

**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE**

DEVELOPMENT CONTROL PANEL

6 July 2023

Item: 2

Application No.:	23/00352/FULL
Location:	The Lawns Nursery, Oakfield First School And Oakfield School Lodge Imperial Road Windsor
Proposal:	Change of use of the existing caretaker's bungalow (C3a) to provide early years pre-learning hub (F1a) with alterations to fenestration, rear terrace, 3no. car parking spaces and alterations to the existing school entrance with 1no. ramp and the creation of two separate entrances to The Lawn Nursery & Oakfield School.
Applicant:	Mr Smith
Agent:	Ms Ling Lee
Parish/Ward:	Windsor Unparished/Clewer East

If you have a question about this report, please contact: Vivienne McDowell on 01628 796578 or at vivienne.mcdowell@rbwm.gov.uk

1. SUMMARY

- 1.1 The proposed change of use of the caretaker's bungalow to provide an early years pre-learning hub is considered acceptable, as it complies with National and Local Plan policy. The alterations to the reception area in the main school building to provide two separate entrances within the main school building for The Lawn Nursery & Oakfield School are also considered acceptable.
- 1.2 The proposal involves the provision of 2no. parking spaces and hardstanding which would be within the root protection area (RPA) of mature tree/s near the site entrance adjacent to Imperial Road. The applicant has been requested to submit an amended parking layout/details to avoid or minimise any adverse impact on the RPA. As the scheme would not result in any increase in the number of staff that would be employed at the site there is no specific requirement for additional parking spaces to be provided.

It is recommended the Planning Committee authorises the Head of Planning to:

Grant Planning Permission subject to submission of an alternative parking scheme/details to avoid or minimise any adverse impact of new hardstanding encroachment into the tree root protection area near the site entrance.

OR

If satisfactory amended plans and details for an alternative parking scheme (to avoid or minimise any adverse impact of new hardstanding encroachment into the tree root protection area near the site entrance) are not received, refuse planning permission for the reason of potential adverse impact on the mature tree by the site entrance.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application for this proposal as it involves an RBWM school site.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site lies on the east side of Imperial Road. The main vehicular entrance to the application site lies immediately to the south of the caretakers bungalow.

4. KEY CONSTRAINTS

- 4.1 The site is not within the Green Belt and not within an area liable to flooding.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The application is described as 'Change of use of the existing caretaker's bungalow (C3a) to provide early years pre-learning hub (F1a) with alterations to fenestration, rear terrace, 3 no. car parking spaces and alterations to the existing school entrance with 1no. ramp and the creation of two separate entrances to The Lawn Nursery & Oakfield School.'
- 5.2 The application proposes the change of use from dwelling (caretakers bungalow) C3a to F1(a) to provide additional learning spaces for an early year pre learning hub as an extension to the existing Lawns Nursery School. The agent has clarified that the early years pre-learning hub will be ancillary to the use of The Lawns Nursery, the provision is essentially for a 'break out' space separate to the main building.
- 5.3 Within the proposed early years pre-learning hub building (existing caretaker's bungalow) there would be a kitchen, office/meeting room, sensory room, another larger room and toilet facilities. The main external envelope and footprint of the bungalow is to remain the same. It is proposed that an existing window located at the rear of the bungalow be replaced with new French doors. This will open out onto the rear garden area and new terrace with artificial grass all of which will be permeable.
- 5.4 The applicant has advised that no additional staff will be employed at the school and there will be no additional pedestrian and vehicular trips. It is understood that the provision of additional car parking spaces as part of this application, is to ease pressure on the existing car park. The agent explains that there is currently is not enough spaces for staff currently employed at the school to park. The submitted plans show 2no. new parking spaces proposed to the side and 1no parking space to front of the bungalow to allow for additional parking.
- 5.5 There is currently a shared entrance/reception areas to the Lawns Nursery and Oakfield School (in the main building). The proposal is to separate the two entrances so that each can be accessed independently. An existing glazed window to the front entrance elevation is to be replaced with a new set of entrance doors (for Oakfield School). The existing ramp has been redesigned to provide level access across to the new entrance with a ramp to the front of the new entrance doors.

History

- 5.6 No relevant recent history was found.

6. DEVELOPMENT PLAN

Borough Local Plan: Adopted Feb 2022

Issue	Local Plan Policy
Character and Appearance	QP1, QP3
Sustainable Transport	IF2, IF5
Trees and Ecology	NR2, NR3
Environmental Protection	EP1, EP3, EP4
Loss of dwellings	HO5
Community Facilities	IF6
Trees	NR3
Nature Conservation and Biodiversity	NR2
Climate Change	SP2

Adopted Windsor Neighbourhood Plan – policies DES.01, PAR 02

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving Sustainable Development

Section 4 – Decision-making

Section 6 – Building a Strong, Competitive Economy

Section 8 -Promoting healthy and safe communities

Section 9 – Promoting Sustainable Transport

Section 12 – Achieving Well-Designed Places

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

Section 15 – Conserving and Enhancing the Natural Environment

Other Local Strategies or Publications

7.1 Other Strategies or publications material to the proposal are:

- RBWM Landscape Character Assessment
- RBWM Parking Strategy

8. CONSULTATIONS CARRIED OUT

8.1 A total of 26 neighbouring properties were directly notified. One letter of concern has been received. Summarised in table below:

Comment	Where in the report this is considered and officer comment.
<p>Concern about the use of fake grass/ astro turf in this planning application. The applicant needs to be mindful of hedgehogs in the local area. I see that the application is already taking garden area from the existing bungalow to provide parking spaces which is removing habitat from them.</p> <p>If a garden area is being provided as part of this application this should be real grass so as not to remove further habitat from the hedgehogs. These lovely creatures are now endangered and we should be doing everything we can to support their continued existence in our urban environments.</p>	<p>See para. 9.22</p> <p>The applicant would be expected to provide bio-diversity enhancements for the site. These can be secured via condition.</p> <p>It is noted that the plans indicate only the new external terrace area (less than 14 sq metres) would be covered in artificial grass. It is not considered to be a reason for refusal.</p>

Consultee	Comment	Where in the report this is considered and officer comment.
Highways	Clarification sought on the whether the building is ancillary to the use of Oakfield First School, or is a stand-alone facility that would attract additional pedestrian and vehicular trips onto the highway network.	The agent has clarified that the early years pre-learning hub will be ancillary to the use of The Lawns Nursery, the provision is essentially for a 'break out' space separate to the main building. They also advise that there will be no additional staff employed at the school. See paragraphs 9.13-9.22
NatureSpace	No objection	Noted. See para 9.22
Environmental Protection	No objection	Noted

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Loss of residential accommodation
- ii Enhancement of school facilities (BLP policy IF6)
- iii Character, appearance and residential amenity
- iv Trees and parking provision
- v Biodiversity
- vi Sustainability
- vii Planning balance and conclusion

i Loss of residential accommodation.

9.2 Policy H05 seeks to protect the existing housing stock and states:

'2. Development proposals should not result in a net loss of existing dwellings or land that provides for residential uses unless such a loss is justified by specific circumstances. The Council will only support development proposals that would result in the net loss of residential accommodation where one or more of the following criteria are met:

- a. retention of the residential use would be undesirable due to proven environmental constraints
- b. the development proposal would provide an essential community service or another form of residential accommodation.'

9.3 The Borough Local Plan in paragraph 14.14.1 states : 'Community facilities include local shops, meeting places, indoor sports venues, schools, cultural buildings, public houses, places of worship, health care facilities, leisure centres, libraries, day care centres and post offices.'

- 9.4 The proposed use is considered to be a 'community facility' and as such the proposed change of use from school caretaker's bungalow to a nursery hub complies with policy H05 of the Adopted Local Plan.
- 9.5 It is understood that the caretaker's bungalow is currently vacant. It is also acknowledged that the bungalow does not have its own vehicular access such that it can be occupied completely independently from the school. As such, the change of use to a nursery use, would not result in the loss of a completely independent dwellinghouse. This is a material consideration in the assessment of this application.

ii Enhancement of school facilities

- 9.6 Paragraph 95 of the NPPF states: 'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should
- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications;'
- 9.7 Policy IF 6 (Community Facilities) of the Adopted Local Plan states:
'1. Proposals for new or improved community facilities which meet the needs or aspirations of local residents and visitors will be supported. Where an assessment identifies specific needs in the local area, proposals to meet that local need will be supported when they are located in areas that are accessible by walking, cycling or public transport.'
- 9.8 The applicant has advised that the early years pre-learning hub (Class F1a), will enable the school to provide facilities to cater for nursery pupils with special educational needs SEN facilities. It is understood that the overall number of pupils in the year group would not increase. It is accepted that there is a need for enhanced facilities at the school and that national and local planning policies are supportive of this.

ii Character of the area and residential amenities

- 9.9 Adopted Borough Local Plan policy QP3 requires new development to contribute towards achieving sustainable high quality design in the Borough. Development is amongst other things required to respect and enhance the local, natural or historic character of the environment and safeguard the amenities of local residents. The changes proposed to the bungalow and main school entrance are considered acceptable and would not affect the character of the area.
- 9.10 The proposed plans indicate a small terrace area to the rear of the existing bungalow (proposed early years pre learning hub) and a garden area to the side adjacent to Imperial Road. The nearest residential property is a detached house – No. 39 Imperial Road. The side elevation of No.39 is in the order of 8 metres from the application site boundary. In the side elevation of No. 39 there appears to be a secondary first floor window. There is a conservatory/extension to the rear of No 39. It is not considered that the use of the building as an early years hub would be detrimental to the amenities of No 39. Furthermore, the use of the garden and terrace in connection with the early years pre learning hub is also considered not to give rise to any significant loss of amenity to the occupiers of No. 39 (including noise and disturbance), given that the use of the early years hub garden would be used during the day and given that the property is adjacent to a busy main road. It is noted that the Environmental Protection Team has raised no objection and no comments have been received from No. 39.
- 9.11 The alterations to the main entrance of the school building (i.e. provision of new door and ramp to provide separate reception areas for the school and nursery) would not cause harm to neighbouring properties.
- 9.12 The proposed new hardstanding to provide 2 additional parking spaces to the side of the bungalow would encroach the root protection area of mature tree/s adjacent to the site entrance. The applicant has not submitted a tree survey or arboricultural method statement. The LPA

would seek to resist development which would lead to the decline of the mature tree/s which contribute positively to the verdant qualities and visual amenity of the local area.

iii Trees and parking provision

- 9.13 The Council's Parking Strategy parking requirements for schools and nurseries is 1no. parking space per 1no. full time equivalent staff member. The applicant has advised that there would be no additional members of staff employed at the school/nursery site. It is noted that the parking requirement for the 2/3 bedroom caretaker's house is 2no. parking spaces. The caretaker's bungalow has 2 existing parking spaces at the front of the bungalow.
- 9.14 The application proposes a total of 3no. additional parking spaces. 1 of the new spaces would be alongside the existing spaces at the front of the bungalow.
- 9.15 The application also proposes new hardsurfacing (permeable paving) to provide 2no. new parking spaces next to the front boundary of the site. It appears that these are within the root protection area of a mature tree near the main entrance. The proposed new hardstanding would result in a loss of soft ground. There is an area Tree Preservation Order which covers the school site and the tree in question appears to be right on the very edge of the TPO area. The proposed new hardstanding and 2no. There is also another tree along the frontage which may also be impacted by the new hardstanding. The applicant has not submitted a tree survey or arboricultural method statement. As mentioned above, the LPA would seek to resist development which would lead to the decline of the mature tree/s which contributes positively to the verdant qualities and visual amenity of the local area.
- 9.16 Borough Local Plan Policy NR 3 (Trees, Woodlands and Hedgerows) amongst other things seeks to protect and retain trees, woodlands and hedgerows and extend coverage where possible. Where the amenity value of the trees, woodland and hedgerows outweighs the justification for development, planning permission may be refused.
- 9.17 The applicant has been asked to consider an alternative parking scheme, to avoid parking within a tree root protection area. It is noted that the new use would not involve any new staff members and as such there is no requirement under the local plan policies or guidance for additional on-site parking spaces to be provide.

iv Biodiversity

- 9.18 Policy NR 2 (Nature Conservation and Biodiversity) of the Borough Local Plan states that development proposals will be expected to demonstrate how they maintain, protect and enhance the biodiversity of application sites including features of conservation value such as hedgerows, trees, river corridors and other water bodies and the presence of protected species.
- 9.19 Windsor Neighbourhood Plan Policy BIO.01 (Green and Blue Infrastructure Network) states that development proposals should minimise impacts on biodiversity and provide net gains in biodiversity where possible.
- 9.20 Windsor Neighbourhood Plan Policy BIO.02 (Green Routes) identifies Imperial Road as a Green Route. It states that where development fronts these routes the provision of green boundary treatments with trees, vegetation and soft landscaping to sustain and improve air quality and visual amenity, and the safeguarding, provision and/or enhancement of habitats to facilitate the movement of wildlife will be supported.
- 9.21 The frontage of the application site which contains trees and hedgerows falls within the Green Route. Therefore, the loss of soft ground and potential harm to the mature/s tree through the provision of new hardsurfacing for 2 new parking spaces should be avoided. As mentioned previously the planning officer is seeking the submission of an amended parking scheme.

- 9.22 The proposed terrace with artificial grass would result in loss of soft ground (approximately 14 sq metres). there would be a potential reduction in natural habitats as a result of the development. NatureSpace has raised no objections regarding potential impact on Great Crested Newts. The applicant has been asked to provide details of bio-diversity enhancements for the site.

v Sustainability

- 9.23 Adopted Borough Local Plan policy QP3 states that new development will be expected to contribute towards achieving sustainable high quality design in the Borough. A development proposal will be considered high quality design and acceptable where amongst other things it achieves the following design principles:
- a. Is climate change resilient and incorporates sustainable design and construction which: minimises energy demand and water use maximises energy efficiency; and minimises waste.
- 9.24 Policy SP 2 (Climate Change) requires that all developments will demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change. The Council's Interim Sustainability Position Statement (ISPS) requires that all developments (except householder residential extensions and non_residential development with a floorspace of below 100sq.m) should be net-zero carbon unless it is demonstrated this would not be feasible.
- 9.25 As the building comprises approximately 73 square metres, it is below the threshold (of 100sq metres in the ISPS) and therefore there is not a requirement to secure carbon offset contributions.
- 9.26 The ISPS requires 20% of new parking spaces to be provided with EV charging facilities and passive provision (ducting, cabling and capacity with the Mechanical Engineering Services) for the remaining 80% of spaces provided. As discussed previously, the LPA is awaiting the submission of an amended parking layout to scheme (outside of the tree RPA). The originally submitted plans proposed 3 new parking spaces. Given the small number of new parking spaces it is considered rather onerous to impose a condition requiring provision of EV charging point/s.

vi Planning balance and conclusion

- 9.27 It is considered that the proposal would be in compliance with national and local planning policies in relation loss of existing housing, provision of community facilities, and residential amenity. An amended parking scheme could also avoid any adverse impact to the root protection area of the mature tree on the site frontage, and subject to receiving a plan which has an acceptable relationship with the tree the application is recommended for approval.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 The Royal Borough of Windsor and Maidenhead implemented its Community Infrastructure Level (CIL) to help deliver the infrastructure needed to support development in the area in September 2016. The proposed change of use and alterations would not attract CIL payments.

11. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed Plans and Elevations

12. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with

those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policies - adopted Borough Local Plan QP3.

- 3 Prior to the first use of the early years pre-learning hub , full details of biodiversity enhancement measures shall be submitted in writing to the Local Planning Authority (LPA) for approval. The bio-diversity measures (including details of timeframes for installation) shall be installed as approved and shall subsequently be retained in perpetuity, unless otherwise agreed in writing by the LPA. par Reason: To provide a biodiversity enhancement at the site. Relevant policies - adopted Borough Local Plan QP3, NR2.

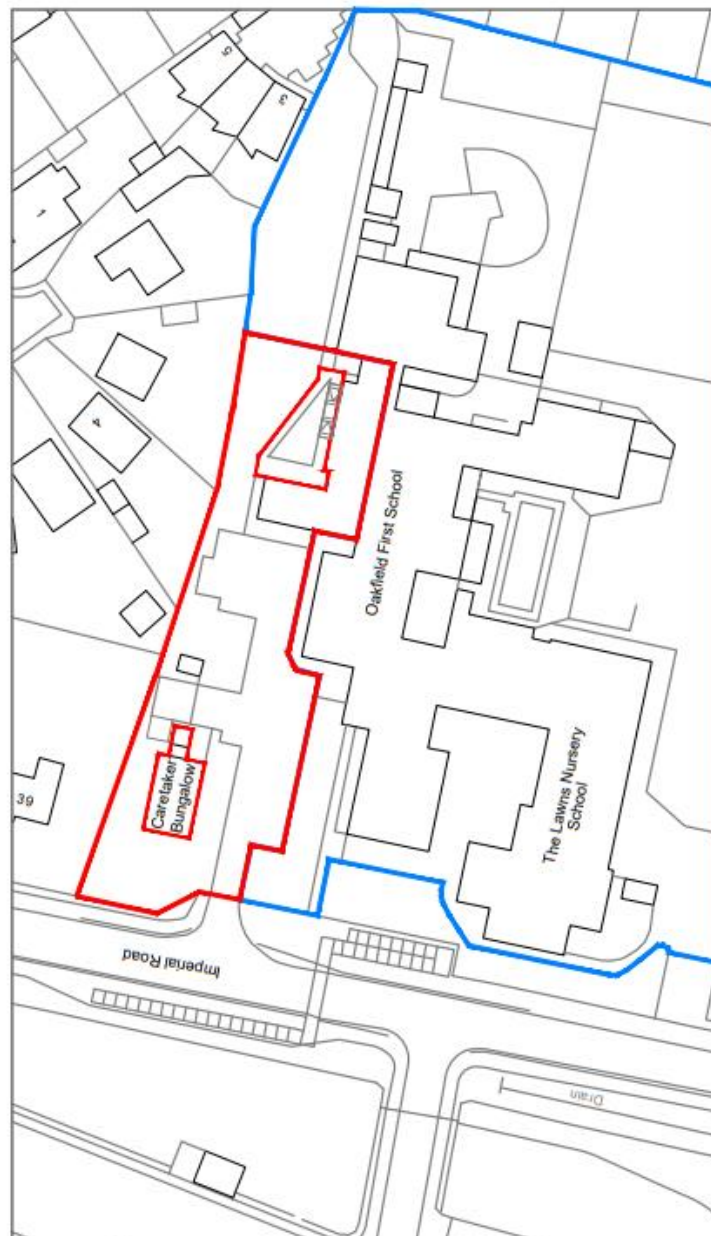
- 4 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

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



Application 23/00352/FULL – The Lawns Nursery, Oakfield First School and Oakfield School Lodge
Imperial Road Windsor

APPENDIX A

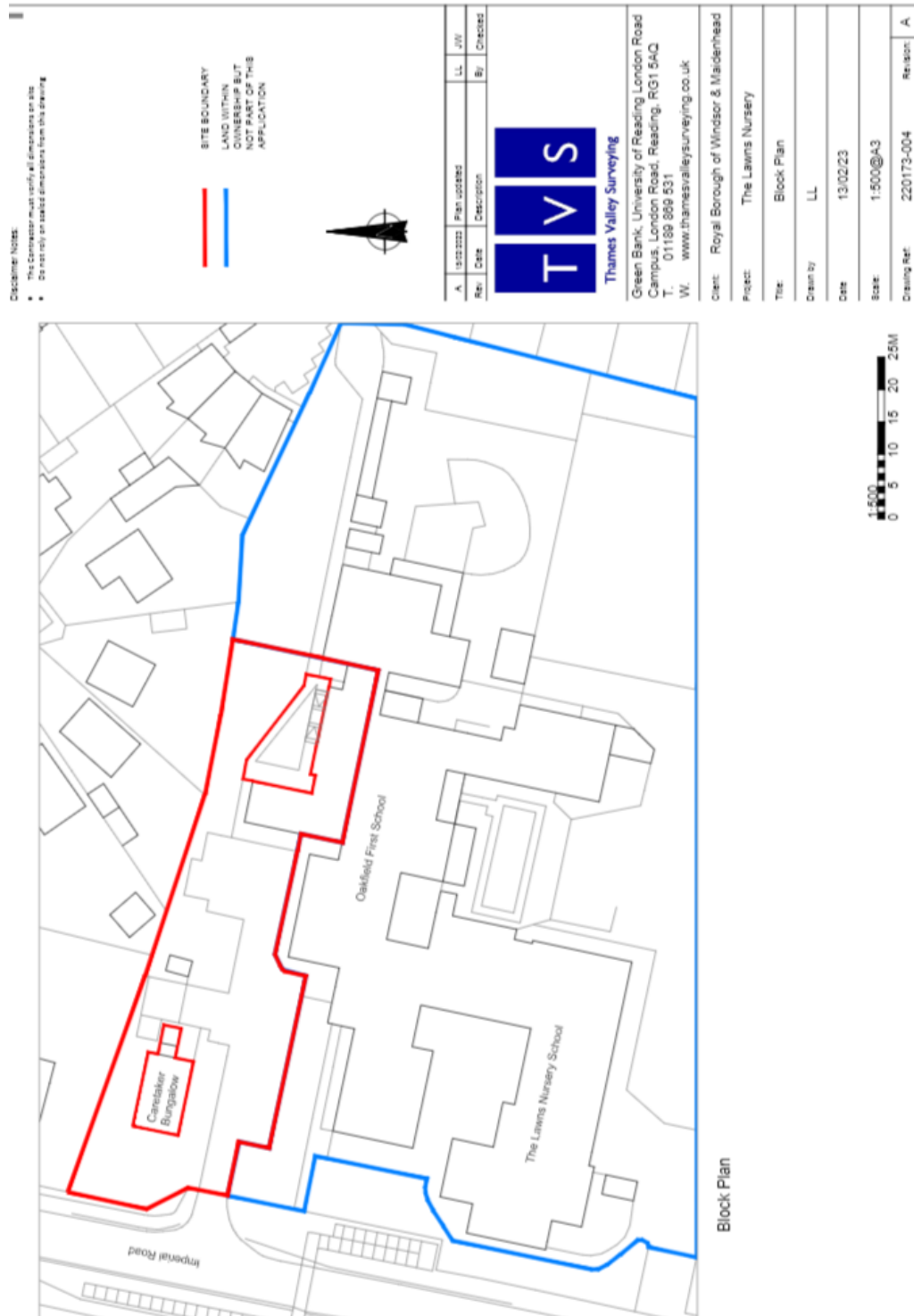


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Location Plan

Application 23/00352/FULL – The Lawns Nursery, Oakfield First School and Oakfield School Lodge
Imperial Road Windsor

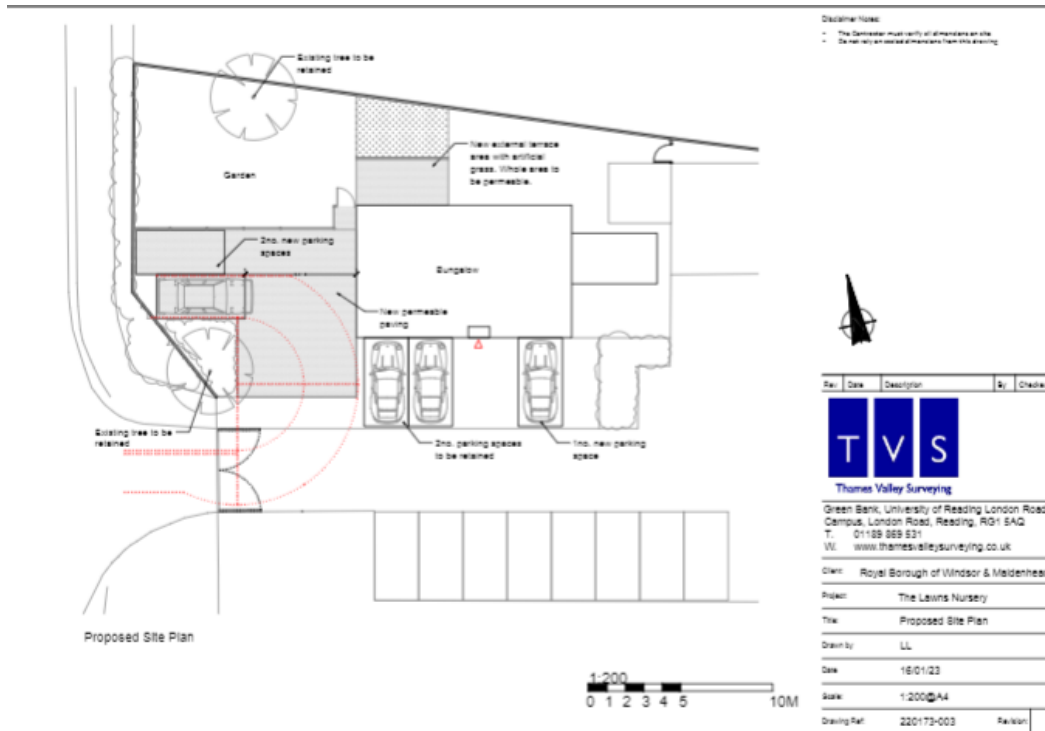
APPENDIX B



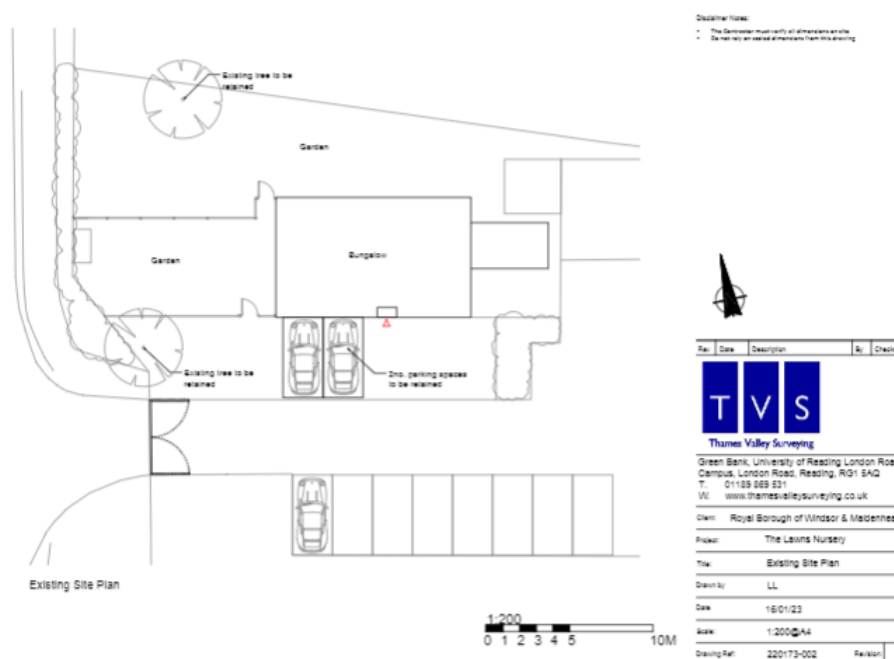
Application 23/00352/FULL – The Lawns Nursery, Oakfield First School and Oakfield School Lodge
Imperial Road Windsor

APPENDIX B

Proposed



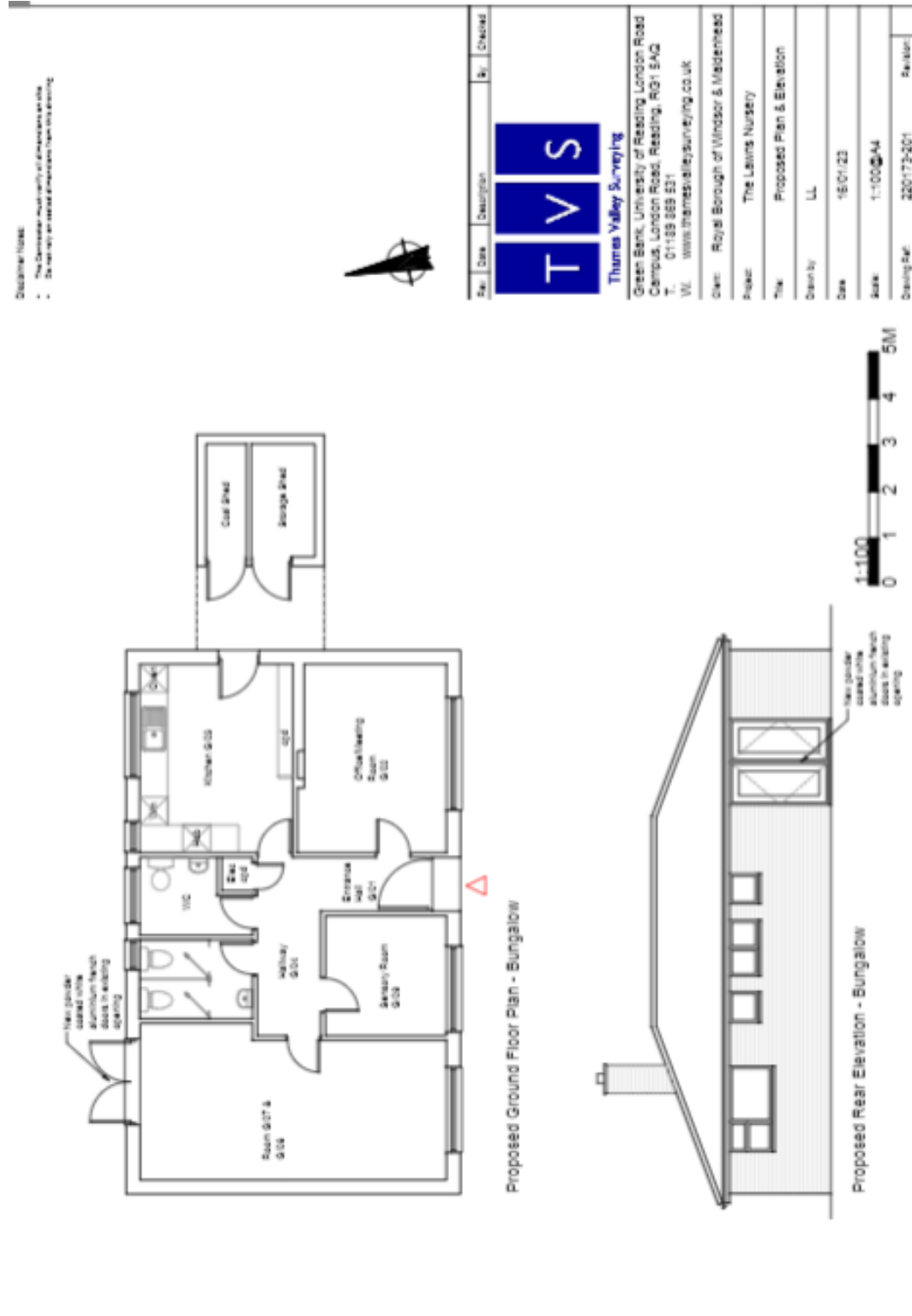
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Application 23/00352/FULL – The Lawns Nursery, Oakfield First School and Oakfield School Lodge
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APPENDIX B

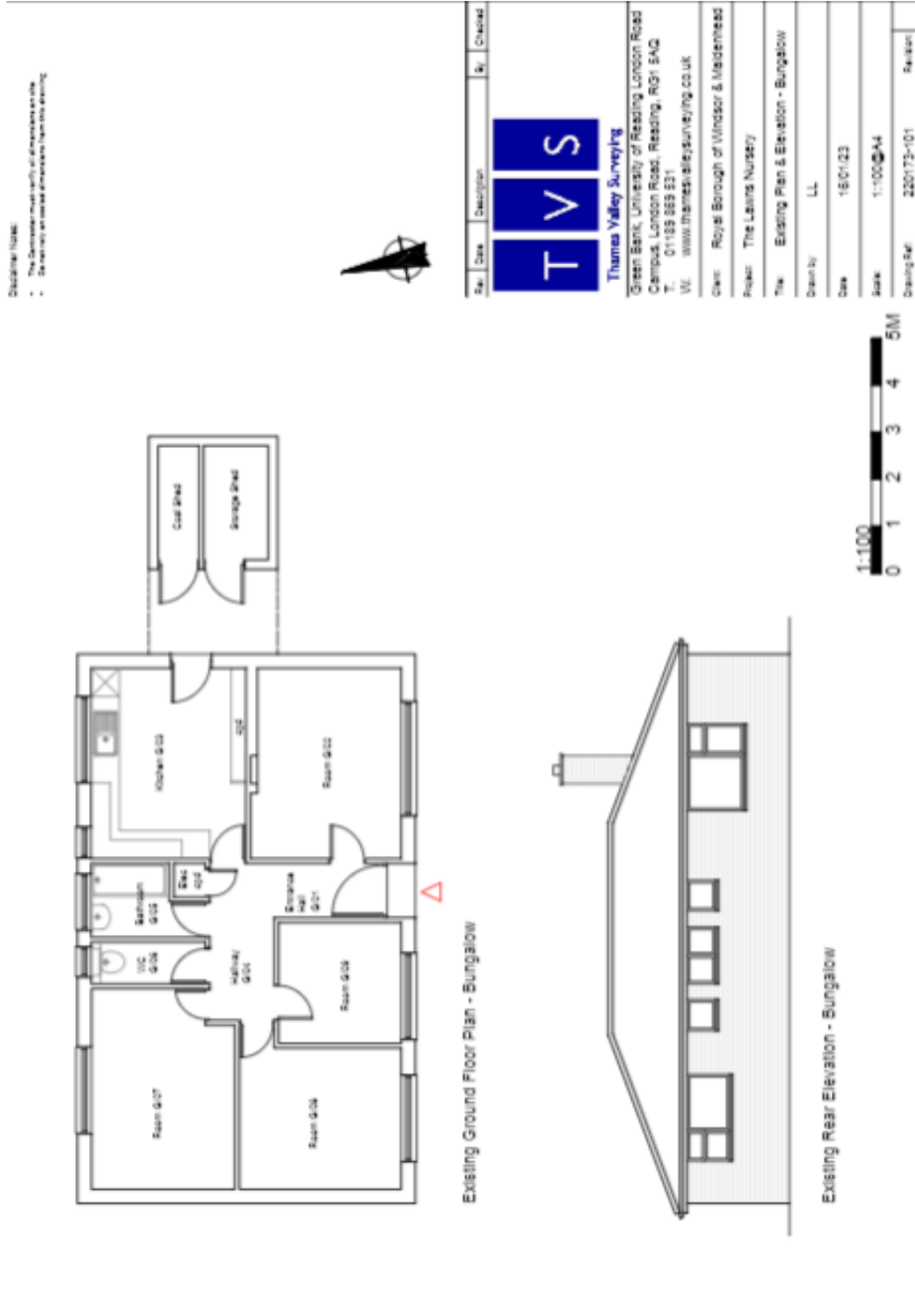
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APPENDIX B

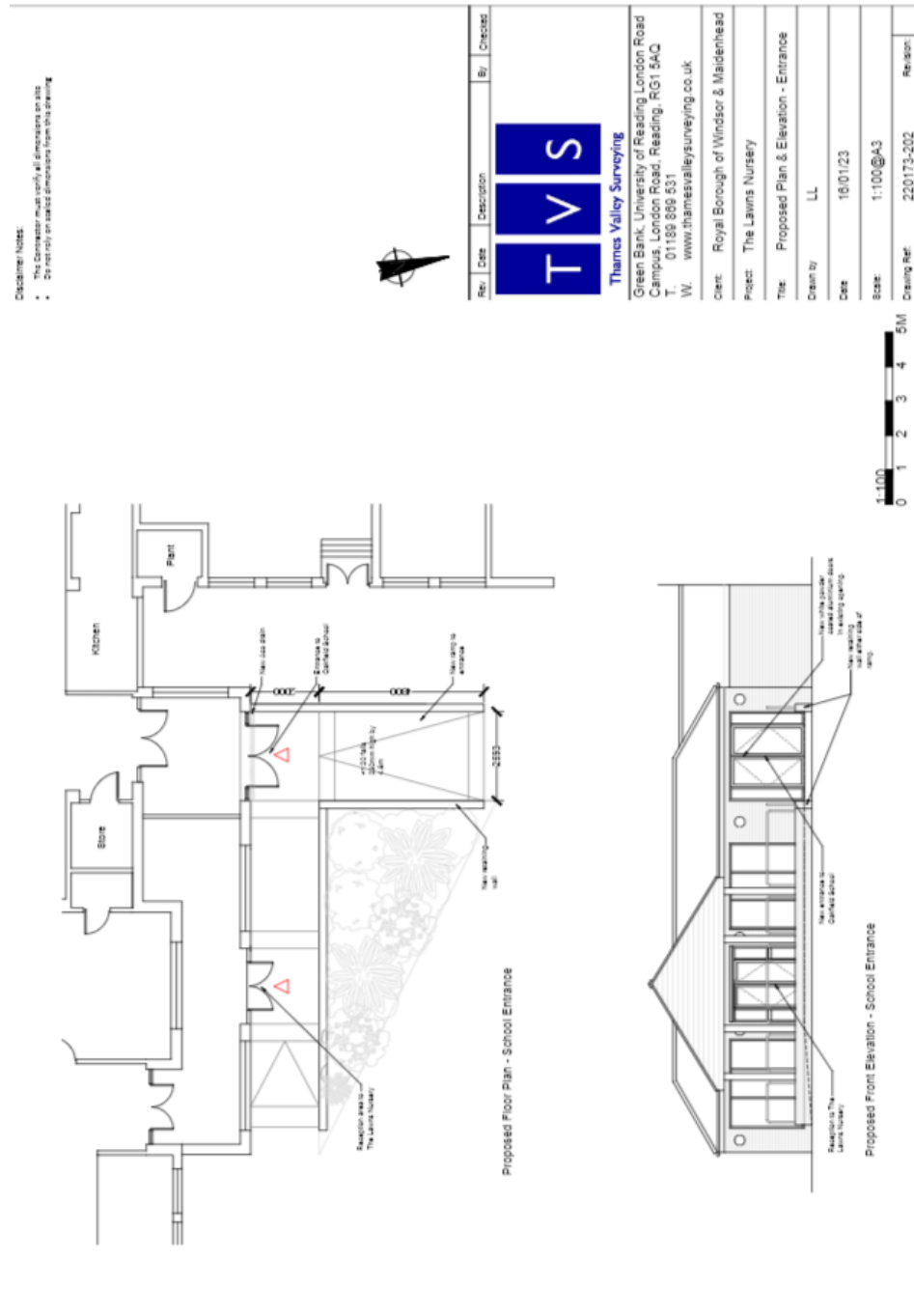
Existing



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Imperial Road Windsor

APPENDIX B

Proposed



Application 23/00352/FULL – The Lawns Nursery, Oakfield First School and Oakfield School Lodge
Imperial Road Windsor

APPENDIX B

Existing

- Disclaimer Notes:**
- The Contractor must verify all dimensions on site
 - Do not rely on scaled dimensions from this drawing



Rev.	Date	Description	By	Checked
 <p>Thames Valley Surveying Green Bank, University of Reading London Road Campus, London Road, Reading, RG1 5AQ T. 01189 869 631 W. www.thamesvalleysurveying.co.uk</p>				
Client: Royal Borough of Windsor & Maidenhead				
Project: The Lawns Nursery				
Title: Existing Plan & Elevation - Entrance				
Drawn by: LL				
Date: 18/01/23				
Scale: 1:100 @ A3				
Drawing Ref: 220173-102				
Revision:				



Existing Floor Plan - School Entrance



Existing Front Elevation - School Entrance

