

Registration Date:	4 th September 2020	Application No:	P/10482/012
Officer:	Neil Button	Ward:	Upton
Applicant:	Department for Education (DFE)	Application Type:	Major
		13 Week Date:	4 th December 2020
Agent:	Tom Lamshead, Jones Lang LaSalle Ltd, 30 Warwick Street, London, W1B 5NH		
Location:	Slough Hockey Club, Stambury, Slough Cricket Club, Upton Court Road, Slough, SL3 7LT		
Proposal:	Change of use of a clubhouse, artificial hockey pitch and car park (Use Class F.2), between 7.30am and 5.00pm Monday to Friday only, to educational use (Use Class F.1) for a temporary period as required until 28th February 2021. Use Class F.2 to operate outside of these hours. (Revised Description of Development and Additional Documents submitted 25.09.2020).		

Recommendation: Delegate to the Planning Manager for Approval



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant policies of the Development Plan set out below, the representations received from consultees and the community along with all relevant material considerations, it is recommended the application be delegated to the **Planning Manager for Approval** subject to finalising conditions and any other minor changes.

1.2 The proposals comprise a major planning application therefore the development is required to be determined by Slough Borough Council Planning Committee.

PART A: BACKGROUND

2.0 **Proposal**

2.1 The proposed development comprises the change of use of the Slough Hockey clubhouse, artificial hockey pitch and car park (Use Class F.2), between 7.30am and 5.00pm Monday to Friday only, to educational use (Use Class F.1) for a temporary period as required until 28th February 2021. The existing Use Class F.2 will continue to operate outside of these hours. The school has been operational at the site since the start of Autumn 2020/21 term.

2.2 Department for Education (“DfE”, “the applicant”) has submitted a full planning application for the educational use (Use Class F1) of the site at Slough Hockey Club. The educational establishment occupying the site is Grove Academy, Slough which comprises an all-through school. The school proposes to occupy the site on a temporary basis for six months until 28th February 2021.

2.3 Wates Construction Ltd/Department for Education submitted an application to Slough Borough Council for an all-through school for 1,940 pupils for Grove Academy in Chalvey (LPA ref: P/03968). The permanent site is currently under construction but due to the global pandemic of Covid-19 has experienced construction delays for its targeted opening of September 2020 impacting on the start date for the 2020/21 academic school year.

2.4 The use of the Slough Hockey Club site for educational purposes is sought to enable Grove Academy to operate from the site on a temporary basis whilst construction works to their permanent accommodation are completed. The school is catering for an additional intake of pupils from September 2020, who cannot be accommodated within the existing floor space provided at the school’s Wellington Street site. Temporary facilities at Slough Hockey Club are proposed to ensure all pupils can be accommodated and disruption to the school’s operations and teaching are minimised.

2.5 As well as the above proposals, a full planning application for a second temporary school site is proposed at Arbour Park. Currently Grove Academy is occupying temporary premises on Wellington Street, Slough SL1 1YG. This is subject to application Ref: P/19067/000.

2.6 For the six month’s temporary permission sought, there will be a maximum

of 120 pupils on the site at any one time and six full-time staff. It is proposed that students will attend in their 'year group bubble' as a result of Covid-19 guidance and remain at the site throughout the teaching day. A set number of assigned teachers (up to 6 full-time staff) will remain at the site all-day to teach the students. The school operates from the site Monday-Friday between the hours of 7.30am and 5pm inclusive. Classes start at 09.55am and finish at 15.20pm each day. Pupils will be permitted to use the external artificial grass pitch at lunchtime (for sports purposes only) which will run from 11.35am-12.05pm. The artificial grass pitch will be used for PE lessons between 9am until 2.30pm.

- 2.7 8 car parking spaces are available within the land adjacent to the Cricket Club. Vehicular and pedestrian access to the site will be taken from the access track which links to King's Reach to the north-west of the hockey club.
- 2.8 Grove Academy have arranged for two school coaches to take students from the school's site at Wellington Street to the Slough Hockey Club site on a daily basis. Students will register as normal at the start of the day at the Wellington Street site, before being transferred by coach to the temporary site (Slough Hockey Club) (approximately arriving for 09.00am at the site). At the end of the school day, pupils will be transferred by coach back to the Wellington Street site, where they will be registered and subsequently permitted to finish school for the day (approximately departing the site at 15.20pm).
- 2.9 The proposed educational use of the pavilion covers the whole building which comprises 2 x first floor teaching areas (for 2 classes) and ground floor spaces for break time usage. Officers attended a site visit and observed the managed movement of pupils between classes and the external area throughout the day. Further staff are present at the pavilion and sports pitches to ensure pupils remain on site.
- 2.10 The following documents have been submitted as part of the application:
- Transport Statement (Velocity, September 2020, ref. no. 2550/1240, doc. no. D002, version 0.2);
 - Travel Plan (Velocity, September 2020, ref. no. 2550/1240, doc. no. D003, version 0.2);
 - Flood Risk Assessment (BWB, October 2020, ref. no. GAS-BWB-ZZ-XX-RP-YE- 0001_FRA, rev P03);
 - Completed revised application forms;
 - Revised site location plan (LocatED, drawing number LC0034-2/FS0343, dated 18/09/20)
 - Plan showing coach set down area/tracking (drawing number 2550-1240-T-002 rev A, Velocity).
 - Schedule for Artificial Grass Pitch Maintenance;
 - Existing and Proposed Block Plans
 - Existing and Proposed Elevations
 - Existing and Proposed General Arrangements
 - Planning Statement by JLL
 - Cover Letter by JLL dated 25th September 2020

3.0 Application Site

- 3.1 The application site comprises land occupied by Slough Hockey Club, the access from Kings Reach and the car park adjacent to Slough Cricket Club. The application site comprises an area of approximately 1.15 ha to include an artificial hockey pitch, a two-storey clubhouse and an access track. The clubhouse currently comprises a series of changing rooms and toilets on the ground floor and a single open space on the first floor with toilet facilities. A temporary marquee has been erected to the west of the pavilion but this does not form part of the planning application site area.
- 3.2 Access to the site is via Kings Reach followed by an asphalt road which runs for a length of 450m. The application site is located approximately 1.8 miles from Slough Railway Station and adjacent bus station. The nearest bus route to the site is around a 15-minute walk away with services running along London Road to the north of the site.
- 3.3 Environment Agency Flood Map data indicates that the pitch and clubhouse are in Flood Zone 1 and the access track is within Flood Zone 3. The site is located 400m away from Grade II Listed Ditton Park and is within the designated Green Belt. Upton Court Park is located to the north west of the Cricket Club.
- 3.4 The site is located on the edge of a built-up area with Ditton Park Academy and the early 20th major housing development to the north; to the east lies further residential with farmland further east. To the south are playing fields and to the west is Slough Cricket Club comprising a car park and clubhouse.
- 3.5 The residential properties on Oxlade Drive to the north are approx. 22m from the Pavilion. The residential properties on Boxall Way to the east are approx. 75m from the Pavilion building. The Sports pitch is located approx. 35m (from its eastern boundary fence) from the Boxall Way dwellinghouses and approx.. 40m (from its northern boundary fence) from the dwellinghouses on Oxlade Drive. The Eastern boundary contains a landscaped buffer and a boundary fence. The northern boundary contains a boundary timber (2m high) fence.

4.0 Relevant Site History

- 4.1 The relevant planning history for the site is set out below (planning history that has been excluded involves invalid submissions and minor applications relating to the Cricket Club on the adjacent land which are of no relevance to the proposals).

P/10482/011: Construction of a temporary marquee from 01/10/2019 until 28/10/2019

Withdrawn by Applicant

P/10482/010: Construction of a car park

Decision Pending

P/10482/006: Retention of access road and formation and layout of car

park.

Refused 19/09/2003. Appeal Dismissed

P/10482/004: Development comprising the laying out of an artificial playing pitch, the installation of floodlighting and the erection of a pavilion building. (amended plans 01/05/02)

Approved 17/06/2020

P/10482/002: Change of use to recreational cricket and football facility and construction of new pavilion

Approved 26/02/199

P/10482/000: Change of use to recreational cricket facility

Approved 26/05/1998

5.0 **Neighbour Notification**

5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) site notices was displayed outside the site at (1) Kings Reach Access Road, (2) Slough Cricket Club & Hockey Club entrance, (3) Oxlade Drive and (4) Boxall Way (4x Site Notices) and the application was advertised as a major application in the Slough Express.

No responses have been received

6.0 **Consultations**

6.1 Sport England: No objections subject to adherence with Sports Pitch Maintenance Strategy

6.2 Environment Agency: No objections subject to compliance with Flood Risk Assessment

6.3 Planning Policy: No comments

6.4 Environmental Quality: No objections in terms of noise or air quality issues

6.5 Asset Management (Education): No objections. SBC worked with the DfE for months trying to find a suitable alternative site once it was known that completion of the new school in Chalvey would be delayed. After use of the Curve fell through, it looked for a time like pupils may have to change schools or stay at home, both very undesirable options for all parties. Use of Arbour Park and Slough Hockey Club emerged at the very last minute, the proposals were supported by Education and both sites are working well.

The construction of the new school will be ready for handover mid-December and it is anticipated that pupils will start the Spring Term (January) in their new building. I appreciate that the application runs until February to cover contingencies and colleagues will need to bear this in

mind but the DfE are currently paying rent on 3 sites and will not stay a minute longer than necessary when their new building is ready for occupation.

- 6.6 Transport & Highways: Comments incorporated into the assessment
- 6.7 Neighbourhood Enforcement Team: No comments
- 6.8 Leisure Services: No objections. Happy with current arrangements.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 National Planning Policy Framework 2019 and National Planning Policy Guidance:

Chapter 2: Achieving Sustainable Development
Chapter 4: Decision making
Chapter 6: Building a Strong Competitive Economy
Chapter 7: Ensuring the vitality of town centres
Chapter 8: Promoting healthy and safe communities
Chapter 9: Promoting sustainable transport
Chapter 11: Making effective use of land
Chapter 12: Achieving well-designed places
Chapter 14: Meeting the challenge of climate change, flooding and coastal change
Chapter 15: Conserving and enhancing the natural environment

Paragraph 11 of the NPPF states that decisions should apply the presumption in favour of sustainable development which means:

c) approving development proposals that accord with an up-to-date development plan without delay; or
d) 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 (footnote 6); 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.

Footnote 6 notes that the policies referred to are those in the NPPF (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.

Paragraph 94 states that “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:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

Paragraph 121 states that “local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to... **make more effective use of sites that provide community services such as schools** and hospitals, provided this maintains or improves the quality of service provision and access to open space.”

7.2 Ministry of Housing Communities and Local Government Policy Statement - Planning for Schools Development (August 2011)

In August 2011, the DCLG published a policy statement on the role of the planning system in supporting schools. This statement indicates that the Government is firmly committed to ensuring that there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards.

The statement identifies that it will be expected that all parties will work together proactively from an early stage to help plan for state school developments and to shape strong planning applications.

The document sets out the Government’s strong policy support for improving state education. It identifies that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:

- There should be a presumption in favour of development of state-funded schools, as expressed in the NPPF.
- Local Authorities should give full and thorough consideration to the importance of enabling the development of state funded schools in their planning decisions.
- Local Authorities should make full use of their planning powers to support state-funded schools applications.
- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95.
- Local authorities should ensure that the process for submitting and determining state-funded schools’ applications is as streamlined as possible.
- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.

7.3 The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

Core Policy 1 - Spatial Vision and Strategic Objectives for Slough
Core Policy 2 – Green Belt and Open Spaces
Core Policy 6 – Retail, Leisure and Community Facilities
Core Policy 7 – Transport
Core Policy 8 – Sustainability and the Environment
Core Policy 9 – Natural and Built Environment
Core Policy 11 - Social Cohesiveness

7.4 The Adopted Local Plan for Slough 2004 (Saved Policies)

Policy EN5 – Design and Crime Prevention
Policy EN34 - Utility Infrastructure
Policy T2 - Parking Restraint
Policy T8 – Cycling Network and Facilities
Policy T9 – Bus Network and Facilities

7.5 Other Relevant Documents/Guidance

Local Development Framework Site Allocations Development Plan Document Proposals Map 2010

7.6 Planning and Compulsory Purchase Act 2004

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The revised version of the National Planning Policy Framework (NPPF) was published upon July 2019. Planning Officers have considered the proposed development against the revised NPPF which has been used together with other material planning considerations to assess this planning application.

The NPPF states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

7.7 Equality Act

In addition, Section 149 of the Equality Act (2010) which sets a Public Sector Equality Duty (PSED) came into force in April 2011 and requires the Council to consider the equality impacts on all protected groups when exercising its functions. In the case of planning, equalities considerations are factored into the planning process at various stages. The first stage

relates to the adoption of planning policies (national, strategic and local) and any relevant supplementary guidance. In coming to a recommendation, officers have considered the equalities impacts on protected groups in the context of the development proposals. This planning report identifies the possible equality impacts on the protected groups within the following sections.

8.0 Planning Assessment

8.1 The planning considerations for this proposal are:

- Principle of Temporary Use
- Impact on the Green Belt
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- Highways/Transport and parking
- Flood Risk

9.0 Principle of Temporary Use

9.1 The planning application seeks the temporary change of use of Slough Hockey Club to educational use (Use Class F.1) for a temporary period of c.6 months until 28 February 2021. This is to enable Grove Academy to continue to operate whilst their permanent accommodation is completed, which has been delayed due to the recent COVID-19 pandemic.

9.2 The proposed (continued) use of the pavilion, access road and car park and land associated with the Slough Hockey Club on a temporary basis ensures that the school caters for the additional intake of pupils from September 2020, who would not have been accommodated within the existing floor space provided at the school's Wellington Street site.

9.3 Officers have given due consideration of the impact that COVID-19 is having upon current education provision within Slough. As such, the site is providing a contingency measure to enable the school to continue to operate on a temporary basis until their permanent accommodation is completed.

9.4 The continued use of a site by Grove Academy is intended to minimise disruption to the school and for its pupils and staff. This is of particular importance at a time where is significant disruption to the education of pupils within Slough as a result of the COVID-19 pandemic.

9.5 NPPF paragraph 94 states that local planning authorities should “give great weight to the need to create, expand and alter schools through the preparation of plans and decisions on applications”. Paragraph 121 of the NPPF also makes clear that local planning authorities “should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to... make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.”

- 9.6 For the above reasons, significant weight in the planning assessment is given to the pressing and urgent need to accommodate the Grove Academy's school pupils on a temporary basis to ensure they are able to benefit from education in the current challenging climate.
- 9.7 The development and expansion of schools is further supported by the MHCLG Planning for Schools Development Statement (August 2011) which makes clear that there should be a presumption in favour of development of state-funded schools.
- 9.8 The submitted plans for the temporary use of the Slough Hockey Club pavilion, artificial pitches and associated land indicate that there is sufficient space within the site to accommodate a year group comprising up to 120 pupils. Officers attended an accompanied site visit at the school and confirmed that sufficient internal and external spaces are available on the site to accommodate the proposed educational use at the capacity which permission is sought for. The applicant confirms that the daytime school use would not interfere with the Hockey Club or Cricket Club activities which generally take place after school hours and on weekends. No objections are raised by the Council's Education or Leisure Services officers to the proposals. The comments of the Education Officer are noted in that a Borough wide search for suitable sites was undertaken by the Council, the School and Department of Education (DoE) and this search culminated in the selection of the Slough Hockey Club and Arbour Park which were considered to be suitable and fit for the purpose of accommodating up to 120-150 pupils each day. Officers have given due regards to this process in addition to the national guidance set out in this report, and from the activities observed on site during the inspection.
- 9.9 The use of the sports pitches was queried by Sport England and the School subsequently provided a Sports Pitch Maintenance Scheme for looking after the pitches which was accepted by Sport England who raise no objections. A condition is recommended to ensure the pitch is maintained in accordance with this scheme. In conclusion, it is considered a satisfactory environment is provided for pupils and that the site is suitable for a temporary educational use in principle.
- 9.10 It is also considered that the principle of the development is justified given the exceptional circumstances associated with the COVID-19 pandemic. Given the changing circumstances and uncertainty regarding COVID-19 and the delivery of the school's permanent accommodation, it is considered that the grant of temporary planning permission would be acceptable in principle in accordance with the Local Plan and national planning guidelines.

10.0 Impact on the Green Belt

- 10.1 The entire site falls within the designated Green Belt. The NPPF outlines that most forms of development are considered as inappropriate, as they are harmful to the Green Belt and should not be approved except in very special circumstances (paragraph 144). Paragraph 146 makes clear that "certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it".

These include:

d) the re-use of buildings provided that the buildings are of permanent and substantial construction; and

e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds).

10.2 The proposed development seeks the material change of use of land for a temporary period of c.6 months until 28 February 2021 in line with paragraph 146(e) of the NPPF. The proposed development will also be seeking to re-use existing permanent buildings to facilitate the temporary use by Grove Academy, in accordance with paragraph 146(d) of the NPPF.

10.3 It is therefore considered that as no new operational works are proposed and this application seeks a change of use for a temporary period, the proposed development is not inappropriate under NPPF Green Belt policy and there is no requirement to demonstrate a 'very special circumstances' case.

10.4 It is also considered, as outlined above, that the proposed development is essential to ensure disruption to students is minimised, particularly given the negative impact that COVID-19 has already had on teaching in England. It is therefore considered that the proposed development is in accordance with SBC Core Policy 2 and Core Policy 11.

11.0 Impact on the character and appearance of the area

11.1 The site is currently used for outdoor sports and recreation by Slough Hockey Club and therefore, this will not change over the temporary period that planning permission is sought. Although usage of the pavilion and external areas may increase in daytimes (during weekdays), the overall uses and operations on site would not result in any change to the character or appearance of the area. It is therefore considered that the proposed development is in accordance with SBC Core Policy 8.

12.0 Impact on amenity of neighbouring occupiers

12.1 The National Planning Policy Framework encourages new developments to be of a high quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policy EN1.

12.2 As noted above, the site is used for outdoor sports and recreation by Slough Hockey Club and therefore, by its nature, generates some noise impact upon the immediate vicinity of the site. The closest residential dwellings are located to the north on Oxlade Drive and east on Boxall Way approx. 22m and 75m away from the pavilion building and approx. 35-40m away from the sports pitch. The application site contains a boundary fence to the east which has a landscape buffer with trees and shrubbery which prevents noise and visual impacts. The northern boundary is located further from the sports pitch (40m+) and is abounded by the timber fence on the site boundary.

12.3 The use of the site for a temporary period by Grove Academy is not anticipated to create a substantial increase in noise levels beyond those levels intended for the authorised recreation and sports use. The noise levels associated with the temporary use are considered to be typical of the levels of noise produced by the existing users of the site. Furthermore, it was noted on the officer site visit that the noise from the external areas on the site did not unacceptably combine with the other noise generating uses in the proximity of the site which included the Ditton Park Academy School. It is therefore considered that the proposed development will not result in significant or noticeable additional noise impacts.

12.4 Subject to a condition controlling the hours of operation, and a condition capping the capacity of the site for pupils and staff it is considered that the proposals would not result in demonstrable harm to the amenity of occupiers within the residential dwellinghouses in Oxlade Drive or Boxall Way which back onto the site.

13. Highways/transport and parking

13.1 Paragraph 108 states that in assessing specific applications for development, it should be ensured that:

- A) Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- B) Safe and suitable access to the site can be achieved for all users; and
- C) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree

13.2 Paragraph 109 of the NPPF states 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.

13.3 The applicant has submitted a Transport Statement (TS) to review the proposed transport arrangements for the school and assess the potential impacts of the proposed development upon the local highway network. In addition, a Travel Plan has been submitted for both temporary school sites which identifies the accessibility of each site and recommends a set of objectives and measures required to ensure sustainable travel patterns associated with both sites. The Travel Plan (TP) sets a number of targets and actions in order to measure the effectiveness of the strategy and proposes monitoring to ensure the safe on-going management of the sites. In the case of Slough Hockey Club, additional management measures have been identified in the TP at the entrance of the slip road to the site off Kings Reach which is adjacent to the Ditton Park Academy to ensure the coaches are able to safely access the temporary school site.

13.4 The TS confirms that the Grove Academy school have arranged for two school coaches to take students from the school's site at Wellington Street to the Slough Hockey Club site on a daily basis. Students will register as normal at the start of the day at the Wellington Street site, before being transferred by coach to the temporary site (Slough Hockey Club) (approximately arriving for 09.00am at the site). At the end of the school

day, pupils will be transferred by coach back to the Wellington Street site, where they will be registered and subsequently permitted to finish school for the day (approximately departing the site at 15.20pm).

- 13.5 In regard to car parking, the school have access to up to eight existing car parking spaces at the site. These will primary be required for staff and visitor parking. These spaces are located within the 56 space car park adjacent to the cricket club to the west of the Slough Hockey Club Pavilion. The current demand for parking generated by Slough Hockey Club was observed to be very low during the school peak hours. As such the space within the car park will be used to accommodate short-term coaches and minibus parking. The applicant has submitted a tracking plan to indicate there is sufficient space within the site for coach and minibus parking and drop off.
- 13.6 The TS confirms that two deliveries per day associated with food and non-food supplies are expected at the site. No on-site catering is proposed at the site. A daily supply of hot meals/lunch items will be delivered to the site for student lunchtimes. It is considered that the deliveries will cause no disruption to existing access/parking arrangements at the site which is observed to be low during term time weekdays. Approximately two refuse/recycling collection is expected at the site per week.
- 13.7 The TS confirms that the school is expected to generate a maximum of two coach trips, one minibus trip and five car trips by staff per day. The level of traffic generation anticipated to result from the proposed temporary school accommodation will result in non-material impact on the local area.
- 13.8 The TS notes that mitigation measures are proposed in the form of a School Travel Plan. These measures comprise access management at the Wellington Street site, school timetable and parking management measures in order to manage travel to the school amongst staff and pupils and ensure efficient operation during this temporary arrangement.
- 13.9 It is considered that the proposals are in compliance with national transport policy in the NPPF and the Adopted Slough LDF Core Strategy 2006-26 Core Policy 7.

14.0 Flood Risk

- 14.1 A Ministerial Statement from December 2014 confirms the Governments commitment to protecting people from flood risk. This statement was as a result of an independent review into the causes of the 2007 flood which concluded that sustainable drainage systems (SuDS) were an effective way to reduce the risk of "flash flooding". Such flooding occurs then rainwater rapidly flows into the public sewerage and drainage system which then causes overloading and back up of water to the surface.
- 14.2 Both Core Strategy Policy 8 and paragraphs 155 and 163 of the NPPF 2019 require development to be directed away from areas at highest risk off flooding and to ensure flood risk is not increased elsewhere. Paragraph 165 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for

ongoing maintenance over the lifetime of the development.

- 14.3 A Flood Risk Assessment has been submitted with the application. This report demonstrates that the proposed development is at an acceptable level of flood risk, subject to the recommended flood mitigation strategies being implemented.
- 14.4 The existing Pavilion is utilised as temporary teaching accommodation, is shown to be located entirely within Flood Zone 1 of the Datchet Common Brook. The private access road is shown to be partially located within Flood Zone 2 (Medium Probability) and Flood Zone 3a (High Probability).
- 14.5 In the event of a flood preventing access/egress via the main access road, the FRA confirms that safe pedestrian access/egress can be taken via the fields to the south east of the Pavilion and into the residential development (at Boxhall Way). Officers consider this presents an acceptable escape route in the event of a major flood.
- 14.6 The FRA confirms that the site is thought to be at a medium risk of flooding from groundwater sources. The impermeable surfaces associated with the existing building would act as a barrier to any groundwater emergence. The FRA confirms that the elevated nature of the building will help mitigate the risk of groundwater emergence. The existing Pavilion and access road will be retained and therefore no construction works are expected as part of the proposals, limiting the likelihood of groundwater disturbance.
- 14.7 The FRA also confirms that the proposed development has also been assessed against a further range of potential flood risk sources including canals, reservoirs, surface water and sewers. None of these flood sources have been found to represent a potential barrier to development. The application has been reviewed by the Environment Agency who raises no objections to the proposals subject to condition requiring adherence to the mitigation measures set out in the FRA.
- 14.8 As there are no external changes proposed at the site, the development will not increase flood risk to the wider catchment area. Subject to the mitigation measures proposed, it is considered that the development would not result in significant flood risk and would be in compliance with the requirements of the NPPF and Core Policy 8.

15.0 Equalities Considerations

- 15.1 Throughout this report, due consideration has been given to the potential impacts of development, upon individuals either working in the development, or visiting the development, or whom are providing services in support of the development. Under the Council's statutory duty of care, the local authority has given due regard for the needs of all individuals including those with protected characteristics as defined in the 2010 Equality Act (eg: age (including children and young people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In particular, regard has been had with regards to the need to meet these three tests:

- Remove or minimise disadvantages suffered by people due to their protected characteristics;

- Take steps to meet the needs of people with certain protected characteristics; and;
 - Encourage people with protected characteristics to participate in public life (et al).
- 15.2 Conditions have been recommended to ensure the temporary educational floor space and external areas are laid out to be accessible to all protected groups using the site which in this case comprise teachers and pupils.
- 15.3 There is provision for level accesses and thresholds to the pavilion and there is lift access to the upper floor classroom. Adequate car parking spaces are provided close to the pavilion although it is noted that pupils would access the site by coach and/or minibus which would require provisions for disabled pupils/users. This is set out in the Travel Plan submitted with the application and would be managed by the School accordingly.
- 15.4 In conclusion, it is considered that the needs of individuals with protected characteristics have been fully considered by the local planning authority exercising its public duty of care, in accordance with the 2010 Equality Act.

16.0 Planning Conclusion

- 16.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise.
- 16.2 Notwithstanding the above, officers have considered whether there are any other material circumstances that need to be taken into account, notwithstanding the development plan provisions.
- 16.3 The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver “sustainable development.”
- 16.4 The report identifies that the proposal complies the relevant saved policies in the Local Plan and Core Strategy.
- 16.5 The development would make a positive contribution to the provision of educational facilities in the Borough at a time where there is an urgent need due to the on-going global pandemic.
- 16.6 Weighing all of the factors into the planning balance, and having regard to the NPPF as a whole, all relevant policies in the Core Strategy and Local Plan, the proposals would constitute sustainable development due to the significant temporary educational and community benefits. In applying paragraph 11 of the NPPF, it is considered that the benefits of the proposals outweigh any minor adverse impacts.
- 16.7 As the proposals are in accordance with the Development Plan and there are no other material considerations that would lead to an alternative determination of the planning application, the proposals would be in accordance with S38 of the Planning and Compulsory Purchase Act 2004.

PART C: RECOMMENDATION

- 17.1 Having considered the relevant policies of the Development Plan set out below, the representations received from consultees and the community along with all relevant material considerations, it is recommended the application be delegated to the Planning Manager for Approval subject to finalising conditions and any other minor changes.

PART D: CONDITIONS

1. Temporary permission

The educational Class F.1 use hereby permitted shall be discontinued on or no later than 28th February 2021.

REASON: To ensure the temporary use is discontinued in accordance Core Policies 1, 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026 and to reflect the guidance contained in the National Planning Policy Framework (2019).

2. Approved Plans

The development hereby approved shall be implemented only in accordance with the following Plans, Technical Statements and Drawings hereby approved by the Local Planning Authority.

- LC0034-2/FS0343: Site Location Plan
- LC0034-2/FS0343: Proposed Plans & Elevations
- LC0034-2/FS0343: Proposed Block Plan
- Schedule for Artificial Grass Pitch Maintenance
- Transport Statement (Velocity, September 2020, ref. no. 2550/1240, doc. no. D002, version 0.2);
- Travel Plan (Velocity, September 2020, ref. no. 2550/1240, doc. no. D003, version 0.2);
- Flood Risk Assessment (BWB, October 2020, ref. no. GAS-BWB-ZZ-XX-RP-YE- 0001_FRA, rev P03);
- Plan showing coach set down area/tracking (drawing number 2550-1240-T-002 rev A, Velocity).

REASON: For the avoidance of doubt, to ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area to comply Policy EN1 of The Local Adopted Plan for Slough 2004, Core Policies 1 and 8 of the Slough Local Development Framework Core Strategy 2006-2026 and the National Planning Policy Framework (2019).

3. Hours of Operation

The uses hereby permitted shall operate only between 07:30 hours and 17:00 hours, on weekdays only.

REASON: To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with Core Policies 1 and 8 of the Slough Local Development Framework Core

Strategy 2006-2026, and the National Planning Policy Framework (2019).

4. Maximum Capacity

The maximum capacity of the site when in Class F.2 Educational use shall not exceed 120 pupils (and up to 6 full-time staff) on site any any one time.

REASON: To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with Core Policies 1 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the National Planning Policy Framework (2019).

INFORMATIVE(S):

1. In accordance with paragraphs 38 and 39 of the National Planning Policy Framework (2019), Slough Borough Council takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. Slough Borough Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions. In this case, the applicant was informed of the issues arising from the proposal and given the opportunity to submit amendments or provide additional information in order to address those issues prior to determination. The applicant responded by submitting revised plans and additional technical information which was considered to be acceptable.