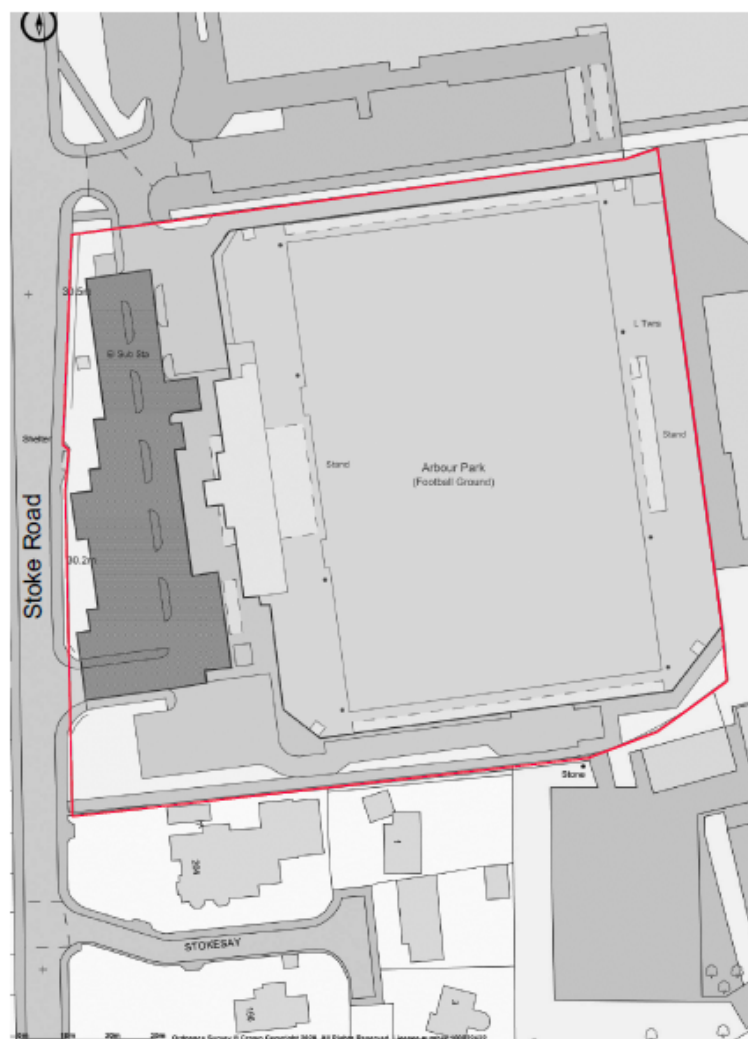


Registration Date:	4 <sup>th</sup> September 2020	Application No:	P/19067/000
Officer:	Neil Button	Ward:	Elliman
Applicant:	Department for Education (DFE)	Application Type:	Major
		13 Week Date:	4 <sup>th</sup> December 2020
Agent:	Tom Lamshead, Jones Lang LaSalle Ltd, 30 Warwick Street, London, W1B 5NH		
Location:	Arbour Park, Stoke Road, Slough, SL2 5AY		
Proposal:	Change of use of community facility, clubhouse, car park and football pitch (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 community facility, clubhouse, car park and football pitch (Use Class F.2) at the Arbour Park facility, between 7.30am and 5.00pm Monday to Friday only, to educational use (Use Class F.1) for a temporary period as required until 28<sup>th</sup> 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 Arbour Park, Stoke Road in Slough. The educational establishment occupying the site is Grove Academy, which comprises an all-through school. The school proposes to occupy the site on a temporary basis for six months until 28<sup>th</sup> 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 Arbour Park 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 Arbour Park 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 Slough Hockey Club off Kings Reach. Currently Grove Academy is occupying temporary premises on Wellington Street, Slough SL1 1YG. The second application is subject to application Ref: P/10482/012 which is due for consideration at the same planning committee.
- 2.6 For the six month’s temporary permission sought, there will be a maximum of 150 pupils on the site at any one time and up to 8 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 8 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 for pupils at the Arbour Park site will start at 09.10am and finish at 13.55pm. Pupils will only be permitted to use the external artificial grass football pitch for sports purposes as part of the PE lessons. The artificial grass pitch will be used for PE lessons between school hours and during after school clubs (ran by the Grove Academy) up to 1700.

- 2.7 8 car parking spaces are available within the car parking area at the site frontage. Vehicular and pedestrian access will be retained from Stoke Road.
- 2.8 Grove Academy have arranged for two school coaches to take students from the school's site at Wellington Street to the Arbour Park 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 (approximately arriving for 9.00am 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 14.35pm).
- 2.9 The proposed educational use of the clubhouse covers the whole building which comprises 2 x large first floor teaching areas (for 2 classes) on either side of a foyer/cafe/terrace, a ground floor classroom, breakout areas at ground and first floors. Officers attended a site visit and observed the managed movement of pupils between classes and the external area throughout the day. There is only one way into the Clubhouse and access is strictly controlled.
- 2.10 The following documents have been submitted as part of the application:
- Planning Application fee and relevant forms (JLL)
  - Site Location Plan LC0034-2/FS0343
  - Proposed and Existing Elevations LC0034-2/FS0343
  - Proposed and Existing Floorplans LC0034-2/FS0343
  - Travel Plan by Velocity
  - Transport Technical Note by Velocity
  - Flood Risk Assessment by BWB
  - Planning Statement (JLL) including site photos (Appendix A)
  - Cover Letter by JLL dated 25th September 2020
  - Plan showing coach set down area/tracking 2550-1240-T-001
  - Sports Pitches Maintenance Strategy by Grove Academy

### **3.0 Application Site**

- 3.1 The application site comprises the Arbour Park Community Complex which comprises the home of Slough Football Club. The application site comprises an area of approximately 1.75 ha and includes a club house, car park and football pitch with a synthetic surface. The clubhouse currently comprises a club room, changing rooms and medical room on the ground floor and two classrooms and a bar on the upper floor.
- 3.2 There are two access points from the site to Stoke Road with footways on both sides. The application site is located approximately 800m from Slough Railway Station. There is a bus stop immediately outside the site with frequent bus services along Stoke Road.
- 3.3 Environment Agency Flood Map data indicates that the site is in flood

zone 1 which means that the land having a less than 1 in 1,000 annual probability of river or sea flooding. The site is located 600m away from Grade II Listed Stoke Place and is within the designated Green Belt. The site is subject to allocation SSA18 which is for proposed community, residential and recreational use.

3.4 To the north of the site is Lynch Hill Enterprise Academy; to the east is a sports hall and playing fields associated with St Joseph's Catholic High School; to the south is residential uses on Stokesay including Oxford House nursing home; to the west is Stoke Road which contains low rise residential dwellings.

3.5 The Clubhouse is located approx. 45-50m from the Oxford House Nursing Home and residential dwelling at 1 Stokesay which are located to the south of the site and comprise the closest properties. The sports pitch is approx. 25m to the north of the dwellinghouse and Nursing Home.

#### **4.0 Relevant Site History**

4.1 There are a number of minor applications for advertisement consent, telecommunications equipment and signage on the site which are of no relevance to the current proposals.

4.2 **S/00587/005:** Application for full planning permission for the erection of a community stadium together with ancillary accommodation (Use Class D2) four court sports hall, all weather sports pitch and associated parking and landscaping.

Approved 27/11/2015

4.3 **S/00587/003:** Application for a prior approval of proposed demolition of former teaching facilities at former Arbour Vale School.

Approved 04/04/2012

#### **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 on Stoke Road and Stokesay (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 Leisure Services: No objections, happy with current arrangements.

6.3 Environmental Quality: No objections on air quality or noise grounds.

6.4 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.

6.5 Transport & Highways: Comments incorporated into Planning Assessment

6.6 Neighbourhood Enforcement Team: No comments

## **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 the Arbour Park clubhouse, sports pitches and community facility to educational use (Use Class F.1) for a temporary period of 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 site for educational purposes on a temporary basis ensures that the school caters for the additional intake of pupils from September 2020, who could 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 Arbour Park complex, artificial football pitch and associated land indicate that there is sufficient space within the site to accommodate a year group comprising up to 150 pupils. Officers attended an accompanied site visit at the school and confirmed that good quality modern 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 football club, sports pitch usage or community facility activities. The Planning Statement confirms It has been agreed that Slough Football Academy Under 23 years will have their normal weekly training sessions moved to after 14.30pm Monday-Friday to accommodate the school's requirements on a temporary basis. It has been agreed that all other community activities (Disability football and Walking football) will be moved to other sport facilities which Slough Borough Council operate. It is therefore considered that the proposed development will not have any detrimental impact on the current community use of the site for sport.
- 9.9 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.
- 9.10 The use of the artificial football pitch was queried by Sport England with concern specifically mentioned about whether damage could be caused which would impact upon the use of the pitch by the football club (Slough Town FC), which is an affiliated club and therefore needs to maintain the pitch to a good standard. The School subsequently provided a Sports Pitch Maintenance Scheme for looking after the pitch which was accepted by Sport England. A condition is recommended to ensure the pitch is maintained in accordance with this Scheme, refer to condition 2. In conclusion, it is considered a good quality modern environment is provided for pupils and that the site is suitable for a temporary educational use in principle.
- 9.11 It is also considered that the principle of the development at Arbour Park 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 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 and community centre. The physical appearance will not change over the temporary period that planning permission is sought. Although usage of the clubhouse, community facility and external areas may increase during the daytime (during weekdays), the overall uses and operations on site would not result in any change to the character or appearance of the area which is characterised by adjacent school buildings and grounds at Lynch Hill and St Joseph's. It is therefore considered that the proposed development is in-keeping with the character of the area 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, and as a community facility located 800m from Slough Rail Station and walking distance of the Town Centre on the urban fringe of the town. The existing uses would generate some noise impact upon the immediate vicinity of the site. The Clubhouse is located approx. 45-50m from the Oxford House Nursing Home and residential dwelling at 1 Stokesay which are located to the south of the site and comprise the closest properties. The sports pitch is approx. 25m to the north of the dwellinghouse and Nursing Home.

12.3 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 community, sports and recreation uses. 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 St Joseph's Catholic School and Lynch Hill. It is therefore considered that the proposed development will not result in significant or noticeable additional noise impacts. The Council's Environmental Quality Officer raises no objections in regards to noise or air quality issues.

- 12.4 Subject to a condition controlling the hours of operation, it is considered that the proposals would not result in demonstrable harm to the amenity of occupiers within the residential dwellinghouses on Stoke Road (to the west) or Stokesay (to the south) or within the Oxford House Nursing Home also located on Stokesay.

### **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 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. The operation of the Travel Plan does not affect the on-going operations of the Football Club and Community Use Travel Plan which operate outside the school hours.

- 13.4 The site is situated on a major road on the urban fringe of Slough with good access to the Town Centre. The pedestrian and cycle network are comprehensive and of a good quality, providing good facilities such as dropped kerbs, crossing points and cycle lanes. The closest bus stops are located on Stoke Road, which is some 89m away. This provides frequent bus service with 10 buses in the AM peak hour and 13 buses in the PM peak hour. Some services provide access to Slough station.

- 13.5 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 Arbour Park 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 (approximately arriving between 9.00-9.10am 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 between 13.55 and 14.35pm). 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 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 existing car park at the site frontage.
- 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 site car park is used for student drop-off to and from Lynch Hill Enterprise Academy and St Joseph Catholic High School, in addition to the daytime sports use at Arbour Park. The sports uses at Arbour Park will not operate during daytime when the school is in operation. The TS considers that there is a high level of demand for use of the car park for drop-off and pick-up associated with the adjacent Lynch Hill Enterprise Academy and St Joseph's School which start earlier than Grove Academy. Grove Academy starts classes at 09:10, therefore coach, minibus drop-off is expected to occur between 09:00 and 09:10. This is outside of the peak periods for Lynch Hill Enterprise School and St Joseph Catholic High School, therefore coaches and minibus drop-off will not result in a cumulative impact with the current drop-off at the local school.
- 13.8 In terms of afternoon collection, the buses run between 13.55 and 14.35 between the site and the Wellington Street campus which would be before the end of the school day at the adjacent schools. The TS provides a timetable with the various movements and collection times of all schools.
- 13.9 The TS considers that due to the current use of the site, it is unlikely that the temporary uses will cause major conflicts at school opening and closing times at weekdays. The existing operations at the Football Club and sports club will operate outside of the times that the school is in operation therefore, there will be no cumulative effects or further conflicts on the local highways. Officers concur with this assessment and note that the proposed additional trips to the site (at morning and afternoon drop offs) would not increase the levels of highway interactions given the normal sports use bookings are to be accommodated at different times or on different sites. 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. The Travel Plan includes measures such as 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. The Travel Plan has been prepared by the School to cover both temporary sites and Wellington Street Campus and will be operational

alongside the Travel Plan for the football club and sports/community use which operate outside of the school hours.

- 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 Government's 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 when 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 of 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 site is located entirely in Flood Zone 1 and is located approximately 1.1km and 1.3km from the Salthill Stream to the west and Datchet Common Brook to the east, respectively.
- 14.5 The FRA confirms that the site is predominately at very low risk of flooding from surface water sources. The FRA indicates there are isolated areas of low risk to the south and low to medium risk adjacent to the northern boundary. Alternative access/egress is available within the southern portion of the site in the event of surface water flooding preventing use of the northern route.
- 14.6 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.
- 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 clubhouse and there is lift access to the upper floor classrooms. Adequate car parking spaces are provided close to the clubhouse 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 28<sup>th</sup> 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.

- Site Location Plan LC0034-2/FS0343
- Proposed Elevations LC0034-2/FS0343;
- Proposed Floorplans LC0034-2/FS0343 ;
- Travel Plan by Velocity:
- Transport Technical Note by Velocity;
- Flood Risk Assessment by BWB
- Planning Statement (JLL) including site photos (Appendix A)
- Cover Letter by JLL dated 25th September 2020;
- Plan showing coach set down area/tracking 2550-1240-T-001
- Sports Pitches Maintenance Strategy by Grove Academy

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 150 pupils (and up to 8 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.