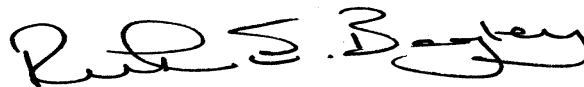


Date of issue: 10th June 2011

MEETING	PLANNING COMMITTEE (Councillors Dodds (Chair), Bains, Carter, Dale-Gough, O'Connor, Plimmer, Rasib, Strutton and Swindlehurst)
DATE AND TIME:	MONDAY, 20TH JUNE, 2011 AT 6.30 PM
VENUE:	COUNCIL CHAMBER, TOWN HALL, BATH ROAD, SLOUGH
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	SHABANA KAUSER 01753 875013

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

AGENDA

PART 1

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	Apologies for absence.		
	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).		

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
2.	Minutes of the Last Meeting held on 17th May 2011	1 - 4	
3.	Human Rights Act Statement	5 - 6	
PLANNING APPLICATIONS IN THE EASTERN PART OF THE BOROUGH			
4.	P/04479/002 - Wexham House, 132 Knolton Way, Slough.	7 - 44	Wexham Lea
5.	P/06883/002 - 2 The Link, Slough	45 - 56	Wexham Lea
6.	P/08522-002 - 8 London Road, Slough.	57 - 86	Upton
MATTERS FOR INFORMATION			
7.	Appeal Decisions	87 - 88	All
8.	Authorised Enforcement and Prosecutions	89 - 104	All
9.	Exclusion of the Press and Public		

It is recommended that the Press and Public be excluded from the meeting during the consideration of item 10, in Part II of the Agenda, as it involves the likely disclosure of exempt information which is likely to reveal the identity of an individual; information in respect of which a claim to legal privilege could be maintained in legal proceedings; and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime, as defined within paragraphs 2, 5 and 7 of Part 1, Schedule 12A to the Local Government Act 1972 (as amended).

PART II

10.	Minutes of the Meeting held on 17th May 2011, Part II	105 - 106
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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.



Planning Committee – Meeting held on Tuesday, 17th May, 2011.

Present:- Councillors Dodds (Vice-Chair), P Choudhry, Dale-Gough, Plimmer, Rasib and Swindlehurst (arrived at 6.40 pm)

Also present under Rule 30:- Councillors Dar, Smith and Walsh

PART 1

130. Declaration of Interest

Agenda item 12 – Proposed carrying out of work in default:
Councillor Choudhry declared that prior to serving as a Member of the Planning Committee, he had been involved with the matter. Councillor Choudhry left the meeting prior to the matter being discussed.

131. Minutes of the Last Meeting held on 14th April 2011

The minutes of the last meeting of the Planning Committee held on 14th April 2011 were approved as a correct record.

132. Planning Applications

With the agreement of the Chair, the order of business was varied to ensure that the applications where an objector and local ward members had indicated a wish to address the Committee were taken first.

Oral representations were made to the Committee by objectors and a Ward Member prior to the planning application being considered by the Committee for the planning application S/00672/000 – Garage site rear of 7-9 Mansell Close, Slough.

Oral representations were made to the Committee by objectors, agent for the application, Colnbrook and Poyle Parish Council representative and Ward Members prior to the planning application being considered by the Committee for the planning application P/09979/001 – Mill House, Mathisen Way and Mill Brook Way, Poyle.

Details were tabled in the amendment sheet of alterations and amendments received to applications since the agenda was circulated.

Resolved - That the decisions be taken in respect of the planning applications as set out in the minutes below, subject to the information, including conditions and informatives set out in the reports and amendment sheet tabled at the meeting.

Planning Committee - 17.05.11

133. S/00672/000 - Garage Site Rear of 7-9 Mansel Close, Slough.

Application

S/00672/000 - Garage Site Rear of 7-9 Mansel Close, Slough – Erection of 2 No. pairs of three bedroom two storey semi detached dwellings with associated parking and landscaping following demolition of existing garages.

(Councillor Dar left the meeting)

Decision

Approved subject to conditions.

134. P/09979/001 - Mill House, Mathisen Way & Mill Brookway, Poyle.

Application

P/09979/001 - Mill House, Mathisen Way & Mill Brookway, Poyle - Demolition of existing office building and erection of a class B8 warehouse with ancillary offices together with access, servicing and reconfiguration of car park.

(Councillors Smith and Walsh left the meeting)

Decision

Deferred for a site visit.

135. P/13787/002 - 133 - 137 Elliman Avenue, Slough

Application

P/13787/002 - 133-137 Elliman Avenue, Slough - Application for an extension of time to replace planning permission P/13787/000, dated 16 November 2007 for the erection of 10 No. two bedroom flats, car parking, cycle parking and amenity space.

Decision

Delegated to the Head of Planning Policy and Projects for completion of a Section 106 Planning obligation agreement and final determination subject to reaching an acceptable outcome on the negotiations relating to the affordable housing provision.

136. Variation of Section 106 Agreement for Railway Terrace / Mill Street, Slough

Members were reminded that Southeast Limited, the developer of two large buildings north of the Railway Station went into administration in late 2008. It was noted that the site was now under the control of NAMA. The approved development is on a prominent site and comprises 229 flats and commercial unit on the ground floor. The scheme was originally agreed to help regenerate the area north of the station and involved some compromises in terms of size, design and Section 106 package to reach agreement with the previous owner. Members were informed that the application was outstanding as the

Planning Committee - 17.05.11

developer went into administration before signing an associated Section 106 variation for additional contributions.

It was brought to Members attention that One Housing Group wished to purchase the site in conjunction with Kingstreet Limited to restart redevelopment. It was noted that work was being proposed to restart in June 2011 and that a financial viability study had been submitted. However within this financial viability study, it was stated that the scale of existing Section 106 contributions were not viable. It was noted that the market for flats and development values had changed significantly since the original scheme was devised between 2004 and 2007.

As a result of the economic downturn and the developers request to vary section 106 Agreement, Cabinet had considered this issue at its meeting in January 2009. Furthermore the February 2009 Planning Committee had also considered the matter in relation to this site. In addition the Government had also recently announced that councils should review existing agreements where development is not proceeding because of the downturn.

Members were informed that taking into account the background and the special circumstances of the site, the current proposal to vary the section 106 agreement was considered reasonable in principle. Following negotiations between officers and the developers it was outlined that the developers were seeking to agree a reduction of the financial contributions in the existing section 106 agreement by 15% and forgo contributions for 20 additional homes.

Resolved – That a reduction of the financial contributions in the existing section 106 agreement be made by 15% and to forgo contributions for 20 additional homes and for officers to negotiate further details of the variation.

137. Appeal Decisions

Resolved – That the report be noted.

138. Authorised Enforcement and Prosecutions

Resolved – That the report be noted.

139. Members Attendance Record

Resolved – That the report be noted.

140. Exclusion of the Press and Public

Resolved – That the press and public be excluded from the meeting during the consideration of item 12 in Part II of the agenda as it involves the likely disclosure of the exempt information which is likely to reveal the identity of an individual, information in respect

Planning Committee - 17.05.11

of which a claim to legal privilege could be maintained in legal proceedings, and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime as defined within paragraphs 2, 5 and 7 of part I Schedule 12A to the Local Government Act 1972 (as amended).

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.40 pm)

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
HPPP	Head of Planning Policy & Projects
S106	Section 106 Planning Legal Agreement
SPZ	Simplified Planning Zone
TPO	Tree Preservation Order
LPA	Local Planning Authority

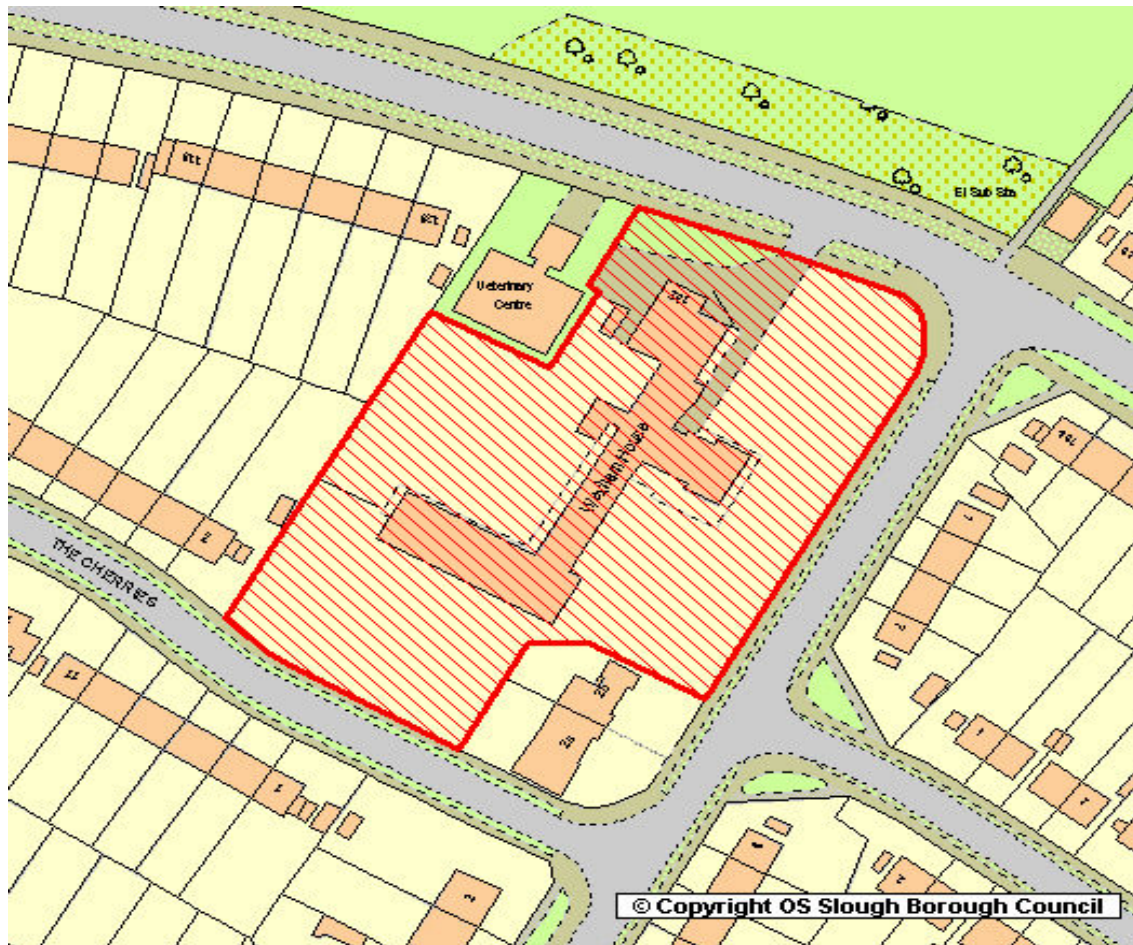
	USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House
C2	Residential Institutions
C2(a)	Secure Residential Institutions
C3	Dwellinghouse
C4	Houses in Multiple Occupation
D1	Non Residential Institutions
D2	Assembly & Leisure

	OFFICER ABBREVIATIONS
WM	Wesley McCarthy
EW	Edward Wilson
HB	Hayley Butcher
CS	Chris Smyth
RK	Roger Kirkham
HA	Howard Albertini
IH	Ian Hann
AM	Ann Mead
FI	Fariba Ismat
PS	Paul Stimpson
JD	Jonathan Dymond
GB	Greg Bird

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Registration Date:	19-Apr-2011	Applic. No:	P/04479/002
Officer:	Mr Smyth	Ward:	Wexham Lea
		Applic type:	Major
		13 week date:	19th July 2011
Applicant:	Wexham House Ltd		
Agent:	Mr. Steven Barker, Barker Parry Town Planning Ltd 33, BANCROFT, HITCHEN, HERTS, SG5 1LA		
Location:	Wexham House, 132, Knolton Way, Slough, SL2 5SQ		
Proposal:	DEMOLITION OF EXISTING CARE HOME, CHANGE OF USE FROM CLASS C2 TO CLASS C3 AND REDEVELOPMENT OF SITE TO PROVIDE 23 NO. TWO STOREY FAMILY HOUSES (6 NO. X 4 BEDROOM, 15 NO. X 3 BEDROOM, 2 NO. 2 BEDROOM) ARRANGED IN 4 NO. TERRACES WITH ACCESS FROM KNOLTON WAY, TOGETHER WITH PARKING AND LANDSCAPING		

Recommendation: Delegate to HPPP for S106



1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 This application, for a redevelopment of the site to provide 23 no. houses, following a previous planning approval for 19 no. houses, raises issues relating to, loss of a community facility, street impact, loss of trees, potential surface water flooding, traffic and parking impact. These matters are addressed within the main body of the report and having regard to these matters, it is concluded that the development is considered to not have an adverse affect on sustainability and the environment for the reasons set out.
- 1.2 Delegate to the Head of Planning Policy and Projects for completion of a S106 Agreement.

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 This application is for *demolition of existing care home, change of use from Class C2 to Class C3 and redevelopment of site to provide 23 no. two storey family houses (6 no. x 4 bedroom, 15 no. x 3 bedroom, 2 no. 2 bedroom) arranged in 4 no. terraces with access from Knolton Way, together with parking and landscaping*
- 2.2 The application is accompanied by the following full plans:
- Site Location Plan
 - Site Layout Plan
 - Proposed Floor Plans
 - Proposed Elevations
 - Proposed Streetscapes/Site Sections
 - Proposed Roof Plan

The application is further supported by the following statements:

- Design and Access & Planning Statement
- Tree Survey and Assessment

Design and Access & Planning Statement

- 2.3 This sets out the design context for the site including an analysis of the site and its surroundings, access arrangements including parking, and refuse collection and the planning policy context for the proposed development

Tree Survey & Assessment

- 2.4 The tree survey identifies 15no. individual trees comprising 9 no. apple trees, 3 no. Weeping Willows, 1 no. Elder, 1 no. Lilac and 1 no. Ash. In addition there is a group of trees identified comprising a mix of Elder, Apple, Privet and Buddieia.
- 2.5 The tree report advises that 4 no. trees plus the group be removed. All of the

remaining trees on site are classified as category C trees. These are trees which are classified as being (trees of low quality and value. The report goes on to say that: *the majority of trees on the site are of no particular amenity value for the area and could successfully be replaced with appropriate species in suitable locations as part of new landscaping associated with the development.*

2.6 The proposals allow for retention of the following trees:

T1.....Twinned Stem Ash
T2..... Weeping Willow
T4..... Apple
T5..... Apple
T6..... Elder

The tree report identifies T14, a Weeping Willow, *“as the largest tree on the site and as an individual specimen growing in amenity grassland, it has the most visual interest amenity value for the area and would complement any new development of the site. However, because of the current condition, type of tree it is and age, it is proposed that it could be removed if necessary and replaced with appropriate new plantings of a more suitable species as part of the proposed development”.*

The report goes on to provide guidance on tree protection measures and rootball protection areas in respect of those trees to be retained.

2.7 Whilst no transport statement has been submitted in relation to the current planning application, the transport report submitted in respect of the extant planning permission, concluded that the previous development of 19 no. houses would generate approximately 130 two way trips per day which would not be material in traffic impact terms when considered against existing background traffic levels. The site is described as being a reasonably sustainable site with the nearest bus stops being within 100 metres of the site and the mainline railway station within 10 minutes walk. Car parking conforms to SBC standards.

2.8 In respect of the current the Design Access and Planning Statement concludes that the modest increase in development of 13% additional to that as already approved on the site would not have any further material impact on the existing highway network

2.9 As with the extant planning permission the applicant is proposing the provision of two additional car parking spaces for the exclusive use of the neighbouring Veterinary Practise in Knolton Way, This requirement has been made binding on the purchaser of the site through the land sale agreement.

3.0 **Application Site**

3.1 This site of approximately 0.56 sq metres is occupied by a two storey former elderly persons care home with ancillary elderly persons day centre. It is set in generous landscaped grounds comprising a number of existing trees, including

a number of apple trees, the remnants of a former orchard, and is enclosed by a high hedge on all sides. Access is from Knolton Way to the north, with limited parking on site for eight cars.

3.2 Two corners of the original footprint of the Wexham House site have been sold off at various stages. The corner to Knolton way was developed as a 2.5 storey unit with a gable end feature to Knolton Way. This is currently a Veterinary Clinic. The corner between the Cherries and Berryfield was developed as a pair of semi detached houses, which have at a later stage been extended.

3.3 On the northern side of Knolton Way is Wexham Court Primary School. To the west is the Veterinary Clinic and the gardens belonging to existing residential properties in Knolton Way. The northern eastern and southern boundaries of the site are defined by existing access roads, beyond which are existing residential properties.

4.0 **Site History**

4.1

S/00610/000	08-Oct-2003	12-Nov-2003	Approved with Conditions
Mr. W. McCarthy	Fee Recd & Exempt:	220	
Appeal Lodged Enforcement:		App Decision	
Applicant Name	Slough Borough Council		
Location	WEXHAM HOUSE, 130-132, Knolton Way, Slough, SL2 5SQ		
Proposal	ERECTION OF A SINGLE STOREY EXTENSION WITH SHALLOW PITCHED ROOF TO EXISTING DAY CENTRE BUILDING TO FORM AN ACTIVITIES AREA PLUS TOILETS (REGULATION 3)		

S/00610/001	07-Jul-2009	20-Aug-2009	Withdrawn by Applicant
Mr Smyth	Fee Recd & Exempt:	7705	
Appeal Lodged		App Decision	

Enforcement:	2009/00193/ENF
Applicant Name	Slough Borough Council
Location	Wexham House, 132, Knolton Way, Slough, SL2 5SQ
Proposal	<p>DEMOLITION OF EXISTING CARE HOME AND REDEVELOPMENT OF SITE TO PROVIDE 23 NO. TWO STOREY AND TWO AND HALF STOREY FAMILY HOUSES (2 NO. X 4 BEDROOM, 20 NO. X 3 BEDROOM AND 1 NO.X 2 BEDROOM) ARRANGED IN 3 NO. TERRACES OF 9, 4 AND 3 HOUSES RESPECTIVELY PLUS 2 NO. PAIRS OF SEMI DETACHED HOUSES, A SINGLE DETACHED HOUSE AND SINGLE BUNGALOW WITH ACCOMMODATION AT BASEMENT LEVEL. A THROUGH ACCESS ROAD BETWEEN THE CHERRIES AND KNOLTON WAY, TOGETHER WITH A CENTRAL PARKING COURT TOGETHER WITH GENERAL PARKING AND LANDSCAPING (REGULATION 4)</p>

S/00610/002	22-Oct-2009	21-Jan-2010	Approved with conditions
Mr Smyth	Fee Recd & Exempt:	7705	
Appeal Lodged Enforcement:		App Decision	
Applicant Name	Slough Borough Council		
Location	Wexham House, 132, Knolton Way, Slough, SL2 5SQ		

Proposal	<p>DEMOLITION OF EXISTING CARE HOME, CHANGE OF USE FROM CLASS C2 TO CLASS C3 AND REDEVELOPMENT OF SITE TO PROVIDE 19 NO. TWO STOREY FAMILY HOUSES (1 NO. X 7 BEDROOM, 5 NO. X 4 BEDROOM, 13 NO. 3 BEDROOM) ARRANGED IN 4 NO. TERRACES. WITH ACCESS FROM KNOLTON WAY, TOGETHER WITH PARKING AND LANDSCAPING</p>
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- 4.2 Following withdrawal of planning application reference S/00610/001, pre application discussions took place with the applicant and the scheme was subsequently revised. The changes negotiated related to the removal of the through road, a change in the layout including a reduction in the number of residential dwellings from 23 no. to 19 no. a change in the design of the dwellings and an increase in the number of 4 bedroom properties.
- 4.3 A screening opinion was issued under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, with respect to the extant planning permission. In accordance with the provisions of Regulation 4 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, it was concluded that the proposed development did not constitute an EIA development. Although as part of the current submission there is a modest increase in the level of development (13%), this is not considered significant thereby justifying a fresh EIA screening opinion to be undertaken.
- 4.4 In relation to the extant planning permission a binding obligation was placed on the future owners of the site, through the land sale agreement, to enter into a S106 Agreement.
- 5.0 **Neighbour Notification**
- 5.1 122, Knolton Way, Slough, SL2 5SG, 110, Knolton Way, Slough, SL2 5SG, 4, The Cherries, Slough, SL2 5TS, 7, Berryfield, Slough, SL2 5RZ, 118, Knolton Way, Slough, SL2 5SG, 106, Knolton Way, Slough, SL2 5SG, Wexham Court County First School, Moat Drive, Slough, SL2 5TG, 5, The Cherries, Slough, SL2 5TS, 158, Knolton Way, Slough, SL2 5RY, 148, Knolton Way, Slough, SL2 5RY, 12b, Berryfield, Slough, SL2 5SE, 103, Knolton Way, Slough, SL2 5SH, 97, Knolton Way, Slough, SL2 5SH, 5, Berryfield, Slough, SL2 5RZ, 13, Berryfield, Slough, SL2 5SA, 138, Knolton Way, Slough, SL2 5RY, 8, The Cherries, Slough, SL2 5TS, 12, Berryfield, Slough, SL2 5SE, 21, Berryfield, Slough, SL2 5SA, 16, The Cherries, Slough, SL2 5TS, 9, The Cherries, Slough, SL2 5TS, 154, Knolton Way, Slough, SL2 5RY, 128, Knolton Way, Slough, SL2 5SG, 144, Knolton Way, Slough, SL2 5RY, 109, Knolton Way, Slough, SL2 5SH, 20, The Cherries, Slough, SL2 5TS, 4, Berryfield, Slough, SL2 5SE, 116, Knolton Way, Slough, SL2 5SG, 2, The Cherries, Slough, SL2 5TS, Wexham Court County Middle School Cottage, Church Lane, Wexham,

Slough, SL3 6LU, 134, Knolton Way, Slough, SL2 5RY, 12, The Cherries, Slough, SL2 5TS, 10, Berryfield, Slough, SL2 5SE, 99, Knolton Way, Slough, SL2 5SH, 124, Knolton Way, Slough, SL2 5SG, 3, Berryfield, Slough, SL2 5RZ, 11, Berryfield, Slough, SL2 5SA, 160, Knolton Way, Slough, SL2 5RY, 17, Berryfield, Slough, SL2 5SA, 150, Knolton Way, Slough, SL2 5RY, 120, Knolton Way, Slough, SL2 5SG, 112, Knolton Way, Slough, SL2 5SG, 140, Knolton Way, Slough, SL2 5RY, 108, Knolton Way, Slough, SL2 5SG, 23, Berryfield, Slough, SL2 5SA, Wexham Court County Middle School, Church Lane, Wexham, Slough, SL3 6LU, 6, The Cherries, Slough, SL2 5TS, 3, The Cherries, Slough, SL2 5TS, 14, The Cherries, Slough, SL2 5TS, 2a, Berryfield, Slough, SL2 5SE, 105, Knolton Way, Slough, SL2 5SH, 2, Berryfield, Slough, SL2 5SE, 9, Berryfield, Slough, SL2 5SA, 111, Knolton Way, Slough, SL2 5SH, 156, Knolton Way, Slough, SL2 5RY, 7, The Cherries, Slough, SL2 5TS, 8, Berryfield, Slough, SL2 5SE, 146, Knolton Way, Slough, SL2 5RY, First Care Veterinary Centre, 130, Knolton Way, Slough, SL2 5SG, 1, Berryfield, Slough, SL2 5RZ, 136, Knolton Way, Slough, SL2 5RY, 10, The Cherries, Slough, SL2 5TS, 18, The Cherries, Slough, SL2 5TS, 19, Berryfield, Slough, SL2 5SA, 2b, Berryfield, Slough, SL2 5SE, 107, Knolton Way, Slough, SL2 5SH, 11, The Cherries, Slough, SL2 5TS, 152, Knolton Way, Slough, SL2 5RY, 101, Knolton Way, Slough, SL2 5SH, 12a, Berryfield, Slough, SL2 5SE, 1, The Cherries, Slough, SL2 5TS, 6, Berryfield, Slough, SL2 5SE, 15, Berryfield, Slough, SL2 5SA, 126, Knolton Way, Slough, SL2 5SG, 142, Knolton Way, Slough, SL2 5RY, 114, Knolton Way, Slough, SL2 5SG, Mountfields, Halifax, West Yorkshire, HX3 8SS, 1, Beech View, 130, Knolton Way, Slough, Berkshire, SL2 5SG, Flat 1, Beech View, 130, Knolton Way, Wexham, Slough, Berkshire, SL2 5SG, Flat 2, Beech View, 130, Knolton Way, Wexham, Slough, Berkshire, SL2 5SG, Flat 3, Beech View, 130, Knolton Way, Wexham, Slough, Berkshire, SL2 5SG

Notice Placed on Site and published in the Local Press

NO OBJECTIONS RECEIVED.

(In relation to the previous planning application, 2 no. letters of objection were received and a petition which contained 33 signatures).

6.0 **Consultation**

6.1 **Wexham Court Parish Council**: No comments received

6.2 **Transport**

This application is a re-submission from the 002 application and I have referred this as 002a. The application proposes to demolish the existing care home on the site of Knolton Way and Berryfield as it is surplus to Slough Borough Council's requirements after construction of two new care homes in the borough. The application proposes the erection of 23 family houses split as, two, 2-bed houses, fifteen, 3-bed houses and six 4-bed houses. The application proposes 54 parking spaces for the development.

Traffic Generation

The Transport Statement submitted with the planning application states the existing and proposed traffic generation rates as follows:

- *The existing trip rate for the 30 capacity care home is stated to be 80 two way trips on an average weekday (Slough Borough Council informed PBA of the figure for the existing trip generation);*
- *The proposed trip rate, calculated through the use of the TRICS 2008 (Version 6.2.1) database is 150 two way trips on an average weekday.*

For expediency I have checked the TRICS database for the proposal to change use class from C2 (care home) to C3 (residential, houses). The application has the potential to generate in the region of 156 movements per day (two-way) compared to 80 movements per day (two-way) from the existing use. If permitted it is estimated that the proposal has the potential to generate in the region of 76 additional daily trips on the network.

Whilst the level of increase predicted for the network peak hours is not in itself material in traffic impact terms, in recognising that the highway network within the Borough experiences extensive problems with capacity and delay, the Borough Council has developed a Transport Strategy which is supported by central government policy to encourage modal shift to other forms of transport and manage congestion to enable targets within the Transport Act to be met. This development would place additional demands on the transport network on a daily basis and the associated traffic movements would exacerbate existing problems.

On this basis a contribution towards the Slough Transport Strategy is required so that the implementation of schemes within the Strategy to promote other forms of travel and manage congestion can be brought forward. A contribution of £22,800 is considered commensurate with the additional traffic likely to be generated by this development and is consistent with the approach taken on other developments within the Borough. I would envisage that this contribution would be used towards implementing real time passenger information at nearby bus stops to make public transport more attractive and potentially towards schemes to encourage walking and cycling. I should be grateful if this contribution would be secured by a S.106 Agreement should you be minded to approve this application.

Access

Dropped crossings are provided to all of the plots, although the majority of plots on The Cherries and Berryfield share a dropped crossing; plots 18-23 are served by an internal access road from Knolton Way. It is unclear as to whether this internal access road is to be adopted.

Pedestrian Access

I note that the pedestrian crossing points across Berryfield at the junction with Knolton Way and across the Cherries at the junction with Berryfield do not

have dropped crossings or tactile paving for pedestrians. It is good practice to implement this, noting provision is being made for less able people within this development.

Parking

The application proposes 54 parking spaces; all spaces are assigned to properties including 2 spaces assigned to the veterinary surgery. Parking is provided in accordance with the standards set out in the Slough Local Plan 2004.

C3 Residential: 2 or 3 bed (assigned) – Min. 2 per unit

C3 Residential: 4 or 4 + beds (assigned) – Min. 3 per unit

As per many areas in Slough, the streets in this area suffer from parking half on the road and half on the verge or footway. Noting the design of the parking spaces, 1 space behind each other, there is a risk that for convenience for the occupier, vehicles will be parked on the verge immediately outside of the property rather than within its curtilage. Therefore as part of the construction of this development I would additionally require double height kerbs to be provided to prevent this unsightly habit that destroys verges and damages trees. Double height kerbs should be provided around the whole of the development, along Knolton Way, along Berryfield and along The Cherries.

Cycle Parking

The Highway Authority does require the provision of cycle parking for the site. Cycle parking should be installed to meet the Council's Cycle Parking Standards as set out in the Developer's Guide Part 3. The Highway Authority requires the introduction of separate cycle stores for each residential unit to be provided within rear gardens.

Refuse and Recycling

Provision has been made for refuse and recycling bins at the front of each property which is acceptable. I note that a turning head is being provided on the internal access road. The head (to the east) measures 12.0m in length, which is long enough to contain a refuse lorry, but the head itself does not need to be this long and therefore noting the width of the access road and by undertaking some tracking of the movement of the truck this head could be reduced in size by 2.0 -4.0metres, which would mean that the gardens for plots 11 and 12 would be larger and less road construction required.

Summary

Subject to the securing of £22,800 in a S106 agreement, the applicant agreeing to implement double height kerbs around the development to prevent verge parking and implementing pedestrian crossings and tactile paving at the junctions mentioned above to facilitate pedestrian movement then I would not raise a highway objection. Please incorporate the following condition.

Conditions

1. *Not to commence development until a scheme for the provision of cycle parking (including location and cycle stand details) has been submitted to and agreed in writing by Slough Borough Council, as Local Planning and Highway Authority. Unless otherwise agreed in writing the provision of a secure cycle store and an unobstructed footway shall be provided in accordance with the Local Planning Authority's "Cycle Parking Standards". No part of the development shall then be occupied until the cycle stands have been laid out and constructed in accordance with the approved details and that area shall not thereafter be used for any other purpose other than cycle storage.*

Reason: To ensure that adequate and convenient cycle storage is provided to accord with the adopted cycle parking standards, Slough Borough Council Local Plan Policies T2 and Core Strategy 2006-2026 Core Policy 7, and the Slough Integrated Transport Strategy

6.3

Highways

Vehicular crossover junction

Provision of Vehicular Crossovers must be in accordance with the Council's Provision of Vehicular Crossover Policy. I have summarised the policy below. The items highlighted bold identify where the current layout does not comply. Note the layout must include existing adjacent crossovers that do not form part of this application.

- ***The maximum crossing size width will be 4 metres.***
- *Hard standing areas behind the footway must be 4.8 metres deep by 2.4 metres wide.*
- *No more than two crossings in a row will be provided before one parking space for an on street parking space is provided.*
- *The crossover will not interfere with the use of a junction nor will it be detrimental to the safety of highway users.*
- *The crossovers will not be provided where a shared use footpath is provided.*
- *The crossover construction must not threaten the health of mature trees.*
- *The crossover must not negatively impact upon the local amenity or environment.*

Full frontage crossover for the existing and proposed dwelling, as a means of access will not be permitted. This neutralises on street parking for the other road users and is detrimental to the safety of pedestrians using the footway.

The existing crossover/s made redundant by the applicant's proposals must be removed and reinstated as standard footway construction.

It is recommended that the limit for providing vehicular crossovers (direct access) onto roads with a 30mph speed limit or less is under 10,000 vehicles per day (MfS 7.9.5).

The crossover to private driveways should be designed so that a minimum initial 900mm distance measured from the back of the footway is constructed at a standard footway crossfall of approximately 1:40/2.5%. The remainder of the footway is then reprofiled to provide a ramp to a 25mm drop kerb upstand. This provides a comfortable route for users pushing prams and those users with mobility impairment including wheel chair users (MfS 6.3.29/30 and Figure 6.12).

Priority junction requirement onto “lightly trafficked” road

As vehicles will exit from the back of footway emerging drivers will have to take account of people using the footway (MfS 7.8.3). As such the standard 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.

I confirm the application complies with priority junction requirements to provide pedestrian visibility splays 2.4m x 2.4m in all but two instances. The pedestrian visibility splay, for the two four bed units fronting The Cherries Road, appears to fall on land that is currently not in control of the applicant’s development site. Measures must be put in place to ensure the splays are secured. The visibility splay will be best produced using boundary railings or by the omission of boundary wall/fences at the exit location (MfS 7.2.2).

As the junction is off a “lightly trafficked road” sight lines of 2.4m x 43m have been provided from the priority road onto the site. These should 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.

Servicing (David Williams ext 5583)

Servicing will be permitted directly from the main road for those properties fronting Knolton Way, Berry Field Road & The Cherries Road. There are five units accessed via the proposed 5.0m access road. Provision has been included for service vehicles (11.6m vehicle) to leave and enter the highway in forward gear with an unobstructed turning area provided on site.

Highway works and contributions summary

The applicant will need to enter into a section 106 agreement with Slough Borough Council; this s106 agreement will obligate the developer to enter into a section 278 agreement for the satisfactory implementation of the works identified in the highways schedule.

The highways schedule includes;

- Installation of crossover / junction*
- Reconstruct the footway fronting the application site.*
- Reinstatement of redundant access points to standard to footway*

construction

- *Installation of street lighting modifications*
- *Drainage connections*
- *Reconstruction of footway*
- *Dedication as highway maintainable at the public expense, free of charge, of sight line areas*

*Ideally the applicant should prepare a S278 Adoption Layout (Slough Borough Council Drawing Number 8/27/**P1) to show the works required. This plan should be appended to the s106 and correspond to the Highway Works Schedule.*

Please secure these requirements by s106 in the Highways Schedule, or alternatively if there is no s106 agreement for this site, ensure the approved planning drawings clearly show and details the requirements listed.

Summary

Subject to the application being revised in accordance with my comments I confirm that I have no objection to this application from a highway perspective.

Please include the following condition(s)/informative(s) as part of any consent that you may issue.

Should the application be revised in accordance with my comments the following condition(s) will apply.

Access

1. *No part of the development shall be occupied until the new means of access has been sited and laid out in accordance with the approval plans and constructed in accordance with Slough Borough Council's Design Guide.*

- *Reason:*

In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

2. *No other part of the development shall be occupied until the pedestrian visibility splays of 2.4x2.4 metres (measured from the back of footway) have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.*

- *Reason:*

To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway

and of the access.

3. *No other part of the development shall begin until visibility splays have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding * metres in height above the nearside channel level of the carriageway.*

- *Reason:*

To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

Should the application be revised in accordance with my comments the following informative(s) will apply.

1. *The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.*
2. *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.*
3. *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.*
4. *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.*
5. *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.*

6.4 Crime Prevention Officer, Thames Valley Police

On the basis of information available, the Police are content with the development proposed, although I can make the following comment:

Where the terrace in Berry Field Road has its back gardens bordering with the internal access road from Knowlton Way, I would suggest that the 1.8m rear

boundary has an additional 0.3m trellis or railing top to add to the security of these exposed rear gardens.

6.5 Environment Agency

Consulted on previous planning application and advised that the site falls within a category of low environmental risk and referred to their standing advice.

6.6 Principle Drainage & lighting Engineer

Commented on the previous planning application as follows:

This area has had some historic problems around the site. The school to the north suffers significant surface water flooding and some properties to the south appear to have anti flood valves on the foul sewer.

Most certainly I would have concerns regarding surface water disposal for this site the ground conditions are not ideal for soakaways and any intensification of use could be very prejudicial to neighbouring areas. There are public SW sewers crossing the site but these are surcharged. I believe there is limited capacity in the foul sewer system but the system in this area suffers overloading due to combined flows from Bucks.

6.7 Berkshire Archaeology

Having checked our own SMR and the consulted the Buckinghamshire SMR I can confirm that the above site lies within an area of archaeological potential of this area.

The parish church of St Mary's dates to the 12th - 16th centuries located on the Buckinghamshire border and this relates to the moated site on the Slough side of the border with Buckinghamshire. This provides evidence of Medieval settlement in and around St Mary's during the Medieval. Given the proximity of this site to that of the moated site, on the opposite side of the road, and the evidence from archaeological investigation on that site there is a likelihood that archaeological remains extend into the site of the current proposals.

Little archaeological investigation has taken place in this area but where it has there is evidence of multi-period archaeological activity. Roman and Bronze Age finds were located in a gravel pit near Stone's Wood, Buckinghamshire. A limited amount of prehistoric and Roman activity was identified at Wexham Court 500m to the north of this site within the Slough boundary. This may have been due to truncation by later archaeological activity dating from the Saxon and Medieval times for which there is settlement evidence on site.

Therefore, I recommend the inclusion of the following condition in any planning permission granted to be implemented:

Condition:

No development shall take place within the site until the applicant, or their agents or their successors in title, has secured and implemented a programme of archaeological work (which may comprise more than one phase of work) in accordance with a written scheme of investigation, which has been submitted

to and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

Reason:

To ensure that any archaeological remains within the site are adequately investigated and recorded or preserved in situ in the interest of protecting the archaeological heritage of the borough.

6.8

Thames Water

Commented on the previous planning application as follows:

Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

There are public sewers crossing this site, and no building works will be permitted within 3 metres of the sewers without Thames Water's approval. Should a building over / diversion application form, or other information relating to Thames Waters assets be required, the applicant should be advised to contact Thames Water Developer Services on 0845 850 2777.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 8507 4321.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

Water Comments

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

6.9 **Housing**

In conjunction with Housing Allocations, the following housing mix is proposed, representing 30% of the completed dwellings:

2 x 4 bed houses

5x 3 bed houses

The financial contribution would need to be based upon this mix

6.10 **Tree Officer**

Did not previously comment on the tree survey, which has been re-submitted as part of this application. As the tree proposals have already been approved, further comment has not been sought.

6.11 **Land Contamination Officer:**

Commented on the previous planning application as follows:

I have reviewed the above application. Environmental Services do not hold any records of potential contaminative uses on the site itself or within the surrounding area. It is proposed to develop the site for the sensitive end use of residential with private gardens. As such it would be prudent for the developer to undertake a phase 1 site investigation as a minimum. Therefore I would recommend that the following condition is placed on any issued planning permission.

Condition

Prior to the commencement of the development a preliminary risk assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice, such as CLR11 and submitted in writing to the Local Authority to identify all possible sources of contamination. This should incorporate a desk study and site walk over to identify all potential contaminative uses on site, current and historic, and to inform an initial conceptual site model. If potential contamination is identified then the LA should be contacted and a further condition will be placed on the development which covers sites where land contamination may be expected as a result of former land use.

If no sources of contamination are identified then the developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority the presence of any unsuspected contamination encountered during the development.

In the event of contamination to land and/or water being encountered, no

development shall continue until a programme of investigation and/or remedial work to include methods of monitoring and certification of such work undertaken has been submitted and approved in writing by the LPA.

None of the development shall be occupied until the approved remedial works, monitoring and certification of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

In the event that no significant contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be occupied

Reason- To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use.

6.12 **Neighbourhood Protection:**

Commented on the previous planning application as follows:

I refer to the above-mentioned application passed to this Department for comment. I have examined these proposals and submit the following observations for your consideration.

OBSERVATIONS

Issue 1 – Demolition and Construction Phase

Noise, dust and vibration from the demolition/construction phase may affect occupiers of nearby residential premises. I suggest the following planning condition is attached to any planning permission granted:

Condition - Control of environmental effects: major redevelopment

No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of demolition/construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) control of noise*
- (ii) control of dust, smell and other effluvia*
- (iii) control of surface water run off*
- (iv) site security arrangements including hoardings*
- (v) proposed method of piling for foundations*
- (vi) construction working hours, hours during the construction phase when delivery vehicles taking materials are allowed to enter or leave the site.*

The development shall be carried out in accordance with the approved scheme or as otherwise be agreed in writing by the Local Planning Authority.

REASON: In the interests of the amenities of the area.

Issue 2 - Noise

Occupiers of residential properties nearby to the new development can suffer excessive noise problems due to the demolition/construction of new buildings. I suggest that the following planning condition is attached to any planning permission granted requiring a noise insulation scheme to limit noise transmission:

Condition - Hours of construction

No construction work shall take place outside the hours of 08:00 - 18:00 hrs Monday to Friday, 08:00 - 13:00 hrs on a Saturday and no working at all on Sundays or public holidays.

REASON: In the interests of the amenities of the area.

Issue 3 - Site Lighting

In order to prevent loss of amenity to the area through the introduction of sky glow, glare or light into windows, it is suggested that a condition be attached to any planning permission granted, for the submission of an external lighting scheme to be submitted and agreed by the local planning authority. I suggest that the following planning condition is attached to any planning permission granted:

Condition - Site Lighting

No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON: In the interests of the neighbouring property.

Issue 4 – Waste during demolition/construction

The applicant has not supplied methods to deal with waste arising from the construction phase. I suggest that the following planning condition is attached to any planning permission granted:

Condition - Control of waste during construction phase

No development shall take place until details in respect of measures have been submitted to and approved in writing by the Local Planning Authority. The

approved details shall be implemented during the course of building operations and the subsequent use of the building:

- (a) Minimise, re-use and re-cycle waste, including materials and waste arising from construction;*
- (b) Minimise the pollution potential of unavoidable waste;*
- (c) Dispose of unavoidable waste in an environmentally acceptable manner – there shall be no bonfires on site.*

REASON: In the interests of the amenities of the area.

Issue 5 – On-site Refuse Storage

On-site refuse storage should be considered carefully as insufficient storage methods may create odour, litter and rat problems for neighbouring premises. I suggest the following planning condition is attached to any planning permission granted:

Condition - On-site refuse storage

No development shall take place until details of on-site storage (including any open air storage facilities) for waste material awaiting disposal (including details of any screening) have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

REASON: In the interests of the amenities of the area.

PART B: PLANNING APPRAISAL

7.0 Policy Background

- 7.1 The application is assessed against the following National Guidance and Regional and Local Planning policies.

National Planning Policy Guidance

Planning Policy Statement 1 – Delivering Sustainable Development

Local Planning authorities are required to bring sites forward for new housing in sustainable locations, achieving good design and economic and efficient use of land.

Planning Policy Statement 3 - Housing

Developments should achieve high quality housing and add to the character of existing areas.

Planning Policy Guidance 25 – Development & Flood Risk

A risk-based approach should be adopted at all levels of planning. Applying the source pathway- receptor model to planning for development in areas of flood

risk requires:

Regional

South East Plan

The South east Plan sets out its objectives, relevant to this application, with respect to housing as follows:

Delivering the Plan's target for housing provision

- ii At least 60% of new housing on previously developed (brownfield) land*
- iii Delivering a substantial increase in the supply of affordable housing, with an overall target of 35% of new homes as affordable*
- iv Increasing housing density to an average of 40 dwellings per hectare, but with a strong emphasis on high design standards*

With regards to natural resources the plan sets out policies, relevant to this application, for

- ii for effective flood management, including the use of Sustainable Drainage Systems and other measures to reduce the risk of flooding*
- iii protection of ancient woodlands and ensure better management and expansion of key wildlife habitats*
- v improvement of air quality and noise reduction*
- vi challenging targets and positive planning policies to expand renewable energy and requires that developers ensure that at least 10% of new developments' energy needs are met from renewable sources*
- vii Promotes measures to achieve higher standards of energy efficiency.*

Local Planning

The adopted Local Plan identifies the open, overgrown area at the northern end of the site as "Public Open Space/Allotments".

The following saved policies from the Local Plan (2007) are relevant to the proposals:

- Policy H10 – Requires for a minimum residential development density of 37 dwellings per hectare;
- Policy H13 – States that development proposals for small scale infilling, including backland development will not be permitted, unless they comply with a list of criteria.
- H14, sets out the criteria to be considered when assessing the adequacy of amenity space provision. Consideration is also given to the approved guidelines from Amenity Space Around Residential Properties.
- Policy EN1 – Refers to the requirement for development proposals to have a high standard of design and to be compatible with their surroundings.
- Policy EN3 – Requires landscaping schemes for all new development proposals.
- Policy EN5 – States that all development schemes should be designed

so as to reduce the potential for criminal activity and anti-social behaviour.

- Policy OSC17 – Development proposals which result in the loss of a community facility will not be permitted unless it can be shown that:
 - The facility is no longer required for alternative religious, leisure or community use
 - An acceptable alternative facility can be provided
 - It would be uneconomic to repair or alter the building for an alternative community use

- Appendix 2 of the Local Plan sets out the parking standards for the new development. With regards to residential properties, the following car parking standards apply:
 - 2 or 3 bed dwelling – 2 spaces per unit
 - 4 bed dwelling – 3 spaces per unit

Cycle parking should be provided at 1 space per dwelling.

In January 2009, the Council adopted the Local Development Framework Core Strategy DPD. The following policies from the Core Strategy are relevant to the proposals:

- Core Policy 1 – States that all development will take place in the built up area, predominantly on previously developed land, unless there are special circumstances.
- Core Policy 4 – Refers to the type of housing to be provided in the borough. It states that within existing suburban residential areas, there will only be limited infilling which will consist of family houses that are designed to enhance the distinctive character and identity of the area. New housing should be built at a density of 37 dwellings per hectare. Densities less than this may be permitted on small sites or where there are other site constraints.
- Core Policy 6 requires that all community facilities/services be retained. Where exceptionally, it is agreed that community facilities/services may be lost or reduced in size to accommodate new development, developers will be required to contribute towards new or enhanced community facilities/services locally.
- Core Policy 7 – States that development proposals will, have to make provisions for the following:
 - Reducing the need to travel;
 - Widening the travel choices and making sustainable means of transport more attractive than private car;
 - Improving road safety;

- Core Policy 8 – Requires all development in the Borough to be

sustainable, of high quality design, improve the quality of the environment and address the impact of climate change.

- Core Policy 9 – States that development will not be permitted unless it:
 - Enhances and protects the historic environment;
 - Respects the character and distinctiveness of existing buildings, townscapes and landscapes, and their local designations;
 - Protects and enhances the water environment and its margins;
 - Enhances and preserves natural habitats and the biodiversity of the Borough.
 - Improving air quality and reducing the impact of travel upon the environment, in particular climate change;

Core Policy 10 – States that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All infrastructure must be sustainable.

Core Policy 12 – Refers to community safety. It states that all new development should be laid out and designed to create safe and attractive environments in accordance with the recognized best practice for designing out crime.

8.0 **Planning Assessment**

Principle of Housing Development

8.1 The use of the site for a residential development would be in keeping with the prevailing character of the area. As stated above, the area around the site is predominantly in residential use. None of the buildings on the site are listed or in a conservation area.

8.2 Government policy seeks to encourage the most efficient use of ‘previously developed land’ whilst protecting the visual amenities of an area and the amenities of residents in surrounding properties. The use of the site for housing would meet many of the Council’s objectives for new housing and where a well designed layout and design can be integrated into the existing community.

8.3 Core Policy 4 of the Local Development Framework Core Strategy requires that *within existing suburban residential areas there will be only limited infilling which will consist of family houses that are designed to enhance the distinctive character and identity of the area.*

8.4 No objections are raised to the principle of residential development on this site in accordance with guidance given in PPS 1 and PPS 3, and Core Policy 4 of the Local Development Framework Core Policy, Development Plan Document, December 2008.

Site Layout ,Design and Street Scene Impact

8.5 The layout of the development has been designed to reinforce the existing street pattern along the Cherries and Berryfield. The proposed development

picks up on the massing lines created by the Cherries and Berry Field to create three terraced blocks. The need to provide parking to the front of the proposed dwellings has necessitated a very minor breach of front building lines along the Cherries and Berryfield. The surrounding terraced houses are characterised by a gable ended feature at the end of each terraced block. The proposed development has adopted this characteristic, giving the roof massing a satisfactory relationship with neighbouring and surrounding developments. The design and external appearance of the new buildings have been designed to complement the existing development in the surrounding area. Simple elevations with a regular pattern of windows, with traditional pitched roofs to the houses is characteristic of the surrounding area. In design terms, it is considered the current proposal is a contemporary interpretation of the design character and appearance of existing houses on this part of the Wexham Court estate.

- 8.6 Opening up of the frontages along The Cherries and Berry Field to created frontage parking will result in the loss of much of the existing boundary hedge around the site. This will impact on the character and appearance of the area, but is unavoidable, given the need to meet the Council's parking standards and the need to maintain and reinforce the existing street scene and pattern of development. Part of the existing hedge is to be retained along Knolton Way. Further, a comprehensive landscaping scheme, including tree planting within the front garden areas along The Cherries and berry Field will help to compensate for this loss.
- 8.7 The scale of the proposed development is similar to that of the adjoining properties. Dwellings in the surrounding area are all two and three storeys in height. The proposed terraces of 2 storey houses will match the height of the adjoining properties.
- 8.8 The primary materials will comprise a mix of facing brick and render for the walls, grey concrete tiles for the roof and timber windows. This is similar to surrounding properties which include a mix of brick and render in varying degrees. The final details for the materials will be covered by condition.
- 8.9 Whilst the proposals involve a change both to the number and mix of houses, this is not to the detriment of the scheme in terms of its siting design, external appearance nor impact on the street scene and surrounding area.
- 8.10 No objections are raised on grounds of site layout, design or street scene impact in relation to PPS1, PPS3, Core Policy 8 of the Local Development Framework Core Policy, Development Plan Document, December 2008, and Policies H13 and EN1 of the Adopted Local Plan for Slough 2004.

Impact on Existing Residents

- 8.11 The separation distances between the first floor flats above the veterinary surgery and the closest residential block is approximately 20 metres. The occupiers of the first floor flats will be overlooking an access road and the front gardens to the properties in that block. The back to back separation distances between the block fronting The Cherries and the block to the rear of the

Veterinary surgery, at first floor level is approximately 19 metres. The first floor separation distance between the rear elevations of 2a and 2b Berry Field and the flank wall of the nearest dwelling is 15 metres.

- 8.12 No objections are raised in relation to any adverse impacts on neighbouring residential amenity in relation to Core Policy 8 of the Local Development Framework Core Policy, Development Plan Document, December 2008, and Policies H13 and EN1 of the Adopted Local Plan for Slough 2004.

Housing Density

- 8.13 A total of 23 separate dwellings are proposed for the site in a range of sizes and layouts. The accommodation to be provided in the development consists of 6 no. X 4 bedroom houses, 15 no. X 3 bedroom houses and 2n. X 2 bedroom houses. This represents a density of 41 dwellings per hectare on a site of approximately 0.56 ha in area. This density exceeds that recommended by Policy H10 as reinforced by Core Policy 4, which requires for a minimum residential development density of 37 dwellings per hectare. It is considered that the proposed layout makes the most efficient use of the site, whilst protecting the amenities of residents in neighbouring properties. In addition, the development provides medium and large family sized houses which result in a higher density in terms of habitable rooms.

- 8.14 Given the nature of the proposal being larger family houses and the suburban character of the area, no objections are raised on grounds of residential density in relation to Core Policy 4 of the Local Development Framework Core Policy, Development plan Document, December 2008, and Policy H10 of the Adopted local plan for Slough 2004.

Affordable Housing

- 8.15 Core Policy 4 of the Local Development Core Strategy, Development Plan Document requires that on sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.

- 8.16 On small sites of less than 25 units but more than 15 units, a financial contribution is sought. The proposal site falls within this category and is the subject of negotiation with the applicant. The requirement for an appropriate financial contribution would need to be made a requirement of a Section 106 Agreement.

- 8.17 Subject to the satisfactory completion of a S106 Agreement, the Heads of Terms for which should include the payment of a financial contribution in lieu of providing affordable housing on site, no objections are raised on grounds of affordable housing provision in relation to Core Policy 4 of the Local Development Framework Core Policy, Development plan Document December 2008.

Land Contamination

- 8.18 Environmental Services do not hold any records of potential contaminative uses on the site itself or within the surrounding area. However, As it is

proposed to develop the site for the sensitive end use of residential with private gardens, it would be prudent for the developer to undertake a phase 1 site investigation as a minimum.

- 8.19 No objections are raised on grounds of land contamination in relation to PPS 23 subject to a precautionary planning condition being imposed.

Development & Climate Change

- 8.20 The applicant has been advised to prepare a surface water drainage strategy for the site for approval prior to a formal determination being made on this application. This on the basis that the Council's Principle Drainage & Lighting Engineer has advised that: *"This area has had some historic problems around the site. The school to the north suffers significant surface water flooding and some properties to the south appear to have anti flood valves on the foul sewer.*

Most certainly I would have concerns regarding surface water disposal for this site the ground conditions are not ideal for soakaways and any intensification of use could be very prejudicial to neighbouring areas. There are public SW sewers crossing the site but these are surcharged. I believe there is limited capacity in the foul sewer system but the system in this area suffers overloading due to combined flows from Bucks".

Appropriate conditions are to be imposed as per the previous planning permission.

- 8.21 No objections are raised on grounds of surface water flooding subject to appropriate conditions being imposed requiring surface water impact and foul drainage assessments to be undertaken and approved in writing by the local planning authority before any works commence on site, in accordance with PPS 25.

Tree Loss and Landscaping

- 8.22 The tree survey identifies 14 no. trees comprising 9 no. apple trees, 3 no. Weeping Willows, 1 no. Elder, 1 no. Lilac and 1 no. Ash. In addition there is a group of trees identified comprising a mix of Elder, Apple, Privet and Buddieia

- 8.23 The proposals allow for retention of the following trees:

T1.....Twinned Stem Ash
T2..... Weeping Willow
T4..... Apple
T5..... Apple
T6..... Elder

The tree report identifies T14, a Weeping Willow, *"as the largest tree on the site and as an individual specimen growing in amenity grassland, it has the most visual interest amenity value for the area and would complement any new development of the site. However, because of the current condition, type of tree it is and age, it is proposed that it could be removed if necessary and*

replaced with appropriate new plantings of a more suitable species as part of the proposed development”.

The report goes on to provide guidance on tree protection measures and rootball protection areas in respect of those trees to be retained.

- 8.24 With respect to tree loss the proposals do not differ from the extant planning permission and as such there are no objections are raised in relation to tree loss or landscaping in relation to Policy EN3 of the Adopted Local Plan for Slough 2004, subject to successful tree retention and implementation of an approved landscaping scheme.

Loss of Community Facility

- 8.25 The existing building accommodated a day centre for elderly persons. This day centre has been closed. The users of the day centre have transferred to a new facility at the Pines off Wexham Road, a facility which is managed by Hanover Housing Association.

- 8.26 The day centre forms an integral part of the elderly persons home. This factor together with its restricted size, would mean that it would be unlikely to provide a suitable venue for alternative community use. In accordance with policy OSC17 of the adopted Local Plan, it is being treated as an exception to policy and its re-use for family housing is supported in principle. Further, it is accepted that the function has not been lost and the service transferred to a new and enhanced facility which is located locally. The view taken with respect to this application is similar to that taken in respect of the extant planning permission which is that, it is considered that the requirements of Core Policy 4 have been met.

Traffic Access and Parking

- 8.27 The proposed change use from Class C2 (care home) to Class C3 (residential, houses) has the potential to generate in the region of 156 movements per day (two-way) compared to 80 movements per day (two-way) from the existing use. If permitted it is estimated that the proposal has the potential to generate in the region of 76 additional daily trips on the network.

The Transport Engineers advise that:

“Whilst the level of increase predicted for the network peak hours is not in itself material in traffic impact terms, in recognising that the highway network within the Borough experiences extensive problems with capacity and delay, the Borough Council has developed a Transport Strategy which is supported by central government policy to encourage modal shift to other forms of transport and manage congestion to enable targets within the Transport Act to be met. This development would place additional demands on the transport network on a daily basis and the associated traffic movements would exacerbate existing problems.

On this basis a contribution towards the Slough Transport Strategy is required so that the implementation of schemes within the Strategy to promote other forms of travel and manage congestion can be brought forward. A contribution

of £22,800 is considered commensurate with the additional traffic likely to be generated by this development and is consistent with the approach taken on other developments within the Borough. I would envisage that this contribution would be used towards implementing real time passenger information at nearby bus stops to make public transport more attractive and potentially towards schemes to encourage walking and cycling. I should be grateful if this contribution would be secured by a S.106 Agreement should you be minded to approve this application.”

- 8.28 Pedestrian crossing points across Berryfield at the junction with Knolton Way and across the Cherries at the junction with Berryfield do not have dropped crossings or tactile paving for pedestrians. It is good practice to implement this, noting provision is being made for less able people within this development.
- 8.29 The application proposes 54 parking spaces for the development consisting of 8 communal (of which 1 is to be marked disabled) and 44 assigned spaces. A further 2 no. parking spaces are allocated specifically for use by the neighbouring Veterinary surgery The Local Plan requirements for parking in a predominantly residential area are as follows:
- C3 Residential: 2 or 3 bed (Part assigned/part communal or fully assigned) – Min. 2 per unit
C3 Residential: 4 or 4 + beds (all assigned) – Min. 3 per unit
- The 6 four bed houses require 3 spaces each, equalling 18 in total. The remaining 17 houses have either assigned spaces or part assigned/part communal at a minimum of 2 per unit, equalling 34 spaces. The minimum amount of car parking spaces required for the development is 52, which is the proposed provision
- 8.30 As per many areas in Slough, the streets in this area suffer from parking half on the road and half on the verge or footway. Noting the design of the parking spaces, 1 space behind each other, there is a risk that for convenience for the occupier, vehicles will be parked on the verge immediately outside of the property rather than within its curtilage. Therefore as part of the construction of this development I would additionally require double height kerbs to be provided to prevent this unsightly habit that destroys verges and damages trees. Double height kerbs should be provided around the whole of the development, along Knolton Way, along Berryfield and along The Cherries
- 8.31 Cycle stores are required within the rear gardens of individual properties and the provision of such stores will be a requirement of planning condition.
- 8.32 No objections are raised on grounds of trip generation, access and/or parking in relation to Core Policy 7 of the Local Development Framework Core Policy, Development Plan Document, December 2008, and Policy T2 of the Adopted Local Plan for Slough 2004, subject to appropriate conditions being imposed and the developer entering into a S106 agreement for the payment of a transportation contribution.

Amenity Space

- 8.33 All dwellings maintain rear gardens with a depth exceeding 9 metres. None of the four bedroom dwellings have rear gardens which comply with a minimum 15 metre depth, however, all such dwellings have garden areas well in excess of the minimum 100 sq metres. This complies with the Council's approved guidelines, in cases where a minimum 15 metre depth cannot be achieved.
- 8.33 No objections are raised on grounds of amenity space provision in relation to Policy H14 of the Adopted Local Plan for Slough 2004

Renewable Energy

- 8.34 In accordance with the Developers Guide, there is a requirement to achieve 10% renewable energy for all sites of 50 no. dwellings or more. This is addressed by Core Policy 8 of the Local Development Framework Core Policy, Development Plan Document, December 2008. As set out in the submitted Design and Access Statement, the scheme design incorporates the ability to provide solar thermal panels.
- 8.35 The deposited elevational plans show solar thermal panels, although there is no supporting documentation giving appropriate details. A condition can be imposed requiring more detail of the proposed solar thermal panels to be submitted for subsequent approval.

Designing Out Crime

- 8.36 Thames Valley Police have commented positively on the scheme layout in terms of designing out crime. Suggestions are made that when rear gardens abut communal areas, that some natural surveillance be provided by introducing reduce height rear garden fences (1.5m) with trellis work on top.
- 8.37 No objections are raised on grounds of crime and security in relation to Policy EN5 of the Adopted Local Plan, subject to the introduction of planning conditions designed to improve natural surveillance.

9.0 Other Issues

- 9.1 In accordance with the advice given in the Developers Guide, the developer will be required to make a financial contribution towards the cost of funding of additional education places. This will be negotiated through a S106 Agreement.

10.0 S106 Issues

- 10.1 The developer will need to enter into an Agreement under S106 of the Town and Country Planning Act 1990.
- 10.2 The Heads of terms for a S106 Agreement are as follows:
- Payment of a financial contribution towards the costs of general transportation improvements in Slough
 - Payment of a financial contribution towards the costs of funding affordable housing in lieu of provision of such accommodation on site
 - Payment of a financial contribution towards the costs of funding

additional education places.

- Developer to enter into a S278 highways Agreement for the following works:
 - *Installation of crossover / junction*
 - *Reconstruct the footway fronting the application site.*
 - *Reinstatement of redundant access points to standard to footway construction*
 - *Installation of street lighting modifications*
 - *Drainage connections*
 - *Reconstruction of footway*
 - *Dedication as highway maintainable at the public expense, free of charge, of sight line areas*
 - *Installation of double height kerbs to existing footways around the site in between proposed vehicular crossovers*
 - *Installation of pedestrian dropped crossings to the existing junctions of Berryfield with the Cherries and Berryfield with Knolton Way*

11.0 **Summary**

11.1 This is an application for 23 dwellings comprising a mix of 2, 3 and 4 bedroom family houses. The scheme is similar in form and character to that which already benefits from planning permission, albeit with a different number and mix of units. As with scheme approved under the extant planning permission, the siting and layout of the development is designed to minimise its impact on existing neighbouring residential amenity. The scheme design represents a contemporary interpretation of the existing residential character of the area.

11.2 There is a requirement for a S106 Agreement. This agreement will cover financial contributions for general transport, education and affordable homes and essential highway works.

PART C: RECOMMENDATION

12.0 **Recommendation**

12.1 Delegate to the Head of Planning Policy and Projects for completion of a S106 Agreement.

13.0 **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. 11/3243/1, Dated 23/03/2011, Received 19th April 2011
- (b) Drawing No. 11/3243/2, Dated 4/03/2011, Received 19th April 2011
- (c) Drawing No. 11/3243/3, Dated 18/03/2011, Received 19th April 2011
- (d) Drawing No. 11/3243/4, Dated 18/03/2011, Received 19th April 2011
- (e) Drawing No. 11/3243/5, Dated 19/03/2011, Received 19th April 2011
- (f) Drawing No. 11/3243/6, Dated 19/03/2011, Received 19th April 2011
- (g) Drawing No. 11/3243/7, Dated 19/03/2011, Received 19th April 2011

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 to comply with the Policies in the Local Plan for Slough 2004.

3. 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 Adopted Local Plan for Slough 2004.

4. 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 Adopted Local Plan for Slough 2004.

5. 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 year 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.

6. No development shall take place until a landscape management plan has been submitted to and approved in writing by the Local Planning Authority. This management plan shall set out the long term objectives, management responsibilities and maintenance schedule for the landscape areas other than the privately owned domestic gardens, shown on the approved landscape plan, and should include time scale for the implementation and be carried out in accordance with the approved details.

REASON To ensure the long term retention of landscaping within the development to meet the objectives of Policy EN3 of The Adopted Local Plan for Slough 2004.

7. No development shall commence until tree protection measures as proposed in the Tree Survey & Assessment for Trees in Relation to Construction (BS5837:2005 as prepared by Wassells Arboricultural Services dated 27th May 2009 and received by the Council on 22nd October 2009) have been installed for all existing retained trees (as identified on the approved landscaping scheme) and such measures shall be carried out in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. These measures shall be provided and maintained during the period of construction works.

REASON To ensure the satisfactory retention of trees to be maintained in the interest of visual amenity and to meet the objectives of Policy EN4 of The Adopted Local Plan for Slough 2004.

8. 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 Adopted Local Plan for Slough 2004.

9. 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 Adopted Local Plan for Slough 2004.

10. A minimum of 54 no car parking spaces comprising a mix of assigned and communal car parking shall be provided of which at least 1 no. parking space shall be made available for use by disabled drivers and 2 no. and the scheme for parking and manoeuvring and the provision for on site turning for service vehicles as shown on the submitted plans shall be laid out prior to the initial occupation of the

development hereby permitted and these areas shall not thereafter be used for any other purpose.

REASON To ensure adequate car parking to serve the development and to allow service vehicles to enter the site turn around and leave the site in forward gear in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008 and Policy T2 of The Adopted Local Plan for Slough 2004.

11. 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 Adopted Local Plan for Slough 2004.

12. The development shall not commence until details of a lighting scheme (to include the location, nature and levels of illumination has been submitted to and approved in writing by the Local Planning Authority and the scheme shall be implemented prior to first occupation of the development and maintained in accordance with the details approved.

REASON To ensure that a satisfactory lighting scheme is implemented as part of the development in the interests of residential and visual amenity and to comply with the provisions of Policy EN1 of The Adopted Local Plan for Slough 2004.

13. Prior to the commencement of the development a preliminary risk assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice, such as CLR11 and submitted in writing to the Local Authority to identify all possible sources of contamination. This should incorporate a desk study and site walk over to identify all potential contaminative uses on site, current and historic, and to inform an initial conceptual site model. If potential contamination is identified then the Local Planning Authority should be contacted and a further condition will be placed on the development which covers sites where land contamination may be expected as a result of former land use.

If no sources of contamination are identified then the developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority the presence of any unsuspected contamination encountered during the development.

In the event of contamination to land and/or water being encountered, no development shall continue until a programme of investigation and/or remedial work to include methods of monitoring and certification of such work undertaken has been submitted and approved in writing by the Local Planning Authority.

None of the development shall be occupied until the approved remedial works, monitoring and certification of the works have been carried out and a full validation

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

In the event that no significant contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be occupied

REASON To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with Planning Policy Statement 23.

14. The means of access, including any alterations to existing points of access between the application site and the highway shall be formed, laid out and constructed in accordance with specifications and with such sight lines as shall be submitted in further details to be approved by the Local Planning Authority prior to the commencement of the development.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway gear in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

15. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (vii) control of noise
- (viii) control of dust, smell and other effluvia
- (ix) control of surface water run off
- (x) site security arrangements including hoardings
- (xi) proposed method of piling for foundations
- (xii) construction working hours, hours during the construction phase, when delivery vehicles taking materials are allowed to enter or leave the site.

The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

REASON In the interests of amenity of nearby residents and highway safety in accordance with Core Policies 7 and 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

16. Vehicular access gates to serve the development shall not be erected without first having obtained the written approval of the Local Planning Authority.

REASON In the interests of amenity and general highway safety and to accord with the requirements of Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

17. Vehicle wheel cleaning facilities shall be provided and used at the site exit for the duration of the demolition and construction period in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site.

REASON In the interests of amenity of nearby residents and highway safety in accordance with Core Policies 7 and 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

18. No development shall take place until details in respect of measures to:

- (a) Minimise, re-use and re-cycle waste, including materials and waste arising from any demolition;
- (b) Minimise the pollution potential of unavoidable waste;
- (c) Dispose of unavoidable waste in an environmentally acceptable manner;
- (d) Have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of building operations and the subsequent use of the buildings.

REASON In the interests of the amenities of the area and to accord with the requirements of Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

19. A surface water impact assessment shall be undertaken for the site and a detailed design for the disposal of surface water from buildings and surfaces including any necessary mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The surface water drainage system as approved shall be implemented fully in accordance with the details as approved

REASON To reduce the risks from surface water flooding in accordance with Planning Policy Statement 25.

20. A foul drainage impact assessment shall be undertaken for the site which will be required to demonstrate that foul sewage can be discharged from the site without overloading the existing public drainage system and which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The discharge scheme as approved shall be implemented fully in accordance with the details as approved.

REASON To reduce the risks from foul water flooding in accordance with Planning Policy Statement 25.

21. No windows other than hereby approved shall be provided within any flank wall elevations of the development without first obtaining in writing the approval of the Local Planning Authority.

REASON To prevent overlooking or loss of privacy of neighbouring land in

accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

22. Windows within the flank wall elevations of the development shall be obscurely glazed in accordance with a sample which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and such windows shall be high level opening at a minimum height of 1.8 metres above the finished internal floor level and shall be so maintained in perpetuity.

REASON To maintain the privacy of amenity of future residential occupiers in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

23. Notwithstanding the terms and provisions of the Town & Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that Order), Schedule 2, Part 1, Classes A,B,C,D,E & F, no extension to the house hereby permitted or buildings or enclosures shall be erected constructed or placed on the site without the express permission of the Local Planning Authority.

REASON The rear garden(s) are considered to be only just adequate for the amenity area appropriate for houses of the size proposed. It would be too small to accommodate future development(s) which would otherwise be deemed to be permitted by the provision of the above order in accordance with Policy H14 of The Adopted Local Plan for Slough 2004.

24. No other part of the development shall be occupied until the pedestrian visibility splays of 2.4 x 2.4 metres (measured from the back of footway) have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

REASON To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

25. No other part of the development shall begin until visibility splays have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

REASON To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

26. No development shall take place within the site until the applicant, or their agents or their successors in title, has secured and implemented a programme of archaeological work (which may comprise more than one phase of work) in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

REASON To ensure that any archaeological remains within the site are adequately investigated and recorded or preserved in situ in the interest of protecting the archaeological heritage of the borough in accordance with Planning Policy Guidance 16.

27. Prior to the 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 demolition/construction site staff and for delivery vehicles shall be submitted to and approved writing by the Local Planning Authority.

REASON In the interests of amenity of nearby residents and so as not to prejudice the free flow of traffic along the neighbouring highway or in surrounding residential streets in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

28. No development shall commence on site until details of the proposed boundary treatment both within and around the external boundaries of the site including position, external appearance, height and materials and which shall include specific measures to improve the security of those boundaries which abut the neighbouring veterinary clinic at 130 Knolton Way 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 Adopted Local Plan for Slough 2004.

29. Prior to the commencement of development details of cycle parking stores to be provided within individual rear gardens shall be submitted to and approved in writing prior to the commencement of development. The cycle stores as approved shall be constructed in accordance with the details approved prior to first occupation.

REASON To comply with the Council's parking standards and to encourage alternative modes of travel to the private motor car in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

30. Prior to the commencement of development details of proposed thermal solar panels to be used on the development shall be submitted to and approved in writing by the Local Planning Authority and the scheme as approved shall be implemented

fully in accordance with the details approved.

REASON In the interests of achieving a sustainable development in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

Informative(s)

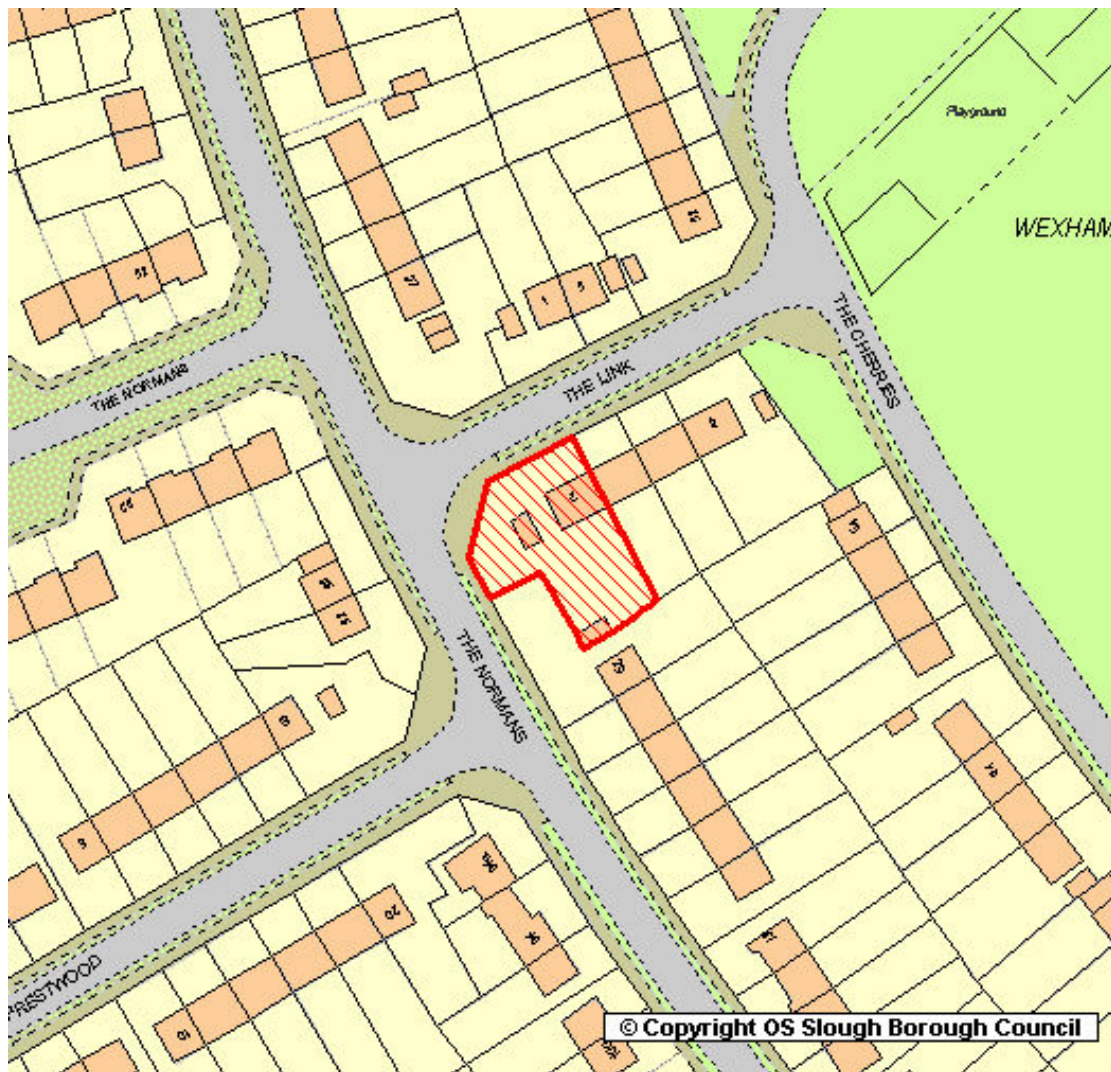
1. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.
2. The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.
3. 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.
4. 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.
5. 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.
6. Prior to commencing works the applicant will need to enter into a Minor Highway Works Agreement with Slough Borough Council for the implementation of the works in the highway works schedule. 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.
7. The access road will be subject to Section 219/220 of the Highways Act 1980. It is recommended that the road is designed and built under a section 38 agreement of the said act for its ultimate adoption.
8. This decision has been taken having regard to the policies and proposals in the Local Plan for Slough 2004 and the Slough Local Development Framework, Core Strategy 2006 - 2026, as set out below, (to Supplementary Planning Guidance) and to all relevant material considerations.

Policies:- H10, H13, EN1, EN3, EN5, OSC1, OSC5, OSC8 and OSC9 of The Adopted Local Plan for Slough 2004 and Core Policies 1, 4, 7, 8, 9, 10 and 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, Planning Policy Statement 1: Delivering Sustainable Development, Planning Policy Statement 3: Housing, Planning Policy Statement 23: Planning and Pollution Control, Planning Policy Statement 25: Development and Flood Risk.

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:	23-Mar-2011	Applic. No:	P/06883/002
Officer:	Mr Smyth	Ward:	Wexham Lea
Applicant:	Ms. J Vagarwal		
Agent:	Mr. David Webb, Uxbridge Design 21a, The Old Bakery, Windsor Street, Uxbridge, Middlesex, UB8 1AB		
Location:	2, The Link, Slough, SL2 5TP		
Proposal:	ERECTION OF AN ATTACHED TWO STOREY THREE BEDROOM HOUSE TOGETHER WITH PARKING FOR BOTH EXISTING AND PROPOSED DWELLING		

Recommendation: Refuse



P/06883/002

1.0 **SUMMARY OF RECOMMENDATION**

1.1 This application is of a type which is normally determined under Officer powers of delegation; however the application has been called in by Ward Councillor Sohal for determination by Planning Committee, on the following grounds:

- The proposed dwelling breaches the return building line by 1.4 metres
- The proposed development is out of character with the area
- The development would obscure the view on this corner plot
- A petition containing 75 signatures has been signed by neighbours

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

1.3 Refuse for the reasons set out at the end of the report.

PART A: BACKGROUND

2.0 **Proposal**

2.1 This application is for the erection of an attached two storey three bedroom house together with parking for both the existing and proposed dwelling.

3.0 **Application Site**

3.1 The site comprises a pre- fabricated double side garage with driveway and side garden laid to grass and enclosed by a low brick wall. The host property is an end of terraced two storey house. The site occupies a prominent corner location and is open in nature.

3.2 The character of this part of the Wexham Court estate is one of predominantly terraced housing with gable ends, for which the open breaks and spaces are an important characteristic of an otherwise fairly dense built up area. There are occasional pairs of semi detached houses interspersed between the main terrace blocks.

4.0 **Site History**

4.1 Planning permission was refused on 8th October 2010 for: *“erection of part two storey rear extension with hipped and pitched roof/part single storey rear extension with flat roof to no. 2 the link and erection of two storey detached building with hipped and pitched roof to provide 2 no. x two bedroom flats together with parking and amenity space”.*

4.2 The reasons for refusal are set out below:

1. *The site lies outside of the Town Centre Area within the suburban residential*

area of Wexham Court and the development (excluding the rear extension to no. 2 The Link) does not constitute family housing in accordance with Core Policy 4 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 which itself reflects the findings of the Berkshire Strategic Housing Market Assessment, which identified a significant shortfall in the provision of family housing in Slough.

- 2. The development (excluding the rear extension to no. 2 The Link) will result in a significant degree of enclosure in an otherwise open site. Open breaks are characteristic of this part of the Wexham Court estate and provide welcome visual relieve in what would otherwise be a fairly densely developed housing estate. The development would therefore be harmful to the character and appearance of the street scene and that of the surrounding area contrary to Planning Policy Statements 1 and 3, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and Policies H13 and EN1 of The Adopted Local Plan for Sough 2004.*
- 3. The proposed development (excluding the rear extension to no. 2 The Link) by virtue of its siting forward of the return building line formed by 29 - 39 The Normans together with its design and external appearance incorporating a hipped and pitched roof , its window style and proportions, its detached nature and insufficient visual break with the existing house at no 2 The Link, results in a poor visual relationship with neighbouring properties which is harmful to the character and appearance of the street scene and surrounding area contrary to Planning Policy Statements 1 and 3, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and Policies H13 and EN1 of The Adopted Local Plan for Sough 2004.*
- 4. The applicant has failed to demonstrate that the required car parking necessary to serve the development can be provided on site without compromising pedestrian safety or the Council's approved policy on the provision of vehicle crossovers and is thereby contrary to Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and Policy T2 of The Adopted Local Plan for Sough 2004 and The Slough Local Development Framework Residential extension Guidelines Supplementary Planning Document January 2010.*

4.3 An appeal was made to the Secretary of State against the Council's decision to refuse planning permission and which was subsequently dismissed.

4.4 The Appeal Inspector identified four main issues:

- (i) whether the flatted type of housing would be appropriate having particular regard to Core Policy 4 (CP4) of the Core Strategy1 (CS)
- (ii) the effect on character and appearance of the streetscene and surrounding area with particular regard to openness
- (iii) the effect on character and appearance of the streetscene and

surrounding area with particular regard to positioning as well as design and

- (iv) whether it has been demonstrated that car parking could be safely provided with particular regard to the provision of vehicle crossovers.

4.5 With respect to point (i) the Inspector concluded:

“The Core Strategy (CS) and Strategic Housing Market Assessment (SHMA) clearly distinguish between the need for flats and for family houses and I found nothing to convince me that the small proposed two bedroom flats would equate to family houses for the purposes of Core Policy 4 (CP4). Furthermore, whilst the SHMA identifies a growing number of single-person households, this demand is to be met in urban rather than suburban areas and there is also a large supply of flats already in the pipeline. In addition, elderly people might wish to live near to their families but I am not persuaded that this need would have to be met by suburban flats at the appeal site, particularly given the proximity of urban areas that could possibly be more suitable. 8. For the reasons set out above, the proposed flatted development would conflict with the CP4 requirement for family houses in suburban areas”.

4.6 With respect to point (ii) the Inspector concluded:

“There are many street corners within the estate and some have been in-filled with houses or extensions. However, the appeal site has a prominent corner position at one end of The Link which is a short street characterised on the south side by largely un-eroded and open corners with very wide gaps against nearby housing. Also, The Link forms an approach to the adjoining park and there are views of trees across the open corners. For these reasons, the appeal site has retained the original open feel which particularly characterises this part of the streetscene and generally distinguishes it from other corner sites on the estate that were drawn to my attention.

The proposed use of a hipped roof would slightly reduce any loss of openness and there is already a single storey garage on the site. However, the proposed two storey block of flats would be very much larger than the garage and would extend well beyond the building line of houses in The Normans. As a result, the scheme would create a sense of enclosure that would harm the existing open character of the prominent corner. Furthermore, each decision must be made on its own individual merits as well as circumstances and I saw nothing amongst the other in-filled corner plots to persuade me that the proposal would not harm the particular open character of this specific part of the streetscene”.

4.7 With respect to point (iii) the Inspector concluded:

“The hipped roof design would respond to the form of some end of terrace roofs in the locality but the roof of the immediately adjacent building has a simple gable end form. The scheme would read as a hipped roof detached house inserted very close up against the contrasting gable end of a terraced block in an area generally, although not entirely, characterised by short terraced blocks with some semi-detached houses. The resulting rather incongruous appearance would be further emphasised by both the failure to respond to the design of existing windows and also the failure to create an adequate visual gap between structures. Moreover, although set well back from the plot edge, the flats would sit a long way forward of the established building line in The Normans and the

consequential dominant positioning would serve to exaggerate the uncharacteristic appearance”.

- 4.8 With respect to point (iv) the Inspector concluded:
“There are shortcomings in the access arrangements shown in the original application drawings. However, it seems to me from the subsequent illustrative drawing and from my site inspection that it should be possible to provide suitable crossovers and visibility splays within the site which would comply with the requirements of the Highways Authority. Notwithstanding the level of learner traffic and the presence of some school routes, I therefore consider that the safe provision of on-site parking including crossovers could be achieved by a condition requiring a suitable access and parking scheme”.

5.0 **Neighbour Notification**

- 5.1 29, 31, 90, 92, The Normans
1,3 ,4 ,6, 8 The Link

- 5.2 One letter of objection received from the occupier of 3 The Link.
- *The proposal for an attached two storey house is false. What the plans actually show is “2 no. X two bed flats*
- Response: The previous application which was refused planning permission and subsequently dismissed on appeal showed a building containing two flats. The current proposal has been changed to comply with Core Policy 4.

- *Proposal for 5 no. cars to serve 7 no. bedrooms is inadequate.*

Response: 4 no. car parking spaces are the minimum required to serve the existing and proposed house. 5 no. spaces are provided which complies with the Council’ s guidelines.

- *Road safety concerns given link road is an important route for school children and used b learner drivers.*

Response: No objections have been raised by the Council’s transport/highway engineers on grounds of highway safety. Neither were any such concerns raised by the Appeal Inspector.

- *Breach of return building line to the Normans.*

Response: it is acknowledged that there would be a breach of the return building line to the Normans. The degree of breach varies according to how it is measured. If measured from the front corner of no. 29 The Normans and taking a line parallel with the flank wall of the proposed house the breach would equate to approximately 1.4 metres. However, if a trajectory is taken from the front face of the existing terrace at 29 – 39 The Normans, the breach would equate to approximately 1 metre at the rear of the building reducing down to approximately 0.5 metre at the front of the property. It should be noted that the degree of breach has been reduced from 3 metre breach in relation to the previous application. It should also be noted that any further reduction in the width of the dwelling such that no breach would occur would upset the overall balance of the existing terrace of 2 – 8 The Link, due t o a lack of proportionality with the existing houses. It is considered that the proposal as is, represents a balanced approach.

- Concerns about drainage capacity & possible flooding

Response: The site is not identified as area which is liable to groundwater flooding and details of foul and surface water drainage will be dealt with at the Building regulations stage.

- Plans do not show extensions to the existing house

Response: The previous planning application included plans to extend the existing house. These have not been included as part of the current submission

- Noise and disturbance as the house is likely to be rented out

Response: Tenure is not a planning consideration.

A further letter from the occupier of 29 The Normans.

- A dangerous corner in highway safety terms, used by learner drivers, route to local school, play area and shops

Response: This was a matter considered by the Appeal Inspector, but rejected on the grounds that: *“Notwithstanding the level of learner traffic and the presence of some school routes, I therefore consider that the safe provision of on-site parking including crossovers could be achieved by a condition requiring a suitable access and parking scheme”*.

- Three bed house would be out of character, breach the return building line, result in overlooking and loss of privacy

Response: Matters relating to a breach of the return building line are outlined above. The proposed house will face directly towards the flank wall of no. 29 The Normans with a separation distance of over 20 metres between the proposed and existing dwellings and 17 metres from the side boundary to no. 29. This exceeds the Council’s minimum guideline separation of 15 metres in such circumstances. **However, the principle of the development must still be in question, given the Appeal Inspectors concern about the infilling of this prominent corner plot leading to a greater degree of enclosure and thereby detracting from the area’s character.**

- Parking on both sides of the road restricts access for emergency vehicles.

Response: As stated above, the proposal complies with the Council’s approved car parking standards.

- Overload drains and sewers

Response: This is detailed above

- The loss of the kitchen door will be a health and safety issue

Response: This is a matter which would be dealt with at the Building Regulations stage.

A petition has been received containing 75 no. signatures. The objection raised are:

- Out of character

- Dangerous corner used by learner drivers, access to children’s play area, local school and shops
- Parking issues.

Response: all of these matters have been responded to above.

6.0 **Consultation**

6.1 **Wexham Parish Council**

Objections raised on the following grounds:

- Overdevelopment, out of character and will impact on street scene
- Loss of natural light and privacy for neighbouring properties
- Will exacerbate existing parking problems
- Greater enclosure
- Garden space would be minimal
- Pressure on infrastructure

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1

1 This application is considered alongside:

- Planning Policy Statements 1 & 3
- Core Policies 1, 3, 4, 7 and 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008.
- Policies H13, H14, H15, EN1, EN2 and T2 of the Adopted Local Plan for Slough 2004.
- Slough Local Development Framework Residential extension Guidelines Supplementary Planning Document January 2010.

7.2

The development is considered in the context of the following:

- Principle of Development
- Design and Street Scene Impact
- Impact on neighbours and Surrounding Area
- Living conditions
- Amenity Space
- Access & Parking

Principle of Development

7.3

The proposals to erect an attached three storey family house with a floor area of approximately 90 sq metres, with access to a private rear garden, complies with the requirements of Core Policy 4 and falls within the definition of a “family house” as set out in the Local Development Framework Core Strategy (2006 - 2026) Development plan Document December 2008.

7.4 The proposal to construct a family house rather than flats as previously proposed now adequately addresses reason for refusal 1 as set out in the previous planning refusal (P/06883/001) as endorsed by the Appeal Inspector.

7.5 **However, turning to reason for refusal no. 2, which clearly relates the principle of the development, the site occupies a prominent corner location which is open in nature. This openness on corner plots is characteristic of this part of the Wexham Court estate. As such it is considered important that such sites should be kept free from development as to permit development here would lead to an unacceptable degree of enclosure which would significantly detract from the character of the area and as such would be contrary to the principles set out in Planning Policy Statements 1 and 3. PPS1 and PPS3 state that: 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.**

7.6 **This is a view which was shared by the Appeal Inspector and which raises very real concerns about the principle of a development in this location. The Appeal Inspector expressed very strong views about the open character of this part of the Wexham Court estate, and by reference to the site stated *“the appeal site has a prominent corner position at one end of The Link which is a short street characterised on the south side by largely un-eroded and open corners with very wide gaps against nearby housing. Also, The Link forms an approach to the adjoining park and there are views of trees across the open corners”*.**

In this regard it is not considered that the current application overcomes reason for refusal no. 2 in relation to the previous planning refusal reference P/06883/001, as set out in paragraph 4.2 above. As such objections are raised to the principle of development insofar as the development will adversely impact on the character and appearance of the streetscene and surrounding area with particular regard to openness. The development is thereby contrary to PPS 1, PPS3 and Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and policies H14 and EN1 of the Adopted Local Plan for Slough 2004.

Design and Street Scene Impact

7.7 Notwithstanding the issues concerning enclosure, in terms of appearance the proposed house is an attached house which maintains the front and rear building lines and consistent ridge height. The design and proportions would relate reasonably well to the existing terrace. The proposed house would be marginally less wide than the existing houses, 7.5 m wide compared to the existing houses which dimension 8.25m wide. This reduced width is necessary to ensure that the breach of the return building line remains within acceptable parameters.

7.8 The breach of the return building line to The Normans is a particular concern to local residents. The degree of breach varies according to how it is measured. If

measured from the front corner of no. 29 The Normans and taking a line parallel with the flank wall of the proposed house the breach would equate to approximately 1.4 metres. However, if a trajectory is taken from the front face of the existing terrace at 29 – 39 The Normans, the breach would equate to approximately 1 metre at the rear of the building reducing down to approximately 0.5 metre at the front of the property. It should be noted that the degree of breach has been reduced from 3 metre breach in relation to the previous application. It should also be noted that any further reduction in the width of the dwelling such that no breach would occur would upset the overall balance of the existing terrace of 2 – 8 The Link, due to a lack of proportionality with the existing houses. It is considered that the proposal as is, represents a balanced approach.

- 7.9 In addition to concerns raised about the resulting enclosure on this prominent corner site, the Appeal Inspector raised concerns both about the significant breach of the return building line to the Normans and *“The resulting rather incongruous appearance would be further emphasised by both the failure to respond to the design of existing windows and also the failure to create an adequate visual gap between structures”*. However, there are some significant differences between the previous scheme and that now proposed. Firstly, the proposed house is a house attached to the existing terrace, rather than a detached building as previously proposed. Secondly, there is no longer a proposal to extend the existing house and the proposed house does not extend beyond the rear wall of the existing terrace (previously 3 metre projection), thereby reducing the massing and bulk of the proposed dwelling and improving the separation distances with no. 29 The Normans. Thirdly, the proposed dwelling is set back approximately 1.5m further from the back of footway, retaining an overall gap of 7.5 metres from The Normans, 4 metres from the back of footway where the footway turns the corner and 7 metres from the back of footway in the Link. Fourthly, the degree of breach has been reduced by approximately 50% from 3 metres down to approximately 1.4m. Although as set out in paragraph 7.7 above, the exact degree of breach would depend on how that breach is actually measured.
- 7.10 Taking account of all of the above changes it is now considered that the, alternative design and much reduced breach of the return building line along The Normans, adequately addresses reason for refusal no. 3. in relation to the previous planning refusal reference P/06883/001, as set out in paragraph 4.2 above, with regards to the impact of the development on the character and appearance of the streetscene and surrounding area with particular regard to positioning as well as design.

Impact on Neighbours and Surrounding Area

- 7.11 Matters relating to a breach of the return building line have already been discussed. The proposed house will face directly towards the flank wall of no. 29 The Normans with a separation distance of over 20 metres between the proposed and existing dwellings and 17 metres from the side boundary to no. 29. This exceeds the Council’s minimum guideline separation of 15 metres in such circumstances and represents an improvement to the previous scheme which had separation distances of 17m and 14m accordingly.

7.12 No objections are raised on grounds of impact in relation to Policy EN1 of the Adopted Local Plan for Slough.

Living conditions

7.13 As the previous scheme was for provision of flats, room sizes were assessed in relation to the Council's approved guidelines for flat conversions. As the nature of the current proposal is different such an assessment is not necessary, although it has already been stated in paragraph 7.3 above that the proposals to erect an attached three storey family house with a floor area of approximately 90 sq metres, with access to a private rear garden, falls within the definition of a "family house" as set out in the Local Development Framework Core Strategy (2006 - 2026) Development plan Document December 2008.

7.14 No objections are raised on grounds of living conditions.

Amenity Space

7.15 The depth of the proposed rear garden is approximately 15 metres which complies with the Council's approved guidelines. However, conditions will be imposed removing normal permitted development rights. A condition will be imposed covering soft landscaping.

7.16 No objections are raised on grounds of amenity space in relation to Policy H14 of the Adopted Local Plan for Slough.

Access and Parking

7.17 The parking layout as revised and as considered by the Appeal Inspector, is acceptable in terms of layout design and highway safety. The revised parking layout addresses reason for refusal no. 4 in relation to the previous planning refusal reference P/06883/001, as set out in paragraph 4.2 above.

7.18 No objections are raised to the proposed access and parking layout in accordance with Core Policy 7 of the Local Development Framework Core Strategy (2006 - 2026) Development Plan Document December 2008, nor Policy T2 of the Adopted Local Plan for Slough 2004.

8.0 Summary

8.1 The previous planning refusal reference P/06883/001 cited 4 no. reasons for refusal (as set out in paragraph 4.2 above), 3 no. of which, it is considered, have been adequately addressed with respect to the current planning application. The nature of the housing being family accommodation addresses previous reason for refusal 1). The revised siting and design, being an attached dwelling with only a marginal breach to the return building line addresses previous reason for refusal 3). A revised car parking layout adequately addresses previous reason for refusal 4).

8.2 Concerns are still expressed about the principle of developing this prominent corner site which would lead to its enclosure and thereby detract from the character of this part of the Wexham Court estate. This fundamentally goes to the principle of the development and is a matter which the Appeal Inspector

expressed strong views about. Notwithstanding, the changes to the siting design and nature of the development, it is not considered that the revised proposal addresses the previous reason for refusal no. 2)

PART C: RECOMMENDATION

9.0 **Recommendation**

9.1 Refuse.

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

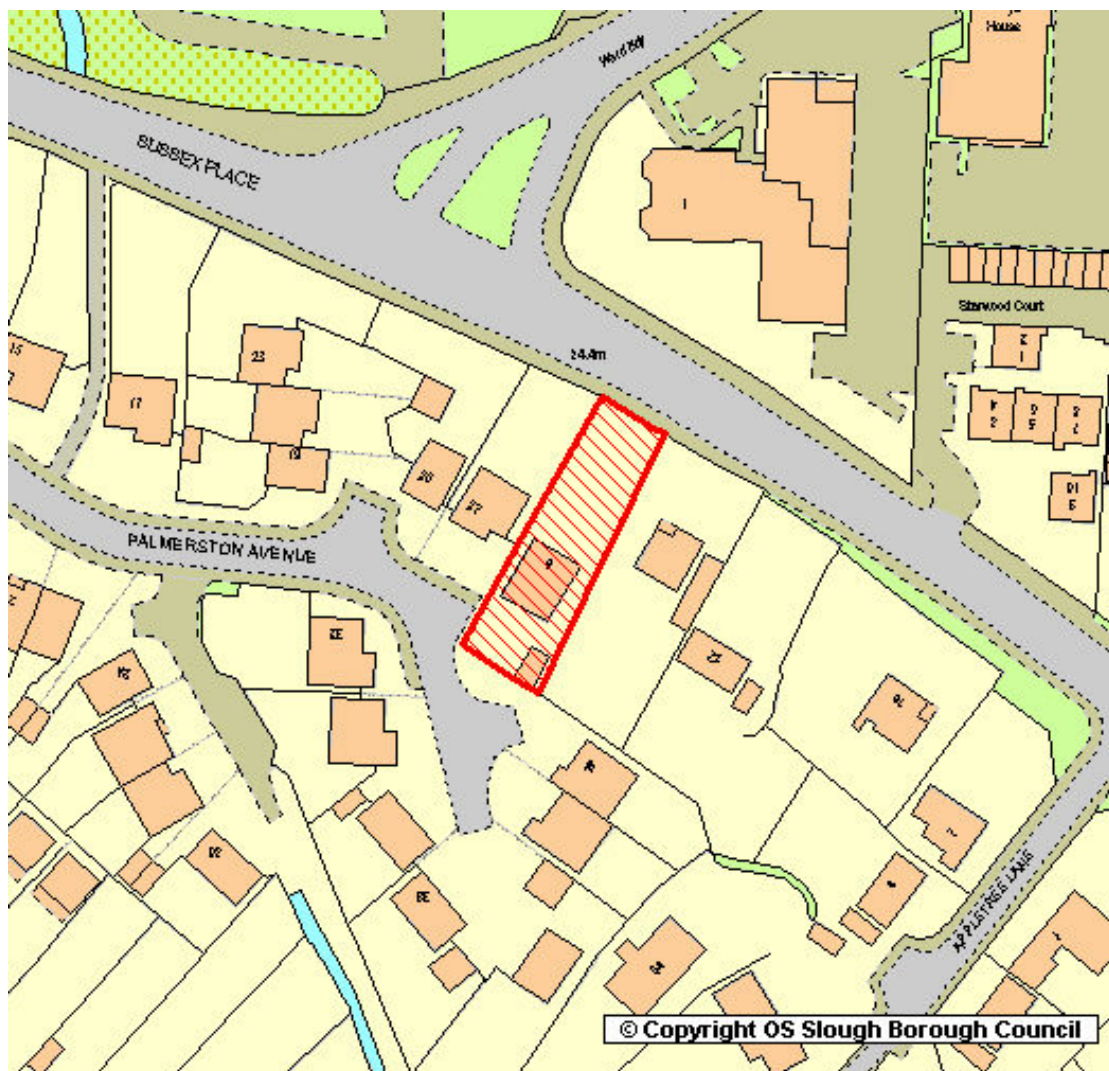
Reason(s)

1. The proposed development will result in a significant degree of enclosure in an otherwise open site which occupies a prominent corner position at one end of The Link, a short street characterised on the south side by largely un-eroded and open corners with very wide gaps against nearby housing with important views across the site of trees, giving greater emphasis to the open nature of these corners. Open breaks are characteristic of this part of the Wexham Court estate and provide welcome visual relieve in what would otherwise be a fairly densely developed housing estate The development would therefore be harmful to the character and appearance of the street scene and that of the surrounding area contrary to Planning Policy Statements 1 and 3, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and Policies H13 and EN1 of The Adopted Local Plan for Slough 2004.

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Registration Date:	19-Jan-2011	Applic. No:	P/08522/002
Officer:	Mr. J. Dymond	Ward:	Upton
Applicant:	Dr. Muhammed Saleem		
Agent:	Alan Bowles, AMDA International 18, Washington Drive, Windsor, Berkshire, SL4 4NS		
Location:	8, London Road, Slough, SL3 7HG		
Proposal:	ERECTION OF TWO STOREY BUILDING WITH PITCHED ROOF WITH B1(A) USE OFFICE FRONTING LONDON ROAD WITH ASSOCIATED PARKING AND ACCESS TO FRONT AND C3 THREE BEDROOM DWELLING FACING ONTO PALMERSTON AVENUE WITH ASSOCIATED PARKING, LANDSCAPING AND ACCESS ONTO PALMERSTON AVENUE FOLLOWING DEMOLITION OF EXISTING BUILDING		

Recommendation: Delegate to HPPP for S106



P/08522/002

1.0 SUMMARY OF RECOMMENDATION

- 1.1 This application has been called before the Planning Committee for consideration at the request of Councillor Long, due to concerns regarding traffic and the proposed access via Palmerston Avenue; and at the request of Councillor Minhas due to concerns regarding the inappropriate access via Palmerston Avenue.
- 1.2 Having considered the relevant policies set out below, the representations received from consultees and other interested parties, and all other relevant material considerations, it is recommended that the application be delegated to the Head of Planning, Policy and Projects for completion of S106.

PART A: BACKGROUND

2.0 Proposal

- 2.1 This is full planning application for the demolition of the existing building, which is currently in use as an unauthorised office for medical assessments / processing by Alpha Medical Consultancy, and the erection of a two storey building comprising a B1 (a) office for use as a medical assessment/processing centre, and a three bedroom dwelling (Class C3).
- 2.2 The proposed office would be accessed off London Road, and associated car parking spaces for five vehicles would be provided to the front of the building.
- 2.3 Internally, the proposed office would comprise a visitor area, consulting room, examination room and disabled toilet at ground floor level. At first floor level, there would be open plan office space for five workstations, two rooms for storage, toilets, and a kitchen area. Document storage would also take place in the roof space. The gross internal floor area of the proposed office would be 109 square metres. It is understood that the use would employ five full time members of staff.
- 2.4 The proposed three bedroom dwelling would be accessed off Palmerston Avenue. The existing highway verge and brick wall would be removed. Parking spaces for two cars would be provided within the site. Amenity space would be provided to the front of the proposed dwelling.

3.0 Application Site

- 3.1 The site is currently occupied by a single storey building with a hipped pitched roof. The building has a series of single storey extensions to the rear with a mixture of hipped pitch and flat roofs.
- 3.2 The building is currently being utilised by Alpha Medical Consulting as an unauthorised B1(a) office for medical assessment/processing. Its lawful use in

planning terms however remains as a single dwellinghouse (class C3). Tarmac has been laid to the front of the building to provide a car park.

- 3.3 The site fronts A4 London Road, and the existing building is set back some 24 metres from London Road. The site is surrounded to the east, south and west by residential properties.
- 3.4 Palmerston Avenue is located to the south and west of the site. It is a cul-de-sac development comprising 35 properties, and is accessed off Lascelles Road to the west. The dwellings of Palmerston Avenue are a mixture of detached and semi-detached properties, constructed of brick with elements of painted render, hung concrete tiles and concrete tiled roofs. There is an adopted footpath which provides pedestrian access between Palmerston Avenue and Sussex Place, situated between numbers 15 and 17 Palmerston Avenue.
- 3.5 Number 10 London Road is located to the east of the site. Permission has recently been granted under application P/12645/3 for the demolition of the dwelling formerly occupying the site, and the erection of a detached five bedroom dwelling. The property formerly occupying the site has been demolished, and the site is currently enclosed by a timber hoarding. Number 12 London Road to the east is in use a dentist by Dentalign Orthodontics.
- 3.6 To the north of the site is number 1 London Road, also known as Churchill House. The building is a substantial three storey building in use as an office (class B1). It fronts the London Road and Sussex Place/Langley Road junction. Associated parking is located to the rear of the building.
- 3.7 An approved road widening line affects the frontage of the site. This widening line extends approximately 5 metres into the site, from the back edge of the footway.
- 3.8 The Environment Agency's modelling previously placed the application site within Flood Zone 3, however it is understood that the Colne Brook has subsequently been remodelled and the site is now considered to fall within Flood Zone 1.

4.0 **Site History**

- 4.1 Recent applications relating to the site are as follows:

P/8522/1 - CHANGE OF USE OF DWELLING (C3) TO DOCTOR'S SURGERY (D1) WITH ASSOCIATED PARKING AND DISABLED ACCESS RAMP (RETROSPECTIVE) - Refused - 21-Jan-2009, for the following reasons:

1. The development has resulted in the loss of a family dwelling. The applicant has failed to provide sufficient justification to support this loss and given the findings of the Housing needs survey 2001 - 2002 and the Berkshire Housing Market Assessment (Final Report v1.0 February 2007) which demonstrated a shortage of family housing in Slough required to meet the needs/demands for

both the affordable and private housing markets, there is no justification for the loss of the housing in this case. Hence the loss of family housing through a change of use, without sufficient justification to support such loss, is contrary to Core Policy 4 of the Slough Local Development Framework, Core Strategy 2006-2026 (DPD) and Policy H8 of the Local Plan for Slough, 2004.

2. The development would result in an intensification of use of an existing access at a point where visibility is substandard and which has been worsened by the erection of the new front boundary wall and gate and would lead to danger and inconvenience to people using it and to highway users in general. The development is contrary to Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026 (DPD).

3. The development would result in an intensification of use of an existing access at a point where pedestrian visibility is substandard and which has been worsened by the erection of the new front boundary wall and gate and would lead to danger and inconvenience to people using it and to highway users in general. The development is contrary to Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026 (DPD).

4. A holding objection is raised on the grounds that the applicant has failed to demonstrate, through the submission of a surface water drainage scheme, that surface water run off from the site, given the extensive site coverage by buildings and hard surfaces, can be handled in a sustainable manner without overloading the local public sewer system or causing localised flooding contrary to advice given in Planning Policy Statement 25 (Development and Flood Risk) and Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006 - 2026 (Submission Document, November 2007).

5. A holding objection is raised on the grounds that the applicant has failed to enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 for the payment of a general transportation contribution contrary to Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026 (DPD).

P/8522/0 - CONVERSION OF BUNGALOW INTO A 2 STOREY HOUSE
(AMENDED PLANS RECEIVED ON 14.03.90) - Approved with Conditions -
16-Mar-1990

- 4.2 An enforcement notice has been served and took effect on 6th November 2009 in respect of the unauthorised material change of use of a dwelling (C3) to Doctor's Surgery (D1)/Offices (B1) (Insurance Medical Consultancy), which included the erection of a front wall and gate, an advertising sign and front tarmac area to facilitate the unauthorised use. Following the serving of this enforcement notice, discussions took place as to the submission of planning application to seek to regularise the situation and find an acceptable outcome in planning terms.

5.0 **Neighbour Notification**

5.1 10 and 12 London Road
25, 27, 32 – 44 (even) Palmerston Avenue
Orion Clinical Services Ltd,
1 London Road

5.2 Five letters of objection have been received. The concerns raised in these letters are summarised as follows:

- Increased traffic on a road that is already busy and overcrowded due to residents and pupils (from nearby schools) using/parking on Palmerston Avenue.
- Loss of privacy originating from the original conversion where all trees surrounding the property were chopped down without any prior planning permission.
- A two storey building would change the appearance of the surrounding area and affect my view of the landscape in front of my home.
- The property in question has always been residential and is important for the peace and tranquillity it affords.
- The plans for converting the bungalow will totally alter the appearance, use and atmosphere of this reasonably quiet and private close.
- To allow this development would be an over-development of the site.
- A boundary wall would have to be demolished, with an access being made over the garden area that has been maintained by the occupants of 27 Palmerston Avenue, thus reducing the on-street parking in Palmerston Avenue.
- Since the commencement of parking restrictions on Lascelles Road, which is to be further restricted in the near future, Palmerston Avenue has suffered, on a daily basis, from the inconsiderate parking of non-residents including pupils from both St Bernard's Convent and Slough Grammar School. The issue of non-residents of Palmerston Avenue parking vehicles that block driveways and restrict the usage of the pavements, so that pedestrians have to walk on the road is understood to have been raised with the Police and Slough Borough Council, but nothing has been done. To grant this planning application and allow vehicular entry onto Palmerston Avenue would further increase the problems currently being experienced by residents.
- The proposal would cause many problems. We will have a lot of noise, traffic and parking problems, and so much more.

A petition has also been received, which has been signed by a number of residents of Palmerston Avenue. The signatories object to the planning application, the principle reason being the proposed vehicular access to 8 London Road from Palmerston Avenue, which has been a cul-de-sac since it was developed in the mid-eighties. It is felt that access to a property which fronts London Road, which is, and will continue to be used for commercial purposes would change the status of Palmerston Avenue and the character of the neighbourhood.

It is understood that a copy of this petition was sent to Councillor Bains, to raise residents' concerns regarding the proposed development.

These matters are discussed and assessed in Part B of this report.

6.0 **Consultation**

6.1 **Public Protection Services, Neighbourhood Enforcement.**

6.2 **OBSERVATIONS**

Issue 1 - Demolition/Construction Phase

Noise, dust and vibration from the demolition and construction phase may affect occupiers of nearby residential premises. I suggest the following planning condition is attached to any planning permission granted:

Condition - Control of environmental effects: major redevelopment

No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) control of noise*
- (ii) control of dust, smell and other effluvia*
- (iii) control of surface water run off*
- (iv) site security arrangements including hoardings*
- (v) proposed method of piling for foundations*
- (vi) construction and demolition working hours, hours during the construction and demolition phase, when delivery vehicles taking materials are allowed to enter or leave the site.*

The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

REASON: In the interests of the amenities of the area.

Issue 2 - Noise

Condition - Hours of demolition and construction

No demolition or construction work shall take place outside the hours of 08:00 - 18:00 hrs Monday to Friday 08:00 - 13:00 hrs on a Saturday and no working at all on Sundays or public holidays.

Condition - Measures to minimise effects of external noise on new dwellings

The development is situated on a busy main road next to a junction. Occupiers of the domestic dwelling may be adversely affected by noise from traffic, particularly due to the stop-start nature of traffic approaching the junction. I suggest the following planning condition is attached to any planning permission granted.

The development shall not begin until a scheme for protecting the proposed dwellings / gardens from noise from vehicle movements has been submitted to and approved by the Local Planning Authority. Any works, that form part of the scheme approved by the Local Planning Authority, shall be completed before any permitted dwelling is occupied, unless an alternative period is agreed in writing by the Local Planning Authority.

REASON: To ensure that the amenities of the future residents is not adversely affected by noise.

Issue 3 - Site Lighting

In order to prevent loss of amenity to the area through the introduction of sky glow, glare or light into windows, it is suggested that a condition be attached to any planning permission granted, for the submission of an external lighting scheme to be submitted and agreed by the local planning authority. I suggest that the following planning condition is attached to any planning permission granted:

Condition - Site Lighting

No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON: In the interests of the neighbouring property.

Issue 4 – Waste during demolition/construction

The applicant has not supplied methods to deal with waste arising from the demolition / construction phase. Such activities can have an affect on the residents particularly smoke from bonfires. I suggest that the following planning condition is attached to any planning permission granted:

Condition - Control of waste during demolition/construction phase

No development shall take place until details in respect of measures to:

- (a) Minimise, re-use and re-cycle waste, including materials and waste arising from demolition;*
- (b) Minimise the pollution potential of unavoidable waste;*
- (c) Dispose of unavoidable waste in an environmentally acceptable manner;*
- (d) Have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of building operations and the subsequent use of the buildings.*

REASON: In the interests of the amenities of the area.

6.3

Traffic and Road Safety/Highways Development

This is an application to demolish the existing three bedroom property and replace it with a new three bedroom dwelling to the rear of the site and construct a 132sqm building to house a medical consultancy. The history of the site is that the existing three bedroom dwelling has been used as a medical consultancy without planning permission for some time. Planning permission was refused in 2009 for the proposed change of use due to the inability to achieve appropriate visibility splays at the access onto London Road.

I note that the proposed plans for the surgery are rather unusual in the sense that the visitor waiting area is relatively large and contains over ten seats, when there is only one consulting room and an examination room annexed off it.

Traffic Generation

The applicant has prepared a transport statement, which includes a survey of trips to the site during a two week period leading up to Christmas. The results of the survey would appear to be rather odd, considering that only 3 visitors excluding the postman visited the site during the course of the two week survey. As mentioned above there is a large waiting area provided for visitors, why is this necessary if there are so few visitors expected?

Furthermore as I understand that this application is seeking planning permission for D2 use for that of a surgery/clinic, therefore whilst trip generation would appear to be extremely low currently, this may not continue to be the case, noting both the submitted plans and the option in the future to use this site more traditionally as a GPs practice or private consulting rooms.

To assess the trip generation of this development I have consulted the TRICS database and derived trip rates for a clinic. I have selected two sites from the database, one of which is a chiropractors' clinic in Dublin and second clinic in Worcestershire. Based on a floor area of 132sqm it would generate 33 two way (arrivals and departures) vehicle trips per day.

Therefore this development has a potential to generate an additional 33 vehicle movements per day. This increase in vehicle movements is an intensification of the existing permitted use of the site. Normally, when such an increase in vehicle trips to site is proposed I would seek the applicant to provide some form of mitigation, however in this instance the applicant is willing to dedicate to the public highway the land required for the widening line. Therefore taking this into account I would not seek a contribution from this site.

Car Parking

For the three bedroom house two car parking spaces are proposed, which is consistent with the minimum requirement of 2 spaces for a 2/3 bedroom house as per the Slough Local Plan 2004 Parking Standards. The two spaces are to be accessed from Palmerston Avenue, which is acceptable in principle subject to further comments from Highways.

For the D2 surgery, the minimum parking standards are 1 space per consulting room, plus one space per member of staff. There are reportedly 5 members of staff and 1 consulting room and 1 examination room, which I equate to being a requirement for 7 spaces. 6 parking spaces are shown on the plans. The use of the visitor space would mean the obstruction of access to the other spaces and also cause vehicles to be reversed out of the site onto the A4, which would cause an unacceptable road safety hazard.

However considering the history of this site and the additional information provided by the applicant, I would be willing to accept a small under-provision of car parking, subject to several of the bays being allocated to visitor use rather than for staff. Therefore a maximum of 5 spaces on the site should be provided.

Cycle Parking

The proposed drawing shows the provision of 4 cycle parking spaces which is compliant with Slough Borough Council's cycle parking standards.

Summary

Subject to securing the land for the A4 widening line through a S106 agreement, I would not raise a highway objection to this application.

Highways

Vehicular crossover junction

In order to give priority to pedestrians, adjustment of the existing crossover off London Road will need to be provided as means of access. A new provision of vehicular crossover shall need to be provided as a means of access from Palmerston Avenue. 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 at the expense of the developer.

Provision of Vehicular Crossovers must be in accordance with the Council's Provision of Vehicular Crossover Policy. I have summarised the policy below. Note the layout must include existing adjacent crossovers that do not form part of this application.

- The maximum crossing size width will be 3.6 metres.
- Hard standing areas behind the footway must be 4.8 metres deep by 2.4 metres wide.
- No more than two crossings in a row will be provided before one parking space for an on street parking space is provided.
- The crossover will not interfere with the use of a junction nor will it be detrimental to the safety of highway users.
- The crossovers will not be provided where a shared use footpath is

- provided.
- The crossover construction must not threaten the health of mature trees.
 - The crossover must not negatively impact upon the local amenity or environment.
 - Full frontage crossover for the existing and proposed dwelling, as a means of access will not be permitted. This neutralises on street parking for the other road users and is detrimental to the safety of pedestrians using the footway.
 - A pedestrian link 1m in width must be provided to allow access to the unit in addition to the parking bays of 2.4m x 4.8m.
 - Car parking spaces will not be permitted in line (running parallel) with the footway unless they are proposed some distance from the back of the footway. Such layouts are likely to require excessive manoeuvres on the footway and cause frustration to regular users of such poorly designed car parking spaces. This will lead to a road safety concern for pedestrians using the footway and the likelihood that residents will park across the footway or on the carriageway which is unacceptable.
 - The existing crossover/s made redundant by the applicant's proposals must be removed and reinstated as standard footway construction.
 - It is recommended that the limit for providing vehicular crossovers (direct access) onto roads with a 30mph speed limit or less is under 10,000 vehicles per day (MfS 7.9.5).
 - The crossover to private driveways should be designed so that a minimum initial 900mm distance measured from the back of the footway is constructed at a standard footway crossfall of approximately 1:40/2.5%. The remainder of the footway is then reprofiled to provide a ramp to a 25mm drop kerb upstand. This provides a comfortable route for users pushing prams and those users with mobility impairment including wheel chair users (MfS 6.3.29/30 and Figure 6.12).

Priority junction requirement onto distributor road - London Road Consultancy Entrance (not "lightly trafficked")

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.

This will fall on land that is currently not in control of the applicant. Measures must be put in place to ensure the splays are secured.

mph	70	60	50	40	30	>30	20	>20
Y	295	215	160	120	90	60	45	33
> means that the speeds must be "contained" to allow the reduced Y dimension								

As the junction is off a distributor road serving more than 6 dwellings the sight lines of 2.4m x 90m must be provided from the priority road onto the site. These should 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.

That part of the application site falling within the visibility envelope/s must be constructed as footway and dedicated as highway.

In general occasional objects within the visibility splays that are not large enough to fully obscure a vehicle, a pedestrian including a child or a wheelchair user will not have a significant impact on road safety (MfS 7.8.6). DMRB recommends a maximum of 500mm in diameter.

As the development is predominantly accessed by cars 6.0 metre radii will suffice.

Priority junction requirement onto “lightly trafficked” road

As vehicles will exit from the back of footway emerging drivers will have to take account of people using the footway (MfS 7.8.3). As such the standard 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.

This splay will be best produced using boundary railings or by the omission of boundary wall/fences at the exit location (MfS 7.2.2).

In general occasional objects within the visibility splays that are not large enough to fully obscure a vehicle, a pedestrian including a child or a wheelchair user will not have a significant impact on road safety (MfS 7.8.6). DMRB recommends a maximum of 500mm in diameter.

Access road/s

Gates will not be permitted on the highway boundary. Gates if required must be set back a minimum distance of 6 metres (cars) 8 metres (refuse and delivery vehicles) 18 metres (articulated vehicles) from the highway boundary and either slide or open inwards. This will allow vehicles including a service vehicle to wait clear of the highway, prior to the gates opening.

The forward visibility, where possible, should be limited to metres in order to help restrain vehicle speeds to below 20mph (table 7.1).

mph	10	15	20	25	30	37
Y	11	17	25	33	43	59
The Y distance includes for bonnet length						

Servicing (David Williams ext 5583)

Servicing will be permitted directly from the main arterial London Road and also the minor access road, Palmerston Avenue.

A Refuse Collection Strategy is required to demonstrate refuse collection to the satisfaction of the Council.

Refuse Collection Store- Design and Location

A refuse store is required and must be provided on the following criteria.

Volumes for household refuse are required at-

240 litres/dwelling for standard refuse
55 litres/dwelling for recycling

The doors from the refuse store must be physically restrained from opening onto the access/highway. Ideally the gates should slide open or open inwards.

The maximum permitted carrying distance from dwellings / flats (external doors) to the refuse store is approximately 30 metres (MfS 6.8.9).

As detailed in BS5906:2005 the maximum refuse collection distance for 240 litre wheelie bins is 15 metres. The gradient between the two points should not exceed 1:12/8% with a maximum of three steps permitted (MfS 6.8.9/11).

As detailed in BS5906:2005 the maximum refuse collection distance for 1100 litre Eurobins is 10 metres. The gradient between the two points should not exceed 1:12/8% (MfS 6.8.9/11).

Drop kerbs must be provided where Eurobins are stored in a refuse store and collected by the refuse collection vehicle on the carriageway.

The design of new developments should ensure that refuse bins should not be left on the footway as they will reduce its effective width and cause hazards for blind, partially sighted and/or wheelchair/pushchair users (MfS 6.18.13).

Highway works and contributions summary

The applicant will need to enter into a section 106 agreement with Slough Borough Council. This s106 agreement will obligate the developer to enter into a section 278 agreement for the satisfactory implementation of the works identified in the highways schedule.

The highways schedule includes;

- Temporary access point
- Installation of crossover / junction
- Reconstruct the footway fronting the application site.
- Reinstatement of redundant access points to standard to footway construction
- Installation of street lighting modifications
- Drainage connections
- Reconstruction of footway

- Dedication as highway maintainable at the public expense, free of charge, of sight line areas

Ideally the applicant should prepare an s278 Adoption Layout (Slough Borough Council Drawing Number 8/27/**P1) to show the works required. This plan should be appended to the s106 and correspond to the Highway Works Schedule.

Please secure these requirements by s106 in the Highways Schedule, or alternatively if there is no s106 agreement for this site, ensure the approved planning drawings clearly show and details the requirements listed.

Summary

Significant amendments are required before this application could be supported. If the applicant considers that they can address the comments that have been made then I would be pleased to consider additional information supplied. Alternatively, should you wish to determine this application as submitted then I would recommend that planning permission be refused for the reasons given.

- The proposed development would result in an intensification of use of an existing access at a point where pedestrian visibility is substandard and would lead to danger and inconvenience to people using it and to highway users in general. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.
- The layout as submitted does not comply with Slough Borough Council's Vehicular Footway Crossing Policy and as such would result in an unsatisfactory form of development. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.
- As far as can be determined from the submitted plans, the applicant does not appear to control sufficient land to construct the new access in accordance with the Highway Authority's minimum standard. The proposed development would therefore be detrimental to highway safety. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.

Should the application be revised in accordance with my comments the following condition(s) will apply.

1. No other part of the development shall begin until the new means of access has been sited and laid out in accordance with the details subsequently approved pursuant to conditions 2, 3, 4 and 5 and constructed in accordance with Slough Borough Council's Design Guide.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

2. No other part of the development shall begin until visibility splays have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 90 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

3. No other part of the development shall be occupied until the pedestrian visibility splays of 2.4x2.4 metres (measured from the back of footway) have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

4. No vehicle access gates, roller shutters doors or other vehicle entry barriers or control systems shall be installed without first obtaining permission in writing from the Local Planning Authority.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

5. No part of the development shall commence until details of a scheme for car parking, garaging and manoeuvring in accordance with the Local Planning Authority's "Car Parking Standards" has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall not be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

Should the application be revised in accordance with my comments the following informative(s) will apply.

1. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.
2. 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.
3. 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.
4. 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.
5. 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.
6. Prior to commencing works the applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 / Minor Highway Works Agreement with Slough Borough Council for the implementation of the works in the highway works schedule. 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.
7. This permission shall not be deemed to confer any right to obstruct the Public Right of Way crossing or abutting the site which shall be kept open and unobstructed until legally stopped up or diverted under section 257 of the Town and Country Planning Act 1990.
8. Any works/events carried out either by, or at least at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004 and licensed accordingly by the Street/Highway Authority in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Slough. Also Developers need to inform undertakers of their proposed works, to jointly identify any affected apparatus, and to agree diversion or protection measures and corresponding payment. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to site, shall be

co-coordinated by them in liaison with Slough Borough Council Street Works Section (telephone 01753 875666). This must take place at least one month in advance of the commencement of the works and must be in line with the noticing requirements of the NRSWA 1991 and the TMA 2004. The developer must particularly ensure that statutory undertaker connections/supplies to the site are co-coordinated to take place wherever possible at the same time and using the same Traffic Management measures.

Following the receipt of the above comments however, it is understood that the sight lines were checked, and it was considered that adequate visibility could be provided in both the eastern and western directions, without the visibility splays crossing third party land.

6.4 Principal Engineer - Drainage and Lighting
Initial comments were as follows:

I've got no particular concerns regarding fluvial flooding but this site is relatively low lying and the SW sewer in London road is surcharged at times so not suitable as an outfall. Unless the developer has any other suggestions the site will have to be drained by infiltration severely restricting the footprint of any structures. I would suggest the drainage is sufficiently problematic to require a full drainage design with the application and not to condition it.

Further comments following the submission of drainage details in light of these concerns were as follows:

The developer's proposal for infiltration is fine there should be no problems with the drainage of the site.

6.5 Environment Agency

This application is deemed to either have a low environmental risk or relates to conditions that were not recommended by the Environment Agency. Unfortunately, due to workload prioritisation we are unable to make an individual response to these applications at this time.

Please note that while we are unable to provide comments on the planning application, this letter does not indicate that permission will be given by the Environment Agency as a regulatory body. We have a regulatory role in issuing legally required consents, permits or licences for various activities.

The applicant should contact 08708 506 506 or consult our website to establish if consent will be required for the works they are proposing. Please see <http://www.environment-agency.gov.uk/business/sectors/37644.aspx>

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The following policies are considered most relevant to the assessment of this

application:

National Planning Policy Guidance/Statements

PPS1 – Delivering Sustainable Development

PPS3 – Housing

PPS4 – Planning for Sustainable Economic Growth

PPG13 – Transport

PPS25 – Development and Flood Risk

The Slough Local Development Framework Core Strategy 2006 - 2026

Development Plan Document

Core Policy 1 – Spatial Strategy

Core Policy 3 – Housing Distribution

Core Policy 4 – Type of Housing

Core Policy 5 – Employment

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 12 – Community Safety

The Local Plan For Slough, March 2004

H8 – Loss of Housing

H10 – Minimum Density

H13 – Backland/Infill Development)

H14 – Amenity Space)

EMP2 – Criteria for Business Developments

EMP4 – Development outside of the Existing Business Areas

T2 – Parking Restraint

T8 – Cycling Network and Facilities

T13 – Road Widening Lines

EN1 – Standard of Design

EN3 – Landscaping Requirements

EN5 – Design and Crime Prevention

7.2 The main planning issues relevant to the assessment of this application are considered to be those relating to the principle of the proposed development, design, potential impact on neighbour amenity, traffic and highway matters, and drainage.

8.0 **Principle of Development**

8.1 Core Policy 4 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 states that there will be no net loss of family accommodation as a result of flat conversions, changes of use or redevelopment. The previously refused application (P/8522/1) for the change of use of the existing building from a single dwellinghouse was refused on this basis.

8.2 Core Policy 4 goes on to state that in the urban areas outside the town centre, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the

accessibility of the location, and the availability of existing and proposed local services, facilities and infrastructure.

- 8.3 There would be no net loss of family housing as a result of the proposed development. The lawful use of the site in planning terms is considered to be as a single family house. The proposed dwelling is considered to comply with the definition of a family house as contained within the The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.
- 8.4 The proposal is further considered to comply with Policy H13 of The Local Plan for Slough March 2004 which relates specifically to proposals for backland or infill development. This policy supports the efficient use of land to provide optimised housing development subject to satisfactory design, access arrangements, car parking provision, and amenity space.
- 8.5 With regard to the proposed B1(a) office to provide medical assessment/processing, it is understood that the use would primarily entail the preparation of medical reports for insurance claims. A consultancy and examination room would be situated on the ground floor which it is understood would be utilised by a visiting consultant who would attend the site occasionally to assist with the preparation of reports to support the legal profession in their assessment of insurance claims for personal injury. On this basis, it is considered that the use is more akin to a B1(a) office use, particularly as the medical specialists are not based at the site, but are understood to come to the office on an as required basis.
- 8.6 The proposed office use was previously refused on the basis that it would have resulted in the loss of a family house. As noted above, this reason is considered to have been overcome. Whilst not located within the town centre, the location of the proposed B1 (a) office is considered to be sustainable insofar as the site is in close proximity to bus stops which are served by six different routes, and the site has good highway links with parking provision which is commensurate with the nature and size of the proposed use.

Given that it is now proposed to retain a family house on the site, it is considered, on balance given the scale of the proposed B1(a) office, the proposal would be acceptable.

9.0 **Design**

- 9.1 The proposed building would be two stories in height, with space for storage in the roofspace of the proposed B1 (a) office. It would have a hipped pitched roof of 8 metres to ridge height, and would feature rooflights in the north elevation.
- 9.2 The London Road elevation of the proposed building would be positioned 4.6 metres to the north (towards London Road) in relation to the existing building. It would be set 1.8 metres off the western boundary, and 2 metres (narrowing to 1.6 metres to the front) off the eastern boundary.

- 9.3 Proposed materials would be brick to the side elevations, and to the ground floor front and rear elevations. It would also feature terracotta tile hanging and a rendered gable painted white. This pallet of materials is considered to be in keeping with the mix of materials found in the locality.
- 9.4 With regard to room size, the Borough Council's adopted Supplementary Planning Guidance: Guidelines for Flat Conversions (April 1992) sets out minimum room sizes for residential properties in order to avoid the creation of excessively cramped and sub-standard accommodation. Based on officer measurements, it would appear that the sizes of the respective rooms proposed would comply the required room sizes, and as a result the proposal would comply with the Council's Guidelines for Flat Conversions (April 1992). It is noted that the proposed third bedroom would not be served by a window, and it is proposed to seek an amendment to the internal layout to address this. An update will be reported on the Committee amendment sheet.
- 9.5 It is considered that the proposed building would be in keeping with the design and appearance of surrounding properties in terms of scale and appearance. The neighbouring properties fronting London Road are typically large, detached properties, and it is considered that the proposed building would read as a large detached property in the street scene. The provision of the B1(a) office fronting London Road, and the residential property to the rear being read in the context of Palmerston Avenue, is considered to be a well considered approach to the siting of the respective uses in the context of the site surroundings.
- 9.6 The design of the proposed building is considered to comply with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.
- 10.0 **Impact on Neighbour Amenity**
- 10.1 The proposed building would not intersect the 45 degree line of sight from the nearest corner of the closest window on the front elevation of 27 Palmerston Avenue. The proposed building would not also not appear to impact the amenities of the occupiers of the approved property at 10 London Road.
- 10.2 The proposed windows at first floor level in the west elevation of the proposed office serving the kitchen and toilets would be fitted with obscure glazing.
- 10.3 An inspection of the plans approved with application P/12645/3 for the erection of a five bedroom dwelling at number 10 London Road shows that the front elevation of the proposed B1(a) office would be inline with the front elevation of the proposed property, and the rear elevation of 27 Palmerston Avenue.
- 10.4 The proposal is not considered to give rise to unacceptable impact on neighbour amenity. The proposed residential and office use is considered to be commensurate with surrounding uses. The proposed building is considered to be of a size which is in keeping with those surrounding, and would not result in

undue detriment as a result of over dominance, or loss of light. The proposal is considered to comply with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

11.0 **Traffic and Highways**

11.1 The section of the A4 London Road to the front of the application site is affected by an approved widening line. This widening line extends approximately 5 metres into the site, from the back edge of the footway. It has been requested that this land is dedicated to the Highway Authority so it can be utilised in a future road widening or improvement scheme. This will be secured by a section 106 agreement. This is considered to comply with Policy T13 of The Adopted Local Plan for Slough 2004.

11.2 **Traffic**

A transport statement has been submitted with the application. As the use is currently being carried out on site, a two week travel survey was undertaken which sought to identify the number and type of trips generated by the B1(a) office.

11.3 This survey found that the most frequent number of movements in any one day was seven, which occurred on two occasions during the survey period. The survey found that the average number of persons on-site at any one time was some four to five persons. With regard to car parking, the highest number of cars on the site parked on the site was two.

11.4 A consultant from the Borough Council's Transport section has assessed the submitted transport statement and considered the likely traffic implications of the proposed development. It was considered that the proposal has the potential to generate an additional 33 vehicle movements per day, which would constitute an intensification of the existing permitted use of the site. It was not however considered that a contribution to provide potential mitigation would be required in this instance, as it was noted that the applicant was willing to dedicate to the public highway the land required for the London Road widening line.

11.5 Noting the concerns raised by residents of Palmerston Avenue regarding the alleged on-street parking pressures understood to be currently being experienced, the possibility of seeking a contribution towards a resident's parking survey was raised with the Transport consultant. Such a contribution was considered to be unreasonable in this instance, as it was felt that parking pressure would not arise as a result of the proposed development. A parking survey should therefore not be funded in conjunction with the proposed scheme.

11.6 Given that Palmerston Avenue currently comprises 35 no. dwellings, the addition of a single three bedroom property is not considered to give rise to a significant increase in traffic movements, and would therefore not result in an unacceptable impact in terms of traffic generation. The proposal is considered

to comply with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

11.7 **Access arrangements**

The proposed B1(a) office would be accessed off London Road. The existing access would be repositioned into the site to account for the area of land falling within the widening line which would be dedicated. The proposed access would be positioned towards the eastern boundary of the site. The proposed front boundary wall would be 600mm in height.

11.8 Whilst the Borough Council's Highway Engineer initially raised concern regarding the adequacy of visibility for egressing motorists onto London Road, having checked the visibility splays, it was considered that adequate visibility could be provided in both the eastern and western directions, without the visibility splays crossing third party land.

11.9 The proposed dwelling would be accessed off Palmerston Avenue. Between the edge of the kerbing to the tarmac carriageway and the existing brick wall, there is a narrow strip of land, which at the time of the case officer's site visit had been planted with bedding plants and shrubs. Representations received suggested that this verge has been maintained by nearby residents. As far as can be determined from the Council's records however, the land is adopted as highway maintainable at the public expense. The proposal is to remove this verge and demolish the existing brick wall and provide vehicular access to 2 no. parking spaces proposed in connection with the proposed dwelling. The applicant will need to enter into a section 106 agreement which will obligate the developer to enter into a section 278 agreement for the satisfactory implementation of highway works.

11.10 A petition has been received which has been signed by a number of residents of Palmerston Avenue. This petition raises concern regarding the proposed vehicular access from Palmerston Avenue to the rear of 8 London Road. It is believed that the proposed access would alter the nature of the cul-de-sac.

11.11 The access off Palmerston Avenue would only serve the 2 no. parking spaces proposed in connection with the proposed dwelling. This access would not function as a secondary entrance to the proposed B1(a) office.

11.12 The proposed building would be positioned 1.8 metres off the western boundary, and 2 metres (narrowing to 1.6 metres to the front) off the eastern boundary. It is therefore not considered that there would be sufficient room for a car to be driven down the side of the proposed building to allow a vehicular link to be formed. Furthermore, the proposed drawing indicates that there would be boundary treatment between the proposed dwelling, and the proposed B1(a) office.

11.13 It is considered that a physical boundary would define the residential and B1(a) office elements, and also prevent pedestrian access between the north and south of the site. It is considered that a planning condition could be imposed to require details of satisfactory boundary treatment, and to require it to be

erected prior to the uses commencing in order that there would be no physical means of traversing between the proposed dwelling and B1(a) office.

11.14 The proposed access arrangements are considered to comply with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

11.15 Parking provision

Car parking spaces would be proposed in connection with both the B1(a) office and the proposed dwelling. Car parking provision would be as follows:

- 2 no. spaces in connection with the proposed dwelling. This would comply with the Council's Parking Standards, which requires a minimum of 2 no. spaces to be provided per three bedroom property.
- 5 no. spaces in connection with the proposed B1(a) office. The internal floor space of the proposed B1(a) office would be 109 square metres. This level of parking provision would comply with the Council's Parking Standards for B1(a) offices, which requires a minimum of 1 no. space to be provided per 40 square metres of floor space. In addition, the Council's Parking Standards in relation to D1 Surgeries/Clinics can be applied to account for the visiting consultant. This standard is which is 1 no. space per member of staff, plus 1 no. space per consulting room. When the potential traffic generated by the proposed visiting consultant is considered, the proposed parking provision is considered to be acceptable.

11.16 Whilst the concerns raised by nearby residents regarding the alleged on-street parking problems on Palmerston Avenue understood to be arising from surrounding uses are noted, it is not considered that the proposal would be likely to lead to additional on-street parking or exacerbate any existing issues which might be being experienced. The proposal would provide the requisite number of parking spaces commensurate with the nature and size of the proposed uses which would comply with the Council's Adopted Parking Standards, and Policy T2 of The Adopted Local Plan for Slough 2004.

12.0 Drainage

12.1 Whilst the Borough Council's Drainage Engineer initially raised concern regarding the drainage proposals in connection with the proposed development, further details were received from the applicant's drainage consultant, who proposed a crate system which would be sited under the proposed car parking area to the front of the proposed building, adjacent to London Road. Such a proposal was considered to be acceptable. Subject to a condition requiring the submission of a detailed drainage design, it is considered that the proposal could be satisfactorily drained, and no objection is raised to the proposal on this basis. This aspect of the proposal is considered to comply with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

13.0 Summary

- 13.1 The applicant appears to have overcome the previous reasons for refusal regarding the loss of family housing, visibility for motorists and pedestrians, and the submission of a satisfactory surface water drainage scheme. It is understood that the applicant is willing to enter into a section 106 agreement for the dedication of the road widening line. The proposal would be acceptable in design terms, and would have no undue impact on the amenity of neighbouring residents. The proposal is also considered to be acceptable in terms of traffic, parking and highway matters.
- 13.2 Having considered the proposal against relevant development plan policies, had regard to the representations received from consultees and other interested parties, and all other relevant material considerations, it is recommended that the application be delegated to the Head of Planning, Policy and Projects for completion of S106.

PART C: RECOMMENDATION

- 14.0 Recommendation
- 14.1 Delegate to the Head of Planning, Policy and Projects for completion of S106.

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. 315/10.5, Received 28/02/2011
- (b) Drawing No. 315/10.4, Dated 25/02/2011, Received 28/02/2011
- (c) Drawing No. 315/10.3, Dated 25/02/2011, Received 28/02/2011

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 Development Plan.

3. 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 Adopted Local Plan for Slough 2004.

4. The windows in the east and west elevation of the development hereby approved shall be glazed with obscure glass and any opening shall be at a high level (above 1.8m internal floor height) only.

REASON To minimise any loss of privacy to adjoining occupiers in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

5. No windows, other than those hereby approved, shall be formed in the east and west elevations of the development without the prior written approval of the Local Planning Authority.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

6. Prior to commencement of the development hereby approved, a detailed landscaping and tree planting scheme shall be 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.

7. Prior to commencement of the development hereby approved, details of the proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved in writing by the Local Planning Authority. Once approved, such details shall be fully implemented on site prior to the first occupation of the development, and retained in that form thereafter.

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

8. The parking spaces and turning area shown on the approved plan 315/10.5 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 T2 of The Adopted Local Plan for Slough 2004, and Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

9. No development shall commence until details of the alterations to the existing points of access between the application site and the highway have been submitted to and approved in writing by the Local Planning Authority and the access alterations shall be implemented 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 of general safety along the neighbouring highway in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

10. The development shall not be occupied until the existing access to the site has 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 Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

11. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off
- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations
- (vi) construction and demolition working hours, hours during the construction and demolition phase, when delivery vehicles taking materials are allowed to enter or leave the site.

The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

REASON In the interests of the amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

12. No demolition or construction work shall take place outside the hours of 08:00 -

18:00 hrs Monday to Friday 08:00 - 13:00 hrs on a Saturday and no working at all on Sundays or public holidays.

REASON In the interests of the amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

13. The development shall not begin until a scheme for protecting the proposed dwellings / gardens from noise from vehicle movements has been submitted to and approved by the Local Planning Authority. Any works, that form part of the scheme approved by the Local Planning Authority, shall be completed before any permitted dwelling is occupied, unless an alternative period is agreed in writing by the Local Planning Authority.

REASON To ensure that the amenities of the future residents is not adversely affected by noise in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

14. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON In the interests of the neighbouring property in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

15. No development shall take place until details in respect of measures to:

- (a) Minimise, re-use and re-cycle waste, including materials and waste arising from demolition;
- (b) Minimise the pollution potential of unavoidable waste;
- (c) Dispose of unavoidable waste in an environmentally acceptable manner;
- (d) Have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of building operations and the subsequent use of the buildings.

REASON In the interests of the amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

16. No other part of the development shall begin until visibility splays have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 90 metres along the centre line of the carriageway to the west, and the centre point of the westbound carriageway to the east measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the

carriageway.

REASON To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

17. No other part of the development shall be occupied until the pedestrian visibility splays of 2.4x2.4 metres (measured from the back of footway) have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

REASON To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

18. No vehicle access gates, roller shutters doors or other vehicle entry barriers or control systems shall be installed without first obtaining permission in writing from the Local Planning Authority.

REASON In order to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

19. 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 EN1 of The Adopted Local Plan for Slough 2004.

20. 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 Adopted Local Plan for Slough 2004, and to meet the objectives of the Slough Integrated Transport Strategy.

21. The B1(a) office use hereby permitted shall not be open to members of the public outside the hours of 09:00 hours to 17:00 hours on Mondays - Fridays, and shall

not be open to members of the public on Saturdays and Sundays, and Bank/Public Holidays.

REASON To protect the amenity of residents within the vicinity of the site in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

22. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D, E, and F of The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that Order) no extensions, porches, outbuildings or enclosures within the curtilage shall be erected, enlargement or alteration to the roof carried out, or hard surface provided, without the express permission of the Local Planning Authority.

REASON To ensure that future occupiers of the proposed dwelling would benefit from adequate amenity space, and not reduced in size as a result of development which would otherwise be deemed to be permitted by the provision of the above order in accordance with Policy H14 of The Adopted Local Plan for Slough 2004, and Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, December 2008.

23. Notwithstanding the provisions of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) the development hereby approved shall only be used as a B1(a) office, and C3 dwellinghouse, and for no other purpose without the express permission of the Local Planning Authority.

REASON In order protect the amenities of the area and to comply with Core Policies 4 and 5 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

24. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) the total gross internal floorspace of the B1(a) office hereby permitted shall not exceed 110 sq m and no extension or alteration either external or internal, involving an increase in floorspace including a mezzanine floor, shall be carried out without the prior permission of the Local Planning Authority.

REASON To retain control over the intensification of the use of the site, particularly having regard to the provision of on-site parking in accordance with Core Policies 7 and 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

25. Full details of the surface water disposal shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development hereby approved. Once agreed, the site shall be drained in accordance with the approved details and retained thereafter.

REASON To prevent the risk of flooding in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development

Plan Document, December 2008.

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 advised that a highway improvement line affects the site. Before work commences on the site the highway improvement line should be set out by the developer and its position agreed by a representative of the Local Planning Authority.
3. The applicant is advised of their requirement to comply with the Party Wall Act 1996, including the need to serve appropriate notices on neighbours before work commences.
4. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.
5. 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.
6. 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.
7. 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.
8. 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.
9. Prior to commencing works the applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 / Minor Highway Works Agreement with Slough Borough Council for the implementation of the works in the highway works schedule. 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.
10. This permission shall not be deemed to confer any right to obstruct the Public Right of Way crossing or abutting the site which shall be kept open and unobstructed until legally stopped up or diverted under section 257 of the Town and Country Planning Act 1990.
11. Any works/events carried out either by, or at least at the behest of, the developer,

whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004 and licensed accordingly by the Street/Highway Authority in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Slough. Also Developers need to inform undertakers of their proposed works, to jointly identify any affected apparatus, and to agree diversion or protection measures and corresponding payment. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to site, shall be co-ordinated by them in liaison with Slough Borough Council Street Works Section (telephone 01753 875666). This must take place at least one month in advance of the commencement of the works and must be in line with the noticing requirements of the NRSWA 1991 and the TMA 2004. The developer must particularly ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time and using the same Traffic Management measures.

12. This decision has been taken having regard to the policies and proposals in the Local Plan for Slough 2004 and the Slough Local Development Framework, Core Strategy 2006 - 2026, as set out below, (to Supplementary Planning Guidance) and to all relevant material considerations.

Policies:- H8, H10, H13, H14, EMP2, EMP4, T2, T8, T13, EN1, EN3, and EN5 of The Adopted Local Plan for Slough 2004 and Core Policies 1, 3, 4, 5, 7, 8 and 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, PPS1 PPS3, PPS4, PPG13 and PPS25.

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.

SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: 20th June 2011

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

Ref	Appeal	Decision
P/05291/003	10 Castleview Road ERECTION OF A PART SINGLE STOREY SIDE EXTENSION WITH MONO PITCHED ROOF, PART TWO STOREY SIDE EXTENSION WITH GABLE ROOF, PART SINGLE STOREY REAR EXTENSION WITH MONO PITCHED ROOF AND PART DOUBLE STOREY REAR EXTENSION WITH HIPPED AND PITCHED ROOF	Appeal Dismissed 16 th May 2011
P/11022/004	34 Lydford Avenue ERECTION OF A SINGLE AND TWO STOREY SIDE AND REAR EXTENSIONS	Appeal Dismissed 16 th May 2011
S/00669/000	Land adj. 22 Swabey Road ERECTION OF 2NO. 3 BEDROOM END OF TERRACE DWELLINGS WITH PITCHED ROOFS TO LAND AT SIDE OF 22 SWABEY ROAD	Appeal Dismissed 16 th May 2011

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ENFORCEMENT NOTICES, BREACH OF CONDITION NOTICES, SECTION 215 NOTICES

ONGOING TO DATE (06.06.11)

(PLANNING ENFORCEMENT)

Planning Reference and Officer	Legal Ref/ Officer	Address And Breach Description	Details of actions Planning prefaced (P) Legal prefaced (L)
2010/00507/ENF BL	CF	28 Salt Hill Drive	(P) Planning Enforcement Notice served 25 May 2011. Compliance due 22 Aug 2011.
2009/00133/ENF EW	CF	19, Cowper Road	(P) Instructions sent to legal on 17.05.2011 to engross EN re: unlawful front canopy.
2010/00207/ENF BL	CF	24-26 Parsons Road	(P) Planning Enforcement Notice served 21 January 2011. compliance by 11 April 2011 (P) Appeal lodged. Technical issue with notice –withdrawn 14 th February 2011. (P) New Notice served 15 th February 2011 (P) Appeal lodged awaiting further information from inspectorate.

2010/00152/ENF BL	CF	62 Faraday Road	<p>(P) To legal for notice to be engrossed 24 September 2010</p> <p>(P) Notice served 2nd December 2010. Compliance by 27 January 2011.</p> <p>(P) Monitoring compliance to ensure no reversion.</p> <p>(P) No further breaches, but matter left open to monitor compliance</p> <p>(P) Continued compliance. Case closed 27 May 2011.</p>
2010/00039 BL	CF	60 Lower Cippenham Lane Breach of Condition. Driveway.	<p>(P) Breach of condition notice served 8 March 2010. Compliance by Sat 10 April 2010.</p> <p>(P) Compliance Achieved 10 April 2010. Case Closed.</p> <p>(P) New case open. Depart approved plan. Driveway needs tarmac.21 July 2010.</p> <p>(P) Site Visit reveals still no compliance. All units believed sold. Further progress now needs to be made as new ownership has implications.</p> <p>(P) Planning application submitted awaits determination</p>
2008/00268 BL	CF	8 London Road Change use. Dwelling to Offices	<p>(P) Planning Enforcement Notice served 9 October 2009. Compliance by 6 May 2010.</p> <p>(P) New planning application received.</p> <p>(P) Chris Smyth still in negotiations pending a new planning application. latest information. Solution may be attainable. 30 Nov 2010</p> <p>(P) Planning application to be determined. (Still awaiting as at 27 May 2011)</p>

<p>2009/0149 WH</p>	<p>CF T3/698</p>	<p>65 Gloucester Avenue Depart Approved Plan -</p>	<p>(L) Instructions received 21st August 2009 (P) Planning Enforcement Notice served 2 September 2009 Compliance due 30 June 2010. (P) Meeting held with owners and head of Planning. New application to be submitted 07/10/10 (P) No application submitted. Prosecution to be discussed (P) Application submitted and to be determined within 4 weeks. (P) Prosecution commenced (P) first hearing 6th May 2011.</p>
<p>2005/00331 WH</p>	<p>T3/381a CF</p>	<p>35 Montem Lane, Slough Enforcement Notice for operational development</p>	<p>(P) Legal instructed and land charges informed 9/11/05 (L) Requisition sent 14th June 2006. (L) Draft notice to planning for approval 14th June 2006. (P) Legal acknowledged instructions 16/6/06. (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) Notice served 17/11/07, effective 21/2/07 for compliance by 21/4/07 (P) Appeal lodged (P) Appeal dismissed, compliance by 07/02/08. Reminder to comply sent 23/03/09 (P) Meeting being sought to discuss matters. (P) Meeting to be arranged by AM upon return 01/09/10 (P) Negotiations ongoing with members of the mosque (P). No compliance, prosecution to be considered forthwith (P) Letter forwarded giving one month for compliance then report for Direct Action to be submitted</p>

<p>2008/00222 BL</p>	<p>CF T/T3/671</p>	<p>10 Yew Tree Road, Slough. Unauthorised change of use to a house in multiple occupation and the unauthorised erection of a single storey rear extension.</p>	<p>(L) Instructions received 7 November 2008 (P) Enforcement Notice served 18th November 2008, Compliance 16th March 2009. (P) Appeal received. (P) Prosecution papers being prepared (P) Info received that the charge holder is moving for repossession. (P) Enquiries in progress – contact with mortgage company (P) The Mortgage Company now has taken the house. They will carry out surveys etc. in order to see which direction to take. Review in mid April. (p) Mortgage company solicitors seeking instructions from client. (20 Apr 2010) (p) consider prosecution or default work (P) The property has been considered for auction by the Mortgage Company. Events to be monitored. (P) New owners in negotiation with Ian Hann. (P) Planning application expected imminently for HMO and the rear extension (P) Planning Application approved for HMO and reduced Extension. 11 April 2011. Enforcement now completed.</p>
<p>2010/00193/ENF BL</p>		<p>Skyways Hotel 19-23 London Road Slough</p>	<p>(P) Planning Enforcement Notice to legal 27 Aug 2010. Remove Front Conservatory. (P) Notice served – 30th September 2010 (P) Prosecution being prepared (P) Awaits appeal decision on planning refusal (P) Prosecution papers being prepared (P) Prosecution on hold - New date for compliance 15 May 2011 following enforcement appeal dismissal. (P) Compliance achieved 7 May 2011.</p>

2008/00332/ENF WH	CF/ 673	47 Elliman Avenue Breach of Condition Notice	<p>(L) Instructions received November 2008 (P) Notice served 5 December 2008. Compliance due 5 January 2009 (P) Papers being prepared for legal (P) Papers for litigation sent to legal 27 October 2009. (P) Prosecution files being prepared 24/02/10 (P) Instructions sent to legal to prosecute 01-03-10 (L) First hearing at Maidenhead Magistrates 18/06/10 (L) Found guilty of offence and costs awarded (P) Direct action to be considered (P) Owner contacted 24/09/10 and work being carried by themselves (P) Case reopened by owners at Court and Legal to update file (P) Compliance achieved. Case closed</p>
2006/00296/ENF EW	T3/712	Land at Tanhouse Farm, Mill Street, Colnbrook, Berkshire (parcel of land adj. Top Yard)	<p>(P) To send instructions to legal to engrass EN re: unauthorised storage of commercial vehicles to cover area excluded in previous notices (1972 and 1978). (P) Papers for enforcement notice being prepared.</p>
2006/00296/ENF EW	T3/712	Land at Tanhouse Farm, Mill Street, Colnbrook, Berkshire (South off the Colne River)	<p>(P) Notice served 30th November 2009 in respect of the unauthorised change of use from land for agricultural use to the mixed uses of agricultural land and the storage of miscellaneous items not associated with an agricultural use. (P) Appeal lodged 23rd December to be dealt using the inquiry procedure. Date and venue to be confirmed. (P) Statement of Case submitted confirmed date of inquiry 24th June 2010 (P) Inquiry decision pending. (P) Inquiry decision - 6 July 2010 Notice Upheld, albeit with revised compliance period of 18 months. (L) Matter subject to judicial inquiry. Notice held in abeyance until the hearing in June 2011.</p>

2006/00418	SH/ T3/604 CF AS OF 2010	20 Wexham Road, Slough Unauthorised erection of a outbuilding	<p>(P) Legal Instructed and land charges informed – 11/10/06</p> <p>(P) Legal requested further instructions – resent – 22/11/06</p> <p>(P) Legal requested further set of instructions sent 24/01/07</p> <p>(L) Drafts sent to planning 15/02/07</p> <p>(P) Draft corrected and returned 19/2/07.</p> <p>(P) Notice served 26/3/7, effective 30/4/7 for compliance by 30/7/7</p> <p>(P) Appeal dismissed 01/04/08</p> <p>(L) Prosecution file being drafted in liaison with PSH 20/02/10</p> <p>(P) Prosecution file still being drafted as issues with locating owner for effective service</p> <p>(P) Committee report for default works for Planning Committee 15/06/10. Prosecuting at the same time.</p> <p>(P) Planning Committee has approved default works. Prosecution almost complete and date to be set for works.</p> <p>(P) Prosecution file sent to legal 13/07/10</p> <p>(P) Case being progressed through court.</p> <p>(P) Default action to be carried out on 23/05/11</p> <p>(P) Structure demolished and compliance achieved. Court action ongoing</p>
2009/00280/ENF WH	CF	11 Birch Grove, Slough Unauthorised front extension	<p>(P) Legal Instructed and land charges Informed 16/02/10.</p> <p>(P) Legal acknowledged instructions 18/02/10.</p> <p>(P) Enforcement Notice served 29/03/10</p> <p>(P) Appeal against Notice submitted</p> <p>(P) Planning Application submitted ref P/14831/0 submitted on 30/4/10</p> <p>(P) Decision due from Planning 25/06/10.</p> <p>(P) Planning Permission refused</p> <p>(P) Deadline given and prosecution to be prepared</p> <p>(P) Papers sent to legal to draft summons</p> <p>(P) matter in criminal courts</p>

2009/00306/ENF WH	CF	6 Wellesley Road - unauthorised rear extension and outbuilding and boundary wall	<p>(P) Instructions sent legal to engross EN 06/03/2010</p> <p>(P) Enforcement Notice issued 13th May 2010. Compliance due by 13th September 2010.</p> <p>(P) Compliance achieved.</p> <p>(P) Case closed</p>
2007/00395/ENF BL	CF	6 Salt Hill Drive	<p>(P) Instructions sent legal to engross</p> <p>(P) Enforcement Notice issued 18th June 2010. Compliance due 16th July 2010.</p> <p>(P) A new planning application has been submitted. Await determination.</p> <p>(P) Appeal dismissed on 31 December 2010, planning enforcement action to be prioritised as soon as possible.</p> <p>(P) Compliance after appeal dismissal due 4 April 2011.</p> <p>(P) Committee report for Direct Action approval.</p>
2011/00165/ENF EW	CF	169-171, Stoke Poges Lane	<p>(P) Instructions sent to legal to engross EN on Monday, 28 February 2011.</p> <p>(P) Enforcement Notice served on 9th March. Effective on 6th April, Compliance date 6th May.</p> <p>(P) 03.06.2011 Compliance achieved, case closed.</p>

2011 EW	CF	Spital Farm, London Road, Colnbrook, Berkshire, SL3 8QQ	<p>(P) 24.5.10 - Instructions to be sent to legal to engross EN concerning unauthorised alpaca building</p> <p>(P) Matter being reviewed by EW before papers are sent to legal</p> <p>(P) Planning appeal ongoing - matter held in abeyance</p> <p>(P) Appeal decision dismissed, Instructions to engross notice sent to legal.</p> <p>(P) EN served re "agricultural building" 17 November 2010.</p> <p>(P) EN withdrawn – due to changes to requirements, land ownership issues. New notice to be reissued</p> <p>(P) Section 330 Requisition of information notice to serve 1st March.</p> <p>(P) Requisition for information served and responses received. Fresh notices to be served having regard to the information gathered.</p> <p>(P) Instructions to issue new notice being prepared.</p>
2010/00316/ENF EW	CF	The Herschel Arms PH, Land at 24, 26 and 28, Park Street, Slough, SL1 1PS	<p>(P) Revised instructions sent to legal to engross EN re: unauthorised CoU of rear gardens to beer garden.</p> <p>(P) Engrossment on-going</p> <p>(P) En served 30/09/10 re unauthorised use of residential garden as beer garden/unauthorised canopy shelter</p> <p>(P) Appeal lodged awaiting formal start date from PINS.</p> <p>(P) EN appeal lodged 25/10/10. Notice in abeyance until appeal decision is reached</p> <p>(P) Awaiting hearing date</p> <p>(P) Hearing date set 24th May 2011.</p> <p>(P) Awaiting decision of appeal hearing</p>

2007/00035/ENF EW	CF	222 High Street, Langley, Slough.	(P) Instructions to be sent to legal to engross PCN re: hard landscaping (P) Review of respective interested parties notices on hold. (P) All known persons identified PCN issued 12/01/2011 regarding caravan stationed on land. (P) Meeting conducted on Friday the 11 th February 2011 (P) 28 days to remove hard standing and a tree inspection to be carried out within 7 days. No breach regarding the citing of one caravan within the curtilage of address. (P) Partial compliance – hard standing removed as requested. Matter to be further considered for expediency.
2010/00193/ENF BL		27 Avebury Slough	(P) Planning Enforcement Notice served 20 Aug 10. Reduce Ht. of rear outbuilding. (P) Planning application received. Validated 21 Sep 10. (P) Planning application refused. Letter sent. Compliance by 24 January 2010.
2006/00382/ENF WH	CF	100 Waterbeach Road, Slough	(P) Planning Enforcement Notice served Oct 2010 re use as 6 flats (P) Planning Appeal process begun and Statement of Evidence forwarded 24 Nov 10. (P) Appeal ongoing (P) Planning Inspectorate visited
2010/00026/ENF WH	CF	17 Waterbeach Road	(P) Planning Enforcement Notice served re habitable outbuilding 16 Nov 10 (P) Site visit confirms outbuilding now empty and Notice almost complied with (P) Fully complied with. (P) Case closed

2008/00215/ENF WH	CF	37 London Road, Langley, Slough	(P) Planning Enforcement Notice served re windows on rear elevation on 16 Nov 10. (P) Recent site visit confirms Notice almost complied with (P) Pursuing remaining issues due for compliance. (P) Compliance achieved and case closed
2009/00376/ENF WH	CF	21 Richmond Crescent	(P) Planning Enforcement Notice served re habitable outbuilding 14/03/11 (P) Appeal to Planning Inspectorate submitted
2009/00377/ENF WH	CF	23 Richmond Crescent	(P) Planning Enforcement Notice served re habitable outbuilding 14/03/11 (P) Appeal to Planning Inspectorate submitted
2010/00296/ENF WH	CF	67 Hatton Avenue	(P) Planning Enforcement Notice served re habitable outbuilding 14/03/11 (P) Compliance achieved and case closed
2010/00297/ENF WH	CF	68 Hatton Avenue	(P) Planning Enforcement Notice served re habitable outbuilding 28/03/11 (P) Compliance achieved and case closed
2010/00105/ENF EW	CF	20, Wellesley Road	(P) Instruction sent to legal on 14 th April 2011 to draft EN, subdivision of SFD to 2 flats.
2010/00336/ENF WH	CF	80 Norfolk Avenue	(P) Instruction sent to legal to draft EN re habitable outbuilding
2011/00070/ENF WH	CF	40 Court Crescent	(P) Instruction sent to legal to draft EN re habitable outbuilding (P) EN served 31 st May 2011

GLOSSARY OF ABBREVIATIONS

PLANNING - Enforcement

BL = Bob Lee
WH = Will Holloway
EW = Edward Wilson

LEGAL

CF = Ciara Feeney
DP = Dawn Pelle
AO = Ann Osbourne
AOK = Agatha Okafor
OK = Omar Khan
EJ = Elizabeth Jenkins
MM = Maria Memoli
GW = Graham White

General

HMO = House in Multiple Occupation
PA = Planning Application
BOC = Breach of Condition
215 = Section 215 Notice
EN = Enforcement Notice
TSN = Temporary Stop Notice
SN = Stop Notice
PP = Planning Permission
POCA = Proceeds of Crime Act, 2002
PCN = Planning Contravention Notice
SFD = Single Family Dwelling

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LITIGATION, FAILURE TO COMPLY WITH A NOTICE, ADVERTISING BREACHES

ONGOING TO DATE (06/06/2011)

(PLANNING ENFORCEMENT)

Planning Reference and Officer	Legal Reference and Officer	Address and Breach Description	Details of actions Planning prefaced (P) Legal prefaced (L)
2009/00399/ENF BL	CF L7/029	14 Merton Road Slough	(P) Prosecution file to legal this day 10 Feb10 (L) Instructions received on 15 th February 2011 (L) First date of hearing 11 th March 2011. (L) Hearing 8 April 2011 for plea (L) Case adjourned for plea or proof in absence on the 6 th May 2011. (L) Case withdrawn – compliance achieved.
2010/00070/ENF BL	CF	Manor Lodge Mildenhall Road Slough	(P) Breach of Condition Notice to Legal 4 Aug 2010. Breach working hours. (P) Compliance due 4 October 10. (P) prosecution for breach of Condition to Legal 26 Oct 10 (L) Information laid 8 November 2010 (L) First hearing 10 th December 2010 failed to appear adjourned to 7 th January 2011 (L) Defendants failed to attend and supplied medical reasons Adjourned to the 28 th January 2010. (L) Trial fixed for 6 th April 2011 at Bracknell Magistrates' Court (L) Matter withdrawn due to evidential issues over control of the land.

2009/00206 BL	OK	1 Boston Grove Vehicle repairs	<p>(P) Instructions sent to Legal This day 12 October 2009.</p> <p>(L) Hearing 26th February. Failed to attend. Warrant issued.</p> <p>(P) Warrant executed. Legal to advise of next hearing.</p>
ENF/WH	CF	20 Wexham Road, Slough SL1 1UA	<p>(P) Paper sent to legal to prosecute on 9 July 2010</p> <p>(L) Information laid August 2010</p> <p>(L) First hearing 8th October 2010</p> <p>(L) Adjourned from 26th November for both Defendants to attend on 7th January 2011</p> <p>(L) warrant of arrest issued on 7th January 2011 for Fiaz Akhtar</p> <p>(L) Case withdrawn against Mohammed Sarfraz (Khan and proceeds against Fiaz Ahktar</p> <p>(L) position remains – outstanding warrant for the arrest of Fiaz Ahktar</p> <p>(L) As above</p> <p>(L) Default action planned for 23/05/11</p> <p>(L) Notice complied with</p> <p>(L) Prosecution continues with next date 1st July 2011 for warrant to be executed</p>
2010/00280/ENF WH	CF L7/029	11 Birch Grove	<p>(L) Instructions received on the 14.2.11</p> <p>(L) Summons sent for issue to court on 24th February 2011</p> <p>(L) First hearing 8 April 2011 for plea</p> <p>(L) Adjourned until 6 May 2011 for defendant to appear at court or explain absence by providing good evidence of being out of the jurisdiction.</p> <p>(L) Adjourned until 3 June 2011 for plea or proof in absence</p> <p>(L) Defendant attended court for the first time. Matter adjourned until 24th June 2011 to allow her to get legal representation.</p>

2009/00149/ENF WH	CF/ L7031	65 Gloucester Avenue	(L) Instructions received on 23.3. 2011 (L) Summons sent to Court for issue on the 30 th March 2011 (L) First hearing proposed for the 6 th May 2011 (L) Matter adjourned until 24 th June 2011 to allow defendants to be present to enter a plea before the court
2011/00128/ENF EW	CF	285-287, High Street, Slough Prosecution for Unauthorised Illuminated Flashing Sign	(P) Instructions to prosecute sent to legal 28.03.2011 (L) First hearing 6 th May 2011. (L) Case withdrawn following a caution accepted and administered to both defendants on 1 st June 2011.

GLOSSARY OF ABBREVIATIONS

PLANNING - Enforcement

WH = William Holloway
BL = Bob Lee
EW = Edward Wilson

LEGAL

CF = Ciara Feeney
DP = Dawn Pelle
SH = Sadia Hussain
AO = Ann Osbourne
AOK = Agatha Okafor
OK = Omar Khan
EJ = Elizabeth Jenkins
GW = Graham White

General

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AGENDA ITEM 10

By virtue of paragraph(s) 2, 5, ~~7~~ of Part I of Schedule 12A
of the Local Government Act 1972.

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