

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

MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

28 August 2019

Item: 2

Application no.:	17/04018/FULL
Location:	Claire's Court Senior Girls And Boys And Ridgeway Schools, The Thicket, Cannon Lane Maidenhead
Proposal:	Construction of an all-through school comprising nursery and junior building; central building and senior building. Provision of landscaping, amenity area, sport/running track, environmental garden and covered multi-use games area. Provision of staff and visitor car parking, parent drop off and coach parking area
Applicant:	Claire's Court School Ltd
Agent:	PRP Planning
Parish/Ward:	Cox Green / Cox Green

If you have a question about this report, please contact: Antonia Liu on 01628 79 6034 or antonia.liu@rbwm.gov.uk.

1. SUMMARY

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

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

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

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

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

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

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

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

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

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

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

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

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

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

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

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

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

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

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

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

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

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

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

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

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

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

These policies can be found at

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

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 2 - Achieving Sustainable Development
Section 4 - Decision-Making
Section 6 - Building a Strong Competitive Economy
Section 8 - Promoting Healthy and Safe Communities
Section 9 - Promoting Sustainable Transport
Section 12 - Achieving Well-Designed Places
Section 13 - Protecting Green Belt Land
Section 14 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
Section 15 – Conserving and Enhancing the Natural Environment
Section 16 - Conserving and Enhancing the Historic Environment

Borough Local Plan: Submission Version

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

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

This document can be found at:

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

Supplementary Planning Documents

- Planning Obligations and Developer Contributions
- Landscape Character Assessment

Other Local Strategies or Publications

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

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

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

Publicity for Environmental Impact Assessment

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

Publicity for Planning Application

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

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

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

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

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

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

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

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

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

Consultees

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

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

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

Others

Group	Comment	Where in the report this is considered
Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT)	<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> <p>Construction Phase</p> <ul style="list-style-type: none"> - Employment of ecological consultancy to carry out regular checks of known and new setts, and ensure impact on wildlife is minimised - No heavy machinery or ground digging within 30m of any active sett entrance without a qualified ecologist obtaining a licence from Natural England and continuous monitoring to ensure compliance - No works that cause noise or ground vibrations within 70m of active setts during December – June - No works within 100m of any sett from dusk to dawn - Inclusion of escape ramps for any trenches, and deep excavations must have wildlife impermeable fencing - No fires or littering - Appropriate storage of building materials to prevent collapse on wildlife and materials hazardous <p>Habitation Phase</p> <ul style="list-style-type: none"> - Pupils, staff and residents of the development must be kept away from main setts by wildlife permeable fencing to prevent disturbance - Provision of additional badger foraging habitat 	Section viii
Maidenhead Civic Society	<p>In reviewing the proposal, there are integral aspects between the application for the pitches, school and housing at the Ridgeway.</p> <p>There are merits in the proposal, especially the consolidation of the 3 existing school sites into one purpose built campus at the Ridgeway and reduction in car/bus journeys created by triple locations; the provision of a new home for Maidenhead Hockey Club and improved sports facilities; and provision of affordable housing.</p> <p>Conversely, the proposal would add to the exiting traffic pressure on Cannon Lane, there will be light pollution from night time use of the sports facilities, and harm to the rural character of the area including the Thicket and National Trust land.</p> <p>Notwithstanding the merits or otherwise of the proposal,</p>	Section iii, v, xi

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

9. EXPLANATION OF RECOMMENDATION

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

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

i. Green Belt

Whether the proposal is Appropriate Development

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

Openness and Purpose of the Green Belt

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

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

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

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

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

ii Loss of Open Space and Land for Sports and Recreation

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

iii Impact on Character of the Area

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

Landscape Character Areas

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

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

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

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

Layout, Scale and Appearance

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

Alterations to Cannon Lane

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

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

iv Trees and Hedgerows

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

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

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

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

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

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

v Highways

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

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

Trip Generation

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

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

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

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

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

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

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

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

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

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

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

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

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

Junction Capacity Assessment

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

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

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

9.60 *Cannon Lane junction with Highfield Lane*

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

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

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

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

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

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

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

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

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

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

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

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

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

9.65 *A4 Bath Road junction with Cannon Lane*

Maximum RFC Value for all arms	Morning Peak	Evening Peak

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

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

Highway Mitigation

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

Residual Cumulative Impact

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

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

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

Travel Plan

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

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

Pedestrian Crossing

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

Proposed Vehicular Access

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

Car, Coach and Cycle Parking, and Refuge Provision

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

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

vi Neighbouring Amenity

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

Ramblings and Windfall

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

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

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

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

Light Pollution

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

9.93 Air Pollution

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

Cumulative Impact

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

vii Sustainable Drainage

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

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

viii Ecology

Special Area of Conservation

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

Other Designations

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

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

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

Badgers

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

Bats

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

Reptiles

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

Dormice

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

Breeding Birds

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

Biodiversity Enhancements

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

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

Lighting

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

ix Archaeology

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

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

x Other Material Considerations

Loss of Agricultural Land

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

Foul Water Sewage Network

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

Water Pressure

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

xi The Case for Very Special Circumstances

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

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

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

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

Harm to the Green Belt and Any Other Harm

9.125 In accordance with Paragraph 144 of the NPPF, any harm to the Green Belt in relation to inappropriateness, conflict with the purposes of including land within the Green Belt and harm to openness should be given substantial weight against the development. As set out in this report, the proposal is inappropriate development in the Green Belt, and therefore, by definition, harmful to the Green Belt, contrary to 2 of the purposes of the Green Belt, and would result in a significant reduction in openness. Overall, this amounts to substantial weight against the development.

9.126 Other harm identified includes a detrimental impact on the character of the area, meriting significant weight. As the proposal under 17/04026/OUT for pitches and pavilion is recommended for refusal, it is considered that the loss of open space merits significant weight against the development. The loss of best and most versatile agriculture land is also considered to result in harm, which given the amount lost would merit limited weight. In terms of highway impact of the school development in isolation this is currently assessed on the basis of moderate harm. An updated VSC balance will be reported in an update if necessary.

9.127 Section 17 of the Very Special Circumstances Report (July 2019) sets out the benefits of the proposed scheme, which is updated in Section 11 of the Very Special Circumstances Addendum (July 2019). A summary is provided below:

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

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

Choice of School Places

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

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

Condition, Suitability and Sufficiency

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

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

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

Alternative Options

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

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

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

9.142 The sites selected were drawn from the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Addressing Issues Associated from 3 Sites

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

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

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

Nursery Provision

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

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

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

Teacher Training

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

Holiday Childcare

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

Economic Footprint and Employment Opportunities

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

Market Housing and Affordable Housing Provision

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

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

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

CIL and New Homes Bonus

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

Provision of Local Area of Play (LAP)

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

Provision for Maidenhead Hockey Club

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

Provision of Allotment /Open space

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

Biodiversity Gain

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

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

Green Belt Balance

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

xii Planning Balance

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

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

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

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

Material considerations: CIL and New Homes Bonus

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

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

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

11. CONCLUSION

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

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

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

12. APPENDICES TO THIS REPORT

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

13. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

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

Appendix A- Site Location Plan and Proposed Masterplan



Appendix B- Proposed elevations (senior school)



1 Senior Building_East Elevation
1:100



2 Senior Building_West Elevation
1:100



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



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

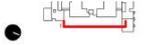


1 Senior Building_North (Quad Facing) Elevation (Part 1 of 2)
1:100



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

Appendix C- Proposed elevations for central building



1 Central Building_East (Main) Elevation
1:100



1 Central Building_West Elevation
1:100





1 Central Building_North Elevation
1 : 100



2 Central Building_South Elevation
1 : 100



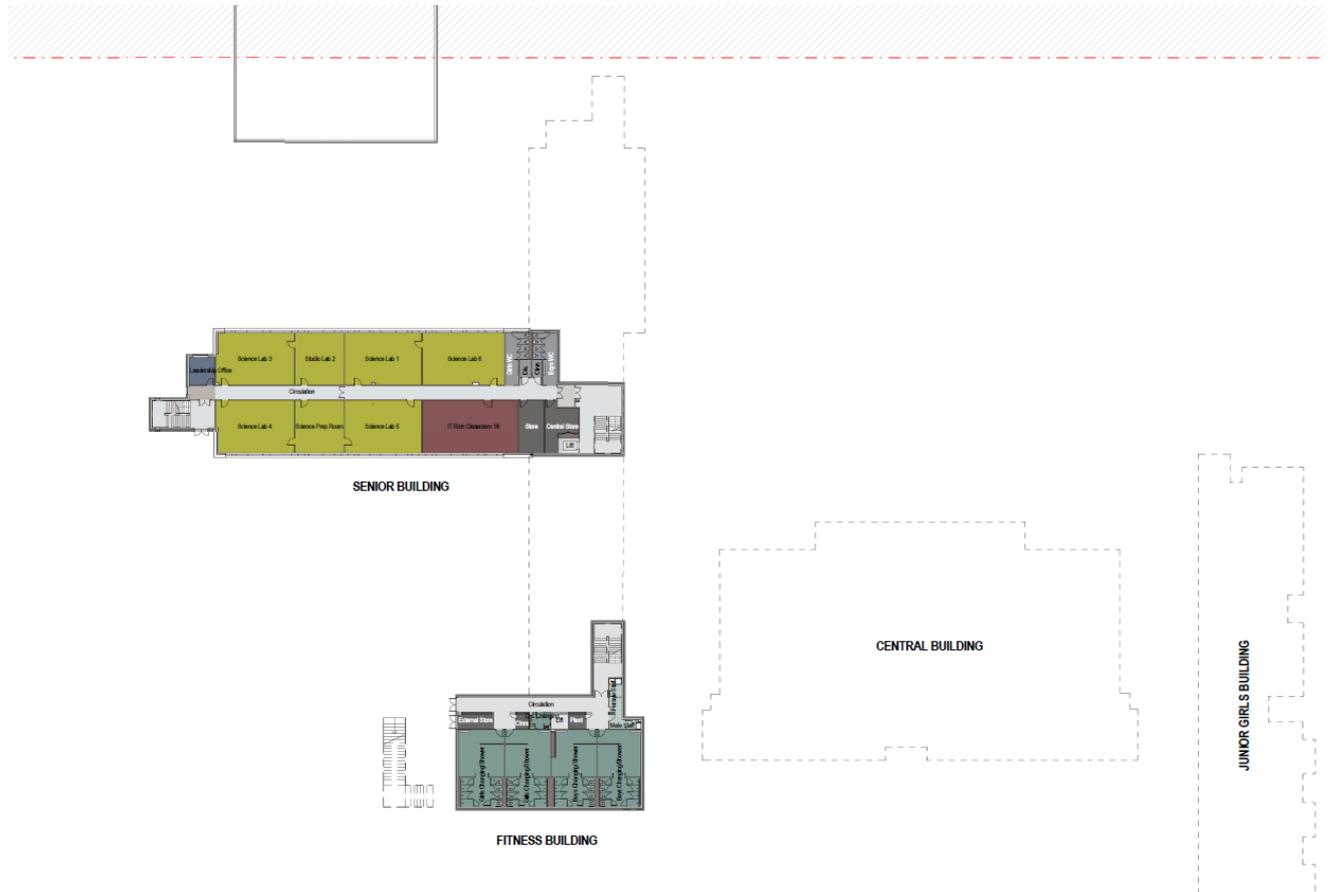
1 Junior Girls_East Elevation
1 : 100



2 Junior Girls_West Elevation
1 : 100

Appendix E- Proposed Floorplans for all three buildings

Low ground floor plans



Ground floor plans



First floor plans

