

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

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 Summerlease 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 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



