

## WINDSOR DEVELOPMENT CONTROL PANEL

8 July 2009

Item: 8

<b>Application No.:</b>	09/01009/FULL
<b>Location:</b>	Dedworth Green Baptist Church 29 Smiths Lane Windsor SL4 5PE
<b>Proposal:</b>	Construction of a new Church building with landscaping and parking following demolition of existing building
<b>Applicant:</b>	Dedworth Green Baptist Church
<b>Agent:</b>	Mr C Walker - Wessex Frame Buildings Ltd
<b>Parish/Ward:</b>	Clewer North Ward

**If you have a question about this report, please contact:** Marcus Sturney on 01628 685729 or at [marcus.sturney@rbwm.gov.uk](mailto:marcus.sturney@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 It is proposed to replace the existing two-storey and fire-damaged church building with a single-storey, simple and modern building, for the continuation of the church and wider community activities. The new building would be different in scale, design and materials from the predominant form of (residential) development in the area, but this is considered to be appropriate for the type of building and its focus within the community. There would not be any adverse impact on the character of the area or street scene, nor on the amenities of nearby residential properties from the physical structure; the activities would be consistent with the long-standing use of the site and any excesses can be controlled by condition if deemed necessary. There is no requirement for developer contributions and no objection in principle from the Highway Officer.

**It is recommended the Panel authorises the Head of Planning & Development:**

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| 1. | <b>To grant planning permission on the satisfactory clarification and resolution of matters concerning potential noise and disturbance, the proposed access gates and works that may affect highway stability and with the conditions listed in Section 10 of this report.</b> |
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### 2. REASON FOR PANEL DETERMINATION

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

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises an area of approximately 0.17 hectares located on the western side of Smiths Lane, immediately to the south of the access serving Dedworth Green County First and Middle Schools. The site currently contains a two-storey prefabricated building located centrally within the site and surrounded by hard surfacing, including the foundations of buildings removed following fire damage in June 2000. This building forms the hub of the Baptist Church's community activities.
- 3.2 The site rises gradually from Smiths Lane with access to the south of the existing building off Smiths Lane. A number of mature trees line the road outside and further along from it. The site is adjoined to the south by residential development comprising two-storey houses. The northern and western site boundaries abut the school grounds and consist of a mixture of close-boarded fencing, chain link fencing and semi-mature vegetation. A series of semi-detached properties are located opposite the site, on the eastern side of Smiths Lane.

#### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4900	New hall	Approved
8037	New Manse	Approved
8179	Erect church	Approved
8300	Temp. building	Approved
8464	Temp. building	Approved
3/67	Church building	Approved
509/68	Additional halls and classrooms	Approved
345/69	Additional halls and classrooms	Approved
451/69	Retain temp. building	Approved
387/70	Use of hall for playgroup	Approved
401138	Retain temp. building	Approved
407311	Garage	Approved
411436	Temp. structure	Approved
463882	Retain temp. building	Approved
469195	Retain temp. building	Approved
02/82054	New church building	Approved 05.09.2002
04/00640	New church building and 12 flats	Withdrawn
05/00439	New church building and 8 flats	Withdrawn
05/02189	New church building and 8 flats	Withdrawn

- 4.1** It is proposed to demolish the existing prefabricated structure of the Dedworth Green Baptist Church and erect a replacement church building. The building would be sited towards the northern end of the site, with car parking facilities being provided to the south; in all, 26 spaces would be provided, with 2 being for disabled use. The building would be cruciform in shape, with an overall depth (front of site to rear) of 23m and width of 34m; it would be single-storey, although with an elevated roof – overall height of 6m – to facilitate a range of activities and provide better natural lighting. The design is simple, with no overtly ostentatious features. It would have clean, relatively uninterrupted lines, the walls comprising yellow, multi stock brickwork (with feature soldier bands of the same colour) and the roof clad with grey, concrete interlocking tiles.
- 4.2** Whilst the primary use of the building would be as a church, it is designed so as to facilitate a much wider community use, through the provision of a second hall (the main hall also providing the church worship facility), meeting room, kitchen and ancillary facilities.

#### 5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

##### Royal Borough Local Plan

- 5.1** The main strategic planning considerations applying to the site and the associated policies are:

	Within settlement area	Community facilities	Parking and access	Trees
	✓	✓	✓	✓
Local Plan	DG1	CF1, CF2	P4, T5	N6

##### Other Local Strategies or Publications

- 5.2** Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy – [http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

## **6. EXPLANATION OF RECOMMENDATION**

**6.1** The key issues for consideration are:

- i the acceptability, in principle, of the proposed development;
- ii the impact on the character and appearance of the area;
- iii the effect on neighbouring residential amenity; and
- iv highways, access and parking considerations.

### **The acceptability in principle, of the proposed development**

**6.2** The site lies within the built-up area of Windsor and comprises a two-storey building with an established D2 (Assembly and Leisure) use, and used as a church with related community activities (including nursery and dance school, fitness classes, and youth groups). Paragraph 3.1.6 of the adopted Local Plan indicates that a church falls within the definition of a community facility. In this context Policy CF1 seeks to resist the loss of community facilities unless there is no longer a need or an acceptable alternative provision is made.

**6.3** In this case, the proposals involve the replacement of the existing building with a new structure, which, although slightly smaller, by 46sqm, would still make adequate re-provision for the existing range of community facilities. Being purpose-designed, it would likely also make better provision in terms of quality and range of facilities. As such, the principle of the demolition and replacement of the existing buildings is considered acceptable in the context of policy CF1 and the aims and objectives of policy CF2, which seek to enhance or increase community facilities.

### **The impact on the character and appearance of the area**

**6.4** The site occupies a prominent and important location in the street scene, visible in approaches from the north and south along Smiths Lane and to the east from Manor Road. The generally open frontage to Smiths Lane and gradual rise in ground levels from Smiths Lane further emphasise the prominence of the site.

**6.5** The current appearance of the site, with a relatively large sub-standard pre-fabricated building located centrally within the site and with extensive areas of hard surfacing, makes very little positive contribution to the character of the area and indeed, appears as an inappropriate feature, which detracts from the street scene. The proposed building, although covering a larger footprint than the existing structure, would represent a significant improvement in street scene terms, by reason of its single storey scale, materials, design and siting.

**6.6** Although there would still be an extensive amount of hardstanding, necessitated by parking requirements, this would still be less than the existing level. Furthermore, this scheme enables the parking surfacing to be harmonised across the site and improved upon the current concrete patchwork. The siting of the building also retains sufficient depth of land to the front (fronting Smith's Lane), to provide good opportunities for landscaping that would make a positive contribution to the character of the area and street scene.

**6.7** Whilst the proposed building is notably different in design and scale from the surrounding residential development, its form and scale appropriately reflects the importance and prominence of this community site in the street scene. The single-storey approach, although with a higher roof structure than normal, ensures that the building does not unduly dominate the street scene, whilst retaining a focal presence, as befits such a key community building. Again, the proposed materials do not reflect the more common features of the predominantly residential development

around, but this is preferable to any attempt to blend in, as it enhances the community focus on the site.

### **The effect on neighbouring residential amenity**

- 6.8** As set out above, the site is adjoined by the school grounds on the northern and western site boundaries, with residential development, including the abutting 29 Smiths Lane, to the south. The nearest part of the proposed building, the southern wing, would be sited approximately 14.5m from the boundary with this property. With a shallow pitched and hipped roof and overall height of 5m. this part of the proposed church building would have less impact on No. 29 than a conventional two-storey house following the pattern of residential spacing along this road. The remaining bulk of the building is set even further away from the boundary with No. 29 and, although having a higher roof, would have even less impact. Skylight windows are proposed in the side elevation of the higher roof, but given the distance and the lack of any first floor, there will be no loss of privacy for No. 29, or any justifiable perception of overlooking.
- 6.9** The school caretakers dwelling to the rear of the site is a sufficient distance away from the proposed church building and, with the relatively low profile of the rear elevation and no overlooking, the relationship between the two buildings would not be harmful to the residential amenities of the dwelling. The remaining residential properties within the immediate area are too far away to be unduly affected by any physical element of the proposed building.
- 6.10** Given the nature of use of this and many other church establishments, there will inevitably be a high degree of vehicular and pedestrian activity generated by the site from time to time. However, the site is already in a community use, which, before the fire, was likely to have been greater than the existing level and it was always the Church's intention to reinstate a full-use building. Whilst it is not appropriate to impose strict controls on the continuing use and activities, it may be prudent to consider the imposition of conditions that would prevent excessive disturbance of the amenities of the residential area; it is recommended that this matter be further explored through discussion with the Council's Environmental Protection Officer and the applicant, with authority to determine what controls are appropriate, being delegated to the Head of Planning.

### **Highways, access and parking considerations**

- 6.11** The Highway Authority's (HA) advice confirms that the proposed total parking provision of 26 spaces, being the same level as exists, represents a shortfall of two spaces based on the adopted standard for D1 use, in particular the church's halls. Taking account of the level of on-street parking in this area, no objection is raised to this level of provision. The HA does have concerns about the placement and type of gates that are proposed and the impact of some works on highway stability, but these are relatively minor matters that can be resolved through further discussion, clarification and limited revision.

## **7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS**

- 7.1** It cannot be reasonably argued that this development would place additional pressure on local services and infrastructure, bearing in mind that the use of the building is transient and there would not be a workforce in the normal sense. Furthermore, the revitalised use of the site would likely bring positive community benefits and therefore a contribution in kind towards this element of local infrastructure. It is not recommended that further contributions are sought.

## **8. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

15 occupiers were notified directly of the application.

1 letter has been received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	Proposal would see the replacement of a tired building, with one that is modern and designed to meet the needs of this and future generations, for church and wider community use; it should help to complement the services provided by other community facilities in the area.	Para's 6.2 to 6.7

No letters have been received to date, objecting to the application

### Consultees and organisations

Consultee	Comment	Where in the report this is considered
Highway Officer	No objection in principle, but requires clarification and resolution of concerns regarding the proposed access gates and the impact of works adjacent to the highway	Para. 6.11

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan

## 10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 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.
- That samples of all materials to be used in the external construction and finishes of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter, the development shall only be carried out in accordance with the approved details.  
Reason: To ensure that the details of the development are satisfactory and to safeguard the amenities of the area in accordance with Policy DG1 of the Royal Borough of Windsor and Maidenhead Local Plan, Incorporating Alterations, adopted June 2003.
- No development shall take place until a schedule and/or samples of all surfacing materials has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out and maintained in accordance with the approved details.  
Reason: To safeguard the character of the area in accordance with Policy DG1 of the adopted Local Plan.
- No development shall take place until details of all screen and boundary walls, fences and any other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out and maintained in accordance with the approved details and the building hereby approved shall not be occupied until the details have been fully implemented.  
Reason: To ensure that the proposed development does not adversely effect the privacy and visual amenities of neighbouring properties and to ensure a satisfactory relationship with the character of the area and street scene in accordance with Policy DG1 of the adopted Local Plan.
- No development shall take place before a fully detailed landscaping scheme for the site has been

submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to secure a satisfactory standard of landscaping in accordance with Policies DG1 and N6 of the adopted Local Plan.

- 6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme, or existing trees which have been shown for retention, which within a period of five years from the occupation or substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development in accordance with Policies DG1 and N6 of the adopted Local Plan.

- 7 No development shall take place until plans of the site showing the existing and proposed ground levels and levels of thresholds of all proposed building have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the work is carried out at suitable levels in relation to adjoining properties in accordance with policy DG1 of the adopted Local Plan.

- 8 That the development hereby permitted shall not be occupied until the access has been constructed in accordance with the approved drawing and in compliance with the requirements of the Highway Authority for work carried out within the public highway.

Reason: In the interests of road safety in accordance with Policy T5 of the adopted Local Plan.

- 9 Prior to the occupation of the development permitted, the approved parking layout shall be laid out and made available for the parking of vehicles in connection with the development. Thereafter, this area shall be maintained and kept free from obstruction and retained solely for the parking of vehicles in connection with the authorised use of the site and building.

Reason: To ensure the provision and retention of off-street parking facilities in connection with the development, to safeguard highway safety and convenience, in accordance with Policy P4 of the adopted Local Plan.