

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

MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

28 August 2019

Item: 3

Application no.:	18/00130/OUT
Location:	Ridgeway, The Thicket, Cannon Lane, Maidenhead, SL6 3QE
Proposal:	Outline application for layout, scale and means of access only to be considered at this stage with all other matters to be reserved for 157 residential units
Applicant:	PRP Planning
Agent:	PRP Planning
Parish/Ward:	Cox Green / Cox Green

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

1. SUMMARY

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

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

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

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

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

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

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

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

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

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

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

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

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

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

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

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

6 DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

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

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

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

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

- Section 2 - Achieving Sustainable Development
- Section 4 - Decision-Making
- Section 5 - Delivering a Sufficient Supply of Homes
- Section 8 - Promoting Healthy and Safe Communities
- Section 9 - Promoting Sustainable Transport
- Section 11 - Making Effective Use of Land
- Section 12 - Achieving Well-Designed Places
- Section 13 - Protecting Green Belt Land
- Section 14 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15 - Conserving and Enhancing the Natural Environment
- Section 16 - Conserving and Enhancing the Historic Environment

Borough Local Plan: Submission Version (BLPSV)

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

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

This document can be found at:

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

Supplementary Planning Documents

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

Other Local Strategies or Publications

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

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

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

Publicity for Environmental Impact Assessment

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

Publicity for Planning Application

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

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

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

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

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

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

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

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

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

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

Consultees

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

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

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

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

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

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

9. EXPLANATION OF RECOMMENDATION

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

9.4 The key issues for consideration are:

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

i. Green Belt

Appropriate Development

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

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

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

Openness and Purpose of the Green Belt

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

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

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

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

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

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

ii Impact on Character of the Area

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

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

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

Landscape and Townscape Character Areas

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

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

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

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

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

Density, Layout and Scale

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

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

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

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

Alterations to Cannon Lane

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

iii Trees and Hedgerow

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

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

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

iv Open Space Provision In New Residential Development

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

v Housing Mix

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

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

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

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

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

vi Affordable Housing

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

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

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

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

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

vii Highways

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

Trip Generation

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

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

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

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

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

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

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

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

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

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

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

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

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

Junction Capacity Assessment

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

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

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

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

9.65 *Cannon Lane junction with Highfield Lane*

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

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

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

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

2021 With Residential and School Development Combined With Mitigation Scenario

(Morning Peak)		
	No of Vehicles in Queue	Average Delay (min)
Highfield Lane turning right		
08.00-08.15	5.3	2.27
08.15-08.30	8.0	4.26
08.30-08.45	10.3	5.47
08.45-09.00	12.2	6.49

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

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

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

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

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

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

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

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

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

9.69 *A4 Bath Road junction with Cannon Lane*

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

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

Highway Mitigation

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

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

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

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

Residual Cumulative Impact

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

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

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

Travel Plan

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

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

Bus Route

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

Pedestrian Crossing

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

Proposed Vehicular Access

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

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

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

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

Car Parking Provision

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

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

Cycle Parking and Refuse Provision

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

viii Residential Amenity

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

Loss of Light, Loss of Privacy and Visual Overbearing

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

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

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

Noise

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

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

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

Light Pollution

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

Air Pollution

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

Quality of Accommodation

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

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

x Ecology

Special Area of Conservation

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

Other Designations

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

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

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

Badgers

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

Bats

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

Reptiles

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

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

Dormice

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

Breeding Birds

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

Biodiversity Enhancements

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

Lighting

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

xi Archaeology

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

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

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

xii Other Material Considerations

Loss of Agricultural Land

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

Foul Water Sewage Network

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

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

Water Pressure

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

xiii The Case for Very Special Circumstances

9.130 The proposal constitutes inappropriate development in the Green Belt. Paragraph 143 of the NPPF states that in inappropriate development is, by definition, harmful to the Green Belt and such development should not be approved except in Very Special Circumstances (VSC). Paragraph 144 of the NPPF states that Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

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

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

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

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

Harm to the Green Belt and Any Other Harm

9.133 In accordance with Paragraph 144 of the NPPF, any harm to the Green Belt in relation to inappropriateness, conflict with the purposes of including land within the Green Belt and harm to openness should be given substantial weight against the development. It has been concluded that the proposal constitutes inappropriate development in the Green Belt, and therefore, by definition, harmful to the Green Belt, contrary to two of the purposes of the Green Belt, and would result in a significant reduction in spatial and physical openness. Overall, this amounts to substantial harm and it is given substantial weight.

9.134 Other harm identified includes a detrimental impact on the landscape, on the character of the area, on Maidenhead Thicket and on the setting of Maidenhead constituting significant harm. The site is currently open space which would be lost to the development which is considered to be harmful, given significant weight in the context of the NPPF. The loss of best and most versatile agriculture land is considered to result in harm, which given the amount lost would also merit limited weight. Noise during construction can be mitigated to a degree but will result in some harm which is afforded limited weight. The impact on the character of Cannon Lane is also noted as being given very limited weight. In terms of highway impact of the housing development in isolation this is currently unknown; the current position is that there is harm to the local highway network which should be afforded some weight, likely moderate. The assessment will proceed on this basis.

9.135 An updated VSC balance will be reported in an update if necessary.

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

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

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

Funding for New School Campus

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

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

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

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

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

Other Benefits as a Result of the School Development

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

Market Housing and Affordable Housing Provision

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

Other Economic Benefits

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

Provision of Local Area of Play (LAP)

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

Provision for Maidenhead Hockey Club and Community Use

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

Provision of Allotment /Open space

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

Biodiversity Gain

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

CIL and New Homes Bonus

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

Green Belt and VSC conclusion

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

xiv. Planning Balance

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

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

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

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

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

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

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

CIL and New Homes Bonus

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

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

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

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

11. CONCLUSION

11.1 In terms of highway impact of the housing development in isolation this is currently unknown. An updated planning balance will be reported in an update if necessary.

11.2 The harm to the Green Belt is afforded substantial weight against the development. The benefit of the scheme put forward by applicant is not considered to clearly outweigh harm to the Green Belt or any other harm. It is considered that VSC has not been demonstrated to justify the proposal in accordance with Local Plan Policy GB1 and GB2(a), BLPSV policies SP1 and SP5, paragraphs 133, 134, 143, 144 and 145 of the NPPF.

11.3 Whilst being considered in the overall Green belt balance: due to the amount, scale and layout of the residential units, the proposal is considered to result in harm to the character of the site and to the setting and character of Maidenhead Thicket and the urban settlement of Maidenhead as a basis for refusal. Therefore, the proposal is considered to be contrary to Local Plan policies H10 and DG1, BLPSV policies SP2 and SP3, and paragraphs 127 of the NPPF, and in accordance with paragraph 130 of the NPPF. There would also be harm due to the loss of the best and most versatile agricultural land contrary to paragraph 170 of the NPPF.

11.4 As other material planning considerations in the ordinary planning balance here would also be harm in the absence of a completed S106 to secure a satisfactory level of affordable housing provision, a satisfactory travel plan, highway mitigations works if the school development subject to planning reference: 17/04018/FULL also comes forward, and authorised access in perpetuity for bus providers, contrary to Local Plan H3, BLPSV policies HO3 and IF2 of the Borough Local Plan Submission Version (2017), and paragraphs 64 and 111 of the NPPF.

11.5 The harm arising from the above is not considered to be outweighed by the benefits that weigh in favour of the scheme, including the contribution of the housing to meet the housing needs of the Borough (including affordable housing); employment and spends from construction, biodiversity gains, and any financial contributions from CIL and the New Homes Bonus.

11.6 Subject to conditions, the proposal is considered compliant with Local Plan policy N6 and BLPSV policy NR2 in relation to trees. It is also considered that sufficient open space with a LAP and LEAP can be achieved on site and secured by condition to accord with Local Plan policies R3, R4 and R5. An acceptable housing mix in accordance with Local Plan policies H3 and H8, BLPSV policy HO2 and HO3, and paragraph 64 of the NPPF. There are no undue concerns in relation to neighbouring amenity to comply with BLPSV Policies SP3 and HO5 and paragraph 127 of the NPPF. The impact on ecology is considered to be acceptable subject to conditions to accord with BLPSV Policy NR3, and paragraphs 109, 170, 175 and 176 of the NPPF. In accordance with BLPSV policy NR and paragraph 165 of the NPPF, an acceptable SUDS scheme can be provide and secured on site. There are no objection in relation to archaeology as the proposal can with comply with Local Plan policies ARCH3 and ARCH4, BLPSV policy HE1, and paragraphs 189 and 199 of the NPPF. These are given neutral weight in the planning balance and therefore the conclusion remains the same.

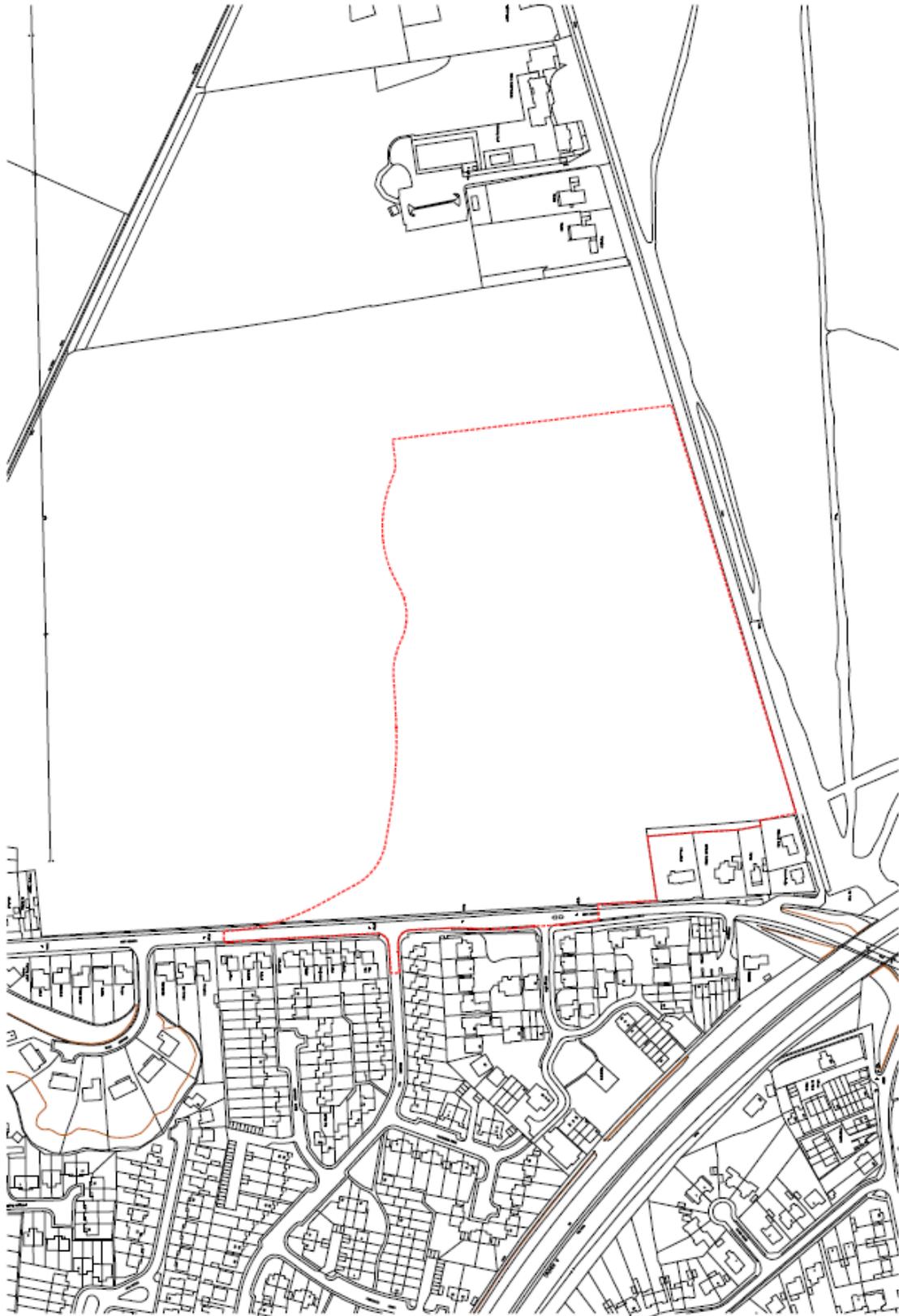
12. APPENDICES TO THIS REPORT

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

13. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

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

Appendix A - Site Location Plan



Appendix B – Site Layout

