A survey was also undertaken which revealed that just over half of the pupils (172) arrive by car, however many pupils have siblings at the school and to avoid double counting of car-generated trips account the TA estimated that this generates 132 pick-up events during the respective peak hours. Other main mode of transport is walk, only a few utilise bicycles or scooters to come to school. Over 80% of staff travels by private vehicle.
- 6.15 Based on the survey data the TA estimates that the increase in pupils and the 5 additional staff members would generate 76 additional vehicle trips per school peak hour. The TA concludes that the proposed development is likely to result in some additional short term parking on street. Contrary to the view of local residents (who live by the site), the TA claims that based on one day survey that as the existing school parking 'generally' takes place in a safe manner, there is nothing to suggest that the additional parking would have a detrimental effect on road safety. No further highway mitigation is proposed within the TA.
- 6.16 In contrast the Highway Authority considers that the proposal presents potentially detrimental impacts to the local highway network. The findings of the highway survey identify that during both AM and PM peaks parking occurs on both Highfield and Fairlea junction radii with The Fairway. This presents highway concerns with the anticipated intensification of traffic and parking due to the school expansion. It is therefore recommended that no waiting, no loading (double yellow) parking restrictions be implemented on these junctions.
- 6.17 In addition, the north eastern footway on The Fairway is frequently used during drop-off and pick-up periods, where there is currently no dropped crossing across the Fairlea junction with The Fairway. Therefore, to allow safer and suitable crossing facilities for pedestrian users it is recommended that an uncontrolled dropped crossing with tactile paving should be constructed across this junction.
- 6.18 If the above measures are implemented then this should mitigate any potential impacts. This includes implementing the double yellow lines and associated traffic regulatory orders (TRO) as well as the construction of the uncontrolled crossing. The works required are as follows:
- £2,000 transport contribution (prior to commencement);
 - £3,000 implementation of parking restrictions and supporting traffic regulation orders (prior to commencement);
- 6.19 Condition 8 looks to deal with these highway requirements.
- 6.20 A £1,750 Travel Plan contribution was also requested however no justification was given from the Highway Authority regarding how or why this is necessary to make the development acceptable in planning terms. On this basis these monies are not recommended to be sought.

- 6.21 Another key concern is ensuring suitable off street parking for the proposed development. The turning circle connects to the school car park, which provides 49 car parking spaces including two disabled spaces. The school have stated that there remains adequate staff car parking. However, a plan has been provided to demonstrate where additional parking can be provided to meet the 5 additional parking spaces needed for the increase in employees resulting from this development. This can be secured by condition 4.
- 6.22 The TA also claims that there is sufficient cycle storage to meet any increase capacity. Cycle use is also low at this school. No School Travel Plan has been submitted in connection with this application to look at opportunities to reduce reliance on cars. Whilst there are less opportunities for children to come to and from the school *independently* from sustainable modes of transport, nonetheless there are significant opportunities to encourage parents taking children to school and moreover staff, to utilise sustainable modes of transport. On this basis it is considered both reasonable and necessary for additional cycle spaces to be provided as part of this application. The school have identified an area within this site where this can be achieved and this is recommended in conditions 5 of the report.

Impact on Neighbouring Amenity

- 6.23 Due to the siting and location of the proposed development located in the confines of the main school the proposed development would not impact on the on the amenities of the occupiers of the surrounding residential dwellings in terms of loss of sun/ daylight and or visual overbearing impact.
- 6.24 Notwithstanding the location of this land, between 3 schools, any noise and disturbance associated with this application will take place during school hours and therefore would not result in significant noise and disturbance to local residents at antisocial hours of the day.

Environmental Considerations

- 6.25 There is one tree of some limited amenity value located near to the proposed classroom block. This tree is not protected. Over the summer this tree has suffered damaged (photo evidence has been provided) and the school have confirmed their intention to remove this tree on health and safety grounds. Accordingly this application raises no issues in terms of loss or harm to protected trees. However it is considered reasonable that conditions are recommended that a suitable replacement tree be provided once the development is completed, this is set out in condition 3 on landscaping.
- 6.26 In terms of impact on pollution including noise and dust during the construction process. The Environmental Protection Team has raised no objections to this development.
- 6.27 The site is not within a flood zone. Nor is it an application by reason of its floorspace or site area which would constitute a 'major' development. As such the proposed development does not raise any issues in terms of flooding or drainage.

Other Material Considerations

- 6.28 As identified in the principle considerations strong support is offered from both National and local planning policy.
- 6.29 However, the above sets out that the proposal would result in a significant adverse impact to the local highway network. The Highway Authority has set out a number of offsite physical measures which would need to be taken to mitigate the development impact on the highway.
- 6.30 The need to provide additional school spaces to meet the needs of the local community weighs heavily in favour of this scheme. Having due regard for the consultation response from the Highway Authority it is considered, on balance, that the development is acceptable subject to these highway modifications which will need to be undertaken prior to the occupation of the school.

6.31 It should be noted that on submitting this application the applicants (the school) signed 'Certificate A' to confirm they own the land. The land in question is owned by the Royal Borough of Windsor and Maidenhead and as such 'Certificate B' should have been served on the Council as landowners. The applicants have confirmed that they will serve the correct ownership certificates. In any event, it is not considered that this prejudices any parties as the Council is aware of this application and the application has been submitted with proactive engagement with the Education Authority. In the event that this application is successful and national funding is achieved to deliver this scheme then the Council will look to provide the school with a long lease of this land (as is the current arrangement with the existing school) to facilitate to proposal.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

7.1 In line with the Council's Charging Schedule the proposed development would now be CIL liable. However required CIL payment for the development of this kind would attract a £0 charge.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

8.1 49 occupiers were notified directly of the application. The planning officer posted a statutory notice advertising the application at the site on 31.07.2017.

8.2 A total of 4 letters have been received in support of this application. Comments made can be summarised as follows:

Comment	Where in the report this is considered
The school need to expand to meet need	Para 6.2- 6.6
The extension would improve the facilities for existing pupils	Para 6.2- 6.6
This school provides an excellent education and as many children as possible should benefit from this opportunity	Para 6.2- 6.6
It would be controversial and unethical to refuse this application.	This application is considered in accordance with planning policies. To claim otherwise would be incorrect.
The proposed development will not result in significant increase in traffic movements.	Para 6.1- 6.11
Parking and traffic issues can be dealt with through encouraging sustainable modes of transport	Para 6.1- 6.11

8.3 A total of 8 letters of objection have been received from individual addressees. Comments made can be summarised as follows:

Comment	Where in the report this is considered
1 Concerns about highway safety from the development and the impact on those living on the adjacent residential roads	Para 6.1- 6.11
2. Concerns about child safety coming to and from the site during busy times of the day	Para 6.1- 6.11
3. Insufficient parking to accommodate existing school drop off and collection, the development will only increase this	Para 6.1- 6.11

Consultees

Consultee	Comment	Where in the report this is considered
Highway Authority	<p>Although the proposal presents potentially detrimental impacts to the local highway network, there are measures which can be undertaken to mitigate any potential impacts.</p> <p>Therefore, highways will be seeking a S106 contribution to cover the cost of implementing the double yellow lines and associated traffic regulatory orders (TRO) as well as the construction of the uncontrolled crossing.</p>	Para 6.1- 6.11
Education Authority	Confirmation by the Education Authority that they will meet the costs associated with the transport mitigation measures required to make the development acceptable in planning perms.	Para 6.1- 6.11
Environmental Protection	No objection to the proposal subject to conditions	Para 6.15
Tree Officer	<p>A tree has been shown on the proposed site plan, it is not specified if the tree will be retained or removed as part of the proposal.</p> <p>The field maple appeared to be in a good condition with no major defects visible at the time of inspection. The existing tree provides some amenity within the site and it would be beneficial if it could be retained as part of the development.</p> <p>If removed the loss of this tree could be mitigated through replacement planting that could form part of a landscaping scheme.</p>	Para 6.14
Parish Council	No objection to the proposal subject to conditions regarding transport matters	Noted

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings
- Appendix C – site elevations

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall include a replacement tree and be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the

approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.

- 4 No part of the development shall be occupied until vehicle parking has been provided, surfaced and marked out in accordance with a layout that has first been submitted to and approved in writing by the Local Planning Authority. The space approved shall be kept available for parking and turning in association with the development.

Reason: To ensure that the development is provided with adequate parking and turning facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.

- 5 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.

Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1

- 6 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

- 7 No development shall commence until such time as a Travel Plan (including for staff) has been submitted to and approved in writing by the Local Planning Authority. Once agreed, the development shall operate in accordance with the agreed Travel Plan. The Travel Plan shall specify initiatives to be adopted by the operators of the site to encourage access to the site by a variety of non car means. It shall set targets and shall specify a monitoring mechanism to ensure compliance with the Travel Plan objectives. The Plan shall identify the travel plan coordinator and outline their responsibilities in pursuing the objectives of the Travel Plan; it should also state who the Travel Plan Co-ordinator will report to. Should the targets within the Travel Plan not be met, the operator should undertake whatsoever measures, as may first have been agreed in writing by the Local Planning Authority, as are necessary to cause a reduction in the number of car borne trips to ensure the targets are achieved. The Plan shall set out a five year plan with measures introduced within six months of receiving approval from the Local Planning Authority. The Plan shall be under constant review with further surveys every two years thereafter. An Annual Report providing a review of progress towards targets and of the implementation of the Travel Plan shall be sent to the Local Planning Authority. Reason: In order to minimise danger, obstruction and inconvenience to users of the highway, to reduce travel by car. Relevant Policies - Local Plan T5.

- 8 No development (other than demolition works) shall commence until a Section 278 (of the Highways Act 1980) Agreement has been secured with the Highways Authority implementing the double yellow lines and associated traffic regulatory orders along the The Fairway as well as the construction of the uncontrolled crossing on the Fairlea junction with The Fairway. The development shall not be occupied until the aforementioned works and monies as approved through the S278 Agreement has been carried out in full.

Reason: In the interest of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5

9 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.