

## DEVELOPMENT CONTROL PANEL

8 February 2024

Item: 2

<b>Application No.:</b>	23/02834/FULL
<b>Location:</b>	Trevelyan Middle School Wood Close Windsor SL4 3LL
<b>Proposal:</b>	Single storey front/side extension, courtyard with new fence and gate and alterations to fenestration.
<b>Applicant:</b>	Mr Smith
<b>Agent:</b>	Ms Vicky Kolliopoulou
<b>Parish/Ward:</b>	Windsor Unparished/Old Windsor
<b>If you have a question about this report, please contact:</b> Tom Hughes on or at tom.hughes@rbwm.gov.uk	

### 1. SUMMARY

- 1.1 Planning permission is sought for the erection of a single storey extension and various elevational alterations, associated with a wider refurbishment of the school buildings to provide an improved resource for pupils with special educational needs and disabilities.
- 1.2 The proposal is compliant with the relevant development plan policies.

**The proposal is acceptable, and it is recommended the Committee authorises the Head of Planning:**

1.

**To grant planning permission with the conditions listed in Section 14 of this report.**

### 2. REASON FOR COMMITTEE 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 Committee as the applicant is RBWM.

### 3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises Trevelyan Middle School. The school extends across a series of buildings, ranging in height between one to three storeys. The main access to the school is to the east of the site, off Wood Close, with a car park for staff and visitors. A further car park is located to the northwest of the site, off St Leonards Road, used for staff parking and school drop-off/pick-up. A total of 56 parking spaces are provided across these areas. 72 bicycle parking spaces are also available.

### 4. KEY CONSTRAINTS

- 4.1 Part of the school site is located within Flood Zone 2, though the area subject of the development proposals is within Flood Zone 1. The site is subject to Berkshire Great Crested Newts Impact Risk Zone: Green. The site is within 100m of a historic contaminative land use. The site is adjacent to Windsor Forest and Great Park Special Area of Conservation (SAC) and Site of Scientific Interest (SSSI).
- 4.2 The area surrounding the school is residential in character, designated in the Townscape Assessment as Post War Suburbs (1960s onwards).

### 5. THE PROPOSAL

- 5.1 Planning permission is sought for the erection of a single storey extension and various elevational alterations, associated with a wider refurbishment of the school buildings to provide an improved resource for pupils with special educational needs and disabilities. The single storey extension amounts to an infill of an existing courtyard area, to provide space for an existing relocated classroom. The refurbishments include internal alterations and the creation of a sensory garden. The extension and elevational alterations would have a similar appearance to the existing buildings.
- 5.2 The proposals would result in up to 10 more pupils with special educational needs and disabilities attending the school, with 4 additional specialist full-time equivalent employees.

## 6. RELEVANT PLANNING HISTORY

Reference	Description	Decision
90/01619/TEMP	Renewal of consent 463464 for retention of relocatable classroom unit	Permitted 03/10/90
96/74451/FULL	Erection of single storey modular building to provide three classrooms, workshop and office and extension to music department to create drama studio	Permitted 12/06/96
97/76310/FULL	To convert a grass verge running along the perimeter of the school into additional hardstanding parking spaces	Permitted 28/01/98
98/77371/FULL	Erection of modular classroom and creation of car parking area now occupied by horsa building	Permitted 17/11/98
01/81080/FULL	Construction of a new hard surface play area enclosed by 3.1m high steel fence	Withdrawn 30/08/01
01/81302/FULL	Consent to construct new hard play area with 3.5m high ball screen fence	Permitted 31/12/01
01/81619/FULL	Creation of new vehicular access from St Leonards Road incorporating new access road, car parking area and drop off/collection point; and creation of new vehicular access off Wood Close to serve existing parking area	Permitted 27/07/07
02/82018/FULL	Demolition of existing buildings and erection of 99 dwellings with associated parking and access	Refused 06/09/02
03/84507/FULL	Erection of a single storey store room to the hall/dining room	Permitted 09/12/03
08/01036/FULL	Installation of eight no. stretch fabric canopies	Permitted 12/06/08
10/01512/CPD	Certificate of Lawfulness to determine whether a proposed escape door to west elevation of the existing sports hall is lawful	Permitted 16/08/10
16/02221/FULL	Single storey extension to West and two storey extension to East of main block	Permitted 17/10/16
17/00406/FULL	Removal of existing hard surfaced playing areas, replacement and extension of hard surfacing, with associated floodlighting and fencing	Permitted 07/08/17
17/02801/CONDIT	Details required by condition 5 (construction management plan) of planning permission 17/00406 for the removal of existing hard surfaced playing areas, replacement and extension of hard surfacing, with associated floodlighting and fencing	Approved 17/11/17
23/00228/FULL	Glazed extension with linked path and new entrance steps with balustrade	Permitted 05/04/23

## 7. DEVELOPMENT PLAN

### Borough Local Plan (2022)

Issue	Policy
Spatial Strategy for the Royal Borough of Windsor and Maidenhead	SP1
Climate Change	SP2
Character and Design of New Development	QP3
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Contaminated Land and Water	EP5
Sustainable Transport	IF2
Community Facilities	IF6

### Windsor Neighbourhood Plan (2021)

Issue	Policy
Biodiversity	BIO01
Flooding and Water Supply	WAT01
Design	DES01
Cycling and Walking	CW01
Parking	PAR01
Residential Amenity	RES01

## 8. MATERIAL PLANNING CONSIDERATIONS

### National Planning Policy Framework (2023)

Section 2 – Achieving sustainable development

Section 4 – Decision-making

Section 8 – Promoting healthy and safe communities

Section 9 – Promoting sustainable transport

Section 12 – Achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Section 15 – Conserving and enhancing the natural environment

### Supplementary Planning Documents

Borough Wide Design Guide SPD (2020)

Planning Obligations and Developer Contributions SPD (2014)

### Other Local Strategies or Publications

Parking Strategy (2004)

Townscape Assessment (2010)

Interim Sustainability Position Statement (2021)

Environment and Climate Strategy

## 9. CONSULTATIONS

### Comments from interested parties

- 9.1 Eighteen neighbouring occupiers were notified directly of the application. No representations were received.

## Consultees

Consultee	Comment	Where in the report this is considered
Highways	No response received	Noted
Environmental Protection	Advised that the site lies within 100m of a historic contaminative land use, and that in the event that unexpected soil contamination is found after development has begun, that the development must be halted and the contamination be reported in writing immediately to the LPA. An investigation and risk assessment would then need to be undertaken, and where remediation is necessary a remediation scheme must be prepared, which would be subject to approval in writing by the LPA. Recommended a condition be applied accordingly.	Section 10.ix
Ecology	Advised that the site is adjacent to Windsor Forest and Great Park SAC and SSSI, but that the proposed development would not have a detrimental impact, either directly or indirectly, on these designated sites. Confirmed the findings of the submitted Preliminary Ecological Appraisal and Preliminary Roost Assessment, and that further surveys and mitigation would not be required. Raised no objection to the proposals, subject to a condition requiring details of biodiversity enhancement be submitted and approved.	Section 10.vii

## 10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i. Principle of Development
- ii. Design and impact on the character of the surrounding area
- iii. Flood Risk
- iv. Impact on neighbouring amenity
- v. Highways and Parking
- vi. Trees and Landscaping
- vii. Ecology and Biodiversity
- viii. Sustainability
- ix. Other matters

### i. Principle of Development

10.2 Policy IF6 states that proposals for new or improved community facilities which meet the needs or aspirations of local residents and visitors will be supported. The proposals would provide an improved resource for pupils with special educational needs and disabilities; a significant public benefit. The principle of enhancing the existing school facilities is accepted, in accordance with the identified policy.

10.3 Policy IF6 requires that any proposals for new or additional school provision be accompanied by a Travel Plan. A Travel Plan has been submitted with the application and is discussed below.

### ii. Design and impact on the character of the surrounding area

10.4 Policy QP3 requires that all new development will be of sustainable high quality design, respecting and enhancing local character. The proposals would refurbish existing school buildings, with a single storey extension erected to create space for a relocated classroom. The proposed

development would have an appearance to match that of the existing school buildings, achieving a suitably high quality design standard.

- 10.5 The proposals would result in some intensification in the use of the site, resulting in a slight increase in pupil numbers (1.7% increase) and full-time equivalent employees (8% increase), though this is considered proportionate to the improved school offer and would not comprise the established character of the area. On this basis, the proposals would accord with the identified policy.

### **iii. Flood Risk**

- 10.6 Policy NR1 states that within designated Flood Zones 2 and 3 development proposals will only be supported where an appropriate flood risk assessment has been carried out and it has been demonstrated that the development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms.
- 10.7 Part of the site, to the north and west of the school, is located within Flood Zone 2. However, the development proposals are contained to the centre of the existing school buildings and outside of the designated flood zone. For this reason, in this instance a flood risk assessment will not be required. Furthermore, the proposals amount to a modest infill extension on existing hardstanding. It is not considered that the proposals would increase flood risk or reduce the capacity of the floodplain to store water. On this basis, the proposals would accord with the identified policy.

### **iv. Impact on neighbouring amenity**

- 10.8 The Borough Wide Design Guide sets out principles against which new development should be designed, to not undermine the amenities of neighbouring occupiers. Given that the proposals would amount to refurbishment of central parts of the school site, some distance from site boundaries, it is not considered that any significant harm would be caused to the amenities of neighbouring occupiers. The slight increase in pupil numbers is not considered to cause a significantly greater impact on neighbouring amenities than currently exists.

### **v. Transport**

- 10.9 Policy IF1 sets out the aims of the Council in achieving developments which deliver infrastructure to support the spatial strategy of the Borough. Policy IF2 states that prior to the adoption of a Parking SPD, the parking standards in the 2004 Parking Strategy will be used as a guide for determining the appropriate level of parking provision.
- 10.10 A Travel Plan has been submitted with the application. It is set out that the school has 560 pupils, and 50 full-time equivalent employees, with up to 10 other professionals work on the site each day. Existing parking and drop-off/pick-up arrangements are described in section 2.1 of this report.
- 10.11 The proposals would facilitate an increase of 10 pupils and 4 full-time equivalent employees. There are no changes proposed to the existing parking and access arrangements. Having visited the site, officers are satisfied that the existing parking and access arrangements comfortably exceed demand, and that the additional demand generated by the proposals can be easily accommodated on site. This is consistent with the findings of the Travel Plan. The increase in pupil numbers and full-time equivalent employees is not considered exacerbate parking pressures or traffic congestion within the site or on the surrounding road network. On this basis, the proposals would accord with the identified policy.

### **vi. Trees and Landscaping**

- 10.12 Policy NR3 requires that development proposals protect and retain trees, and that where harm to trees is unavoidable, provide appropriate mitigation measures that will enhance or recreate habitats and new features. Where trees are present, applications should be accompanied by appropriate arboricultural surveys, in compliance with BS5837.

- 10.13 The proposed extension would be erected adjacent to a soft landscaped area outside the school reception, which includes a lawn and pond, interspersed with eight trees. None of the trees are subject to TPO. An Arboricultural Survey by Arbtech, dated November 2023, accompanies the application. The survey has been undertaken to an appropriate standard and concludes that three Category U trees and five Category C trees would be affected by the proposed development. The Category U trees are closest to the location of the extension and are proposed to be removed. It is set out that these trees would be removed irrespective of the proposed development, as part of ongoing site arboricultural management. The removal of these Category U trees is accepted.
- 10.14 An Arboricultural Impact Assessment, Method Statement and Tree Protection Plan also accompany the application. It is concluded that subject to protective measures including fencing, ground protection, supervision and working procedures, the retained Category C trees would be adequately safeguarded. These measures would be secured by condition. On this basis, the proposals would accord with the identified policy.

#### **vii. Ecology and Biodiversity**

- 10.15 Policy NR2 requires development proposals 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. The application is accompanied by a Preliminary Ecological Appraisal and Preliminary Roost Assessment by Arbtech, dated November 2023. These reports have been undertaken to an appropriate standard and have been considered by the Council's Ecologist.
- 10.16 The site is adjacent to Windsor Forest and Great Park SAC and SSSI. The submitted reports conclude that the proposed development would not have a detrimental impact, either directly or indirectly, on these designated sites. Officers share this view.
- 10.17 The application site comprises modified grassland, introduced shrub, scattered trees, hedgerows, buildings and hard standing. Of these, the only habitats to be affected by the proposed development are the areas of hardstanding and the existing school buildings. The buildings and scattered trees were assessed for their potential to support roosting bats. Both the building to be affected and all surveyed trees had negligible potential to support roosting bats and therefore no further survey or mitigation is required.
- 10.18 Habitats on site are suboptimal to support great crested newts, reptiles, badgers and hedgehogs, and given the proposals will only affect the buildings and hardstanding, the areas of suboptimal habitat for protected species will not be affected. Subject to a condition to secure enhancements for wildlife within the site, the proposals are in accordance with the identified policy and guidance.

#### **viii. Sustainability**

- 10.19 Policy SP2 requires all development to demonstrate how it has been designed to incorporate measures to adapt to and mitigate climate change. The RBWM Interim Sustainability Statement sets out the requirements which will be sought on new developments in order to deliver on the requirements set out in the NPPF, national and local commitments towards climate change, and the Council's Environment and Climate Strategy. This document is a material planning consideration setting out how the Council will ensure compliance with adopted policy, the NPPF and national and local commitments relating to climate change. As such, it is given weight as a material consideration in reaching planning decisions.
- 10.20 All development proposals should make the fullest contribution to minimising carbon dioxide emissions and should be net-zero carbon unless it is demonstrated this would not be feasible. Applications should include a detailed energy assessment and completed Carbon Reporting Spreadsheet to demonstrate how the net-zero target will be met. The exception to these requirements are householder residential extensions and non-residential development with a floorspace of below 100sqm.

10.21 The proposed development is exempt from the requirements set out in the ISPS, due to the additional floorspace proposed being less than 100sqm. Notwithstanding, an Energy Statement has been submitted with the application. The assessment concludes that the development a total carbon emission reduction of 15%. On this basis, the proposals would accord with the identified policy and guidance.

**ix. Other material considerations**

10.22 The site is within 100m of a historic contaminative land use. A condition is applied requiring unexpected contamination discovered during the course of construction, be reported in writing to the LPA and remediated before works resume.

**COMMUNITY INFRASTRUCTURE LEVY (CIL)**

11.1 The development is not CIL liable.

**12. CONCLUSION**

12.1 The proposal accords with national and local policies and is recommended for approval.

**13. APPENDICES TO THIS REPORT**

- Appendix A - Site location plan and layout
- Appendix B – plans and elevation drawings

**14. 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 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.
3. 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 Policy - Borough Local Plan QP3.
4. The erection of fencing for the protection of any retained tree or trees shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site. Such protection as required by the above condition shall be retained throughout the entire period of construction and until all equipment, machinery and surplus materials have been removed from the site. No materials, soil, rubbish or vehicles shall be deposited or stored in any area fenced in accordance with this condition and no fires shall be lit, and no raising or lowering of ground levels shall take place within this area. No drains, pits, ditches or trenches shall be dug in or run across the area protected by the fencing, at any time before, during and after the development of the site, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In order to ensure that retained trees are adequately protected, in the interests of the visual amenities of the locality. Relevant Policy - Borough Local Plan NR3.

5. Protective measures, including fencing, ground protection, supervision and working procedures shall be carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan prepared by Arbtech dated November 2023. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.  
Reason: In order to ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself. Relevant Policy - Borough Local Plan NR3.
  
6. Prior to commencement of development above slab level details of the biodiversity enhancements to include, but not limited to, installation of bird and bat boxes, bricks and tiles onto the new extension or around the site, creation of log piles and hibernacula and gaps at the bases of fences to allow hedgehogs to traverse through the site, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements shall thereafter be installed as approved and a brief letter report confirming that the enhancements have been installed, including a simple plan showing their location and photographs of the enhancements in situ shall be submitted to and approved in writing by the Local Planning Authority.  
Reason: To incorporate biodiversity enhancement in and around developments. Relevant Policy - paragraph 180 of the NPPF and Borough Local Plan NR2.
  
7. In the event that contamination is found at any time when carrying out the approved development not previously identified, development shall be halted on that part of the site the contamination be reported in writing to the Local Planning Authority. An assessment of the nature and extent of contamination shall be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, shall be submitted in writing to the Local Planning Authority for its written approval. The measures in the approved remediation scheme shall be implemented in accordance with the approved timetable. Halted works shall not be re-commenced until the measures identified in the approved remediation scheme have been completed and a validation report has been submitted to and been approved in writing by the Local Planning Authority.  
Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas. Relevant Policy - Borough Local Plan EP5.