

WINDSOR DEVELOPMENT CONTROL PANEL

17 February 2010

Item: 12

Application No.: 10/00062/FULL

Location: Datchet St Marys CE Primary School The Green Datchet Slough SL3 9EJ

Proposal: Construction of a single storey detached Childrens Centre with associated car park, light column and paths and relocation of existing cycle shelter

Applicant: Royal Borough of Windsor And Maidenhead

Agent: Mr Paul Ansell - The Anthony Smith Partnership

Parish/Ward: Datchet Parish

If you have a question about this report, please contact: Brian Benzie on 01628 796323 or at brian.benzie@rbwm.gov.uk

1. SUMMARY

- 1.1 Permission is sought for a free standing modular building with an associated car park, light column, paths together with the relocation of an existing cycle shelter. The building is to be sited within the school's car park and a replacement car park is to be provided adjacent too, and with access from, the nearby public car park in Horton Road. The building would deliver services to young children and families through the Central Governments Sure Start Children's Centre Programme. The site is partly within the Datchet Village Conservation Area and within an area liable to flood, Flood Zone 3 (High Risk).

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

1. **To grant planning permission after the expiry of the neighbour notification period on the 23rd February 2010 and with no new issues arising as a result, and with the conditions listed in Section 9 of this report.**

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 Datchet St Marys CE Primary School is sited on the southern side of Horton Road close to the village green. The school comprises of a single storey L shaped building with a car park to the front and large playing field to the East.
- 3.2 The surrounding area is a mix of residential properties of varying styles and density with a commercial aspect around the green and to the south of the site off Manor House Lane.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The Government's programme of delivering services to young children and families through the Sure Start Children's Centre agenda has tasked local authorities to manage the process and has provided grant funding to enable this. The Royal Borough has already delivered 6 Children's Centres all of which were completed and designated within the Department for Children, Schools and Families (DCSF) time frames. As per Phase 3 Children's Centre Guidance, a further 4

Children's Centre designations based over 7 sites must be completed and delivering services by 31st March 2010. Agreement for all identified sites gained Cabinet approval in October 2008.

- 4.2** In accordance with a range of statistical data which identifies areas of particular need within the population as a whole and specifically in children under 5 years of age, Datchet has been chosen as an area which would benefit from Children's Centre Services. As an established focus of the community, Datchet St Mary's School would be an ideal place for the centre.
- 4.3** This application is a revision of application ref. 09/01608 which was withdrawn following an objection from the Environment Agency and concerns raised by neighbours. In the case of the current application the position of the building has been changed in an attempt to overcome the objection by the EA and discussions have been held between the applicant and concerned neighbours.
- 4.4** The proposal is to provide a modular constructed single storey building within the school's existing car park. A replacement car park is to be provided to the East of the site with entry being gained from the existing Public car park off Horton Road. The existing 2.7m wide gated access from the site into the car park, will be replaced by a 3.0m wide access with lockable gates. The applicant's agent has advised that the proposed car parking area will not impinge on the pitch playing area. A footpath is to be constructed from the site to link with the start of the main footpath along Horton Road. The new footpath will cut through the public Horton Road car park and be protected by a 1.2m high chain link fence.
- 4.5** Guidance on positioning Children's Centres advises that if they are to share a site with a school that they have as far as possible, their own identity and a separate entrance. Placing the building within the existing school car park would help to ensure that parents view the Children's Centre as a community service in its own right and not as an additional school building.
- 4.6** The proposed building would be approximately 4.6 metres at its highest point with a shallow pitched roof and would measure approximately 10 metres wide and 15 metres long. The size of the building will enable group work with children and their parent/carers, where play and communication will be supported and flexible enough to provide a range of other support services.
- 4.7** Many of the services which can be offered through the Children's Centre will require high levels of confidentiality and it is considered that parents will be more likely to use them if they do not have to walk through the school site in order to gain access. Having a pedestrian access via the walkway from Horton Road will encourage parents to walk to the centre and be able to do so independently of the school main access. The building would be brick clad to match the existing school building with a charcoal coloured tiled roof to match the existing kitchen/dining hall building.
- 4.8** The new building would provide space to facilitate activities and services for families with children between the ages of 4 to 11 such as those listed below:
- parenting programmes and sessions;
 - family learning opportunities;
 - study support activities;
 - adult learning classes;
 - community access - usage and hire/letting;
 - meeting room for clusters;
 - training space for professionals;
 - meeting place for professional services – drop in surgery e.g. school nurse;
 - space for voluntary groups – lettings; and
 - outreach space for Children's Centre services.

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

Local Area Agreement

- 5.1 The recommendation would contribute to the achievement of these selected priorities of the Council and its partners:

Improve life chances for all children and young people	✓
Promote healthy lifestyles	✓
Promoting sustainable lifestyles and behaviours	✓

Royal Borough Local Plan

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

	Within settlement area	High risk of flooding	Conservation Area
Local Plan	✓ DG1, CF2, P4, T5, N6	✓ F1	✓ CA2

- 5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Interpretation of Policy F1 – Areas liable to flooding

More information on these documents can be found at:

http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- whether the character and appearance of the Conservation Area would be preserved or enhanced, and taking into account the impact on trees;
- the impact on the flood plain;
- the adequacy of car parking and the impact on highway safety in the area; and
- the impact on local residents.

Impact on the adjacent Conservation Area

- 6.2 The existing trees and hedgerow which will separate the public car park on Horton Road from the proposed car park are shown to be retained. The trees which appear to be self set are of low amenity value. The surface of the car park is to be constructed in porous materials. Taking the above into account the impact of the proposal on the trees is considered to be acceptable. The design of the building broadly reflect the existing school buildings and would be sited within the school grounds; the materials to be used in its construction are to match the nearby kitchen/dining hall; and it is considered the proposal would preserve the character and appearance of the adjacent Conservation Area.

Impact on the flood plain

- 6.3** The site lies within Flood Zone 3 (High Risk). The Environment Agency objected to the previous application ref. 09/01608, and subsequently the application was withdrawn. The Environment Agency objected on the grounds that the proposed building fell within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located (flood zone 3b, the functional floodplain). The Environment Agency advised that the applicant should consider relocating their development proposals to a lower flood-risk area and reducing the built footprint of the building to comply with Local Plan Policy F1.
- 6.4** This application has been accompanied by a Flood Risk Assessment which shows that the building is now to be located within Flood Zone 3a (a slightly lower flood risk area than 3b) and has therefore overcome this part of the Environment Agency's objection. However, the built footprint of the building remains unchanged at approximately 148sqm which is clearly in excess of the 30sqm allowed under Local Plan Policy F1.
- 6.5** The proposal is shown to include flood voids and details within the Flood Risk Assessment verify that the voids are of a sufficient height to ensure that the development would result in an insignificant loss of flood storage and minimal detriment to flood conveyance. The Environment Agency does not support the introduction of voids as a means of overcoming an objection on flooding grounds and this is reflected in Policy F1. Policy F1 (para. 2.4.9) advises that in the past where this form of design solution has been allowed, problems have resulted in the inability of the planning authority to ensure that the voids beneath the building are not obstructed by domestic effects or by flood debris. However, in this case as the owners of the site are the Royal Borough it is considered that the responsibility of maintaining a clear passage under the voids can be closely monitored and controlled by the Council. This being the case the proposal is considered to comply with Policy F1.
- 6.6** The applicant has also included letters within the Flood Risk Assessment which advise that the proposal passes the Sequential Test as required by PPS25 and that there is an established and effective Borough Flood Plan where it is considered inconceivable that the schools and Children's Centres would be open at a time of flooding.

Car parking and highway safety

- 6.7** The site is located in a sustainable area and is within walking distance of Datchet Railway Station. The proposal will result in a loss of twelve of the 15 parking spaces within the existing school car park. However, the proposed replacement car park provides 18 spaces resulting in an overall gain of 6 spaces for the use of the Children's Centre and school. In addition the proposed car park links with the existing public car park off Horton Road and therefore will not require an additional access onto Horton Road.
- 6.8** The proposed car parking area does not result in a significant loss of area of the school's playing field.

Impact on neighbour amenities

- 6.9** The plans as submitted show 5 windows on the northern elevation of the proposed building. Given that the building is to be raised out of the flood plain and that the neighbouring dwelling has side facing windows (one forming part of a door) the inclusion of the proposed windows was considered to be unacceptable. The applicant has been asked to provide amended drawings showing the removal of 4 of the windows, and that the fifth (a kitchenette) window should be of a high level type. If these plans are not provided prior to the Panel meeting the changes to the windows could be covered by condition.
- 6.10** The proposed building, being raised out of the flood plain, would cause overlooking of the neighbouring property from the platforms and access ramps associated with the building. This

could also be overcome by the introduction of suitable screening and which could also be covered by condition should permission be granted.

- 6.11** The side facing windows of the neighbouring property serve a dining room and a utility room. The building has an eaves height in the region of 3.4m and a shallow pitched roof and is to be set 2m off the southern boundary with the neighbouring property. The separation distance between the two buildings at their closest point will be about 4m.
- 6.12** Taking the above into account and considering the existing use of the site, subject to conditions it is considered that there would be no significant harm caused to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

14 occupiers were notified directly of the application.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	Consulted on the previously withdrawn application 09/01608. Whilst not consulted on this application there comments have been considered within this report and it is noted that their earlier objection has not been withdrawn.	Para.s 6.2, 6.3, 6.4, 6.5 and 6.6

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Highway Officer	Comments noted from previous application 09/01608 and verbally confirmed no objection to this proposal.	Para. 6.7
Datchet Parish Council	No response has been received.	Noted

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Site layout
- Appendix C - Internal layout
- Appendix D - Elevations

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

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

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

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1 and CA2.

3 The development shall be carried out and maintained in accordance with the details of slab levels as detailed in the submitted Flood Risk Assessment.

Reason: To prevent an increased risk of flooding elsewhere due to impedance of flood flows. Relevant Policy - Local Plan F1.

4 The building shall be constructed with under-floor voids; with the oversite concrete finished at existing ground level; with the underside of the floor structure set at or above the 1 in 100 year modelled flood water level of 18.90 metres AOD(N); and with the openings sufficient in size and number to allow free entry and exit of flood water. The voids shall be kept free of obstruction at all times.

Reason: To prevent the increased risk of flooding elsewhere due to impedance of flood flows and reduction of floodwater storage capacity. Relevant Policies - Local Plan F1.

5 No construction work associated with the erection of the building shall take place until vehicle parking space has been provided in accordance with the approved drawing ref.601533/05/E. The space approved shall be retained for parking in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4.

6 Prior to the occupation of the building details of privacy screens to the ramps and platforms on the northern elevation of the building shall be submitted to and approved in writing by the Local Planning Authority. The screens shall be constructed prior to first use of the building and shall be retained and maintained as such.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers.

7 Prior to the commencement of the development details of a soft landscape scheme along the northern boundary with the adjoining residential property shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out within the first planting season following the substantial completion of the development. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.