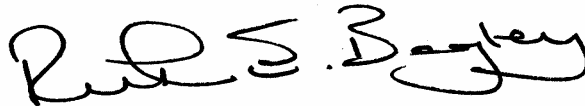


Date of issue: 14th October 2008

MEETING	PLANNING COMMITTEE Councillors Dodds (Chair), Dale-Gough, A S Dhaliwal, Finn, Maclsaac, Pantelic, Plimmer, Rasib and Swindlehurst
DATE AND TIME:	WEDNESDAY, 22ND OCTOBER, 2008 AT 6.30 PM
VENUE:	COUNCIL CHAMBER, TOWN HALL, BATH ROAD, SLOUGH
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	TERESA CLARK 01753 875018

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



RUTH BAGLEY
Chief Executive

NOTE TO MEMBERS

This meeting is an approved duty for the payment of travel expenses.

AGENDA

PART 1

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

Apologies for absence.

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
CONSTITUTIONAL MATTERS			
1.	Declaration of Interest (Members are reminded of their duty to declare personal and personal prejudicial interests in matters coming before this meeting as set out in the Local Code of Conduct).		
2.	Minutes	1 - 6	All
3.	Human Rights Act Statement	7 - 8	All
SERVICE IMPLEMENTATION ISSUES			
PLANNING APPLICATIONS IN THE EASTERN PART OF THE BOROUGH			
4.	P/03777/010- Units 37 And 38, Queensmere Shopping Centre, High Street, Slough	9 - 24	Upton
5.	P/12185/002- 90, Shaggy Calf Lane, Slough	25 - 30	Central
6.	P/14197/000- 80-84, Dolphin Road, Slough	31 - 38	Central
PLANNING APPLICATIONS IN THE WESTERN PART OF THE BOROUGH			
7.	P/01158/020- 19-25, Lansdowne Avenue, Slough	39 - 52	Chalvey
8.	P/03953/003- Former Western House School, Brook Path, Lower Cippenham Lane, Slough	53 - 62	Cippenham Green
9.	P/08770/066- Land adj to extension of Eltham Avenue, Cippenham, Slough	63 - 72	Cippenham Meadows
10.	Update on the new Permitted Development Rights for household development	73 - 88	All
11.	Update on performance regarding speed of determination of planning applications	89 - 92	All
12.	Local Development Framework (LDF) proposed adoption of Slough Core Strategy	93 - 98	All
MATTERS FOR INFORMATION			
13.	Planning Appeal Decisions	99 - 100	All
14.	Authorised Enforcements and Prosecutions	101 - 116	All

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Special facilities may be made available for disabled or non-English speaking persons. Please contact the Democratic Services Officer shown above for further details.

Minicom Number for the hard of hearing – (01753) 875030

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Planning Committee – Meeting held on Tuesday, 23rd September, 2008.

Present:- Councillors Dodds (Chair), Dale-Gough, A S Dhaliwal, Finn, Maclsaac, Pantelic and Rasib (Vice-Chair)

Apologies for Absence:- Councillor Plimmer

PART 1

27. Declarations of Interest

Councillor Maclsaac declared an interest in application No P/00354/009 – 3A Church Street, Slough as he had some insight into the subject application due to his membership of the Licensing Committee. He advised however that he would have an open mind in this matter and vote on the application. Councillor Maclsaac also declared an interest in application No P/06348/007 – Lion House, Depot and 10 Petersfield Avenue, Slough as he had received a phone call from the applicant. He advised that he would view the application with an open mind.

Councillor A S Dhaliwal declared an interest in application No P/06348/007 – Lion House, Depot and 10 Petersfield Avenue, Slough as he had received a letter from the applicant. He advised however that he would view the application with an open mind.

28. Minutes

The minutes of the meeting held on the 28th August, 2008 were approved as a correct record.

With regard to the minutes of the Committee meeting held on 28th August, 2008 which were approved at the last meeting, Members are advised that there was an error in the names recorded as voting for and against a proposal to approve the application in respect of 18 Blenheim Road. The sentence in question should read – ‘Councillors A S Dhaliwal and Rasib voted in favour of this proposal with Councillors Dodds, Maclsaac and Plimmer voting against. Councillor Dale-Gough abstained.’

29. Planning Applications

Oral representations were made to the Committee by objectors and an applicant under the Planning Participation Scheme prior to the planning applications being considered by the Committee as follows:-

P/00354/009 – 3A Church Street, Slough – an objector to the Scheme and the applicant addressed the Committee.

P/06348/007 – Lion House, Depot and 10 Petersfield Avenue, Slough – the applicant’s agent addressed the Committee.

With the agreement of the Chair the order of business was varied to ensure that applications where objectors, applicants and/or local Members had indicated a wish to address the Committee were taken first. Details were tabled in the amendment

Planning Committee - 23.09.08

sheet of alterations and amendments received to applications since the agenda was circulated together with further representations and/or petitions received.

Resolved - That the following decisions be taken in respect of the planning application set out below, subject to the information including conditions and informatives, set out in the report of the Head of Planning and Strategic Policy and the amendment sheet circulated at the meeting, and subject to any further amendments and conditions agreed by the Committee as indicated below.

Application No	Proposed Development	Decision
P/00354/009	3a, Church Street, Slough- Change of use of first floor office to private hire taxi booking/control office and erection of 13m high aerial.	Refused. Reasons:- Potential problems of public disorder in the vicinity of the premises. A lack of on site parking for staff. The exacerbation of traffic problems and congestion in the locality.
	(Councillor Dale-Gough did not take part in the debate or vote on the above item as he was not present when discussion on the item commenced).	
	It was agreed that Councillor Maclsaac would attend any subsequent Planning Inquiry on behalf of the Committee. (The meeting adjourned at 7.00 p.m. and reconvened at 7.08 p.m during consideration of the above item).	
P/06348/007	Lion House: Depot & No., 10, Petersfield Avenue, Slough- Demolition of buildings; erection of building (3/5 storey) containing 90 apartments and a health centre; conversion of 10	Delegated to HPSP for completion of S106 Agreement

Planning Committee - 23.09.08

	Petersfield Avenue from flats to a house (3 bedroom) with parking and landscaping.	
P/00170/016	Car Park at Farnham Road, Slough- Erection of an industrial unit for recycling purposes (b2) with weighbridge and ancillary offices.	Approved with conditions
P/12828/002	141-143, Chalvey Grove, Slough- Construction of 1 no. three storey block of flats consisting of 14 no. one bedroom flats and 1 no. part two /part three storey block of flats consisting of 2 no. two bedrooms and 3 no. one bedroom flats with 21 no. parking spaces.	Delegated to HPSP for completion of s106 Agreement
P/14395/000	Land at former Garage Compound, R/O 1-18, Granville Avenue, Slough- Construction of 8 no. three bedroom and 2 no. four bedroom terraced houses and 1 no. five bedroom detached houses with parking.	Approved with Conditions
P/01637/036	Land to the west of, 367-389, Maplin Park, Langley, Slough- Erection of a three storey block of flats containing 15no. x 2 bedroom flats and 10 no. two and half storey 3 bedroom houses (including accommodation within the roofspace) contained within two terraces. access and parking for 40 no. cars together with landscaping.	Delegated to HPSP

Planning Committee - 23.09.08

30. Planning Appeal Decisions

The Committee noted the receipt of recent planning appeal decisions.

Resolved - That the report be noted.

31. Authorised Enforcements and Prosecutions

Committee Members noted the status of various ongoing enforcement and prosecution cases.

Resolved - That the report be noted.

32. Update on The Progress of The Local Development Framework

The Head of Planning Policy and Projects outlined a report to update Members on the latest stage in the presentation of the site allocations development plan document (DPD), due to be published for public consultation in October, 2008. The report was added to the agenda at the request of the Chair on the grounds of urgency.

The initial stage of the DPD was reported to the Committee on 17th April, 2008 and details of the Slough Core Strategy that were found to be sound by the Inspector, would be reported to the next Committee meeting, prior to seeking approval from Cabinet and full Council for the formal adoption of the plan (subject to the minor changes recommended by the Inspector).

Work could now continue on the site allocations DPD which would help to implement the Core Strategy by identifying specific areas of land for development. Following consultation with the public, land owners and various organisations, a large number of sites had been identified, falling into a number of categories. These included the large regeneration sites that were identified in the Core Strategy and other sites that were submitted by objectors to the Core Strategy such as the Slough Intermodal Freight Exchange. The Council had identified a number of its own sites for inclusion, including the Town Hall, the Haymill Centre and Wexham Nursery. It was originally proposed to include all of the potential housing sites coming forward as part of the Garage Court Strategy in the site allocations process but this was not practical so a summary would be included as an Appendix to the document for information purposes.

The Officer advised that the site allocations DPD would be published for a six week consultation period beginning 27th October, 2008. An exhibition and meetings would be held for the benefit of Parish Councils when Officers would attend to explain the proposals.

The Officer emphasised that the inclusion of a site in the DPD, would not indicate that the Council supported the proposal or give the site any planning status. This would only happen once the site allocations DPD had been adopted.

Resolved - That the report be noted.

Planning Committee - 23.09.08

33. Exclusion of the Press and Public

In accordance with paragraphs 5 and 6 of Part I of Schedule 12(A) to the Local Government Act 1972 it was recommended that the press and public be excluded from the meeting during consideration of the item in Part II of the agenda as it involved the likely disclosure of :-

- (1) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- (2) Information which reveals that the Authority proposes
 - (a) To give under enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) To make an order or direction under any enactment.

Resolved - That the press and public be excluded.

PART II

(The following is a summary of the matter considered in Part II of the meeting).

34. 307- 311 Colnbrook By-Pass, Slough

The Committee considered a report that was added to the agenda on the grounds of urgency at the request of the Chair.

Resolved - That the Borough Secretary and Solicitor be authorised to proceed with the recommended action.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.55 pm)

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The Human Rights Act 1998 was brought into force in this country on 2nd October 2000, and it will now, subject to certain expectations, be directly unlawful for a public authority to act in a way which is incompatible with a Convention Right. In particular Article 8 (Respect for Private and Family Life) and Article 1 of Protocol 1 (Peaceful Enjoyment of Property) apply to planning decisions. When a planning decision is to be made, however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest, and therefore much of this authority's decision making will continue to take into account this balance.

The Human Rights Act 1998 will not be referred to in the Officers Report for individual applications beyond this general statement, unless there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues.

Please note the Ordnance Survey Maps for each of the planning applications are not to scale and measurements should not be taken from them. They are provided to show the location of the application sites.

CLU / CLUD	Certificate of Lawful Use / Development
GOSE	Government Office for the South East
HPSP	Head of Planning and Strategic Policy
S106	Section 106 Planning Legal Agreement
SPZ	Simplified Planning Zone
TPO	Tree Preservation Order

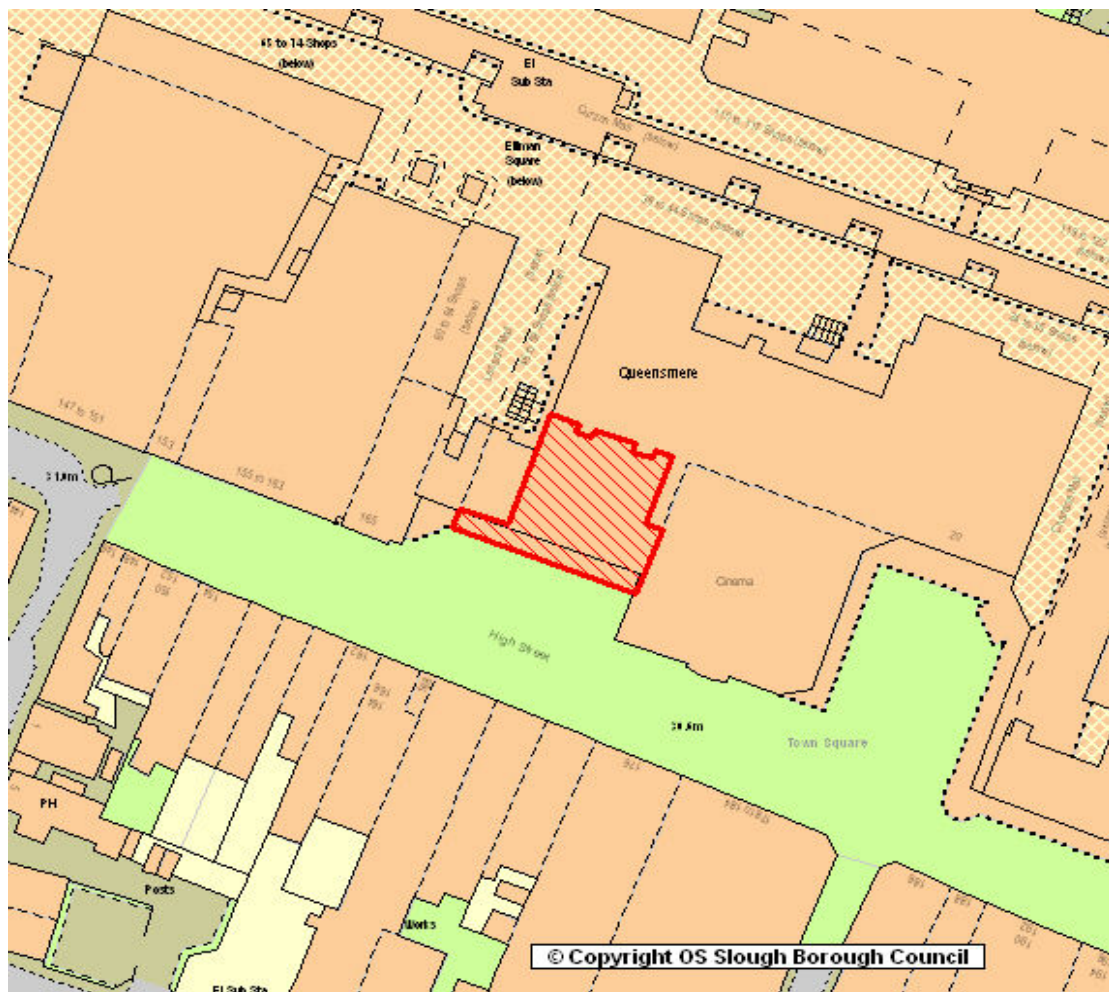
	USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House
C2	Residential Institutions
C3	Dwellinghouse
D1	Non Residential Institutions
D2	Assembly & Leisure

	OFFICER ABBREVIATIONS
DS	David Scourfield
WM	Wesley McCarthy
RS	Reena Sharma
EW	Edward Wilson
CS	Chris Smyth
RK	Roger Kirkham
HA	Howard Albertini
SF	Sam Fowler
SG	Sarah Gambitsis
MR	Mark Rowntree
AM	Ann Mead
FI	Fariba Ismat
PS	Paul Stimpson
PT	Phillip Taylor

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Registration Date	09-Jun-2008	Applic. No	P/03777/010
Officer	Mr Smyth	Ward	Upton
		Applic type:	Major
		13 week date:	8th September 2008
Applicant	Slough Shopping Centre LLP		
Agent	Geddes Architects 65b, Hopton Street, London, SE1 9LR		
Location	Units 37 And 38, Queensmere Shopping Centre, High Street, Slough, Berkshire, SL1 1LE		
Proposal	ERECTION OF A TWO STOREY FRONT EXTENSION TO EXISTING RETAIL UNITS NUMBERED 1, 2, 3 AND 3B TO CREATE A TWO TIERED SHOPPING FRONTAGE AND INSTALLATION OF EXTERNAL CLADDING TO THE EXISTING BUILDING AT SECOND FLOOR LEVEL. CREATION OF AN EXTERNAL SEATING AREA AND A CHANGE OF USE OF THE BASEMENT AND GROUND FLOOR RETAIL UNITS FROM CLASS A1 RETAIL TO CLASS A4 DRINKING ESTABLISHMENTS AND A CHANGE OF USE OF THE FIRST FLOOR RETAIL UNITS FROM CLASS A1 RETAIL TO CLASS A3 RESTAURANTS AND CAFES		

Recommendation: Delegate to HPSP for S106



P/03777/010

1.0 SUMMARY OF RECOMMENDATION

- 1.1 Approve subject to S106
- 1.2 Having considered the relevant policies below, the development is acceptable on the basis of a satisfactory completion of S106 agreement

Sustainability

- 1.3 Having considered the relevant Policies below, the development is considered to not have an adverse affect on the sustainability and the environment for the reasons set out.

PART A: BACKGROUND

2.0 Proposal

- 2.1 This full application proposes *erection of a two storey front extension to existing retail units numbered 1, 2, 3 and 3b to create a two tiered shopping frontage and installation of external cladding to the existing building at second floor level. The creation of an external seating area and a change of use of the basement and ground floor retail units from class A1 retail to class A4 drinking establishments and a change of use of the first floor retail units from class A1 retail to class A3 restaurants and cafes.*
- 2.2 The proposed extension will measure 3.5 metres deep at ground floor level and 1 metre deep at first floor. The two storey extension will span the full width of units 37 & 38 and extend forwards to line through with the existing frontage building line s defined by the existing second floor recast concrete panelled façade facing High street. At ground floor the additional floorspace created will be 96 sq. metres. At first floor level it will be 35 sq. metres. The development as proposed would create a two tiered retail frontage to High Street.
- 2.3 The proposals seek to maintain maximum flexibility with the way the internal space is used, both vertically and horizontally. The proposed floor plans show the internal walls within unit 37 to be removed at all three levels. The configuration of unit 38 remains unchanged from the existing. The final subdivisions will be dependent upon the specific requirements of individual tenants.
- 2.4 The existing 1960's precast concrete clad façade on the principle elevation fronting onto High Street will be over clad in polyester powder coated aluminium panels. The intervening Pilasters are to

be clad with limestone.

- 2.5 The extended units will continue to be served from the Queensmere Centre's existing first floor service deck.
- 2.6 An outdoor seating area is proposed in front of the extended units proposed to a depth of 4.5 metres. This will cover an area up to approximately 134 sq metres, set behind the existing trees and would be capable of accommodating up to approximately 22 no. tables with seating. The area will be defined by a temporary boundary and the tables will be capable of removal, when the premises are closed.
- 2.7 None of the existing trees are affected by the proposals and the applicant is agreeable to extending the surface treatment currently being undertaken in High Street, under the Art at the Centre scheme, from the edge of the public highway, up to the new frontage of the extended shop units.

3.0 **Application Site**

- 3.1 The site includes part of the existing pedestrian forecourt area between the existing two storey buildings, forming part of the Queensmere shopping centre and the pedestrianised area formed by the adjoining public highway (High Street). The proposal property is set back substantially behind the existing building line formed by the neighbouring shops onto High Street. There are six existing mature trees within the site.

4.0 **Site History**

- 4.1 Queensmere Shopping Centre and Observatory Shopping Centre were constructed in the 1970's and late 1980's consecutively. In 2000, the internal malls and the central atrium were refurbished along with extensive refurbishment of the cinema and Wellington House and recladding of buildings around the Town Square. Queensmere's original exterior has flint and concrete walling whose appearance compares unfavourably to contemporary designs used for modern shopping centres elsewhere.
- 4.2 A previous planning application (P/03777/009) was submitted for a more substantial extension to High Street to create a double height retail space for a mix of A1, A2 and A3 retail uses, including changes to entrance mall. That application was approved in principle by this Committee subject to completion of a Section 106 Planning Obligation Agreement, at its Meeting on 17th December 2007. That application has since been withdrawn by the applicant.

5.0 **Neighbour Notification**

5.1 Clarks Shoes, New Look, Unit 28,29, 30-32,35,36,38, 39-40,41-42,43,44, 45 Queensmere SC; 150-152, 154A,156,158,160,164,166,172 High Street consulted.

No objection letters received

Press and Site Notice:

No objections received

6.0 **Consultation**

6.1 **Traffic:**

This application is for ground and first floor extensions to Units 38 & 1-3 of the Queensmere Shopping Centre. The application also includes change of use of some of the existing ground floor space from A1 Shops to A4 Drinking Establishment and the first floor from A1 Shops to A3 Restaurant and Cafes.

I have taken the GFA areas from the submitted plans rather than the figures provided on the application form.

In detail the application proposes the following changes-

Unit	Lost uses (sq.m.)	Gained uses (sq.m.)
38 GF	No loss	+32 A3
3 GF	-154 A1	+174 A4
2 GF	-177 A1	+204 A4
1 GF	-133 A1	+155 A4
38 1 st F	No loss	+9 A4
3 1 st F	-176 A1	+184 A3
2 1 st F	-196 A1	+205 A3
1 1 st F	-179 A1	+188 A3
Total	-1,015 A1	+609 A3 and +542 A4

In summary the application proposes the loss of 1,015 sq.m. of A1 Shops and proposes 609 sq.m. of A3 Restaurants and Cafes and 542 sq.m. of Drinking Establishment. This represents an overall increase in GFA of 136 sq.m. The application also proposes outdoor seating of 134 sq.m. as an extension of the ground floor uses although it is recognised this outdoor area is not included as part of the GFA for traffic generation of car parking standards.

The overall GFA increase of 136 sq.m. and changes of use of use are considered to have limited traffic generation implications in this pedestrianised town centre area. I do not therefore propose to object to this application on traffic generation and impact grounds.

The shopping centre is in the Town Centre Commercial Core with good access to local services and public transport and is well served by several town centre car parks. The proposals are unlikely

to make a material change to town centre parking demand. As such I do not propose to object to this application on the grounds of parking provision. I also confirm Slough High Street adjacent to the application site is well served by publicly available cycle parking provision. Local Plan parking standards also require a nil parking provision for these uses within the Commercial Core.

Mindful of the above, I can confirm that I have no objections to this application from a traffic and road safety perspective. I have no conditions to recommend.

6.2 Highways:

The proposed extensions are clear of the highway boundary. Please check with Roger Kirkham regarding the impact of the Art@theCentre scheme currently underway ensuring emergency service vehicle High Street access is not obstructed by the proposals including the outdoor seating area. I assume the outdoor area identified for seating is owned by the applicant.

It may be prudent to include some conditions for the outdoor seating area to control the associated activities such as containing the seating areas, cleansing and maintenance issues.

6.3

• **Art at the Centre:**

The scheme falls within the Art at the Centre-High street Enhancement Area.

- *No objections in principle to: proposed extension and changes of use.*
- *Recommend higher quality material for the front first & second floor elevations*
- *Need to seek Police views on public safety issues relating to potential A4 use*
- *This area falls within the area where pavement cafes are permitted*
- *Need to control & manage outside dining/drinking area using appropriate planning conditions*
- *Need to maintain number of smaller units to prevent amalgamation*
- *Barrier required to define outside seating area & furniture to be stored inside outside of trading hours*
- *Surface materials to match Art at the Centre paved area*
- *Limit the amount of first floor fascia signage*
- *Protect High Street enhancement scheme from damage by construction vehicles & control timetable for construction programme*

6.4 Town Centre Business Initiative: No objections received

6.5 Slough Retailers Group: No objections received

- 6.6 **Slough Police:** Verbal response. No objection on grounds of public safety and are generally supportive of the proposed uses.
- 6.7 **Head of Neighbourhood Enforcement:** Late consultation sent. Responses will be reported on the Amendment Sheet

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 National Policy Guidance:

- PPS1 Delivering Sustainable Development
- PPS6 Planning for Town Centres

7.2 Local Planning Guidance:

- Local Development Framework-Core Strategy (2006 -2006) Submission Document November 2007

Core Policy 1(Spatial Strategy)
Core Policy 6 (Retail, Leisure and Community Facilities)
Core Policy 7(Transport)
Core Policy 8 (Sustainability and the Environment)
Core Policy 10(Infrastructure)
Core Policy 12(Community Safety)

- Local Plan for Slough 2004

Policy S8(Primary and secondary frontages)
Policy S12(Change of Use A1 to A3)
Policy S13 (Pavement Cafes)
Policy S18(Security Shutters)
Policy EN1(Standard of Design)
Policy EN5(Design and Crime Prevention)

PPS1 Delivering Sustainable Development.

- 7.3 PPS1 requires good design is indivisible from planning. Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions ,should not be accepted

- 7.4 Reference is also made in PPS1 to Social Cohesion and Inclusion Protection and Enhancement of the Environment; Prudent Use of Natural Resources and Sustainable Economic Development

PPS6 Planning for Town Centres

- 7.5 PPS 6 promotes the vitality and viability by planning for the growth and development of existing centres; focussing development in such centres ; encouraging a wide range of services in a good environment, accessible to all ;enhancing consumer choice by making provision for a range of shopping; leisure; local services and tourism. This will contribute towards encouraging investment to regenerate areas, an improved physical environment through the delivery of more sustainable patterns of mixed use development and promotion of sustainable transport choices.

No objections are raised in relation to national government guidance.

Local Development Framework-Core Strategy (2006 -2006) Submission Document November 2007

- 7.6 The application site falls within the primary shopping area of the Town Centre. The proposals for a mix of A3/A4 uses within the Town Centre would meet the requirements of the spatial strategy and comply with Core Policies 1 and 6.
- 7.7 The proposals involve use of existing servicing arrangements and being a town centre site, it benefits from good public transport facilities. It complies with Core Policy 7, insofar as it reinforces the principles of the integrated transport strategy.
- 7.8 With respect to Core Policy 8, the scale of development is considered to be de-minimus with respect to matters of sustainable construction. The design concept represents an enhancement of the current high street elevation to the property.
- 7.9 With respect to public safety and Core Policy 12, the proposals have the general support of the local police.

Local Plan for Slough 2004

- 7.10 The application falls within the primary shopping frontage. Policy S12 sets out the criteria which have to be met with respect of changes of use from A1 retail to Classes A3 and A4 (formerly Class A3). The proposals comply with the listed criteria in that:
- The proposals include a typical shop front albeit, is double height.
 - The proposal for a change of use would not result in three or more similar uses in a row
 - The proposal would not adversely affect pedestrian flows along the neighbouring high Street
 - Trading hours would be covered by planning condition
 - Servicing would continue from the rear service deck
 - Environment effects in terms of smells and noise would be

covered by planning condition.

- 7.11 Policy S13 sets out the criteria to be met for pavement cafes. The criteria listed to that policy are met:
- ✓ There would no obstruction to the free flow of pedestrians nor routes for emergency vehicles
 - ✓ There would be no adverse impact on the visual amenity of the area
 - ✓ There are no residential properties in the immediate vicinity of the proposal site which would be adversely affected by noise/disturbance. However, any drinking establishment will need to be carefully managed to ensure minimal adverse impact on the existing centre.

8.0 **Design**

8.1 This scheme will conceal the dark grey coloured 1960's precast concrete clad facade within this stretch of the High Street. The proposed shopfronts will be full height glass at each level with areas identified (and controlled) for retailing signs. Polyester powder coated aluminium overlaid panels will be confined to the second floor only. This to be covered by condition. Amended plans show the intervening Pilasters to be clad with limestone.

8.2 Unlike the previous scheme which involved a "filling in" of the open area in front of the existing units, the current proposals do not involve the loss of any trees or any significant loss of openness with a wider feel along this part of High Street, but it will still achieve the same objectives, in terms of significantly altering the appearance of the Shopping Centre façade at this point and bringing a higher degree of activity to the High Street.

9.0 **Environmental Aspects**

Noise and Smell Attenuation

9.1 The proposed Class A3 and A4 uses, will require roof plant and ventilation to control ventilation and cooling smells. Normal planning conditions will be imposed to deal with these. This equipment should be relocated behind the roof parapet to prevent unsightly roof views from the High Street itself.

10.0 **Highways**

10.1 No objection to continued servicing from Queensmere Service Level. Any scheme should be mutually beneficial with the Council's Art at the Centre scheme. It will be necessary to co-ordinate any construction programme for this scheme, if approved, with that of the construction programme for the Art at the Centre –High Street Enhancement Scheme.

11.0 **Traffic**

11.1 No issues have been identified in respect of traffic.

12.0 **S106 issues**

12.1 The developer is required to enter into a Section 106 Agreement with the Council for the following:

Prior to the commencement of development the developer shall make a financial contribution (£15,000) towards the Art at the Centre –High Street Enhancement Scheme

13.0 **Summary**

13.1 Although this is a lower key scheme than that which was previously being pursued in relation to an earlier planning application, it will nonetheless help in the regeneration of the Town Centre. Slough Council's Local Development Framework places emphasis on improving the attractiveness of town centre and attaches importance to new investment helping to make these necessary changes and to help stimulate other revitalisation schemes in the town centre. The scheme represents an important first stage to create a better place likely to attract people to visit, shop and live. The scheme is mutually beneficial to the Art at the Centre-High Street Enhancement Scheme under construction.

PART C: RECOMMENDATION

14.0 **Recommendation**

14.1 It is recommended that the application be delegated to the Head of Planning and Strategic Policy for decision, subject to: completion of a Section 106 Agreement.

15.0 **PART D: LIST OF CONDITION(S)**

Condition(s)

1. The development hereby permitted shall be commenced within three years from the date of this permission.

REASON To prevent the accumulation of planning permissions, and to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990

2. The development hereby approved shall be implemented only in accordance with the following plans and drawings hereby approved by the Local Planning Authority:

- a) Drawing No. 06044.00(P) 154, Dated March 2008, Recd on 28/04/2008
- b) Drawing No. 06.044.00(P)153A, Dated 25/04/08, Recd on 12/09/2008
- c) Drawing No. 06.044.00(P)152, Dated March 2008, Recd on 28/04/2008
- d) Drawing No. 06.044.00(P)15,1 Dated March 2008, Recd on 28/04/2008
- e) Drawing No. 06.044.00(P)150, Dated March 2008, Recd on 28/04/2008
- f) Drawing No. 06.044.00(P)116, Dated 25/04/08, Recd on 28/04/2008
- g) Drawing No. 06.044.00(P) 115, Dated July 2007, Recd on 28/04/2008
- h) Drawing No. 06.044.00(P) 114, Dated July 2007, Recd on 28/04/2008
- i) Drawing No. 06.044.00(P) 113, Dated July 2007, Recd on 28/04/2008
- j) Drawing No. 06.044.00(P) 110A, Dated July 2007, Recd on 28/04/2008
- k) Drawing No. 06.044.00(P)155, Dated September 2008, Recd on 12/09/2008

REASON 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 and to comply with the policies in The Local Plan for Slough 2004.

3. Prior to commencement of works on site a strategy for the management of construction traffic to and from the site together with details of parking/waiting for groundworks/construction site staff and for delivery vehicles shall be submitted to and approved in writing by the Local Planning Authority.

REASON In the interests of amenity for shoppers using the High Street and not to prejudice the free flow of traffic along neighbouring highways or in surrounding residential streets in accordance with Core Policy 7 of the Slough Local Development Framework Core Strategy (2006 - 2026) Submission document November 2007.

4. The construction of surface water drainage system shall be carried out in accordance with details which shall be submitted to and written approval obtained from the Local Planning Authority prior to the commencement of development on site.

REASON To prevent pollution of the water environment and to comply with the requirements of PPS 25.

5. Suitable ventilation and filtration equipment shall be installed in the commercial working area and operated so as to prevent a nuisance being caused by reason of smell. Details of all new plant and

equipment shall be submitted to and approved by the Local Planning Authority in writing, prior to the commencement of the development.

REASON To protect the amenities of the locality and to comply with the requirements of Policy S12 of The Adopted Local Plan for Slough 2004.

6. Details as to the siting of all air conditioning or other ventilation plant together with a detailed specification as to the method of installation and future maintenance shall be submitted to and approved in writing by the Local planning Authority prior to operation of the equipment. The scheme shall ensure that external noise generated by the plant or equipment shall not exceed the ambient sound level as measured at the site boundary.

REASON In the interests of the Local amenity and to comply with the requirements of Policy S12 of the Adopted Local Plan for Slough 2004.

7. None of the uses as hereby approved shall commence until a repaving scheme (including details and method of construction for the trims around the existing trees) has been carried out on land between the boundary of the public highway formed by the High Street piazza and the frontage of the extended retail units as hereby approved and which shall match the paving materials being used in relation to the Art at the Centre High Street Enhancement Scheme in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in full prior to the first occupation of the uses as approved.

REASON In the interests of good design in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 - 2026) Submission Document November 2007 and Policy EN1 of the Adopted Local Plan for Slough 2004.

8. No external signage shall be permitted above the fascia level serving the ground floor units.

REASON To protect the general amenity of the area in accordance with guidance given in PPG19.

9. Active shop fronts synonymous with a primary shopping frontage shall be provided and maintained to each unit in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority

REASON To ensure that the proposed uses are compatible with the existing shopping street scene in accordance with Policy S12 of the Adopted local Plan for Slough 2004.

10. The extent of the external seating area shall not exceed the area identified for such use as shown on deposited plan 06.044.00 (P)156 as hereby approved unless otherwise approved in writing by the Local Planning Authority.

REASON To ensure that the outside seating area by virtue of its size does not detract from the amenity of the area nor cause an obstruction to existing pedestrian flows in compliance with Policy S13 of The Adopted Local Plan for Slough 2004.

11. None of the uses as hereby approved shall commence until details of the boundary demarcating the outside seating area have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the details as approved.

REASON To ensure that the outside seating area does not cause an obstruction to existing pedestrian flows in compliance with Policy S13 of the Adopted Local Plan for Slough 2004.

12. At all times the outdoor seating areas shall operate ancillary to the premises known as Units 37 and 38. At all times when the premises known as Units 37 and 38 Queensmere Shopping Centre are closed, the use of the external seating area shall cease and the area left clear of any obstruction.

REASON In the interest of amenity and to comply with the requirements of Policy S13 of the Adopted local plan for Slough 2004, in terms of ensuring pedestrian safety.

13. None of the A3 uses as hereby approved shall operate a home delivery service without the prior written approval of the Local Planning Authority.

REASON In the interests of the free-flow of traffic and highway safety, in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy (2006 - 2026), Submission Document, November 2007.

14. All loading and unloading of delivery vehicles shall take place via the Queensmere Service level and there shall be no means of access or loading / unloading of goods at from the High Street or Park Street.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy (2006 - 2026), Submission Document, November 2007.

15. The land to be used as an outside seating area shall be maintained in a

clean and tidy condition at all times to the reasonable satisfaction of the Local Planning Authority.

REASON In the interests of visual amenity in accordance with Policy S13 of the Adopted Local plan for Slough 2004.

16. The outside seating area shall not be used outside the hours of 7:00am and 24:00 pm daily

REASON To protect the amenities of the general area in accordance with the requirements of Policy S13 of the Adopted Local plan for Slough 2004.

17. Samples of external materials to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site.

REASON In the interests of good design in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 - 2026) Submission Document November 2007 and Policy EN1 of the Adopted Local Plan for Slough 2004.

18. At no time shall external floodlighting be installed until details of floodlighting have been submitted to the Local Planning Authority for prior written approval.

REASON In the interests of visual amenity and impact on streetscene in accordance with Policies EN1 and S12 of the Adopted Local Plan for Slough 2004.

19. Prior to the commencement of the development, the developer shall submit a construction programme for the scheme hereby approved compatible with approved Slough Borough Council's Art at the Centre Construction Programme now underway and the Design for Art at the Centre for prior written approval of the Local Planning Authority.

REASON To minimise disruption to users and retailers using the High Street to maintain its vitality and viability of the Town Centre and interests of amenity generally and to comply with the requirements of Policy S12 of the Adopted Local plan for Slough 2004.

20. For the period of groundwork's and construction, works which are audible at the site boundary shall only be carried out between the hours of 0800 and 1800 Mondays to Fridays, on Saturdays between the hours of 0800 and 1300 and at no time on Sundays or Bank Holidays.

REASON To safeguard the amenities of the public using the High Street in accordance with Policy S12 of the Adopted Local Plan for Slough 2004.

21. At no time shall external roller shutters be installed in front of the shop windows unless written approval has been obtained from the Local Planning Authority.

REASON In the interests of visual amenity to comply with the requirements of Policy S18 of the Adopted local plan for Slough 2004.

22. For the duration of construction works, measures shall be taken to prevent the formation and spread of dust in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority.

REASON To safeguard the amenities of neighbouring occupiers in accordance with guidance given in PPS 23.

Informative(s)

1. The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
2. The applicant is reminded of the following:
CONTROL OF NOISE ON CONSTRUCTION AND DEMOLITION SITES
LEGISLATIVE CONTROLS

(a) Section 60 of the Control of Pollution Act 1974 enables this Authority to serve a Notice, detailing its requirements relating to the control of noise at a construction or demolition site, on the person carrying out the works and on such other persons responsible for, or having control over, the carrying out of the works.

(b) Section 61 of the Control of Pollution Act 1974 enables a contractor (or developer) to apply, if he so chooses, to this Authority for a prior consent which would define noise requirements relating to his proposals before construction commences.

As there is a need to protect persons living and working in the vicinity of the construction/demolition site from the effects of noise, the following conditions should be strictly adhered to:

1. All works and ancillary operations which are audible at the site boundary, which affect persons working and living in the locality shall only be carried out between the hours of 0800 hours and 1800 hours on Mondays to Fridays and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Bank Holidays.
Works outside these hours only by written agreement with the Borough Environmental Health Officer.
Should complaints arise, this Authority will exercise its powers under Section 60 of the Control of Pollution Act 1974 to impose these times,

or other times as considered appropriate.

2. Have regard to the basic information and procedures for noise control as it relates to the proposed construction and/or demolition as laid out in BS:5228: Part 1: 1984 Noise Control on Construction Sites - Code of Practice for Basic Information and Procedures for Noise Control. Vibration is not covered by this Standard, but it should be borne in mind vibration can be the cause of serious disturbance and inconvenience to anyone exposed to it.

3. If the proposal involves piling operations, have regard to BS 5228: Part 4 1986 - 'Noise Control on Construction and Demolition Sites - Code of Practice for Noise Control applicable to piling operations' and ensure details of the piling operations are forwarded to the Borough Environmental Health Officer no later than 28 days before piling is scheduled to commence. Information supplied should include method of piling, the anticipated maximum depth of piling and the predicted soil conditions, and the activity equivalent continuous sound pressure level at 10 metres for one piling cycle.

4. The best practicable means, as defined in Section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.

5. All plant and machinery in use shall be properly silenced and maintained in accordance with manufacturer's instructions.

3. The applicant is advised that a number planning conditions have been imposed which must be complied with prior to the development commencing on site, failure to do so comply may invalidate this planning permission.
4. Food Safety Act 1990 - All new food premises are required by the Food Safety Act 1990, to register with the Local Authority at least 28 days before the food premises opens. Please contact the Commercial Team of Environmental Services Division on 01753- 875206.
5. The applicant is advised that a separate consent is required for any proposed advertisements under the Advertisement Regulations.
6. The decision to grant planning permission has been taken having regard to the policies in PPS1 and PPS6, Submission Document of Local Development Framework-Core Strategy , Local Plan for Slough 2004, as set out below, and to all relevant material considerations:

Core Policies 1,6-10 and 12

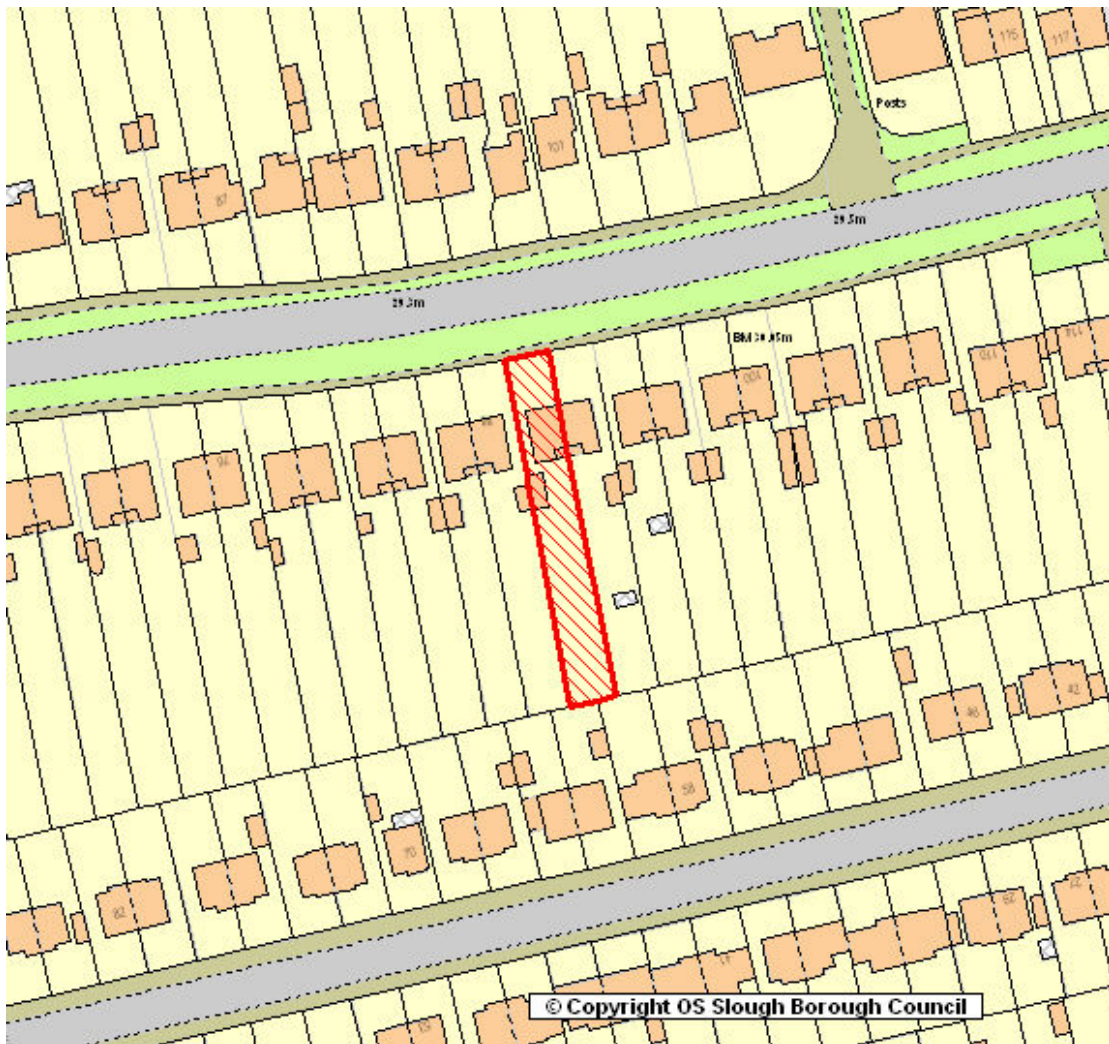
Local Plan for Slough

Policies S8,S9,S12,S13,S17,S18,EN1, EN5

This informative is only intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report by contacting the Development Control Section on 01753 477340.

Registration Date	15-Jul-2008	Applic. No	P/12185/002
Officer	Sam Fowler	Ward	Central
Applicant	Mr. Jit Johal		
Agent	Mr. Harvey Saund 183, Spackmans Way, Slough, SL1 2SE		
Location	90, Shaggy Calf Lane, Slough, SL2 5HQ		
Proposal	ERECTION OF REAR CONSERVATORY EXTENSION AND LOFT CONVERSION WITH SIDE & REAR DORMERS INSTALLED INTO THE ROOF		

Recommendation: Refuse



P/12185/002

1.0 SUMMARY OF RECOMMENDATION

1.1 Having regards to the Policies contained within national planning policy guidance and local planning policies contained within the Local Development Framework, Core Strategy and the Adopted Local Plan, the proposed development is recommended for refusal.

1.2 This application would normally be dealt with under Delegated Powers, but has been called-in by Cllr. Choudhry for the following reasons:

1. The proposal is consistent with other developments already permitted in the same street and that it is consistent with the Street Scene.
2. The current scheme had been submitted following agreed amendments with the Case Officer.
3. There is no planning justification for the refusal of planning permission.

PART A: BACKGROUND

2.0 Proposal

2.1 This is an application for full planning permission for the: "ERECTION OF REAR CONSERVATORY EXTENSION AND LOFT CONVERSION WITH SIDE & REAR DORMER".

2.2 The applicant proposes to construct a conservatory on the rear of the existing dwelling, as well as implement a loft conversion to create a new bedroom.

2.3 The depth of the conservatory would be approximately 2.5 metres and the width would be approximately 5.2 metres at its widest part.

The side and rear dormer have been designed to allow access space for a staircase, as well as create sufficient room for a bedroom and WC.

3.0 Application Site

3.1 The site is located on the southern side of Shaggy Calf Lane and is the western dwelling in a set of semi-detached two storey dwellings. The dwelling is presently a three bedroom dwelling with a single storey rear extension.

4.0 **Site History**

- 4.1 P/12185/001: Construction of a rear conservatory and loft conversion. Refused 25th June 2008.
- 4.2 P/12185/000: Conversion of flat roof to a pitched roof on existing single storey rear extension. Approved 12th March 2003

5.0 **Neighbour Notification**

- 5.1 Neighbours notified of the proposal were:
88, 92 Shaggy Calf Lane
60, 62 Kendal Drive

No responses were received

PART B: PLANNING APPRAISAL

6.0 **Policy Background**

- 6.1 National Planning Policies:
Planning Policy Statements 1 (Sustainable Development) and 3 (Housing)

Local Development Framework (Core Strategy)
Core Policy 7 and 8

Adopted Local Plan for Slough
Policies H14, H15, EN1, EN2

7.0 **Planning Considerations**

- 7.1 Policy EN1 advises that development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surrounds in terms of siting and relationship to nearby properties amongst other criteria.
- 7.2 Planning Policy Statement 3 reiterates guidance given in PPS1 insofar as it relates to new housing. PPS3 states that: *“Good design is indivisible from good planning. Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunity for improving the character and quality of an area and the way it functions should not be accepted”*.
- 7.3 Core Policy 8 of the Local Development Framework, Core Strategy Submission Documents, states that: *“All developments in the Borough shall be sustainable, of a high quality design, improve the*

quality of the environment..”. Part 2 to that policy covers design and in sub section b) it states:

All development will:

- a) Be of a high quality design that is practical, attractive, safe, accessible and adaptable;*
- b) Respect its location and surroundings;*
- c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and*
- d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.*

7.4 Policy H15 of the Adopted Local Plan sets out a number of criteria for extensions which must be complied with including: *a) there is no significant adverse impact on the amenity of adjoining occupiers; b) they are of a high quality of design and use materials which are in keeping with both the existing property and identifiable character of the surrounding area;*

7.5 Policy EN1 of the Adopted Local Plan states that: *”all development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surrounding”*, in accordance with the criteria set out in that policy.

8.0 **Impact upon residential character**

8.1 The site is located within an existing residential area characterised by semi-detached dwellings.

8.2 Some built properties have similar loft conversions to that proposed in the general vicinity of the site, but have been undertaken as permitted development. Only one similar to the site has been constructed through planning permission, and was issued circa 2000, before the Local Plan for Slough, issued 2004.

8.3 The proposed side dormer is constructed right up to the main ridge and as such does not appear subordinate to the main roof and this lack of set down from the main ridge and minimal set up from the eaves results in a side dormer which is overly dominant and adversely impacts both on the character and appearance of the original house and that of the general street scene. No significant changes from the previous refusal have been made.

8.4 The poor juxtaposition of the proposed side dormer with a pitched roof and the rear dormer with a flat roof which physically ties into the structure of the side dormer results in an incongruous design which detracts from the character and appearance of the original house and that of the surrounding area.

- 8.5 It is considered that the design and appearance of the proposed dwelling alterations would be inappropriate, and does not relate well to the adjacent properties or the character of the surrounding area. Therefore as the proposal fails to achieve a good design then the proposal fails the requirements of National Policy PPS 1, Local Policies H15 and EN1 of the Local Plan for Slough (2004), and Core Policy 8.
- 8.6 The proposed side and rear dormer have been refused under delegated decision previously. There has been no significant alterations to the design of the loft conversion that would now warrant the proposal to now be considered appropriate by the Planning Officer
- 8.7 It is noted that as of the 1st October 2008, through changes to the Town and Country Planning General Permitted Development Order, that the proposed dormer windows and loft conversion could be carried out as permitted development without the need for planning permission. However, as the proposals form part of the current planning application then the local planning authority is entitled to determine the proposal in accordance with national and local policy.

9.0 **Amenity Space**

- 9.1 Policy H14 (Amenity Space) requires that the space provided be suitable for the type and size of the dwelling and household and the quality of the area be assessed in terms of size, depth, orientation, privacy, attractiveness, usefulness and accessibility; along with the character of surrounding area in terms of size and type of amenity space for existing dwellings.

Rear Extension

- 9.2 The proposed rear extension is of a size and scale that does not comply with the Council's Development Control Guidelines. The proposed extension would be added to an existing extension which already has a depth of over 5 metres. Essentially the extensions would have a combined depth of 7.5 metres at its farthest point and 6 metres along the more sensitive boundary with 92 Shaggy Calf Lane. The Council's approved guidelines set the maximum depth for rear extensions to semi-detached dwellings at 4.25 metres. The proposed development would be significantly over this requirement.
- 9.3 The rear extension, coupled with the extension at no. 94 Shaggy Calf Lane, would create an unacceptable degree of enclosure for the occupiers of 92 Shaggy Calf Lane. While no letter of objection to the development was received from the neighbouring property the development would still adversely impact upon their residential amenities.

10.0 **Summary**

10.1 The proposal is considered to be inconsistent with the National and Local Plan Policies in terms of the impact on the adjoining residents and the significant detrimental impact on highway safety in the immediate area.

PART C: RECOMMENDATION

11.0 **Recommendation**

11.1 The proposal is contrary to Planning Policy Statement 1, Policies EN1, EN2, H14 and H15 of the Adopted Local Plan for Slough 2004 and Core Policy 7 for reasons outlined in the report above. The proposal is therefore recommended for refusal.

12.0 **PART D: LIST OF REFUSAL REASON(S)**

Reason(s)

1. The proposed rear extension by reason of its siting, depth, scale and massing would result in a greater degree of enclosure, a loss of outlook and would appear overly dominant for the neighbouring occupiers living at 92 Shaggy Calf Lane thereby detracting from their residential amenities contrary to Policies EN1, EN2, H14, and H15 of The Adopted Local Plan for Slough 2004 and the Council's approved guidelines for Residential Extensions 1994.
2. The proposed side dormer by virtue of its siting, scale, bulk, design and lack of any set down from the main ridge, represents an incongruous design and would appear overly dominant in the street, thereby detracting from the character and appearance of the original house and that of the general street scene contrary to Planning Policy Statement 1, Core Policy 8 of the Local Development Framework Core Strategy 92006 - 2026) Submission Document 2007 and Policies H15, EN1 and EN2 of The Adopted Local Plan for Slough 2004.
3. The juxtaposition of the rear and side dormers represents an incongruous design detracting from the character and appearance of the original house and that of the surrounding area contrary to Planning Policy Statement 1, Core Policy 8 of the Local Development Framework Core Strategy (2006 - 2026) Submission Document 2007 and Policies H14, H15, EN1 and EN2 of The Adopted Local Plan for Slough 2004.

Registration Date	16-Jan-2008	Applic. No	P/14197/000
Officer	Mr. Albertini	Ward	Central
Applicant	The Frost Partnership		
Agent	Shorne Tilbey Associates Limited 27, Tockley Road, Burnham, Buckinghamshire, SL1 7DQ		
Location	80-84, Dolphin Road, Slough, Berkshire, SL1 1TA		
Proposal	DEMOLITION OF THREE HOUSES; ERECTION OF THREE HOUSES WITH ACCESS AND CAR PARKING AREA.		

Recommendation: Refuse



P/14197/000

1.0 SUMMARY OF RECOMMENDATION

1.1 Refuse

1.2 Having considered the relevant Policies below, the development is considered to not have an adverse effect on sustainability and the environment for the reasons set out.

PART A: BACKGROUND

Update

This application was deferred at the March 2008 Committee to allow the applicant to consider a revision that may be satisfactory. No revision has been received so the application is being presented to Committee again. The report below has not been changed from that presented previously.

2.0 Proposal

2.1 This is an outline application but the access and layout of the development is a matter to be decided as part of the application. The houses would sit on the rear portion of the site with parking and a garage immediately in front. The front portion of the site, adjacent to number 78, will have a parking area for 9 cars. 7 of these spaces replace existing resident's kerb side parking that would otherwise conflict with the sightlines for the access road to the proposed houses at the rear of the site.

2.2 The proposed access road, on the site of number 84, is 3.5m wide with footways and extends beyond the houses to the rear boundary of the site. An indicative line shows how the carriageway can be widened if needed to serve a development on the school land to the rear. Beyond the site boundary an indicative scheme is shown for future houses on the rear gardens of 86-90 Dolphin Road.

2.3 The parking area is not forward of the building line and there is space for planting on the frontage. 10m length rear gardens are shown. The houses are a substantial distance behind the line of existing adjacent houses.

2.4 The applicant has indicated that they have an agreement with the School (Trustees of St. Bernadine Sisters) regarding use of part of the site for a future road access.

2.5 The applicant does not show any trees as to be felled but it is believed at least one conifer on the site will need to be felled.

2.6 The application as originally submitted was for 2 four bedroom houses and retention of number 80 Dolphin Rd.

3.0 **Application Site**

3.1 This 0.13 hectare site is near the west end of Dolphin Rd near Uxbridge Road and opposite a hotel. The houses are typical mid twentieth century suburban houses but with long rear gardens. Behind is open land that is part of St. Bernard's primary school. Trees line the edge of this land with a gap adjacent to the access road proposed. Dolphin Rd is one way westbound with residents parking bays and parking places are in high demand from residents.

4.0 **Site History**

4.1 None for this site alone.

9 flats adjacent at 86/90 Dolphin Road approved February 2008 (ref. P/10382/6) with access road over site of number 86 for rear parking area. Demolition of 3 houses.

The building approved does not extend so far back into the site as this application's buildings and the parking area is further from the nearest existing garden. There is scope to extend the access road into the school land to the rear.

The common issues raised by this and the above application for 86/90 have been considered together. However as the latter application came in first so it has been decided first.

5.0 **Neighbour Notification**

5.1 Dolphin Rd.74, 76, 78, 86, 88, 90, Premier Hotel
St Bernard's Prep School.

5.2 One letter of objection from the owner of No. 80 (part of the site) objecting to a road next to his house.

No objections received re revised scheme involving the loss of number 80.

6.0 **Consultation**

6.1 **Traffic**

Original request for financial contribution for transport due to increased traffic on highway network and off site works to Uxbridge Rd/Dolphin Rd junction withdrawn on receipt of revised application.

Still request relocated street parking.

6.2 Highways

Not prepared to accept location of access road junction adjacent to an approved access (at number 86) due to road safety issues.

Sightline blocked by existing street side parking; needs to be relocated on site and be adoptable. Traffic Order needed. Require 3.5m wide carriageway to be 4.8m to allow cars/refuse vehicle to pass.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 The site is not allocated in the Local Plan. As the family homes lost are to be replaced the associated Core Strategy policy is complied with.

8.0 **Layout matters**

8.1 The location of the houses 19 metres behind the existing houses combined with the fact that the land to the rear is undeveloped means development will intrude into an open area and change the quite nature of the rear garden area. Consequently the proposal does not comply with Local Plan policy EN1 Design in terms visual impact and siting in relation to the character of the surrounding area. Furthermore private rear gardens will be partly overlooked from the front of the new homes. Consequently it does not comply with Local Plan policy H13 Backland Development. The parking area close to rear gardens is a further dis benefit of the scheme. Similarly the access road is in close proximity to the side of number 86. That dwelling may remain despite a redevelopment scheme having been approved.

8.2 No other homes have been built in the rear gardens of this stretch of Dolphin Road. The location of the proposed flats adjacent is sufficiently different for it not to set a precedent for isolated backland development. At present the proposal is not an acceptable backland development. The character of the immediate area could change if the entire rear garden area of Nos. 86/90 is ever developed (as indicated by the applicant) or if the school land is developed but neither can be guaranteed at this stage for this to be a significant consideration for this application.

9.0 **Access Road**

- 9.1 The access road will be immediately adjacent to that recently proposed for 9 flats and a parking area. This proximity is not acceptable in terms of highway safety even for a scheme of 3 houses. The access will also serve 7 resident parking spaces.
- 9.2 The applicants have made it clear that they wish the access road to be expanded to serve a possible large development on the school land. The road and footway extend about 18m beyond the three houses proposed up to the rear site boundary. Whilst it is acceptable to leave space for a future access it is premature to approve and build a roadway that might not be needed. In the interest of avoiding unnecessary loss of green space without reason the proposal is not acceptable. The applicant has been asked to cut back the road.
- 9.3 The 3.5 metre width of the access to serve the houses and parking/turning area is not acceptable. A width of 4.8 metres has been requested but no revision has yet been received.
- 9.4 A key issue is the affect on a strategic housing site to rear. This is not allocated in the Local Plan but clearly a site that may come forward and provide family/affordable homes in a sustainable location. The owners have made clear their intention to submit an application. Because of the importance of the Council identifying housing sites under the Local Development Framework etc. it is appropriate to consider the affect of the application on a known potential housing site and on Local Plan comprehensive planning policy (H9). Any consideration of the school land now does not affect any future decision by the Committee on a future planning application for that site.
- 9.5 The Highways and Traffic Section strongly prefer access to any school land development to be somewhere near the west end of Dolphin Rd. An access further down Dolphin Road would have an adverse affect on Dolphin Road in terms of road safety, parking, possible junction capacity plus residential amenity. Neither the proposed development nor the adjacent development would prevent such an access road being built there being no physical obstruction. However such a future access could only be approved for this application site if the recently approved access adjacent is not built.
- 9.6 Any school land access road will of course be subject to both planning permission and the relevant owners agreeing terms for such access. The existence of an agreement between the site owner and the School is not sufficient to overcome the issue of conflict with the adjacent approved access. Furthermore legal advice indicates the Council should go no further than trying to

ensure there is no physical obstruction to a future road and it should not seek to tie landowners into safeguarding an access to the school. Overall the Local Plan comprehensive planning policy is substantially complied with.

10.0 **Possible alternative scheme**

10.1 The applicant has been asked to consider an alternative layout that might be suitable for approval in principle. This would involve moving the buildings forward to avoid the 'backland' issue; providing private drives to avoid both the conflicting access junction issue and the need for replacement street parking. If the applicant wishes to revise the scheme the amendment sheet will highlight this.

11.0 **Section 106 matters**

11.1 If this application were to be agreed an agreement is needed to cover traffic order changes, replacement parking places and dedication as highway, no parking permits for new residents.

12.0 **Call in**

12.1 This application is being presented to the Committee at the recent request of ward Councillor Chaudhry. There had been earlier requests for both this and the adjoining applications to be presented to Committee for a decision but those requests were subsequently withdrawn.

PART C: RECOMMENDATION

13.0 **Recommendation**

13.1 Refuse

14.0 **PART D: LIST OF REFUSAL REASON(S)**

Reason(s)

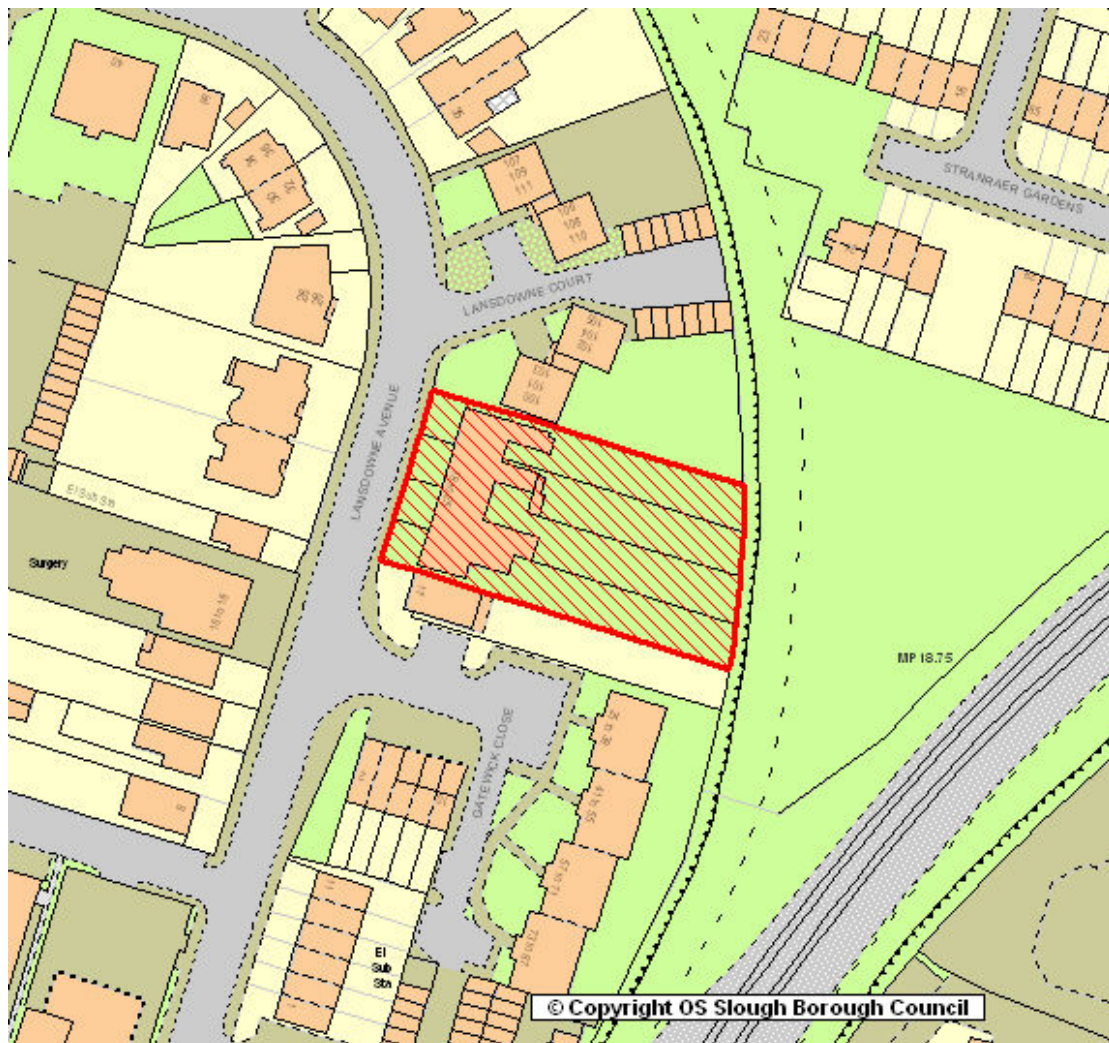
1. The location of the houses at the rear of the site will adversely affect the open character of the immediate area and the residential amenity of nearby residents. Consequently the application does not comply with Policy EN1 (Design) nor Policy H13 (Backland Development) of The Adopted Local Plan for Slough 2004.
2. The location of the access junction is too close to an approved junction at 86 Dolphin Road such that road safety will be adversely affected. This does not comply with Core Strategy Submission Document November 2007 Policy 7 (Transport).

3. The sightline necessary for the access junction will be blocked by parked cars such that road safety will be adversely affected. In the absence of any agreement to secure the replacement public parking spaces the proposal does not comply with Core Strategy Submission Document November 2007 Policy 7 Transport.
4. The 3.5 metre width of the carriageway is insufficient for two cars to pass or a car to pass a service vehicle which will adversely affect highway safety. Consequently the proposal does not comply with Core Strategy Submission Document November 2007 Policy 7 Transport.
5. The extent of highway related hard surface is more than is necessary to serve the development such that visual amenity is adversely affected. The proposal does not comply with Policy EN1 (design) of The Adopted Local Plan for Slough 2004 nor Policy 9 of the Core Strategy Submission Document November 2007 in terms of protection of green space.

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Registration Date	07-Aug-2008	Applic. No	P/01158/020
Officer	Mr. W. McCarthy	Ward	Chalvey
Applicant	Mr. Tahir Ali	Applic type:	Major
Agent	EDGINGTON SPINK AND HYNE CHARTERED ARCHI Riding Court, Riding Court Road, Datchet, Slough, Berkshire, SL3 9LE	13 week date:	6th November 2008
Location	19-25, Lansdowne Avenue, Slough, Berkshire, SL1 3SG		
Proposal	DEMOLITION OF EXISTING GUESTHOUSE AND THE CONSTRUCTION OF A THREE AND HALF STOREY, 24 NO. BEDROOM HOTEL WITH OFFICE ACCOMMODATION AND A FOUR / FIVE STOREY BLOCK OF FLATS, CONSISTING OF 1 NO. THREE BEDROOM, 15 NO. TWO BEDROOM AND 5 NO. ONE BEDROOM RETIREMENT FLATS, WITH COMMUNAL PARKING		

Recommendation: Approve subject to Conditions



P/01158/020

1.0 SUMMARY OF RECOMMENDATION

- 1.1 The application proposes the redevelopment of the site to provide a replacement hotel, office and residential accommodation, which would increase the intensity of the use of the site and comply with the objectives of PPS1 and PPS3 to make the best use of urban land.
- 1.2 Approve with conditions.

PART A: BACKGROUND

2.0 Proposal

- 2.1 This is full application that proposes the demolition of the existing hotel and office accommodation, to facilitate the erection of a replacement 20 bed hotel, with office space, located on the front of the site and 21 retirement flats towards the rear.
- 2.2 An outline application was approved by Committee on 31 July 2007. The current applicant has been submitted as a full application in stead of a reserved matters application, due to a change to the rear elevation of the hotel block.
- 2.3 The current application includes full details of the layout and the elevations. The proposed access would be located off Lansdowne Avenue close to the junction with Lansdowne Court. This access would lead to car parking for 26 vehicles located in the northern section of the site adjacent to Lansdowne Court. Two further car parking spaces would be located on the frontage of the site (i.e. 28 in total).
- 2.4 The proposed hotel would be positioned approximately 5m back from the back edge of the footway and would measure 13.5m in depth and 16.5m in width, with undercroft parking at the northern end of the building and a single storey rear projection of 4.3m at the southern end of the building. The building flank would face onto the flank of the Medical Centre at 17 Lansdowne Avenue and shares a similar building line. To the rear of the hotel, an area of amenity space would be provided, which separates the hotel from the proposed flats. This open land is 25m in depth beyond which the proposed retirement flats are positioned across most of the width of the site. The proposed retirement flats are set a minimum of 2.1m from the rear site, which adjoins the railway line.
- 2.5 The hotel on the frontage of the site provides four floors of accommodation and the residential units at the rear five floors. In both cases, the upper floor of the accommodation is proposed within the roof.

3.0 **The Site**

3.1 The application site is a hotel with offices located on the frontage of the application site at Lansdowne Avenue. The existing buildings are mainly two-storeys in height although some have accommodation in the roof. The properties were originally built for residential purposes but have been altered physically and in terms of use in the past. At the rear of the buildings are various extensions and outbuildings that have built over a number of decades. These are in a relatively poor state of repair. The rear of the site is open and there is no boundary treatment separating the different planning units. Some parking is available to serve the site located on the frontage between the back edge of footway and the front elevation of the buildings in hard surfaced areas.

4.0 **Neighbour Notification**

4.1 Re-consulted with amended description to 100 – 103 (all) Lansdowne Court, 17, 18 – 26 (evens) Lansdowne Avenue, 25 – 39 (odds) Gatewick Close.

Site Notice

No objections received.

5.0 **Relevant Site History**

5.1 P/01158/018 - Demolition of existing buildings and erection of twenty three bedroom replacement hotel and 22 retirement flats at the rear (outline) - Refused 13/12/06

5.2 P/01158/019 - Demolition of existing buildings and erection of 15 x no.2 bed retirement flats, 5 x no.1 bed retirement flats, 1 x no.3 bed retirement flats and hotel with office accommodation. – Approved 26/09/07

6.0 **Consultations**

6.1 **Traffic**

6.1.1 As per my previous comments for application /019 the existing use is understood to comprise of a hotel with 35 bedrooms and an office with a floor area of 118m². The site is understood to be currently served by 8 parking spaces. From a traffic generation point of view the existing development has the potential to generate around 86 vehicular movements per day (two-way). The proposed development has the potential to generate around 87 movements per day (two-way) and is therefore similar to the potential from the existing land uses. It was previously confirmed that no objection on traffic generation and impact grounds are raised.

- 6.1.2 From a car parking point of view, Local Plan standards require 20 car parking spaces associated with the hotel and 1 space for the office element. In addition some car parking would be necessary for the retirement flats. There is no specific standard for retirement flats, but the standard for nursing homes suggests the provision of 1 space per four beds. It would seem reasonable in the absence of any further information to apply this standard to this site. On this basis the residential element would require (38 bed spaces/4) 10 spaces. The total provision required is therefore (20+1+10) 31 car parking spaces. The plans indicate that the development will provide only 29 car parking spaces, which is below the required standard.
- 6.1.3 The existing development on the site would require 35 spaces associated with the hotel and 3 spaces associated with the office, a total of 38 spaces. Only 8 car parking spaces are understood to be currently achieved and the existing site currently has a shortfall in car parking provision of 30 spaces. This compares to a shortfall of 2 spaces with the proposed development. In view of the above it is considered, on balance, that an objection on the grounds of inadequate car parking provision would be difficult to sustain.
- 6.1.4 Some secure cycle parking should also be provided on site for both the hotel and the residential units. A cycle store is now indicated on the submitted plans and includes a footway link to the car park and directly onto Lansdowne Avenue.
- 6.1.5 Mindful of the above comments, it is possible to confirm that no objection is raised to this application on traffic or road safety grounds, subject to conditions.

6.2 Highway

- 6.2.1 The site is currently accessed via a mixture of both singular and double width vehicular crossovers (six in total) from Lansdowne Avenue. The access points conform to current standards in terms of sight line and pedestrian visibility provision. The carriageway fronting the site is 8 metres in width. A residents' parking area is provided on Lansdowne Avenue opposite the application site. Waiting restrictions of no parking Mon-Sat 8am-7pm operate in the vicinity of the application site. These restrictions are supported by single yellow lines.
- 6.2.2 In order to give priority to pedestrians, a crossover will need to be provided as means of access and not a bell mouth. However, the crossover will need to be constructed to carriageway standards. Undertakers' mains and services will need to be lowered to a cover depth of 600mm. As the access is from a residential road serving more than 6 dwellings sight lines of 2.4m x 60m must be provided from the access road onto the site. These should be shown on the drawing and take into account the curvature on the priority road. No

obstructions over 600mm in height will be permitted in the sight line areas. The sight lines must fall on land in control of the applicant (please ensure this requirement is included in the conditions). The edge of footway (back of footway) 2.4m x 2.4m pedestrian visibility splays are required, in front of which no obstructions exceeding 600mm in height is to be permitted (please ensure this requirement is included in the conditions). The proposed access will alter the traffic flows on the highway. The street lighting will therefore require to be modified (designed in accordance with BS 5489) to incorporate those flows. Such alterations must be designed and implemented at the expense of the applicant.

- 6.2.3 Sight lines of 2.0m x 60m must be provided from the access road onto the site. These should be shown on the drawing and take into account the curvature on the priority road. No obstructions over 600mm in height will be permitted in the sight line areas. The sight lines must fall on land in control of the applicant (please ensure this requirement is included in the conditions). The edge of footway (back of footway) 2.4m x 2.4m pedestrian visibility splays are required, in front of which no obstructions exceeding 600mm in height is to be permitted (please ensure this requirement is included in the conditions).
- 6.2.4 Parking within the application site must be provided in accordance the Local Plan. Traffic to advise if the application meets these standards. Secure cycle parking with an unobstructed access of 1.5 metres is required; please consult traffic for further details. The under croft parking for bays 15-19 must be designed in accordance with The Institution of Structural Engineers publication "Design Recommendations for Multi-storey and Underground Car Parks 2002-3rd Edition" to ensure it will operate safety and provide unimpeded ingress and egress for the specified number of parking bays.

PART B: PLANNING APPRAISAL

7.0 Policy Background

- 7.1 The Local Plan for Slough 2004. This is not an allocated site. Relevant policies include Policy H13 (Backland Infill Development), Policy H14 (Amenity Space), Policy EN1 (Design) and Policy EN3 (Landscaping).
- 7.2 In addition to this, Core Policies 4, 7 and 8 of Core Strategy, which was adopted for development control purposes February 2007 and found sound by the Planning Inspectorate, is also relevant.
- 7.3 In terms of national policy, Planning Policy Statements 1 (Delivering Sustainable Development) and PPS3 (Housing) are relevant to this application.

8.0 **Design**

- 8.1 The current proposal, which includes full details of all elevations, is considered to be acceptable in its setting, which is predominantly residential. There is however no specific architectural theme in the street, with a mixture of contemporary flats and traditional semi-detached houses found in the locality. The design of the proposed hotel and residential block would however be more traditional in appearance with pitched and hipped roofs and ornate dormer windows and ridge details. No objection is raised to the proposal in terms of the design and it is considered that the pitched roof on the residential block would reduce the visual bulk on the occupiers of the hotel.

9.0 **Impact Upon Local Residents**

- 9.1 The current scheme is similar to the approved outline application, apart from an increase in the depth of a single storey element to the hotel block on the boundary with no. 17. This is a result of an extension to the medical centre at no. 17, which has enabled the applicant to extend the office on the application site without any detrimental impact on the occupiers / users of no. 17. No objection was raised by officers during the outline application and it is considered that the current application does not raise any new concerns that might have an impact on local residents.

10.0 **Traffic and Parking**

- 10.1 The proposal was considered by the Engineers in terms of the existing and retained office use on site. The proposal includes 28 car parking spaces, but 31 spaces are required. This has been estimated on the basis of the standards for the hotel use, but also estimating the requirement for the retirement accommodation that has no specific standard and is considered on merit. If the proposed use was general residential rather than retirement accommodation, in this location a ratio of at least one space per unit would be required. However, a reduced provision is required for retirement accommodation. The Traffic Engineer is of the view that the shortfall of the existing parking provision at the site is 30 spaces, while the development proposed by the application is 3 spaces short. Relatively therefore, the proposal results in an improvement over the existing situation in terms of the shortfall and on this basis no objection is raised in parking terms.
- 10.2 The Highway Engineer is also satisfied with the current proposal and appropriate conditions have been recommended.

11.0 **Future Amenity of Residents of Retirement Accommodation**

- 11.1 The office use on site would not have any impact on the amenities of the future occupiers of the retirement accommodation, because the office would be used to run the hotel, as well as a predominantly internet based business. A condition is recommended to ensure that the noise and vibration from the railway is measured and that appropriate mitigation measures are included to protect the amenities of the proposed flats.
- 11.2 The proposal does include two parking spaces to the front of the proposed building, which could be used for visitors of the office. As stated above, the Engineers did consider the parking requirement for the proposal, which included the office accommodation site and no objection was raised.
- 11.3 The proposal also includes an amenity space of 25m in depth between the two blocks. This area is adjacent to the car park of no. 17 Lansdowne Avenue, which would mean that it would not be overshadowed and would provide an acceptable amenity space for the occupiers of the flats and the hotel. It is believed that this area is also appropriate in size, due to its town centre location and the proximity of Salt Hill Park.

12.0 **Summary**

- 12.1 The principle of redevelopment to provide a replacement hotel and retirement accommodation is acceptable in principle and has also been accepted by the previous approved outline permission. The design, bulk and siting would not result in an inappropriate built form when viewed from the street scene. No objection is also raised in traffic and highway safety terms.

PART C: RECOMMENDATION

13.0 **Recommendation**

- 13.1 On the basis of the above, the proposal is considered acceptable and is recommended for approval, subject to conditions.

14.0 **PART D: LIST OF CONDITION(S)**

Condition(s)

1. The development hereby permitted shall be commenced within three years from the date of this permission.

REASON To prevent the accumulation of planning permissions, and to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of

Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be implemented only in accordance with the following plans and drawings hereby approved unless otherwise agreed in writing by the Local Planning Authority.

- (a) Drawing No. 4546/100D; Dated: May 2008; Recd On: 26/09/2008
- (b) Drawing No. 4546/101D; Dated: May 2008; Recd On: 26/09/2008
- (c) Drawing No. 4546/102D; Dated: May 2008; Recd On: 26/09/2008
- (d) Drawing No. 4546/103D; Dated: May 2008; Recd On: 26/09/2008
- (e) Drawing No. 4546/104D; Dated: May 2008; Recd On: 26/09/2008
- (f) Drawing No. 4546/105D; Dated: May 2008; Recd On: 26/09/2008
- (g) Drawing No. 4546/107D; Dated: May 2008; Recd On: 26/09/2008

REASON 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.

3. With the exception of any staff accommodation, the retirement flats hereby permitted shall be occupied by persons of an age commensurate with receipt of a State Retirement Pension and their spouses.

REASON To ensure that the proposal does not result in the parking of vehicles on adjoining highways and nearby parking areas of other residential developments.

4. During the demolition / construction phase of the development hereby permitted, no work shall be carried out on the site outside the hours of 08.00 hours to 18.00 hours Mondays - Fridays, 08.00 hours - 13.00 hours on Saturdays and at no time on Sundays and Bank/Public Holidays.

REASON To protect the amenity of residents within the vicinity of the site in accordance with the objectives of Policy EN26 of The Local Plan for Slough 2004.

5. During the demolition stage of the development, a suitable continuous water supply shall be provided in order to minimise the formation and spread of dust and the perimeter of the site shall be screened to a sufficient height to prevent the spread of dust.

REASON To prevent the formation and spread of dust in the interests of air quality and to accord with Policy EN29 of The Local Plan for Slough 2004.

6. During the construction phase of the development hereby permitted, there shall be no deliveries to the site outside the hours of 08.00 hours to 18.00 hours Mondays - Fridays, 08.00 hours - 13.00 hours on Saturdays and at no time on Sundays and Bank/Public Holidays.

REASON To protect the amenity of residents within the vicinity of the

site in accordance with the objectives of Policy EN26 of The Local Plan for Slough 2004.

7. Samples of external materials to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Policy EN1 of The Local Plan for Slough 2004.

8. Samples of external materials to be used in the construction of the access road, pathways and communal areas within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Policy EN1 of The Local Plan for Slough 2004.

9. No development shall commence until details of the new means of access are submitted to and approved in writing by the Local Planning Authority and the access shall be formed, laid out and constructed in accordance with the details approved prior to occupation of the development.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions prejudicial of general safety along the neighbouring highway in accordance with Policy T3 of The Local Plan for Slough 2004.

10. No development shall commence until 2.4m by 2.4m pedestrian visibility splays have been provided behind the back of the footpath on each side of the access and these shall be retained permanently kept free of all obstructions exceeding 900mm in height.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general pedestrian safety along the neighbouring highway in accordance with Policy T3 of The Local Plan for Slough 2004.

11. The development shall not be occupied until the existing access(s) to the site have been stopped up and abandoned and the footway and verge crossing reinstated in accordance with the details to be agreed in writing by the Local Planning Authority.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the

neighbouring highway in accordance with Policy T3 of The Local Plan for Slough 2004.

12. Prior to first occupation of the development, the internal access roads footpath and vehicular parking and turning provision shall be provided in accordance with approved plans.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety on the local highway network in accordance with Policy T3 of The Local Plan for Slough 2004.

13. No development shall commence on site until a detailed landscaping and tree planting scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the trees and shrubs to be retained and/or removed and the type, density, position and planting heights of new trees and shrubs.

The approved scheme shall be carried out no later than the first planting season following completion of the development. Within a five period following the implementation of the scheme, if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting season with another of the same species and size as agreed in the landscaping tree planting scheme by the Local Planning Authority.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004.

14. No development shall commence on site until details of the proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved by the Local Planning Authority. Before the development hereby permitted is occupied, a suitable means of his boundary treatment shall be implemented on site prior to the first occupation of the development and retained at all time on the future.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Local Plan for Slough 2004.

15. The parking spaces and turning area shown on the approved plan shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles.

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities of the area in accordance with Policy T3 of The Local Plan for Slough 2004.

16. No development shall commence until a survey of noise and vibration

from the railway line bounding the site has been submitted to the Local Planning Authority and approved in writing. This survey should identify current levels of noise and vibration and make recommendations for mitigation measures to be incorporated within the construction of the development. These measures shall be put in place during the construction phase and retained at all times in the future.

REASON To safeguard the amenity of future occupiers of the development.

17. No development shall commence until details of the proposed bin store (to include siting, design and external materials) have been submitted to and approved in writing by the Local Planning Authority. The approved stores shall be completed prior to first occupation of the development and retained at all times in the future for this purpose.

REASON In the interests of visual amenity of the site in accordance with Policy EN 1 of The Local Plan for Slough 2004.

18. No development shall be begun until details of the cycle parking provision (including location, housing and cycle stand details) have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details prior to the occupation of the development and shall be retained at all times in the future for this purpose.

REASON To ensure that there is adequate cycle parking available at the site in accordance with Policy T8 of The Local Plan for Slough 2004, and to meet the objectives of the Slough Integrated Transport Strategy.

19. Notwithstanding the submitted drawing 4546/100D received 26/09/08, the parking spaces numbered P15 to P19, shall be designed in accordance with The Institution of Structural Engineers publication 'Design Recommendations for Multi-storey and Underground Car Parks 2002 - 3rd Edition.

REASON To ensure the parking spaces operate safely and provide unimpeded ingress and egress.

Informative(s)

1. The applicant will need to apply to Highways Engineering, The Green and Built Environment for street naming and/or numbering of the unit/s.
2. No water metres will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.
3. The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or

into the highway drainage system. In order to comply with this condition, the developer is required to submit a longitudinal detailed drawing indicating the location of the highway boundary.

4. The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.
5. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
6. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.
7. Prior to commencing works the applicant will need to enter into a Section 278 of the Highways Act 1980 / Minor Highway Works Agreement with Slough Borough Council for the works within the existing highway [temporary access point (if required), installation of access, reinstatement of redundant access points to standard to footway construction, installation of street lighting modifications, drainage works, construction of footway, dedication of sight line areas]. The applicant should be made aware that commuted sums will be payable under this agreement for any requirements that burden the highway authority with additional future maintenance costs.
8. This development will create a trespass and vandalism risk on to the railway. In the interests of promoting public safety, it is recommended that a 1.8 metre high trespass resistant fence be erected parallel to but separate from the railway fence.
9. No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. Care must be taken to ensure that no debris or other materials can fall onto Network Rail land. In view of the close proximity of these proposed works to the railway boundary the developer should contact Keith Buckland at Network Rail on 'opewestern@networkrail.co.uk' before works begin.
10. Network Rail must be consulted on any alterations to ground levels. No excavations should be carried near railway embankments, retaining walls or bridges.
11. Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

12. In the interests of safety, all new trees to be planted near Network Rail's land should be located at a distance of not less than their mature height from the boundary fence. Details of planting schemes should be submitted to this office for prior approval.
13. The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.
14. It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.
15. Additional or increased flows of surface water should not be discharged onto Network Rail land or into Network Rail's culvert or drains. In the interest of the long-term stability of the railway, it is recommended that soakaways should not be constructed within 10 metres of Network Rail's boundary.
16. The decision to grant planning permission has been taken having regard to the policies and proposals in the Local Plan for Slough 2004, as set out below, (to Supplementary Planning Guidance) and to all relevant material considerations.

Policies:- H13, H14, T2, EN1 and EN3
Core Policies 7 and 8
PPS1

This informative is only intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report by contacting the Development Control Section on 01753 477340.

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Registration Date	22-Jul-2008	Applic. No	P/03953/003
Officer	Mr. Albertini	Ward	Cippenham Green
Applicant	George Wimpey West London		
Agent	Mr. Geoff Armstrong, DPP West One, 63-67, Bromham Road, Bedfordshire, MK40 2FG		
Location	Former Western House School, Brook Path, Lower Cippenham Lane, Slough, Berks, SL1 5EJ		
Proposal	ERECTION OF 71 DWELLINGS WITH ASSOCIATED PARKING, ACCESS AND LANDSCAPING. (ACCESS FROM BROOK PATH AND MALLARD DRIVE)		

Recommendation: Refuse



P/03953/003

1.0 **SUMMARY OF RECOMMENDATION**

1.1 Refuse

PART A: BACKGROUND

2.0 **Proposal**

2.1 This application comprises a mix of houses and flats as follows.
The density is 46 dwellings per hectare:

3 one bedroom flats
21 two bedroom flats
11 two bedroom houses
11 three bedroom houses
24 four bedroom houses
1 five bedroom house

2.2 39 % are affordable homes 3 one bed flats, 16 two bed flats, 2 two bed houses, 4 three bed houses, 3 four bed houses. All are social rent except 7 two bedroom flats that are shared ownership.

2.3 Storey heights are a mixture of 2, 2 and half and three. A mixture of short terraces, semis and detached homes are proposed with two blocks of flats.

2.4 Two small open spaces are proposed (2.1 hectares) in the south east corner and on the east boundary both containing retained trees. Some significant trees in the middle of the site would be lost together with 6 small ones on the edge of Mallard Drive. Of those trees lost the tree report states that some are category B the rest a lesser grade.

2.5 Two access points are proposed in a similar form to that already approved. Mallard Drive is to serve 20 homes (previously 25) and Brook Path the remainder. The former school access onto Brook Path will be widened and a priority junction created. Brook Path would be widened from 3.9 metres to 4.5 metres with resulting loss of most of the footway on the east side. Access between the two access points through the site will be restricted by bollards.

2.6 Parking at an average ratio of 1.63 spaces per dwelling is proposed (previously 2 spaces) with the potential for there to be 100 allocated spaces in garages, drives or courtyards plus 15 communal spaces.

2.7 The layout takes the form of a simple pattern of streets and courtyards with open spaces partly overlooked by adjacent homes.

It includes a path link in the north west corner to an existing footpath off Mallard Drive.

2.8 The design of the dwellings in terms of elevations is traditional and simple with some regency style detailing. Hipped roofs are proposed for the larger dwellings.

2.9 Supporting information submitted covers transport, ecology, trees, archaeology, ground conditions, noise etc. The Transport Assessment concludes that the local highway network can accommodate traffic from 71 dwellings and that the site is close to key facilities in terms of walking distances. A Travel Plan proposes continuing promotion of non car modes of travel and consideration of vouchers for new residents for bus or cycle. The applicant undertook a community consultation exercise prior to submission and comments received are included in the application. The applicant is prepared to build to Code for Sustainable Homes level 3.

3.0 **Application Site**

3.1 This 1.55 hectare comprises the now closed school it having moved to new larger premises in Richards Way. The building is single storey and sits north-south in the middle of the site with trees spread along the eastern side of the site and few elsewhere. There is no formal playing field just a grass play area. There are small trees in the verge of Mallard Drive which are included within the site. There is a substantial hedge along the west boundary.

3.2 To the west is the Royal British Legion Club and car park separated from the site by a footpath and substantial hedge. To the north east are rear gardens of Lewins Way beyond a footpath plus flats, April Place, very close to the boundary. Mallard Drive forms the rest of the north boundary. To the east are three storey flats plus large rear gardens of Cippenham Close. To south are rear gardens of Lower Cippenham Lane and an MOT centre. The latter is about 2m from the boundary. The site access, next to the MoT Centre leads onto Brook Path which is very narrow. Mallard Drive was also used for parents dropping off/pick up from the school.

4.0 **Site History**

4.1 School closed April 2006 and relocated.

Outline application (S/628) for redevelopment refused July 2006

Outline application (S/628/1) approved Oct 06 for 50 dwellings.

Variation of off site highway works approved May 08 (S/628/2)

Reserved Matters approved Aug 2008 (P/3953/003)

5.0 **Neighbour Notification**

- 5.1 Lower Cippenham Lane 40- 42 88-110 88/90/110a even
Lewins Court Farm 1-6
Cippenham Lane 111-121/a/b odd 122a 40 42 33-43 odd
Ridge Bank 22-36 incl
Brook Path 44-76 50a RB Legion
Cippenham Close 20 22 23 25
Lewins Way 2-10; 1-5
Mallard Drive 1 1a -41, 2 2a-28; 32-42; April Place 1-4 Scout Hut.

- 5.2 5 letters of objection raising issues of:

Too many dwellings

Additional traffic; road safety, existing parking and speeding problems, Mallard Drive /Cippenham Ln Junction needs traffic lights.

Higher Buildings will not fit in; loss of trees

Noise, inconvenience, pollution.

Insufficient car parking.

Concern about boundary treatment and security, garage court adjacent.

6.0 **Consultation**

6.1 Traffic

No objection subject to usual conditions and limit of dwellings served by Mallard Drive access.

6.2 Highways

No objection in principle subject to usual conditions and minor amendments re on site layout. Reduced width of Brook Path footway not acceptable.

6.3 Cultural Services (Parks Section)

No formal response yet but previously prepared to adopt, in principle, open space but not prepared to adopt equipped play area on site. Prefer option within the Section 106 for improvements to existing local play areas.

- 6.4 Environmental Protection Request standard soil quality conditions.

Housing

Request 30% social rent and 10% shared ownership on the Council's normal terms. Request social rent to be all family housing. May consider reduced percentage of dwellings if some bungalows for disabled are included.

- 6.5 Education

Request contribution to all levels of education at the usual rates.

- 6.6 Environmental Protection Request standard soil quality conditions.

- 6.7 Environment Agency No objection subject to usual conditions

- 6.8 Thames Water No objection

PART B: PLANNING APPRAISAL

- 7.0 **Policy Background**

- 7.1 The site is not proposed for a particular use in the Local Plan. The proposal complies with Policy OSC 3 re redundant school grounds as its playing area has already been replaced as part of the relocated school. Other policy areas are referred to below.

- 8.0 **Type of Housing**

- 8.1 The density of the scheme complies with the broad guidelines for suburban areas in Core Strategy policy 4, Type of Housing. However the inclusion of flats and fewer large homes does not comply with the policy. Family housing is sought in suburban areas as flatted accommodation is promoted in more central sites. The previously approved scheme comprised 50 houses. This scheme has 47 with 6 fewer five and three bedroom homes.

- 8.2 In addition the affordable housing offered includes flats which are not as desirable as houses in the social rent category in terms of meeting local housing need. As this site is more capable than many redevelopment sites of including family homes and this category will help meet local needs more than flats the proposal does not accord with policy 4. The existing permission provides for 15 family homes; this scheme provides 9.

- 9.0 **Layout & Design**

- 9.1 The extent and form of three storey buildings will dominate the site and surroundings. Few are two and a half storey and the flat blocks create large building forms. There are some three storey buildings nearby to the east but as the area is predominantly two storey and

unlikely to change in the future the design is considered inappropriate and contrary to Local Plan design policy EN1 and the Core Strategy policy 9 (natural and Built Environment).

- 9.2 The 46 dwellings per hectare density falls within the range in the Core Strategy for suburban areas but each development needs to be assessed individually. This density is not characteristic of the immediate area.
- 9.3 The overall layout of dwellings will not adversely affect existing adjoining homes in terms of residential amenity although one home will, marginally, overlook one existing home in way that is not typical of this suburban area. The window to window distance is 18m. Some tree planting shown is impractical but acceptable alterations could be made. The layout in terms of general appearance of the public spaces and urban design is better than the previously approved scheme.
- 9.4 One of the houses is too close to a retained tree such that future residents are likely to want it removed. This is considered poor design and contrary to Local Plan design policy.
- 9.5 The open space is generally well located and visible excepting one partly hidden area and some marginal areas that are planting strips more than useable open space. The area is more than the 10% requested so there is scope to deal with the above matters.
- 9.6 Tree loss is greater than envisaged at the outline stage but similar to that approved re the reserved matters layout. As most of those to be lost are not of a higher grade this is partly acceptable. Replacement trees on Mallard Drive will be needed. Existing hedges on the west and east boundary are shown as retained. Retention of these is important for screening.
- 9.7 The simple and traditional treatment of elevations is acceptable.
- 9.8 Noise from adjacent buildings (MOT station and Legion club) can be dealt with by condition.
- 10.0 **Highway and Transport matters**
- 10.1 Car parking at 1.6 spaces per home compared to 2 already approved is not practical for this development. There is a risk of overflow onto streets within and beyond the site the latter already affected by street parking. However, bearing in mind Government guidance on parking and approvals of similar parking ratios on other new developments insufficient parking may not be a justifiable reason to refuse the scheme.

- 10.2 71 dwellings would not have a significant affect on the wider highway network as traffic from the development would replace that previously generated by the school on Lower Cippenham Lane and Cippenham Lane/Mallard Drive junction. The latter has a small right turn lane to limit disruption to the flow of traffic in Cippenham Lane.
- 10.3 Brook Path is too narrow for two cars to pass easily. However the proposed narrowing of the footway to widen the road would disadvantage pedestrians on the east side of Brook Path. Pedestrian movements will rise if the scheme was approved and they would have to cross the road to avoid the narrow path.
- 10.4 Mallard Drive although narrow and affected by parking has already been agreed as an access to the site for 25 dwellings. This new scheme proposed 20. This figure might rise slightly if the proposal were to be approved as the location of the bollards to restrict through traffic needs reviewing.
- 10.5. The approved scheme proposed had priority working in Brook Path and a 20 mph speed restriction in Mallard Drive. The Council have since agreed these do not need to be put in for the 50 unit scheme. They are not considered practical for this scheme either. The bends and parking help limit speeds in Mallard Drive.
- 10.6 Prevention of through traffic other than emergency vehicles and cyclists can be achieved by condition. An alternative pedestrian link to that next to the Royal British Legion is proposed through the site.
- 10.7 The location of the site is reasonably sustainable being close to key facilities and regular bus services.
- 10.8 Some minor highway alterations are needed if the scheme were to be approved.
- 11.0 **Section 106 Matters**
- 11.1 A draft agreement has been submitted by the applicant. This repeats the principles of the existing agreement. It needs to be changed to reflect the affordable housing mix referred to above, include education contributions and travel plan items put forward by the applicant.
- 11.2 Reasons for refusal refer to Section 106 matters, even if agreed, as the agreement is not signed.
- 12.0 **Conclusion**
- 12.1 Although a 50 home scheme has been approved for this site this new scheme raises several concerns some of which are fundamental such that it should be refused. There may be scope for

a reduced scheme to be acceptable. However there is insufficient time to negotiate changes, re consult and finalise a legal agreement prior to the 13 week determination deadline. A reduced scheme will however result in less affordable housing in terms of numbers of units as the Council at present only seeks 10% shared ownership homes for schemes of 70 dwellings or more.

PART C: RECOMMENDATION

13.0 **Recommendation**

13.1 Refuse

14.0 **PART D: LIST OF REFUSAL REASON(S)**

Reason(s)

1. Type of housing

The proposal does not provide sufficient family homes nor affordable family homes such that it does not comply with Policy 4 (Type of Housing) of the Local Development Framework Core Strategy (Submission Document) November 2007 (found to be sound August 2008) in terms of providing a mix of dwelling types in the Borough to meet assessed need.

2. Design

The form of three storey buildings will result in the proposal being out of keeping with the character of the surrounding area such that it does not accord with policy EN1(Design) of The Adopted Local Plan for Slough 2004 nor Policy 9 (Built Environment) nor Policy 4 (Type of Housing) of the Local Development Framework Core Strategy (Submission Document) November 2007 (found to be sound August 2008) .

3. Design - tree

The relationship of a retained tree to plot 14 is poor design in terms of residential amenity - light to property and affect on useable garden space such that the proposal does not comply with Policies EN1 (Design) and H14 (Amenity Space) of The Adopted Local Plan for Slough 2004.

4. Design -overlooking

The relationship of plot 4 to the adjacent property is poor design in that the separation distance of habitable room windows is not typical of the area and will have an adverse effect on residential amenity of the dwelling concerned. The proposal does not therefore accord with

Policy EN1 (Design) of The Adopted Local Plan for Slough 2004.

5. Affordable Housing

The provision of a satisfactory package of social and other affordable housing for the site has not been proposed nor secured in terms of type, affordability and availability to those in most housing need. Consequently the proposal is not in accordance with Policy 4 (Type of Housing) of the Local Development Framework Core Strategy (Submission Document) November 2007 (found to be sound August 2008) .

6. Education

A financial contribution towards new educational facilities to accommodate pupils from the development has not been proposed nor secured. Consequently the proposal is not in accordance with The Adopted Local Plan for Slough 2004 Policy OSC 15 (Provision of Facilities in New Residential Developments) nor with Policy 10 (Infrastructure) of the Local Development Framework Core Strategy (Submission Document) November 2007 (found to be sound August 2008).

7. Other Section 106 matters

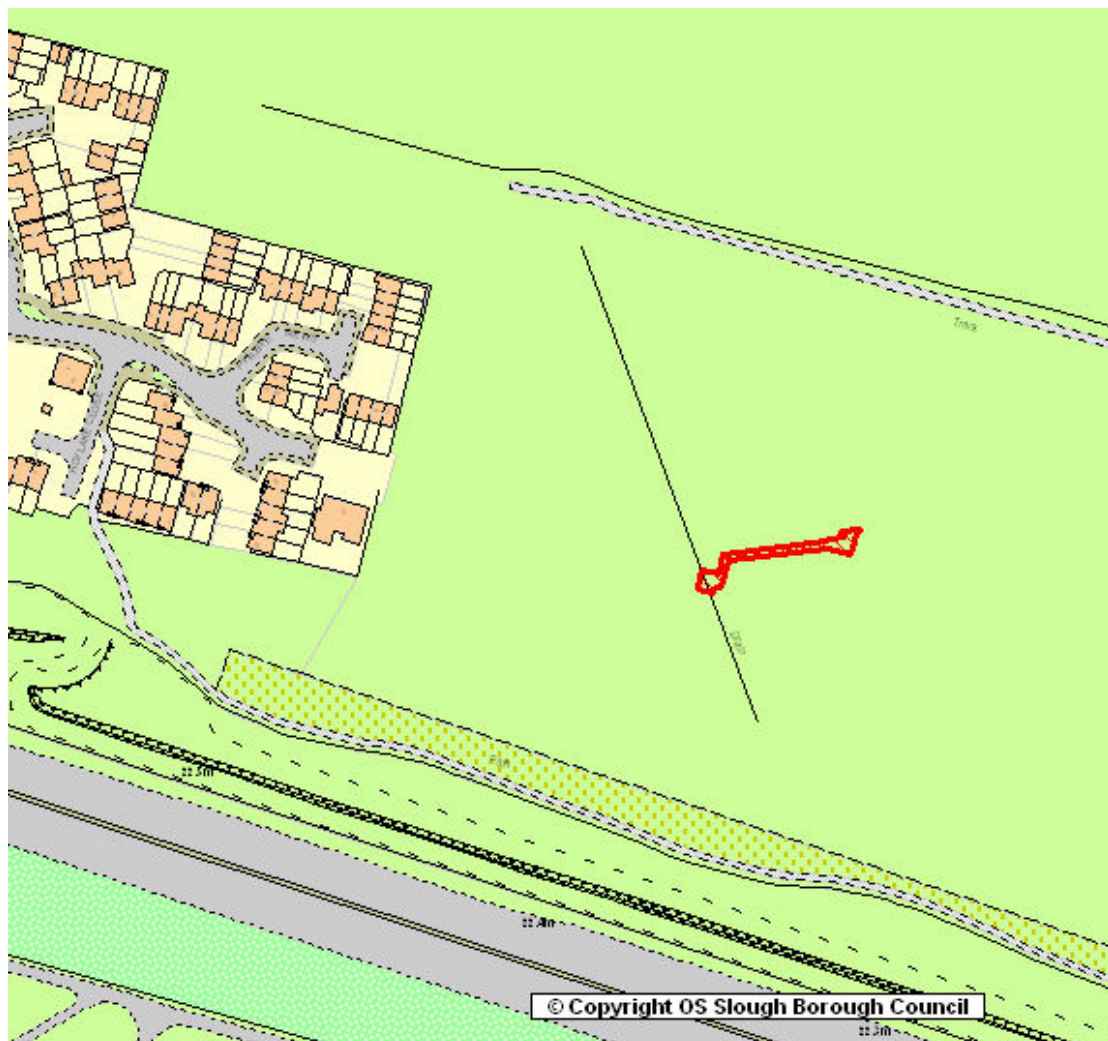
The provision of suitable recreation facilities, off site highway works, transport provision (travel plan), on site footpath rights, sustainable design and construction have not been secured consequently the proposal is not in accordance with The Adopted Local Plan for Slough 2004 Policy OSC 15 (Provision of Facilities in New Residential Developments) nor with Policy 10 (Infrastructure) Policy 7 (Transport) Policy 8 (Sustainability and the Environment) of the Local Development Framework Core Strategy (submission document) November 2007 (found to be sound August 2008).

8. Highway

The proposed widening of Brook Path would result in an unacceptable narrowing of footway and the relationship of parking spaces to the new pedestrian link in the north west corner of the site is unacceptable such that the proposal would not be in accordance with Policy 7 (Transport) of the Local Development Framework Core Strategy (Submission Document) November 2007 (found to be sound August 2008) in terms of road safety and encouraging non car modes of travel.

Registration Date	07-Jul-2008	Applic. No	P/08770/066
Officer	Mr. Albertini	Ward	Cippenham Meadows
Applicant	Barratt Homes Ltd		
Agent	Roger Rippon, Rippon Development Services 19, Christchurch Gardens, Reading, RG2 7AH		
Location	Land adj to extension of, Eltham Avenue, Cippenham, Slough, Berks		
Proposal	WIND TURBINE (95 METRE HIGH TOWER; 140 METRES TO BLADE TIP) AND SUB STATION (OUTLINE)		

Recommendation: Refuse



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Refuse

1.2 'Having considered the relevant Policies below, the development is considered to have an adverse affect on sustainability and the environment for the reasons set out'.

PART A: BACKGROUND

2.0 **Proposal**

2.1 The turbine consists of a 95 metre high tower with 4.5 metre diameter base and a three blade rotor on top. The swept diameter of the blades is 90 metres and the maximum height to blade tip is 140 metres. The rotor and blades can rotate horizontally on the tower within a 90 metre diameter oversail of the around the tower. Clearance under the blades is 50 metres above ground level

2.2 The application is outline such that the precise appearance of the equipment and the turbine type is not part of the application but the maximum power is expected to be 3 MW. Electricity from the turbine is expected to supply the national grid. The applicants indicate it could potentially provide a local supply to, for example, street lights on the new estate.

2.3 The application includes a 2.4 metre high and 5 metre long sub station next to the recently completed extension of Eltham Avenue.

2.4 Supporting information includes a planning statement, some technical consultee responses, analysis of noise, shadow flicker, TV reception and landscape/visual impact. The later includes photomontages of nearby, local and distant views e.g. Windsor Castle; river Thames.

2.5 For comparison purposes the 95 metre tower is about 10 metres higher than the one next to the M4 at Green Park Reading.

3.0 **Application Site**

3.1 The site is in the middle of playing fields currently being laid out and on the edge of the associated car park. It is also next to a new road linking the new 300 home development to Eltham Avenue.

3.2 The turbine tower is 115 metres from the nearest home in Eltham Avenue and 120 metres from the motorway. It is 60 metres from the proposed changing room building and 135 metres from the edge of Western House School grounds. Part of the football pitches, car

park and Eltham Avenue extension will be overhauled by the rotating blades.

4.0 **Site History**

- 4.1 Green Wedge playing field and planting approved (P/8770/48). 300 homes and playing fields approved in outline 2006 and master plan approved 2007. Changing room and car park approved 2008.

5.0 **Neighbour Notification**

- 5.1 All homes within about 400 metres of the site (This includes all homes south/east of the stream/great hedge) plus others nearby or likely to get a very clear view of the turbine if it were built e.g. Gladstone Way.

- 5.2 74 letters of objection with standard or similar content raising the following:

Direct Noise – of rotation/mechanical noise

Wind Thump – noise as blade passes tower can be heard a mile away

Indirect noise – low frequency noise transmitted through the ground can be felt in homes up to 1.5 miles away.

All the above can be intrusive and disturbing to residents.

Shadow flicker. Blinds reduce enjoyment of view from window.

Separation distance - Examples given of separation distances of other turbines from homes e.g. 800m 850 m 1,000 feet. Nearby buildings and terrain affect wind speed.

Safety – example of debris thrown 500m away

Green Credentials – turbines do not replace conventional power stations as variable nature of wind needs to be allowed for re capacity; more time and energy spent on electricity grid for variable output of wind power, carbon footprint payback period variable depending upon what is taken into account; turbines cant work in high winds.

Effect on house prices

Commercial interests – Barratt have vested interest; they are supplying the land. Power will not necessarily go to Slough. Carbon off-set rather than investing in energy efficient homes.

Revenue generation; Barratt have said installation is multi million pounds. Barratt benefit from revenue rather than tackling energy efficiency.

- 5.3 52 other letters raising similar issues to above (and some with standard comments) plus other issues: affect on wildlife/bats, unsightly, overshadow home, not safe where children playing, residential area unsuitable, too near school, affect on TV reception, doubtful efficiency of wind power, noise calculation errors, affect on radar/air traffic, health risk of electromagnetic field, ruin view from windows, intimidation of overbearing structure near residents, no consultation with wildlife bodies, question lack of an Environmental Impact Assessment, photomontages not verified, no site selection process, question lack of technical data, r
Height described incorrectly (should be 140 metres)

Western House School Governors object – unsightly; too high, noise, flicker affect pupils.

One letter of support but with some concerns.

- 5.4 The applicant undertook consultation with residents in Cippenham prior to submitting the application. The applicants have sent resident comments to the Council.

- 5.5 Petition
One petition received with over 1,000 signatures objecting to the proposal and listing the following concerns :

Safety – too close to residential and school
Community Impact – Noise, Vibration, Flicker
Property Blight
TV/Radio reception interference.

Business located in residential area with no benefit to the community.

6.0 **Consultation**

- 6.1 **Highways/Traffic** : no objection

- 6.2 **Neighbourhood Enforcement (Noise)**
Do not think noise assessment carried out properly. Suggest various conditions if the scheme is approved. It is unclear how some conditions could be complied with such that further information is likely to be needed if the application is to be approved.

- 6.3 **Parks Section** (re future responsibility for recreation land).
No specific concerns about affect on playing football near turbine although advice should be sought from appropriate organisations

e.g. Sport England. They do have concerns about affect on users of the public space next to the site.

- 6.4 **BAA (on behalf of Civil Aviation Authority)**
Response expected prior to meeting; holding response is 'object'.
- 6.5 **NATS (National Air Traffic Control)**
No objection
- 6.6 **Dept. of Cultural Media and Heritage (Re affect on Windsor Castle)**
No comments received.
- 6.7 **South Bucks District Council:** No objection
- 6.8 **Royal Borough of Windsor and Maidenhead**
Concerned about noise affecting residents; ask for those to be consulted; ask for impact on residents in Borough to be considered. Ask for affect on setting of Windsor Castle and historic park to be considered.
- 6.9 **Consultations undertaken by applicant**
(Government policy requests the applicant undertake consultation with communications and infrastructure organisations and include responses as part of the application).

Defence Estates,
Highways Agency
Orange
Southern Electric
Pipex Communications
T Mobile
BT Wholesale
Cable and Wireless
MLL Telecom
Vodafone
Hutchinson 3G UK
National Grid Wireless
Arqiva
The Joint Radio Company

The responses from the above, copied by the applicant, state either that there is no objection or that the proposal is unlikely to affect operations.

PART B: PLANNING APPRAISAL

- 7.0 **Policy Background**
- 7.1 Government Planning Policy Statement 22 (Renewable Energy) generally encourages renewable energy developments. It states

that wider environmental and economic benefits, whatever their scale, are material considerations and should be given significant weight. It also states Council's should not make assumptions about the technical and commercial feasibility of renewable energy projects. Supporting companion guidance outlines various issues that Council's must address. These are addressed below and include relevant Core Strategy and Local Plan policies.

- 7.2 The South East Plan (including proposed changes) has a policy direction Council's to encourage renewable energy to help meet regional targets. It also refers to the need to consider impacts on landscape and amenity and affects on designated areas (such as green belt).
- 7.3 The Local Plan policy OSC 7 (Cippenham Green Wedge) seeks to keep the area as open space and open land allowing only buildings ancillary to open space and not allowing uses that do not retain the open landscape character. This proposal would not comply fully with this policy.
- 7.3 Some of the appraisal below is based upon information supplied by the Council's consultant Atkins.

8.0 **Landscape and Visual Impact**

- 8.1 As the turbine is very close to residential property it will be a very dominant feature when looking out of windows or from gardens. The turbine will be overbearing and will adversely affect residential amenity to such a degree that the benefit of having a renewable energy source is out weighed by the dis benefits to local residents and the visual amenity of the nearby residential area.
- 8.2 Homes to the west of the site (Eltham Ave. and Philbye Mews) would be affected most; the distance from the tower will be less than the total height of the turbine in many cases. Other homes nearby would also be adversely affected, to a lesser degree, such as Marcia Court 235 m metres away and recently permitted homes 160 metres away.
- 8.3 Tree planting will not be able to significantly screen the turbine. Furthermore there is very limited space to plant trees because of the football pitches. A structure of this type and size is not appropriate in a residential suburban area. The applicants visual analysis states that the significance of the visual impact will be substantial in some cases.
- 8.4 The turbine would also be a very obvious feature on the skyline for many other parts of Cippenham and beyond where views are not blocked by immediately adjacent buildings or trees. The applicants describe the significance of the visual impact as 'moderate'.

Cippenham does not have many tall structures for a new structure to be considered typical of the landscape. It should be noted that some electricity pylons used to exist nearby until a few years ago.

- 8.5 Regarding more distant viewpoints the turbine will have some impact but, in general, even if significant any adverse affects could be out weighed by the benefits of having a renewable energy source. However the Council's consultant questions the completeness and interpretation of some of the applicants analysis of impacts in particular the impact on the view from Windsor Castle and the setting of the Castle and other heritage sites. A different analysis may result in a different conclusion.
- 8.6 The turbine is not far from the green belt south of the motorway and the setting of the green belt needs to be considered. The turbine will be very obvious when viewed from the green belt but because of the background urban landscape and adjacent sewage works any adverse affects are limited.

9.0 **Noise**

- 9.1 There are a number of queries regarding the applicants noise assessment such that there is insufficient information to fully assess the proposal. One query relates to the selected noise monitoring points. These should be the nearest homes but the only information supplied relates to homes further away.

As the turbine is close to residential property accurate noise information is needed to make decision. Levels may well be high enough to warrant refusal of the application. There are two types of noise source relevant; mechanical noise from within the hub of the turbine and aerodynamic noise from the blades going through the air. Noise levels are judged against increases above existing background levels. It should be noted that mechanical noise of modern turbine designs is less than in the past.

10.0 **Shadow Flicker**

- 10.1 This is the effect of the turning blades in front of a low sun on people in homes nearby (existing or permitted). The applicants assessment shows that flicker for some homes will be below the accepted threshold. They propose mitigation measures for the worst affected homes such as tree planting, installation of window coverings and careful treatment of rotor blade surfaces. For other homes they conclude disturbance will not be material. They also state the rotation speed will not be great enough to adversely affect epileptics.
- 10.2 The Council's consultant considers the assessment to have underestimated the effects. However based on the applicants information

the proposal is considered unacceptable. There are no details of mitigation works to prove the problem can be overcome. There is very limited scope for effective tree planting because of the playing fields between turbine and many homes affected. Furthermore offering window coverings to occupiers is not an acceptable mitigation measure.

11.0 **TV Reception**

11.1 The applicants assessment concludes that some homes west of the turbine are likely to be affected significantly but remedial action can be taken. This is accepted as reasonable provided the remedial action can be secured in a Section 106 obligation. That obligation ought to cover action for any other homes affected beyond those identified by the applicant if the application were to be approved.

12.0 **Health and Safety**

12.1 The chance of the tower toppling or parts falling or ice being shed is very low. However this scheme is unusual in that it oversails an area that will be well used compared to most if not all other large turbines. Below will be a public building, public recreation space and a highway linking residential areas. Consequently safety is a relevant consideration including perceived safety threats in that some people may be put off using the public space or road and paths below which are key amenities and infrastructure necessary for a residential area. The Council's consultant considers safety and level of risk should have been assessed by the applicant.

12.2 Government guidance indicates that noise and visual impacts will normally result in separation distances greater than that wanted for safety reasons. But as there are outstanding concerns about these impacts and associated distances safety is still a relevant issue. Furthermore guidance suggests it is normal to have a separation distance of the total height plus 10%. This zone would overlap the motorway, several homes as well as the features mentioned above. Highway safety linked distraction by drivers is not considered an issue.

12.3 Based upon the information available the proposal is considered unacceptable.

12.4 A point to note but not directly linked to planning considerations is the land around the turbine will become the Council's responsibility in the future under the terms of an existing Section 106 agreement. Construction of a turbine would temporarily limit use of part of football pitches.

13.0 **Other Matters**

- 13.1 Depending upon comments from BAA re Heathrow Airport a further reason for refusal may be necessary. If the application were to be approved the Council would first need to satisfy itself that the Ministry of Defence and Highways Agency responses provided by the applicant are still current and that White Waltham aerodrome are content.
- 13.2 Regarding ecology the Council's consultant advises that an assessment of potential affects primarily on birds and bats would be needed if the application were to be approved. However, based on Government guidance and the habitats nearby it is most unlikely that any impact would prevent a single turbine going ahead.
- 13.3 The presence of a turbine next to the motorway could be seen as a land mark and contribute positively to the image of Slough. This needs to be balanced with the negative aspects for those living nearby.
- 13.4 For comparison purposes the turbine at Reading is not near a residential area. The area below it is accessible to the public, including a tennis court but its purpose and level of use is very different to that proposed at Slough. There are no comparable turbines located next to residential areas.

14.0 **Summary**

- 14.1 Encouraging renewable energy is clearly a Government priority and is supported by the Council's Core Strategy. Furthermore Government guidance indicates the benefits of even small scale schemes should be a material consideration. However this still needs to be balanced with local planning policy. Turbines are not normally in residential areas and this scheme is so close to homes that the negative effects for residents are too great to outweigh the wider energy benefits. There is no evidence that mitigation measures could successfully overcome the problems. The turbine did not feature in the master plan for the wider area that has already been approved. There is no rationale as to why this site should feature a turbine compared to other sites in the wider area. Furthermore some information is missing for the scheme to be accepted.

PART C: RECOMMENDATION

15.0 **Recommendation**

- 15.1 Refuse

PART D: LIST OF REFUSAL REASON(S)Reason(s)

1. Visual Amenity

The residential amenity of nearby existing homes will be adversely affected by the size of the turbine and its proximity to those homes in terms of visual amenity and sense of it being overbearing.

Consequently the proposal is not in accordance with The Adopted Local Plan for Slough 2004 Policy EN1 (Design) and Policy 9 (Built Environment) of the Local Development Framework Core Strategy (Submission) November 2007 (confirmed sound August 2008).

2. Noise

The noise assessment is inadequate to judge the impact of noise on residential property. Consequently it is unclear if Planning Policy Guidance 24 (Noise) and policy 8 (Sustainability and the Environment) of the Local Development Framework Core Strategy (Submission) November 2007 (confirmed sound August 2008) can be complied with.

3. Shadow Flicker

The assessed shadow flicker will have an adverse affect on residential amenity such that the proposal does not comply with policy 8 (Sustainability and the Environment) of the Local Development Framework Core Strategy (Submission) November 2007 (confirmed sound August 2008) in terms of quality of design.

4. Safety

The rotor blades oversailing of a public highway, proposed public building/car park and public recreation area is considered to be a potential safety hazard or perceived hazard which is poor design and will hinder use of these public recreation and transport facilities. Consequently the proposal does not comply with The Adopted Local Plan for Slough 2004 Policy EN 1 (Design) nor Policy 8 (Sustainability and the Environment) of the Local Development Framework Core Strategy (Submission) November 2007 (confirmed sound August 2008) in terms of quality of design.

5. TV reception

The need for mitigation measures to ensure television reception for homes west of the site is not affected has not been fully agreed nor secured such that the proposal is unacceptable. Consequently the proposal does not comply with Planning Policy Statement 22 Renewable Energy companion guide.

SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee **DATE:** 22nd October 2008

CONTACT OFFICER: David Scourfield
Head of Development and Control
(For all Enquiries) (01753) 875866

WARD(S): All

PART I

FOR DECISION

UPDATE ON THE NEW PERMITTED DEVELOPMENT RIGHTS FOR HOUSEHOLD DEVELOPMENT

1.0 **Purpose of Report**

1.1 To update Members on changes to householder permitted development rights following The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, which came into force on 1st October 2008.

2.0 **Recommendation**

The Committee is requested to note the contents of the report.

3.0 **Community Strategy Priorities**

- **Being Safe, Feeling Safe**
- **A Cleaner, Greener place to live, Work and Play**
- **Prosperity for All**

The new permitted development regime is aimed at making small scale development to residential properties easier in terms of not requiring planning permission. In this sense the changes should help satisfy the Sustainable Community Strategy Priorities identified above.

4.0 **Other Implications**

(a) **Financial**

The Consultation Review documents circulated prior to the introduction of the permitted development amendments forecast a potential reduction in small scale extension applications of 15%. It is not clear how this forecast was made but it is anticipated that there may be some loss of application fees given the amendments. This will be, to some extent off set by fees in

association with the Certificates of Lawful Development that should be submitted in respect of the permitted development.

In terms of staffing the reduction in workload from any drop in planning applications at the lower level will be more than compensated by the officer time spent dealing with enquires on what are complex amendments to the permitted development regime. In addition it is anticipated that the changes will lead to an increase in enforcement workload.

(b) Human Rights Act and Other Legal Implications

There are no specific issues arising as a result of this report

(c) Workforce

As specified in relation to (a)

5.0 **Supporting Information**

5.1 Permitted development is development that can be undertaken without the need for a planning application to be submitted to the local planning authority. The Government wishes to give as much freedom as possible for people to extend their homes, such as building extensions and loft conversions, particularly given current pressures in the housing market.

5.2 The Government has a number of objectives for the changes to the permitted development rights. These are presented below with comments.

- to make the need for specific planning permission proportionate to the impact of the development
- To provide clarity, simplicity and consistency
- to keep the number of planning applications to a minimum
- to ensure the legislation is and can remain relevant to new technologies and changing lifestyles.

5.3 While the overall aim is to relax the planning regime, the review proposals would also introduce a need for planning applications for householder developments with potential adverse impacts, which are currently allowed.

5.4 **An impacts-based approach**

The new regime replaces the existing complex system of using percentages and volumes to calculate allowances for domestic extensions to the **original property**, with rules relying on dimensions.

The changes generally provide extra freedom for permitted development so long as developments have little or no impact beyond the host property.

The impacts of domestic developments on adjoining properties which the new regime takes into account include:

- overlooking – loss of privacy
- overshadowing – loss of daylight

In most cases these impacts are measured quantitatively and the permitted development regime is expressed in terms of heights, distances and other clear measurements and limits.

Wider impacts are those which affect the character and appearance of the immediate street scene. These impacts are measured qualitatively rather than quantitatively and are therefore more subjective than those listed above.

Another broader set of possible impacts which the proposed regime takes into account are:

- harm to designated areas such as conservation areas or Areas of Outstanding Natural Beauty
- harm to listed buildings
- harm through the cumulative impact of a number of small developments – e.g. water drainage capacity in an area being adversely affected by the building of a large number of concrete hard surfaces

As detailed above the changes are quite widespread and complex in relation to householder development.

Attached as Appendix 1 are the Planning Portals summary of the implications for the main types of development covered by the General Permitted Development Order.

Appendix 2 presents the Order itself.

It should be noted that the Permitted Development Rights will not apply in some circumstance where Conditions attached to planning permission on a property restrict or remove Permitted Development Rights.

5.5 Enforcement matters

Any householder who has already received a Certificate of Lawfulness for Proposed Development but has not commenced works by 01 October 2008 will need to examine whether the proposals constitute permitted development under the new regulations.

Where development has been carried out prior to 01 October 2008 that fails to meet the permitted development limits in force at that time, but they meet the new permitted development limits, it is unlikely to be considered expedient to take enforcement action. However as a Certificate of Lawfulness of Existing Development cannot be issued for those works at this time as they would not have been permitted development when development commenced, any householder requiring documentation for those works will need to make a retrospective planning application or wait for four years until the development is immune from enforcement action and make an application for a Certificate of Lawfulness of Existing Development at that time.

6.0 **Comments of Other Committees**

6.0 None

7.0 **Conclusion**

7.1 It is anticipated that Slough Borough Council will continue to meet and exceed its performance standards on NI 157 during the forthcoming audit year 2008/09

8.0 **Appendices Attached**

8.1 Appendix 1 Summary of main provisions of the new Permitted Development Regime

8.2 Appendix 2 The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008

9.0 **Background Papers**

The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008

Summary of main provisions of the new Permitted Development Regime

Extensions

The Government has introduced the following limits for extensions that will be allowed without the need for specific planning permission:

- No extension forward of the principal elevation or side elevation facing onto and visible from a highway. 'Principal elevation' will in almost all cases be the front of the house. **(note: this is not defined within the legislation and is likely to be a significant point of contention for professional planners and member of the public)**
- Maximum depth of a single-storey rear extension is three metres for an attached house (ie Semi or terrace) or four metres for a detached house.
- Maximum depth of a rear extension of more than one storey is three metres, including ground floor.
- In designated areas (ie conservation areas) no permitted development for rear extensions of more than one storey.
- Maximum eaves height of extension three metres within two metres of boundary.
- Maximum eaves and ridge height of extension no higher than existing house.
- Side extensions to be single storey with maximum height of four metres and width no more than half that of the original house.
- Two-storey extensions no closer than seven metres to rear boundary
- Roof pitch of extensions higher than one storey to match existing house.
- Side-facing windows and (roof lights in roofs) above one storey to be obscure-glazed; top opening allowed.
- Materials to match existing house.
- No raised terraces, verandas or balconies.
- Maximum 50 per cent coverage of curtilage of building to be developed.
- In designated areas side extensions and cladding will require planning permission.

Loft conversions - proposed regime

The Government keeps the current volume-based approach which it believes to be most suitable to allow the creation of adequate living space in lofts. These are the limits:

- 40 cubic metres loft extension for terraced houses.
- 50 cubic metres loft extension for semi-detached or detached houses.
- Extensions must start a minimum of 0.2 metres from the eaves to maintain the visual appearance of a roof line.
- No extension beyond the plane of the existing roof slope fronting the highway (ie no side or front dormers on houses next to a highway)
- No extension to be higher than the ridge.
- Materials to match the existing house.
- No raised terraces, verandas or balconies.
- Side-facing windows to be obscure-glazed; top opening allowed.
- Planning permission will be required in designated areas (ie conservation areas)
- Alterations should not project more than 150 millimetres from the existing roof plane.(ie roof lights)

Curtilage developments (Slough Stores)

- No outbuilding, garage or swimming pool forward of the principal elevation facing onto and visible from a highway.
- Outbuildings and garages to be single storey with maximum eaves height 2.5 metres and maximum overall height of four metres with a dual pitched roof or three metres with a mono-pitched roof
- Maximum height 2.5 metres within two metres of a boundary
- Within Designated areas the maximum coverage of garages and outbuildings 30 square metres if the garden covers more than 100 square metres or 20 square metres if the garden is less than 100 square metres.
- No raised terraces, verandas or balconies to be added to the house.
- Maximum 50 per cent coverage of garden.
- In designated areas, outbuildings at the side of properties will require planning permission.

Paving over front garden

Where the hard surface is on land between a principal elevation and the highway, and is more than 5 square meters:

- The hard surface should be made of porous materials or
- Provision should be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house .

STATUTORY INSTRUMENTS

2008 No. 2362

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008

<i>Made</i>	- - - -	<i>4th September 2008</i>
<i>Laid before Parliament</i>		<i>10th September 2008</i>
<i>Coming into force</i>	- -	<i>1st October 2008</i>

The Secretary of State, in exercise of the powers conferred by sections 59, 60, 61 and 333(7) of the Town and Country Planning Act 1990(a), makes the following Order:

Citation, commencement, interpretation and application

1.—(1) This Order may be cited as the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 and shall come into force on 1st October 2008.

(2) In this Order “the 1995 Order” means the Town and Country Planning (General Permitted Development) Order 1995(b).

(3) This Order applies in relation to England only.

World Heritage Sites

2.—(1) The 1995 Order is amended in accordance with this article.

(2) In article 1(2) (citation, commencement and interpretation)—

(a) in the definition of “the Use Classes Order” for “.” substitute “; and”; and

(b) after the definition of “the Use Classes Order” insert—

““World Heritage Site” means a property appearing on the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage.”.

(3) In Part 2 (article 1(5) land) of Schedule 1—

(a) at the end of paragraph (e) for “.” substitute “; and”; and

(b) after paragraph (e) insert—

“(f) a World Heritage Site.”.

(a) 1990 c.8; to which there are amendments not relevant to this Order. These powers are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672: *see* the entry in Schedule 1 for the Town and Country Planning Act 1990 (c.8) as substituted by article 4 of, and Schedule 3 to, the National Assembly for Wales (Transfer of Functions) Order 2000 (S.I. 2000/253). By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c.32), they were transferred to the Welsh Ministers.

(b) S.I. 1995/418. Relevant amendments were made by S.I. 2005/2935 and S.I. 2008/675.

(4) In paragraph G.1 of Part 40 (installation of domestic microgeneration equipment) of Schedule 2—

- (a) in the definition of “stand alone solar” for “;” substitute “.”; and
- (b) omit the definition of “World Heritage Site”.

Development within the curtilage of a dwellinghouse

3. In Schedule 2 to the 1995 Order, for Part 1 (development within the curtilage of a dwellinghouse) substitute the text set out in the Schedule to this Order.

Installation of Domestic Microgeneration Equipment

4. In paragraph A.1. of Part 40 (installation of domestic microgeneration equipment) of Schedule 2 to the 1995 Order, omit “or roof slope” from sub-paragraphs (c)(i) and (c)(ii).

4th September 2008

Hazel Blears
One of Her Majesty’s Principal Secretaries of State
Department for Communities and Local Government

“PART 1
DEVELOPMENT WITHIN THE CURTILAGE OF A
DWELLINGHOUSE

Class A

Permitted development

A. The enlargement, improvement or other alteration of a dwellinghouse.

Development not permitted

A.1 Development is not permitted by Class A if—

- (a) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- (b) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;
- (c) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;
- (d) the enlarged part of the dwellinghouse would extend beyond a wall which—
 - (i) fronts a highway, and
 - (ii) forms either the principal elevation or a side elevation of the original dwellinghouse;
- (e) the enlarged part of the dwellinghouse would have a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
- (f) the enlarged part of the dwellinghouse would have more than one storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;
- (g) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;
- (h) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—
 - (i) exceed 4 metres in height,
 - (ii) have more than one storey, or
 - (ii) have a width greater than half the width of the original dwellinghouse; or
- (i) it would consist of or include—

- (i) the construction or provision of a veranda, balcony or raised platform,
- (ii) the installation, alteration or replacement of a microwave antenna,
- (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
- (iv) an alteration to any part of the roof of the dwellinghouse.

A.2 In the case of a dwellinghouse on article 1(5) land, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.

Conditions

A.3 Development is permitted by Class A subject to the following conditions—

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be—
 - (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and
- (c) where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Class B

Permitted development

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development not permitted

B.1 Development is not permitted by Class B if—

- (a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;
- (b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;
- (c) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—
 - (i) 40 cubic metres in the case of a terrace house, or
 - (ii) 50 cubic metres in any other case;
- (d) it would consist of or include—

- (i) the construction or provision of a veranda, balcony or raised platform, or
- (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or
- (e) the dwellinghouse is on article 1(5) land.

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

- (a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) other than in the case of a hip-to-gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves of the original roof; and
- (c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall be—
 - (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Interpretation of Class B

B.3 For the purposes of Class B “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

Class C

Permitted development

C. Any other alteration to the roof of a dwellinghouse.

Development not permitted

C.1 Development is not permitted by Class C if—

- (a) the alteration would protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;
- (b) it would result in the highest part of the alteration being higher than the highest part of the original roof; or
- (c) it would consist of or include—
 - (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

Conditions

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse shall be—

- (a) obscure-glazed; and
- (b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Class D

Permitted development

D. The erection or construction of a porch outside any external door of a dwellinghouse.

Development not permitted

D.1 Development is not permitted by Class D if—

- (a) the ground area (measured externally) of the structure would exceed 3 square metres;
- (b) any part of the structure would be more than 3 metres above ground level; or
- (c) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.

Class E

Permitted development

E. The provision within the curtilage of the dwellinghouse of—

- (a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or
- (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

Development not permitted

E.1 Development is not permitted by Class E if—

- (a) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- (b) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;
- (c) the building would have more than one storey;
- (d) the height of the building, enclosure or container would exceed—
 - (i) 4 metres in the case of a building with a dual-pitched roof,
 - (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or
 - (iii) 3 metres in any other case;
- (e) the height of the eaves of the building would exceed 2.5 metres;
- (f) the building, enclosure, pool or container would be situated within the curtilage of a listed building;
- (g) it would include the construction or provision of a veranda, balcony or raised platform;
- (h) it relates to a dwelling or a microwave antenna; or
- (i) the capacity of the container would exceed 3,500 litres.

E.2 In the case of any land within the curtilage of the dwellinghouse which is within—

- (a) a World Heritage Site,

- (b) a National Park,
- (c) an area of outstanding natural beauty, or
- (d) the Broads,

development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.

E.3 In the case of any land within the curtilage of the dwellinghouse which is article 1(5) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.

Interpretation of Class E

E.4 For the purposes of Class E, “purpose incidental to the enjoyment of the dwellinghouse as such” includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.

Class F

Permitted development

F. Development consisting of—

- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or
- (b) the replacement in whole or in part of such a surface.

Conditions

F.1 Development is permitted by Class F subject to the condition that where—

- (a) the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and
- (b) the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,

either the hard surface shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Class G

Permitted development

G. The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

Development not permitted

G.1 Development is not permitted by Class G if—

- (a) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or
- (b) in the case of a dwellinghouse on article 1(5) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—

- (i) fronts a highway, and
- (ii) forms either the principal elevation or a side elevation of the dwellinghouse.

Class H

Permitted development

H. The installation, alteration or replacement of a microwave antenna on a dwellinghouse or within the curtilage of a dwellinghouse.

Development not permitted

H.1 Development is not permitted by Class H if—

- (a) it would result in the presence on the dwellinghouse or within its curtilage of—
 - (i) more than two antennas;
 - (ii) a single antenna exceeding 100 centimetres in length;
 - (iii) two antennas which do not meet the relevant size criteria;
 - (iv) an antenna installed on a chimney, where the length of the antenna would exceed 60 centimetres;
 - (v) an antenna installed on a chimney, where the antenna would protrude above the chimney; or
 - (vi) an antenna with a cubic capacity in excess of 35 litres;
- (b) in the case of an antenna to be installed on a roof without a chimney, the highest part of the antenna would be higher than the highest part of the roof;
- (c) in the case of an antenna to be installed on a roof with a chimney, the highest part of the antenna would be higher than the highest part of the chimney, or 60 centimetres measured from the highest part of the ridge tiles of the roof, whichever is the lower; or
- (d) in the case of article 1(5) land, it would consist of the installation of an antenna—
 - (i) on a chimney, wall or roof slope which faces onto, and is visible from, a highway;
 - (ii) in the Broads, on a chimney, wall or roof slope which faces onto, and is visible from, a waterway; or
 - (iii) on a building which exceeds 15 metres in height.

Conditions

H.2 Development is permitted by Class H subject to the following conditions—

- (a) an antenna installed on a building shall, so far as practicable, be sited so as to minimise its effect on the external appearance of the building; and
- (b) an antenna no longer needed for reception or transmission purposes shall be removed as soon as reasonably practicable.

Interpretation of Class H

H.3 The relevant size criteria for the purposes of paragraph H.1(a)(iii) are that:

- (a) only one of the antennas may exceed 60 centimetres in length; and
- (b) any antenna which exceeds 60 centimetres in length must not exceed 100 centimetres in length.

H.4 The length of the antenna is to be measured in any linear direction, and shall exclude any projecting feed element, reinforcing rim, mounting or brackets.

Interpretation of Part 1

I. For the purposes of Part 1—

“raised” in relation to a platform means a platform with a height greater than 300 millimetres; and

“terrace house” means a dwellinghouse situated in a row of three or more dwellinghouses used or designed for use as single dwellings, where—

- (a) it shares a party wall with, or has a main wall adjoining the main wall of, the dwellinghouse on either side; or
- (b) if it is at the end of a row, it shares a party wall with or has a main wall adjoining the main wall of a dwellinghouse which fulfils the requirements of sub-paragraph (a).”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (General Permitted Development) Order 1995 (“the 1995 Order”). The 1995 Order confers permitted development rights in respect of certain development. Where such rights apply, no specific application for planning permission is needed.

Article 2 adds World Heritage Sites to the list of land in Part 2 of Schedule 1 to the 1995 Order (known as “article 1(5) land”). The 1995 Order confers a more restricted set of permitted development rights in relation to article 1(5) land. Articles 2(2) and 2(4) make consequential amendments.

Article 3 and the Schedule substitute a new Part 1 of Schedule 2 to the 1995 Order. Part 1 of Schedule 2 confers permitted development rights in relation to development within the curtilage of a dwellinghouse. The new Part 1 of Schedule 2 makes changes to the permitted development rights in relation to the enlargement, improvement or alteration of a dwellinghouse (Class A); the enlargement of a dwellinghouse consisting of an addition or alteration to its roof (Class B); any other alteration to the roof of a dwellinghouse (Class C); the provision within the curtilage of any building, enclosure, pool or container (Class E); and the provision within the curtilage of a hard surface (Class F). The previous Class G (erection or provision within the curtilage of a container) is subsumed within the new Class E. A new Class G confers permitted development rights in relation to the installation, alteration or replacement of a chimney, flue or soil and vent pipe. Classes D (erection or construction of a porch) and H (installation, alteration or replacement of a microwave antenna) are unchanged.

Article 4 amends the restrictions in Class A of Part 40 of Schedule 2 to the 1995 Order on the installation of solar photovoltaics or solar thermal equipment on a dwellinghouse or a building within its curtilage.

An impact assessment has been prepared in relation to this Order. The assessment has been placed in the Library of each House of Parliament and copies may be obtained from the Department for Communities and Local Government, Bressenden Place, London, SW1E 5DU (Telephone 020 7944 8716).

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SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee **DATE:** 22nd October 2008
CONTACT OFFICER: David Scourfield
(For all Enquiries) Head of Development and Control
(01753) 875854
WARD(S): All

PART I

FOR DECISION

UPDATE ON PERFORMANCE REGARDING SPEED OF DETERMINATION OF PLANNING APPLICATIONS

1.0 Purpose of Report

1.1 To update Members on the performance of the Planning section on National Performance Indicators relating to the speed of determination of Major planning applications (NI 157a), Minor planning applications (NI 157b) and Other planning applications – which includes householder applications (NI 157c).

2.0 Recommendation

2.1 The Committee is requested to note the contents of the report.

3.0 Community Strategy Priorities

- **Celebrating Diversity, Enabling inclusion**

The monitoring of the speed of determination of planning applications forms a central part in the governments approach to ensuring excellence in customer service. Meeting and exceeding government National Performance Indicators is one method of demonstrating good quality customer service and promoting inclusion.

- **Adding years to Life and Life to years**

The efficient determination of planning applications and assessment of impact can have a significant impact on the quality of life and life opportunities for young people.

- **Being Safe, Feeling Safe**
- **A Cleaner, Greener place to live, Work and Play**

The consideration of all planning applications involves the appraisal of impacts on the local environment and the implementation of the Core Strategy seeks to ensure that the environment of local neighbourhoods is maintained and enhanced so that people can both be and feel safe

- **Prosperity for All**

The efficient determination of planning applications has a direct impact on individual applicants and local communities. Whilst major planning applications account for only a small percentage of the overall application workload, their impact on local communities can be considerable. Improving overall performance within this category will help to ensure that local people are fully consulted on proposals.

Planning applications, particularly Major ones can have a significant impact on the town's economy and on the prosperity of local areas and expedient decision making would contribute to the towns overall prosperity.

4.0 **Other Implications**

(a) Financial

No significant financial implications. If the Council fails to meet the targets set by the Government there could be detrimental implications for the level of next year's Housing and Planning Delivery Grant allocation. Whilst the Grant allocation has moved towards criteria concerning housing provision and the progress of the LDF, failure to meet the NI targets could result in a lower grant allocation.

(b) Human Rights Act and Other Legal Implications

There are no specific issues arising as a result of this report.

(c) Workforce

No specific workforce issues.

5.0 **Supporting Information**

5.1. Appendix A to this report sets out performance against the three major planning application categories, for the current audit year to date (2008/09) and for the six years preceding this.

5.2. Taking the Minor and Other categories on planning applications first, Members are advised that, once again, performance has been maintained at standard very much higher than the required target. 94% of 'Other' applications were dealt within the 8-week period, for current year to date ending 30th September 2008 compared to 91% for the previous year (2007/08). For Minor applications, the current year to date figure of 86% is marginally up on the previous years final figure of 82% and is still well above Government targets of 65%.

- 5.3. The Majors performance has been strong for the last few years. Compared to the year-end (2007/08) figure of 76%, the figure for this year to date of 80% is both an improvement on last year and still well exceeds the Governments target of 60% .
- 5.4. The continued improvement and good performance on these NI's is a result of the performance culture now displayed within the planning service. It is also a measure of the cooperative working of members and the Planning Committee in respect of Call-Ins and decisive decision making at each Committee meeting.
- 5.5 It should be noted that this is the fourth year running that all three indicators on performance under NI157 would be met. It is important that this performance is maintained as there is an indication that the Government may be raising the target on all three application categories. It is anticipated that for the year 2010/11 the target may be 80% for all categories. However, this has yet to be confirmed.

6.0 **Comments of Other Committees**

6.1 None

7.0 **Conclusion**

7.1 It is anticipated that Slough Borough Council will continue to meet and exceed its performance standards on NI 157 during the forthcoming audit year 2008/09

8.0 **Appendices Attached**

8.1 Appendix 'A' - Development Control Performance

9.0 **Background Papers**

9.1 None

APPENDIX A

DEVELOPMENT CONTROL PERFORMANCE: NI157 (FORMERLY BVPI 109)
(Figures in bold exceed target)

2008/09 TO DATE

APPLICATION TYPES	BVPI TARGET	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09 TO DATE
<u>MAJOR</u>	60%	27	30	22%	67%	86%	76%	80%
<u>MINOR</u>	65%	58	66	90%	85%	91%	82%	86%
<u>OTHER</u> INCLUDES HOUSEHOLDERS	80%	74	77	92%	93%	94%	91%	94%

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SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee

DATE: 22nd October 2008

CONTACT OFFICER: Paul Stimpson, Head of Planning Policy & Projects
(For all enquiries) (01753) 875820

WARD(S): All

PART I

For Information

LOCAL DEVELOPMENT FRAMEWORK (LDF) PROPOSED ADOPTION OF SLOUGH CORE STRATEGY

1.0 Purpose of Report

1.1 To inform Member's about the Inspector's report for the Core Strategy and the proposal for Full Council to formally adopt the Core Strategy with the inclusion of the changes recommended by the Inspector.

2.0 Recommendation(s)/Proposed Action

2.1 The Committee is requested to note the contents of this report.

3.0 Community Strategy Priorities

The Core Strategy is an important spatial element of the Community Strategy and will contribute to the following emerging priorities:

- **Celebrating Diversity, Enabling inclusion**
- **A Cleaner, Greener place to live, Work and Play**
- **Prosperity for All.**

4.0 Other Implications

(a) Financial

There are no financial implications of proposed actions.

(b) Human Rights Act and Other Legal Implications

There are no specific implications arising directly from the report. The Core Strategy has been prepared in accordance with the relevant statutory procedures including the required consultation processes.

(c) Workforce

There are no specific implications arising directly from the report.

5.0 **Supporting Information**

Introduction

- 5.1 Under the new planning system Local Authorities are required to produce a Core Strategy which is the key overarching policy document within the Local Development Framework that all subsequent documents have to comply with.
- 5.2 The Slough Core Strategy has been through a long process which culminated in the plan being submitted to the Secretary of State in November 2007 and a Hearing being held in May this year.
- 5.3 The Inspector who held the Examination has now produced her report in which she has concluded that, subject to some changes being made, the Core Strategy is “sound”. The vast majority of these changes were agreed at the Hearing and they do not raise any significant issues. It should be noted that under the new system the Inspector’s report is binding and so there is no scope to reject her recommendations or to make any further changes at this stage.
- 5.4 Only around 5% of Authorities have so far managed to have their Core Strategies adopted and so Slough is now ahead of the field in producing a positive Local Development Framework.

Inspector’s report

- 5.5 A revised version of the Core Strategy which incorporates all of the Inspector’s recommended changes is available in the Member’s Room. The main points that came out of the Inspector’s report can be summarised as follows:

Spatial Strategy

- 5.6 With regard to the overall strategy of concentrating development in the town centre the Inspector concluded: *“I am satisfied that the overall spatial strategy sets out a coherent framework for achieving the spatial vision for Slough and provides certainty for site selection to take place in lower level DPD’s. It achieves a balance between facilitating Slough’s economic growth and consolidating its role as a regional hub with a strong emphasis on improving the environment, particularly through the regeneration of residential and older employment areas. It provides flexibility balanced with firm guidelines for protecting important features such as the Green Belt and the environmental quality of residential areas.*
- 5.7 Overall she concluded that *“the Core Strategy presents a clear, robust and locally distinctive spatial strategy.”* As a result there are no significant changes to the Spatial Strategy.

Green Belt

- 5.8 A number of objectors argued that there was a need to release land from the Green Belt for development. The Inspector, however, concluded: *“The spatial strategy of concentrating development and the emphasis on regeneration and redevelopment provide opportunities for improving the image, the environment and the quality of life in Slough’s built up area. In the absence of any evidence*

to demonstrate that there is insufficient land within the built up area to accommodate growth, reviewing the GB boundaries would weaken the spatial strategy and undermine its potential to deliver the spatial vision for Slough.”

- 5.9 She also concluded that it was , *“appropriate for the Core Strategy to set out the intention to carry out minor boundary reviews which would then be considered in detail when lower level DPDs are prepared.”* As a result there are no significant changes to Green Belt policy.

Housing Allocation

- 5.10 The housing allocation in the Core Strategy was based upon the draft South East Plan plus the additional 1,000 dwellings that were recommended by the Panel. Whilst the Inspector acknowledged that this was consistent with the advice from the Regional Assembly, she considered that it should be increased by a further 550 to take account of the earlier shortfall from the previous plan period.
- 5.11 This means that the allocation for Slough will now be a minimum of 6,250 for the twenty year period up to 2026 at an annual rate of 312 a year. This level of housing was anticipated at the Examination and the Council was able to demonstrate that it could be accommodated from identified sites. The Inspector was also satisfied that there was a 5 year land supply of housing.
- 5.12 Members will be aware that the Secretary of State has subsequently recommended that Slough’s housing allocation in the South East Plan should be increased by a further 600 dwellings. Further clarification is being sought as to how these figures fit together but it is likely that, since they are both expressed as “minimums”, Slough’s allocation will become 6,850. It is not considered that this will cause any major issues because sufficient land has already been identified to meet this.

Type of Housing

- 5.13 The Core Strategy directs most housing to the town centre. Outside of the town centre the Strategy is much more restrictive in that it only allows limited infilling with family housing and no further flat conversions.
- 5.14 The Inspector found that while such a restrictive approach “will clearly not encourage the efficient use of land”, it was acceptable in terms of PPS3 which allows for housing density policies to have regard to the spatial vision and strategy and characteristics of the area. She therefore stated that: *“I consider that in these particular local circumstances, having in mind the Core Strategy theme of regeneration and the need to improve the environmental quality of suburban residential areas, the Core Strategy approach is justified.”*
- 5.15 The Core Strategy proposed a range for the provision of affordable housing of between 30% and 50%. The Inspector concluded that a range of 30% - 40% is viable and realistic but evidence to support extending the range to 50% was not available. As a result she concluded that it would be unsound to include this figure in the plan in the absence of any robust evidence to show that it was

viable. She therefore recommended that the range should be between 30% and 40% which is in line with our current policy. Whilst the loss of the ability to negotiate a higher level in some circumstances is unfortunate it should not prevent us from delivering a significant supply of affordable housing.

Employment

- 5.16 The Core Strategy directs intensive employment generating development to the town centre and protects the Existing Business Areas from non employment generating uses in order to ensure that there is a range of jobs for local people.
- 5.17 The main issue discussed at the Examination was whether it was appropriate to treat Slough Trading Estate as an exception to the Spatial Strategy by allowing major B1(a) office development to take place in its proposed new hub in order to facilitate the comprehensive regeneration of the Estate. This would be subject to the provision of a package of transport and other improvements.
- 5.18 The Inspector concluded that *“In the light of these benefits, having in mind Slough Trading Estate’s importance to the local economy and the need to improve the image of Slough, I consider that a departure from PPS6 is justified.”* As a result there are no significant changes to employment policy.

Shopping

- 5.19 As part of the Spatial Strategy of concentrating development the Core Strategy seeks to ensure that all new major retail development will be located in the town centre. The Inspector noted that *“The Core Strategy makes it clear that implementation will be led by the ongoing Heart of Slough regeneration scheme together with redevelopment and refurbishment of the Queensmere and Observatory shopping centres, for which a masterplan is being prepared by the owners.”*
- 5.20 She concluded *“that the Core Strategy sets out an appropriate strategy for strengthening the appeal of Slough town centre and reinforcing the existing hierarchy of centres by preventing out of centre development.”* As a result there are no significant changes to retail policy.

Transport

- 5.21 The main objection to the Core Strategy came from the Highways Agency which considered that insufficient detailed modelling had been undertaken to show what the impact would be upon individual motorway junctions.
- 5.22 The Inspector concluded that *“the Core Strategy is based on evidence which demonstrates that the overall strategy is the most appropriate, focusing development in the most accessible locations. It includes provision for major developments to mitigate their impact on the Strategic Road Network.”* She also agreed that *“it would be unrealistic and disproportionate to expect the overall strategy to be supported by more detailed evidence of its impact on the Strategic Road Network. I consider that the approach to mitigation is appropriate to the local circumstances.”*

5.23 There was also an objection to a reference in the Core Strategy that minimum parking standards may be applied to small scale residential development in order to protect the character and amenity of the suburban areas. The Inspector agreed that this was justified as an exception to PPG13. Overall there are no significant changes to transport planning policies.

Heathrow Airport

5.24 There were a number of objectors who considered that the Core Strategy should do more to anticipate the further expansion of Heathrow by releasing Green Belt land for development. The Inspector concluded: *“I am satisfied that the CS approach to Heathrow Airport has had regard to national and regional plans and policies and is based on a robust and credible evidence base.”*

5.25 The Inspector did, however, require that reference to the Council’s opposition to the third runway be deleted considering it added nothing to the Core Strategy and risked its otherwise neutral and objective stance.

Slough Intermodal Freight Exchange

5.26 There was a late objection to the Core Strategy on the grounds that it was not suitably flexible to consider the potential for a large rail freight depot north of the Colnbrook bypass. In order to deal with this it was agreed that three paragraphs would be included that set out the criteria for the consideration of any application.

5.27 The Inspector supported this on the grounds that it takes a proactive approach to providing a clear framework for any future proposals.

Next Stages

5.28 As explained above, the Inspector’s report is binding and so the Council has no scope to make any changes and has to adopt it in its revised form. As a result a report is going to Cabinet on 30th October recommending that the Core Strategy be adopted by Full Council.

6.0 Conclusion

6.1 The Inspector’s endorsement of the Core Strategy, subject to a number of minor changes, is a major step forward in the development of planning policies for Slough. The revised plan, which incorporates these changes, now has to be formally adopted so that it can be part of the statutory planning framework for the Borough. This will then give the policies in the Core Strategy full weight in determining planning applications.

7.0 Background Papers

- ‘1’ - Slough Core Strategy Submission Document
- ‘2’ - Inspector’s Report on the Examination into the Slough Core Strategy
- ‘3’ - Draft of Slough Core Strategy as proposed to be adopted.

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SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: 22nd October 2008

PART 1

FOR INFORMATION

Planning Appeal Decisions

Set out below are summaries of the appeal decisions received recently from the Planning Inspectorate on appeals against the Council's decisions. Copies of the full decision letters are available from the Members Support Section on request. These decisions are also monitored in the Quarterly Performance Report and Annual Review.

WARD(S)

ALL

Application Ref	Appeal	<u>Decision</u>
P/00790/018	281 High Street Slough Construction of new third floor & conversion of 1 st – 3 rd floors to residential use	Appeal allowed subject to conditions Costs awarded in part 17/09/08

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ENFORCEMENT NOTICES, BREACH OF CONDITION NOTICES, SECTION 215 NOTICES

ONGOING TO DATE (22.10.08)

PART 1

Planning Reference and Officer	Legal Ref/ Officer	Address And Activity	Details of actions Planning prefaced (P) Legal prefaced (L)
2007/0009 2 BL		6 Salt Hill Drive 2 nd Storey rear ext. Side Dormer . Front canopy.	(P) Instructions sent to legal and land charges 04/06/08. (P) Breach of Condition Notice Served 22 July 2008. (P) Compliance due 22 October 2008.
2007/0003 5 NC		222, High Street Langley Enforcement Notice	(P) Enforcement Notice served 29 May 2008. (P) Compliance due 30 September 2008. (P) Appeal Received.
2007/0039 1 BL		65 Northern Road 2 nd Storey side extension	(P) Planning enforcement notice served 15 may 2008. (P) Compliance due 16 September 2008. (P) Appeal Received.
2006/0034 4 BL		191 Humber Way Rear Outbuilding Enforce	(P) Memo sent to legal and Land charges. 12 May 2008 (P) Planning enforcement notice served 29 may 2008 Compliance due 14 October 2008. (P) Appeal Received.
2007/0002 5 BL		58 Westgate Crescent S215 Notice	(P) Memo sent to legal and Land charges. 12 May 2008 (P) Notice served 27 May 2008. (P) Compliance by 30 June 2008. (P) Compliance achieved.
2007/0026 9 BL		89 Paxton Avenue Breach of Condition	(P) Memo sent to legal and Land charges. 12 May 2008 (P) BOC Notice Served 29 May 2008. (P) Compliance by 29 August 2008. (P) New application received.

2007/0025 9 BL	1 Birch Grove Unauthorised Wall		(P) Memo sent to legal and land charges. 10 April 2008. (P) Enforcement Notice Served 13 August 2008. (P) Compliance due 13 October 2008.
2008/0004 5 BL	55 Gilmore Close Boundary walls over 2 metre in height.		(P) Enforcement Notice served 11/06/08. (P) Compliance 11/09/08. (P) Compliance achieved.
2007/0017 9 NFC	116 Greenside Slough Unauthorised development	SH	(P) Legal Instructed and Land Charges informed 31 July 2007 (P) Legal have sent some queries 28/8/07. Answered and returned 30/8/07 (L) Served 16/11/07 – Time for Compliance 17/02/2008 (P) Appeal Lodged (P) Appeal Dismissed. (P) Compliance 25 June 2008. (P) Prosecution Papers being prepared.
2007/0001 2 NFC	62, Wellesley Road, Slough Unauthorised Development outbuilding on a HMO	SH	(P) Legal instructed and land charges on 13/7/07. (P) Legal acknowledged instructions 20/8/07 (P) Draft notice sent by legal 28/8/07 returned 4/9/07 (L) Served on 21/11/07 – Time for compliance 23/03/2008 (P) Appeal received. (P) Appeal Dismissed. (P) Compliance Due 14 November 2008.
2006/0036 3 NFC	The Flags, 43 Church Street, Chalvey Unauthorised use of car park for car wash	SH T3/621	(P) Legal instructed 2/5/07 (P) Land Charges informed 18/5/07 (P) Legal have sent draft notice and requested additional plans. Sent 26/7/07. (L) Served on 16/11/07 – Time for compliance 17/01/2008. (P) Appeal lodged. (P) Appeal Dismissed, Compliance 25 July 2008

2006/0045 5 NFC	SH T3/618	171, Stoke Road, Slough Change of use- car wash at rear of property	<p>(P) Legal instructed and Land Charges informed 10/4/07.</p> <p>(P) Legal acknowledged instructions 8/5/07.</p> <p>(P) Memo to planning asking a series of questions.</p> <p>(P) Questions answered and plans sent to legal 4/9/07.</p> <p>(L) EN served on 11/12/2007. Time for compliance 11/02/2008.</p> <p>(P) Prosecution papers being prepared.</p>
2005/0012 6 NFC	SH T3/600	27 Stoke Road, Slough. Unauthorised rear extension	<p>(P) Legal instructed and land charges informed 15/12/06.</p> <p>(L) Instructions not received by legal</p> <p>(P) Further set of instructions sent 21/3/07</p> <p>(P) Legal acknowledged receipt of instructions 26/3/07</p> <p>(P) Further set of instructions sent 24/4/07</p> <p>(P) Enforcement notice served 1/5/07, effective 4/6/07 compliance by 4/8/07.</p> <p>(P) Appeal lodged</p> <p>(P) Appeal dismissed, compliance by 07/03/08.</p> <p>(P) Negotiations with owner and Environmental health underway.</p>
2006/0024 4 NFC	SQ	27 Stoke Road, Slough. Unauthorised compressor at rear	<p>(P) Legal instructed and land charges informed 15/12/06.</p> <p>(L) Notice drafted and sent for approval on 15/02/07</p> <p>(P) Notice corrected and returned to legal 19/2/07</p> <p>(P) Enforcement notice served 12/3/07, effective 16/4/07 compliance by 16/6/07.</p> <p>(P) Appeal lodged</p> <p>(P) Appeal dismissed, compliance by 07/03/08.</p> <p>(P) Negotiations with owner and Environmental health underway.</p>
2006/0006 4 NFC	SQ	307/311 Colnbrook-by-Pass, Slough Change of Use storage of portable modular units	<p>(P) Legal instructed and land charges informed 9/11/06.</p> <p>(P) Legal acknowledged instructions 16/11/06.</p> <p>(P) Memo from Steven Quayle with a series of related questions.</p> <p>(P) Memo responded to and meeting has taken place. A site visit followed and the results have been passed to SQ.</p> <p>(P) Plans of site supplied to SQ on 27/3/07.</p> <p>(P) Enforcement Notice served 23/7/07, effective 27/8/07 compliance by 27/11/07</p> <p>(P) Appeal lodged</p> <p>(P) Appeals withdrawn, compliance 03/09/08, full award of costs to Council.</p> <p>(P) Injunction proceedings being prepared.</p>

2006/0006 4a NFC	SQ	307/311 Colnbrook-by-Pass, Slough Development portable modular units	<p>(P) Legal instructed and land charges informed 9/11/06.</p> <p>(P) Legal acknowledged instructions 16/11/06.</p> <p>(P) Memo from Steven Quayle with a series of related questions. (P) Memo responded to and meeting has taken place. A site visit followed and the results have been passed to SQ.</p> <p>(P) Plans of site supplied to SQ on 27/3/07.</p> <p>(P) Enforcement Notice served 23/7/07, effective 27/8/07 compliance by 27/11/07</p> <p>(P) Appeal lodged</p> <p>(P) Appeals withdrawn, compliance 03/09/08, full award of costs to Council.</p> <p>(P) Injunction proceedings being prepared.</p>
2006/0008 2 NFC	SQ	307/311 Colnbrook-by-Pass, Slough Development hardstanding	<p>(P) Legal instructed and land charges informed 9/11/06.</p> <p>(P) Legal acknowledged instructions 16/11/06.</p> <p>(P) Memo from Steven Quayle with a series of related questions.</p> <p>(P) Memo responded to and meeting has taken place. A site visit followed and the results have been passed to SQ.</p> <p>(P) Plans of site supplied to SQ on 27/3/07.</p> <p>(P) Enforcement Notice served 23/7/07, effective 27/8/07 compliance by 27/11/07</p> <p>(P) Appeal lodged</p> <p>(P) Appeals withdrawn, compliance 03/09/08, full award of costs to Council.</p> <p>(P) Injunction proceedings being prepared.</p>
2006/0041 9 NFC	SQ	307/311 Colnbrook-by-Pass, Slough Change of Use storage of a travelling caravan	<p>(P) Legal instructed and land charges informed 9/11/06.</p> <p>(P) Legal acknowledged instructions 16/11/06.</p> <p>(P) Memo from Steven Quayle with a series of related questions.</p> <p>(P) Memo responded to and meeting has taken place. A site visit followed and the results have been passed to SQ.</p> <p>(P) Plans of site supplied to SQ on 27/3/07.</p> <p>(P) Enforcement Notice served 23/7/07, effective 27/8/07 compliance by 27/11/07</p> <p>(P) Appeal lodged</p> <p>(P) Appeals withdrawn, compliance 03/09/08, full award of costs to Council.</p> <p>(P) Injunction proceedings being prepared.</p>

2006/0041 7 NFC	SQ	307/311 Colnbrook-by-Pass, Slough Development creation of a compound using double stacked shipping containers	<p>(P) Legal instructed and land charges informed 9/11/06.</p> <p>(P) Legal acknowledged instructions 16/11/06.</p> <p>(P) Memo from Steven Quayle with a series of related questions.</p> <p>(P) Memo responded to and meeting has taken place. A site visit followed and the results have been passed to SQ.</p> <p>(P) Plans of site supplied to SQ on 27/3/07.</p> <p>(P) Enforcement Notice served 23/7/07, effective 27/8/07 compliance by 27/11/07</p> <p>(P) Appeal lodged</p> <p>(P) Appeals withdrawn, compliance 03/09/08, full award of costs to Council.</p> <p>(P) Injunction proceedings being prepared.</p>
2006/0041 6 NFC	SQ	307/311 Colnbrook-by-Pass, Slough Development creation of a storage facility using double stacked shipping containers	<p>(P) Legal instructed and land charges informed 9/11/06.</p> <p>(P) Legal acknowledged instructions 16/11/06.</p> <p>(P) Memo from Steven Quayle with a series of related questions.</p> <p>(P) Memo responded to and meeting has taken place. A site visit followed and the results have been passed to SQ.</p> <p>(P) Plans of site supplied to SQ on 27/3/07.</p> <p>(P) Enforcement Notice served 23/7/07, effective 27/8/07 compliance by 27/11/07</p> <p>(P) Appeal lodged</p> <p>(P) Appeals withdrawn, compliance 03/09/08, full award of costs to Council.</p> <p>(P) Injunction proceedings being prepared.</p>
2006/0006 6 NFC	SQ	307/311 Colnbrook-by-Pass, Slough Development fencing over 2 metres	<p>(P) Legal instructed and land charges informed 9/11/06.</p> <p>(P) Legal acknowledged instructions 16/11/06.</p> <p>(P) Memo from Steven Quayle with a series of related questions.</p> <p>(P) Memo responded to and meeting has taken place. A site visit followed and the results have been passed to SQ.</p> <p>(P) Plans of site supplied to SQ on 27/3/07.</p> <p>(P) Enforcement Notice served 23/7/07, effective 27/8/07 compliance by 27/11/07</p> <p>(P) Appeal lodged</p> <p>(P) Appeals withdrawn, compliance 03/09/08, full award of costs to Council.</p> <p>(P) Injunction proceedings being prepared.</p>

2006/0008 2a NFC	SQ T3/595	307/311 Colnbrook-by-Pass, Slough Development weighbridge	<p>(P) Legal instructed and land charges informed 9/11/06.</p> <p>(P) Legal acknowledged instructions 16/11/06.</p> <p>(P) Memo from Steven Quayle with a series of related questions.</p> <p>(P) Memo responded to and meeting has taken place. A site visit followed and the results have been passed to SQ.</p> <p>(P) Plans of site supplied to SQ on 27/3/07.</p> <p>(P) Enforcement Notice served 23/7/07, effective 27/8/07 compliance by 27/11/07</p> <p>(P) Appeal lodged</p> <p>Appeals withdrawn, compliance 03/09/08, full award of costs to Council.</p> <p>(P) Injunction proceedings being prepared.</p>
2006/0001 2 BL	SH T3/588	28 Park Street Slough Change of use. Dwelling garden amenity area to part Public House beer garden	<p>(P) Legal instructed and land charges informed 1/11/06</p> <p>(P) Draft notice checked and returned to JB in Legal 23 November 2006</p> <p>(L) Awaiting plans – chased up in Jan & Feb 07</p> <p>(P) Plans forwarded to legal 21/3/07.</p> <p>(P) Appeal against refusal of planning permission submitted all further enforcement work on hold</p> <p>(P) Appeal dismissed. Licensee given 3 months to cease the unauthorised use until 30/11/07</p> <p>(P) Planning Enforcement Notice served 29 January 2008</p> <p>(P) Planning Enforcement Notice re-served 14 February 2008. Compliance by 18 May 2008</p> <p>(P) Appeals submitted.</p>
2006/0001 1 BL	SH T3/598	26 Park Street Slough Change of use. Dwelling garden amenity area to part Public House beer garden	<p>(P) Legal instructed and land charges informed 1/11/06</p> <p>(P) Draft notice checked and returned to JB in Legal 23 November 2006</p> <p>(L) Awaiting plans – chased up in Jan & Feb 07</p> <p>(P) Plans forwarded to legal 21/3/07.</p> <p>(P) Appeal against refusal of planning permission submitted all further enforcement work on hold</p> <p>(P) Appeal dismissed. Licensee given 3 months to cease the unauthorised use until 30/11/07</p> <p>(P) Planning Enforcement Notice served 29 January 2008</p> <p>(P) Planning Enforcement Notice re-served 14 February 2008. Compliance by 18 May 2008</p> <p>(P) Appeals submitted.</p>

2006/0000 9 BL	SH	24 Park Street Slough Change of use. Dwelling to Public House and Garden amenity area to beer garden	(P) Legal instructed and land charges informed 1/11/06 (L) Awaiting plans – chased up in Jan & Feb 07 (P) Plans forwarded to legal 21/3/07. (P) Appeal against refusal of planning permission submitted all further enforcement work on hold (P) Appeal dismissed. Licensee given 3 months to cease the unauthorised use until 30/11/07 (P) Planning Enforcement Notice served 29 January 2008. Compliance by 30 March 2008 (P) Appeals submitted.
2006/0041 8 NFC	SH T3/604	20 Wexham Road, Slough Unauthorised erection of a rear garden wall	(P) Legal Instructed and land charges informed – 11/10/06 (P) Legal requested further instructions – resent – 22/11/06 (P) Legal requested further set of instructions sent 24/01/07 (L) Drafts sent to planning 15/02/07 (P) Draft corrected and returned 19/2/07. (P) Notice served 26/3/7, effective 30/4/7 for compliance by 30/7/7 (P) No action taken pending outcome of appeal in relation to the following entry.
2006/0025 6 NFC		20 Wexham Road, Slough Unauthorised erection of a rear detached structure	(P) Legal Instructed and land charges informed – 11/10/06 (P) Legal requested further instructions – resent – 22/11/06 (P) Legal requested further set of instructions sent 24/01/07 (L) Drafts sent to planning 15/02/07 (P) Draft corrected and returned 19/2/07. (P) Notice served 26/3/7, effective 30/4/7 for compliance by 30/7/7 (P) Appeal lodged (P) Appeal dismissed, full award of costs awarded to the Council. (P) Compliance 15/07/08 (P) Appeal being prepared by Appellant for Judicial Review
2002/0024 0 NFC	SH T3/584	Land adjacent to 12 Elbow Meadows, Coinbrook. Change of use of land to commercial	(P) Legal Instructed and land charges informed 19/9/06 (P) Legal acknowledged instructions 22/9/06. (L) Draft approved – service imminent 21/02/07 (P) Enforcement notice served 2/4/07, effective 7/5/07 compliance by 8/8/07 (P) Appeal lodged. (P) Appeal dismissed, full award of costs to Council.

2006/0037 7 NFC	SH T3/585	46 Cockett Road, Slough Unauthorised erection of a single storey side and rear extension	<p>(P) Legal instructed and land charges informed 19/9/06</p> <p>(P) Legal acknowledged instructions 22/9/06.</p> <p>(P) Meeting with legal to discuss issues – 30/11/06</p> <p>(P) Legal requested further copies of plans and photographs 14/12/06. Supplied 15/12/06.</p> <p>(P) Notice served 16/1/07, effective 20/2/07 for compliance 20/6/07.</p> <p>(P) Appeal lodged.</p> <p>(P) Appeal dismissed 16/8/07. New compliance date 16/12/07.</p> <p>(P) Papers being prepared for Legal for non compliance.</p>
2006/0133 NFC		54/56 Canterbury Avenue, Slough. Change of use of domestic garage to commercial use, tyre fitting/storage.	<p>(P) Legal Instructed and land charges Informed 27/03/06.</p> <p>(P) Legal acknowledged instructions 18/4/06.</p> <p>(P) Draft Notice corrected and returned to Legal 23/6/06.</p> <p>(P) Notice served 17/8/06, effective 21/9/06 for compliance by 21/12/06.</p> <p>(P) Appeal lodged</p> <p>(P) Hearing date 12/4/07.</p> <p>(P) Hearing adjourned to 30/5/07</p> <p>(P) Hearing took place result awaited.</p> <p>(P) Appeal dismissed. New compliance date of 5/4/08.</p> <p>(P) New Planning application received.</p> <p>(P) Application refused, prosecution papers being prepared.</p>
2005/0033 1 NFC	T3/381a DP	35 Montem Lane, Slough Enforcement Notice for operational development	<p>(P) Legal instructed and land charges informed 9/11/05</p> <p>(L) Requisition sent 14th June 2006.</p> <p>(L) Draft notice to planning for approval 14th June 2006.</p> <p>(P) Legal acknowledged instructions 16/6/06.</p> <p>(L) 10.07.06 - EJ instructed by SQ not to issue notice for time being – in light of petition received. SQ will advise EJ when notice can be issued.</p> <p>(P) Notice served 17/1/07, effective 21/2/07 for compliance by 21/4/07</p> <p>(P) Appeal lodged</p> <p>(P) Appeal dismissed, compliance by 07/02/08.</p>

GLOSSARY OF ABBREVIATIONS

PLANNING

BL = Bob Lee

MB = Mathew Brown

RK = Roger Kirkham

WM = Wesley McCarthy

NC = Nigel Craske

LEGAL

EJ = Elizabeth Jenkins

AB = Amanda Ball

JRB= John Bell

DP = Dawn Pelle

SH = Sadia Hussain

JB = Jill Bell

BT = Brian Tandy

General

HMO = House in Multiple Occupation

PA = Planning Application

BoC = Breach of Condition

RA – Raheela Ali

PA = Planning Application

BoC = Breach of Condition

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**LITIGATION, FAILURE TO COMPLY WITH A NOTICE, ADVERTISING
ONGOING TO DATE (22.10.08)**

PART 2

Planning Reference and Officer	Legal Reference and Officer	Address And Activity	Details of actions Planning prefaced (P) Legal prefaced (L)
2006/0038 2 BL	JRB T3/619	Land Adj. 100 Waterbeach Road Unauthorised erection of Building containing residential Flats.	<p>(P) Legal instructed and L and Charges Informed 27/3/07.</p> <p>(P) JB has forwarded a memo seeking further information dated 3/5/07.</p> <p>(P) Reply to forgoing sent 9/5/07</p> <p>(P) Legal requested 12 copies of plan in memo dated 15/5/07</p> <p>(P) Plans sent to legal as requested.</p> <p>(P) Enforcement Notice served 13/6/07, effective 16/7/07 compliance by 16/10/07.</p> <p>(P) Appeal lodged.</p> <p>(P) App/J0350/c/07/2050463. The Planning Inspectorate refuse the appeal. Not valid by Time. Prosecution to be commenced.</p> <p>(P) No compliance. Prosecution papers being prepared.</p> <p>(P) Prosecution Case File to, Tania Fletcher, Wednesday 14 November 2007</p> <p>(L) Prosecution considered and will continue. TEF to arrange filing of documents to be served.</p> <p>(L) Proceedings filed 29.11.07. first call 18.01.08. TEF awaiting documents to be returned then to prepare for Planning to serve</p> <p>(L) docs ready to serve TEF to give to planning</p> <p>(L) docs served</p> <p>(L) first call 18.01.08. defendant did not appear. Adjourned to 15.02.08. warrant to follow if non attendance.</p> <p>(L) Adjourned until 13 June 2008.</p> <p>(L) Pleaded guilty, £4,500 fine, £450 costs.</p> <p>(L) The owners agent has been made aware that we are monitoring the situation. Meeting arranged for 15 September 2008 to discuss regularisation application to be submitted.</p>

2006/0043 0 BL	JRB T3/602	8 Middlegreen Road Slough Unauthorised Development Front Wall	<p>(P) Legal Instructed and Charges Informed 17 October 2006</p> <p>(P) Notified that John Bell dealing. 16 November 2006</p> <p>(L) Sight line issue – waiting on planning</p> <p>(P) Plans forwarded to legal 19/3/07.</p> <p>(P) Enforcement notice served 10/4/07, effective 15/5/07 compliance by 15/8/07.</p> <p>(P) Notice not complied with. Prosecution papers prepared and moved to Part 11</p> <p>(L) TEF to locate file and discuss next week</p> <p>(L) Proceedings filed 29.11.07. first call 18.01.08. TEF awaiting documents to be returned then to prepare for Planning to serve (NB see below matters filed together)</p> <p>(L) docs ready to serve TEF to give to planning</p> <p>(L) docs served</p> <p>(L) Contact from those concerned disputing validity of Notice.</p> <p>(L) Notice served 02. 10. 08, takes effect 30. 10. 08, 3 months given for compliance.</p>
2006/0024 4 BL	SQ	8 Middlegreen Road Breach of Planning Condition materials matching. (filed jointly with matter above)	<p>(P) Legal Instructed and land charges informed 6/9/06.</p> <p>(P) Legal acknowledged instructions 11/9/06.</p> <p>(P) Allocated to John Bell. 11 September 2006.</p> <p>(P) Further plans forwarded to legal 21/3/07.</p> <p>(P) Enforcement notice served 10/4/07, effective 10/4/07 compliance by 10/7/07</p> <p>(P) Notice not complied with. Prosecution papers prepared and moved to Part 11</p> <p>(L) TEF to consider file and discuss next week</p> <p>(L) Proceedings filed 29.11.07. first call 18.01.08. TEF awaiting documents to be returned then to prepare for Planning to serve (NB see above matters filed together)</p> <p>(L) docs ready to serve TEF to give to planning</p> <p>(L) docs served</p> <p>(L) first call 18.01.08. the defendants did not attend, adjourned to 15.02.08, warrant to issue if no attendance on that day.</p> <p>(L) Notices withdrawn, new Notices served 28 February 2008.</p>

<p>2005/0026 0 DM</p>	<p>L16/025 011219</p>	<p>Rhea's Indian Cuisine, 295- 297, High Street, Slough Shutters</p>	<p>(P) Legal Instructed and Land Charges informed. 30/8/05 (L) acknowledgement of instructions sent out on 22/09 (L) Requisitions sent out to 8 parties on 5/10/05 (L) SH to draft Enforcement Notice (L) Enforcement notice served 6/1/06, effective 6/2/06 for compliance 6/4/06, Land Charges informed (P) Site visit required to establish if compliance has been achieved. (P) Appeal lodged. (P) Appeal dismissed. New date for compliance 18/12/06. (P) No compliance moved to Part 11. (P) Prosecution papers being prepared. (P) Prosecution papers signed by David Scourfield 18/5/07 and forwarded to legal the same day. (P) Legal Acknowledged instructions 7/8/07. (L) as above (L) File located. TEF has requested NC carry out a site visit. (L) NC doing a pre-action letter (P) NC meeting with new occupier on 17.01.08 (P) planning in discussions about the way forward. No legal action required at this stage.</p>
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2004/0060 6 DM	EJ/T3/472	Land West of Poyle Road/South of Poyle Channel, CoInbrook. Change of use of land for siting of caravans.	<p>(P) Legal instructed and enforcement notice served 24/11/04. Notice takes effect 24/12/04 for compliance by 24/3/05.</p> <p>(L) Appeal papers received and forwarded to planning 22/12/04.</p> <p>(P) Appeal lodged.</p> <p>(P) Appeal withdrawn. New date for compliance 30/9/05.</p> <p>(P) Letter sent to operator 18/10/05.</p> <p>(P) As this matter is inter-linked with an identical issue on an adjoining site and that matter is the subject of Judicial Review all further work re enforcement is on hold.</p> <p>(P) Prosecution papers prepared and forwarded to legal 29/11/06 moved to Part 2</p> <p>(P) Legal acknowledged instructions 19/1/07</p> <p>(L) as above</p> <p>(L) waiting for instructions from planning, going to consolidate the files early in 2008 to have a clear idea of what is going on</p> <p>(L) Site visited by Planning, papers being prepared for prosecution for non compliance</p> <p>(L) Summonses being drafted, in Court May 2008</p> <p>(L) In Court 25 July 2008 for Plea.</p> <p>(L) 2 day trial fixed for 11 and 12 February 2009.</p>
2006/0000 1 BL		2 Upton Court Road S215 Action. Storage/parking motor vehicles.	<p>(P) Legal instructed and Land Charges informed 27/02/06</p> <p>(P) Legal acknowledged instructions 8/3/06.</p> <p>(L) Requisitions sent 10.3.06 File passed to JRB</p> <p>(P) Draft notice agreed and returned to legal w/e 14/7/06</p> <p>(P) Sec 215 Notices served 27 July 2006. Compliance date. 3 September 2006.</p> <p>(P) No compliance. Prosecution papers prepared and moved to Part 11</p> <p>(P) KKC has requested a meeting with BL. Yet to be arranged.</p> <p>(P) Attended court on 6 September 2007. Plea of guilty. Fined £720 with £1500 costs. Will monitor the property for post conviction compliance.</p> <p>(L) meeting TEF and NC – NC to monitor compliance</p> <p>(L) Bob Lee to provide up to date statement</p> <p>(L) statement provided, we are waiting on a land registry search and a record of conviction then we will be able to file proceedings for continued non compliance.</p> <p>(L) Papers being prepared for prosecution for non compliance.</p> <p>(L) Adjourned for representations. Next Court date 11th July 2008</p> <p>(L) Plead not guilty, next Court date 2 November 2008.</p>

DM	EJ/T3/306	Poyle Recycling Centre, Poyle Rd. Slough Unauthorised use of land for storage and recycling.	<p>(P) Legal instructed 13/8/98.</p> <p>(P) Enforcement Notice issued and served 25/8/99 for compliance on various dated ending on 23/9/00.</p> <p>(P) Appeal lodged and dismissed.</p> <p>(L) Judicial Review dismissed. New compliance dates as follows: - 8/10/02 to cease use for recycling, 17/1/03 to remove scrap/soil etc., 18/4/03 topsoil area and sow grass seed.</p> <p>(P) Notice not complied with and instructions to legal to commence a prosecution on 6/1/04.</p> <p>(P) Whilst there is no compliance prosecution is on hold pending confirmation from legal that notices that will be required to be served under PACE are acceptable.</p> <p>(P) Although the advise sought above has not been given site visit 9/8/04 and prosecution file updated.</p> <p>(P) PACE issues resolved and evidence gathered. Added to prosecution file.</p> <p>(L) March 05 - Evidence received by Legal to lay papers at court.</p> <p>(L) Counsel instructed who is reviewing papers prior to laying information at Court.</p> <p>(P) Site visit 5/8/05 with an Environment Agency surveyor and a soil scientist to gather evidence pending a prosecution for failure to comply with an enforcement notice.</p> <p>(P) Following the above visit the soil scientist has failed to supply a statement and accordingly the file is being reviewed for evidential quality.</p> <p>(L) TEF no prosecution file can be located. NC to look to see what they have</p> <p>(L) Site visited by Planning, papers being prepared for prosecution for non compliance.</p> <p>(L) In Court 25 July for Plea.</p> <p>(L) Plead not guilty, Pre trial review on 19 September 2008 to fix trial date.</p> <p>(L) 2 day trial fixed for 11 and 12 February 2009.</p>
NC2004/0 0606	L7/010 010831	Land at Poyle Manor Farm Caravans on Land Prosecution breach of enforcement notice	<p>(L) Meeting with TEF and NC. This matter is quite old. Enforcement notice issued in 2004. NC to do a site visit.</p> <p>(L) as above</p> <p>(L) Adjourned at Court until 25th July 2008 for plea.</p> <p>(L) As above</p>
2005/0040 9/ENF	T1/077 011746	13 Grasmere Avenue Tyres sales and fitting Prosecution for breach of enforcement notice	<p>(P) file sent to legal</p> <p>(L) Trial on 21st and 28th January 2009 at Bracknell.</p>

ENF/2005/00396	T3/651	271 Langley Road Slough Failure to Comply with an Enforcement Notice	(L) In Court 1 st August 2008 for plea, proof in absence or warrant of arrest. (L) Matter proved in absence and warrant of arrest issued.
2007/0041 2/ENF	T3/653	52 Northern Road Slough Failure to Comply with a S215 Notice	(L) Hearing 22 nd October 2008 at Bracknell
2005/0052 2/ENF	T3/643	56 Hillside Slough Failure to Comply with an Enforcement Notice	(L) In Court 8 th August 2008 for plea. (L) Adjourned until 29 August 2008 for pre trial review. (L) Trial 17 December 2008.
2008/0023 1/ENF	T3/660	38 Harrow Road Slough Failure to Comply with an Enforcement Notice	(L) First hearing on 10 October 2008 for plea
2008/0002 9/ENF	T1/079	18 Crostwaite Way Slough Non compliance with a S215 notice	(L) Adjourned until 5 September 2008 for plea (L) Both defendants failed to appear. Warrants issued for arrest

GLOSSARY OF ABBREVIATIONS

PLANNING

NC = Nigel Craske RK = Roger Kirkham
WM = Wesley McCarthy AB = Amanda Ball
BL = Bob Lee RS = Reena Sharma

LEGAL

EJ = Elizabeth Jenkins
EJ = Amanda Ball KKC = Kuldip Channa
DP = Dawn Pelle SQ = Steven Quayle

General

HMO = House in Multiple Occupation
PA = Planning Application
JB = Jill Be