

Date of issue: 23rd November 2011

MEETING	PLANNING COMMITTEE (Councillors Dodds (Chair), Bains, Carter, Dale-Gough, O'Connor, Plimmer, Rasib, Strutton and Swindlehurst)
DATE AND TIME:	THURSDAY, 1ST DECEMBER, 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

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

Apologies for absence.

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
CONSTITUTIONAL MATTERS			
1.	Declaration of Interest (Members are reminded of their duty to declare personal and personal prejudicial interests in matters coming before this meeting as set out in the Local Code of Conduct).		
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3.	Human Rights Act Statement	5 - 6	
PLANNING APPLICATIONS IN THE EASTERN PART OF THE BOROUGH			
4.	P/06348/008 - Lion House: Depot & No. 10 Petersfield Avenue, Slough	7 - 24	Central
5.	P13110/007 - Middlegreen Trading Estate, Middlegreen Road, Slough	25 - 36	Langley St Mary's
6.	P/15180/000 - Upton Court Park, Upton Court Road, Slough	37 - 52	Upton
MATTERS FOR DETERMINATION			
7.	Proposed Temporary Park and Ride, Upton Court Road	53 - 62	Upton
8.	Annual Monitoring Report	63 - 72	All
MATTERS FOR INFORMATION			
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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, 25th October, 2011.

Present:- Councillors Dodds (Chair), Bains, Carter, Plimmer, Rasib, Strutton
(arrived at 6.33 pm) and Swindlehurst

Also present under Rule 30:- Councillors Basharat, S Chaudhry, P Choudhry,
A S Dhaliwal and Sharif

Apologies for Absence:- Councillors Dale-Gough and O'Connor

PART I

32. Declaration of Interest

None.

33. Minutes of the Last Meeting held on 8th September 2011

The minutes of the meetings of the planning held on 8th September 2011 were approved as a correct record.

34. Human Rights Act Statement

Noted.

35. Order of Business

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 a ward member prior to the planning application being considered by the Committee for planning application S/00674/000 – Land between 79 & 83 Grasmere Avenue, Slough.

Oral representations were made to the Committee by three ward members prior to the planning application being considered by the Committee for planning application P/15014/001 - 2 Carrington Road and 122 Belgrave Road, Slough.

Oral representations were made to the Committee by an objector and two ward members prior to the planning application being considered by the Committee for planning application P/02702/013 - Land rear of 10-18 Chalvey Road West, Slough.

Details were tabled in the amendment sheet of alterations and amendment received to applications since the agenda was circulated, together with further representations made. Committee Members were given an opportunity to read the amendments sheet.

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Resolved – That the decision 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 report and amendment sheet tabled at the meeting and subject to any further amendments and conditions as agreed by the Committee.

36. S/00674/000 - Land between 79 & 83 Grasmere Avenue, Slough

Application:

S/00674/000 – Land between 79 & 83, Grasmere Avenue, Slough, SL2 5JE. Erection of a pedestrian access to the Wexham Lea Sure Start Child Care Centre from Grasmere Avenue.

Decision:

Refused:
The proposed access would result in people congregating around the junction with Grasmere Avenue and the immediate surrounding area, which would result in a significant loss of amenity for the occupiers in this area due to the increase in noise, disturbance and associated anti-social behaviour. As such the proposal is contrary to Policies EN1 and EN5 of The Adopted Local Plan for Slough 2004; Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document December 2008; and PPS1 and PPS3.

37. P/15014/001 - 2 Carrington Road and 122 Belgrave Road, Slough

Application:

P/15014/001 – 2 Carrington Road and 122, Belgrave Road, Slough, Berkshire SL1 3RB – Erection of three bedroom dwelling.

Decision:

Refused.

38. P/02702/013 - Land rear of 10-18 Chalvey Road West, Slough

Application:

P02702/013 – Land R/O, 10 - 18, Chalvey Road West, Slough, Berkshire - Planning permission sought for demolition of Storage Unit and Erection of 1 No. One Bedroom

Decision:

Refused:
The proposal by reason of the contemporary style of terraces with narrow frontages would result in a cramped form of development which

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Terrace and 2 No. 2 Three bedroom Terraces.

is out of character with the surrounding street scene and locality in general. As such the proposal is contrary to policies H13 and EN1 of The Adopted Local Plan for Slough 2004; Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document December 2008; and PPS1 and PPS3.

The proposal does not provide adequate off-road parking provision and as such would result in overspill parking onto the public highway, to the detriment of highway safety and the amenity of neighbouring properties. As such the proposal is contrary to policies T2 of The Adopted Local Plan for Slough 2004; Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document December 2008; and PPS1 and PPG13.

39. **S/00132/007 - Pennwood Primary and Nursery School, Penn Road, Slough**

Application:

S/00132/007 - Penn Wood Primary & Nursery School, Penn Road, Slough, Berkshire SL2 1PH - Application for reserved matters pursuant to S/00132/006 dated 22/09/2009 for approval of appearance landscaping and scale and layout.

Decision:

Approved subject to conditions.

40. **P/04296/016 - 478 Bath Road, Slough**

Application:

P/04296/016 - 478, Bath Road, Slough, Berkshire - External Alterations to front and side elevations, subdivision of the existing B1(C) / B8 Unit to Create a 2612 M2 Unit Plus 160 M2 Mezzanine, for Car

Decision:

Approved subject to conditions.

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Showroom with ancillary MOT test facility and valeting.

41. P/14980/002 - 1 Granville Avenue, Slough

Application:

P/14980/002 – 1 Granville Avenue, Slough, SL2 1ND – Change of use of existing family dwelling house from C3 (residential) at the first floor level in the form of a two bedroom flat and creation of mixed Class D1 (Place of Worship)/ Class D2 (Social and Community Use) on the ground floor and outbuilding.

Decision:

Withdrawn.

42. Public Participation Scheme

The Committee was advised that the Officer who compiled the report was unable to attend the meeting and that a number of areas within the report required further refinement.

Resolved - That consideration of the report be deferred to the next meeting on 1st December, 2011.

43. Appeal Decisions

Resolved – That the report be noted.

44. Authorised Enforcement and Prosecutions

Resolved – That the report be noted.

45. Members' Attendance Record

Resolved – That the report be noted.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.23 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

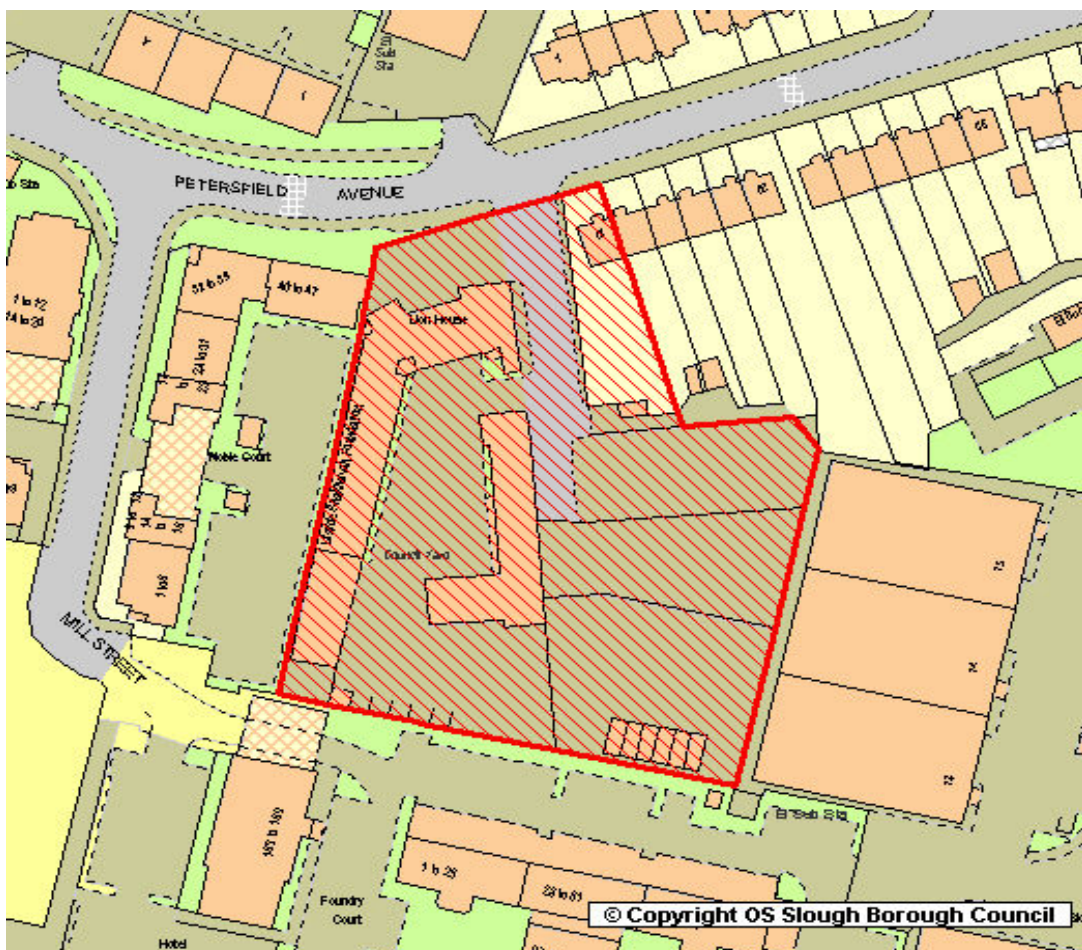
	USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House
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:	01-Sep-2011	Applic. No:	P/06348/008
Officer:	Mr. Albertini	Ward:	Central
		Applic type:	Major
		13 week date:	1st December 2011
Applicant:	O F Chaudhry & OC Ventures Ltd		
Agent:	Miss Lisa Bowden, BNP Paribas Real Estate 5, Aldermanbury Square, London, EC2V 7PB		
Location:	Lion House: Depot & No. 10, Petersfield Avenue, Slough, Berks, SL2 5DN		
Proposal:	APPLICATION FOR AN EXTENSION OF TIME FOR THE IMPLEMENTATION OF AN EXISTING PLANNING PERMISSION (REF. P/06348/007 DATED 23/10/2008) DEMOLITION OF BUILDINGS; ERECTION OF BUILDING (3 / 5 STOREY) CONTAINING 90 APARTMENTS AND A HEALTH CENTRE; CONVERSION OF 10 PETERSFIELD AVENUE FROM FLATS TO A HOUSE (3 BEDROOM) WITH PARKING AND LANDSCAPING		

Recommendation: Delegate to HPPP for S106



1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 Delegate to Head of Planning Policy and Projects for a Section 106 planning obligation.

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 For this category of application the scheme of delegation allows for the Head of Planning to decide it however a Ward Councillor has asked for it to be presented to the Planning Committee.
- 2.2 This is an application by Receivers to replace an existing planning permission in order to extend the time limit for implementation. The development proposed remains the same as the existing permission and descriptions below are based upon the previous 2008 Committee report (as amended) with updates to reflect the final Section 106 planning obligation.
- 2.3 The scheme comprises 40 one bedroom and 50 two bedroom flats in a U shaped building. In addition a house, currently two flats, will be converted back to a three bedroom house. The ground and first floor of the front of the building are designed for a health centre with 5 consulting rooms. The rear of the building will be 5 storey stepping down on each wing to four then three at the Petersfield Ave end with a very small two storey portion on the west wing (part of the health centre).
- 2.4 Parking at a ratio of 0.8 spaces per flat plus cycle storage is accommodated mostly in a basement but with some surface parking on the east side of the site. Parking for the health centre will be a combination of basement parking, for staff, and 5 surface parking places for patients. In addition two spaces are allocated to the house. The existing site access will be reformed to serve the site. It will also serve some existing garages located at the rear of adjacent houses.
- 2.5 Amenity space for the flats is proposed at the rear of the site, adjacent to the flats on the east side and a small area near the entrance between the two wings. All flats have balconies. Part of the garden for existing flats at 10 Petersfield Ave. will be used for parking and screen tree planting. The remainder will serve the converted house.
- 2.6 Existing trees near adjacent gardens are to be replaced with new trees. New trees are proposed around the outside edge of the site
- 2.7 The elevational treatment will be contemporary in style using buff bricks at lower level, cedar cladding above and silver cladding at upper levels. A mono pitch roof is proposed with a shallow pitch.

- 2.8 40% affordable housing on the site is proposed (17 one bedroom and 19 two bedroom flats) including the 3 bedroom house for rent. 25 flats are social rent and 10 shared ownership. Alternatively the developer may offer to the Council a financial sum to provide affordable housing off the site. The Council can choose to either take any such offer or have the affordable housing on site.
- 2.9 The supporting information submitted includes design information, transport assessment, planning statement, day light study, archaeology, drainage and ground investigation. The transport assessment concludes that traffic flows will be less than the existing use.
- 2.10 The applicants unilateral Section 106 obligation has contributions etc. as outlined below.
- 2.11 In comparison to previous applications the site now includes the adjacent house and garden and a health centre is included. In summary the building footprint has changed slightly, more amenity space has been created by placing more parking in the basement; the bulk of the building has been reduced on the frontage at upper levels. One portion will be closer to number 10 Petersfield Ave. In comparison to the larger 119 unit scheme the height of the wings has been reduced and car parking has increased. The height of the rear portion is the same as that for the 119 unit scheme.
- 2.12 The west wing is parallel to the Noble Court flats to the west about 26/28 metres away. The rear is parallel to the recently completed Linden Homes flats at Mill St. Separation distance is 28.5 m (previously variable between 28.5m and 31m). The east façade is 17.6 metres from adjacent industrial units. Distances to adjacent houses are referred to below.

3.0 **Application Site**

- 3.1 The 0.6 hectare site currently contains a three storey office building (partly used as a school at present) plus offices, the yard of Interserve, the Council's property maintenance contractor and a house converted to flats. There are four trees on the site near the boundary with existing gardens.
- 3.2 To the west are 4 and 5 storey flats and car park (Noble Ct.). To the south is a 7 storey building part of the recently completed Linden Homes flats scheme. To the east is the rear of a large, new industrial/business unit. On the Petersfield Ave. frontage two storey houses with large rear gardens adjoin the site. Opposite is the entry to a commercial site with houses adjacent. Since the previous application was approved one of the commercial buildings is now used as a church

4.0 **Site History**

- 4.1 Part of Lion House was approved in 2006 for use as a private school.

Application for 119 flats (4/5 storey) refused October 2007; Appeal dismissed May 2008 (P/6348/5).

Application for 92 flats (3/4 storey) refused January 2008, Appeal dismissed May 2008 (P/6348/006).

The key issues considered at the appeal (for both the above schemes) related to the reasons for refusal comprised :

- Would loss of employment land be acceptable.
- Effect of building on the appearance and character of the surroundings (design/residential amenity).
- Adequacy of provision for family housing.
- Adequacy of provision for car parking.

The key reasons that the appeal Inspector used to dismiss the appeals were :

The design issues regarding the affect of the frontage of the larger building on the character of Petersfield Avenue.

The proximity and height of the building in relation to nearby Petersfield Ave. homes more so for the larger 119 unit scheme.

Inadequate car parking of the larger scheme (0.6 spaces per unit).

Lack of adequate landscape setting.

Concerns relating to family housing were not supported; loss of employment land was not supported because the Core Strategy, that firms up this policy was not, at the time of the inquiry, declared sound. The Strategy has since been found 'sound'.

4.2 90 flats (3 / 5 storey) and conversion of 2 flats to a 3 bedroom house. Approved 23 October 2008 (P/06348/007).

5.0 **Neighbour Notification**

5.1 Petersfield Ave 1-7 odd 10. 10A – 32 even. Systems House
Mill St. Noble Court 1-47 incl.; Mill Court 1-4
Whittenham Close units 12, 14, 15.
Foundry Court.
3,4,7,8,11,12,15,16,19,20,23,24,32,33,38,39,44,45,50,51,56,57,60,61,64,65,66,69,70,71,74,75,76,79,80,81,84,85,86,89,90,173,180,181,188,189.

5.2 3 letters of objection received raising issues of:
Appeal rejected re previous proposal

- Developments near the station provide housing demand – this proposal is unnecessary.
- No consideration of spill over issues likely to impact residents.

- Intrusion of privacy/overlooking
- Make traffic conditions worse/noise/safety risk.
- Petersfield Ave used for parking by residents of new flats nearby
- Building would create shadows
- Out of keeping with streetscape
- Church opened opposite since permission granted; this has led to increased car parking in the street; the proposal site is used for overflow car parking.

5.3 Petition of 56 signatures objecting to proposal on grounds of:

Appeal planning inspectors concerns not addressed when subsequent application approved. Inspector's summary re design issues quoted.

Traffic Generation

Parking

Pollution

Effect on Trees

Loss of amenities

Noise

Design

Ask Council to consult Thames Valley police

6.0 **Consultation**

6.1 Traffic

Request existing Sec 106 obligations and conditions applied.

6.2 Highways

Request existing Sec 106 obligations and conditions applied

6.3 Environmental Protection

Existing conditions to be applied.

6.4 Housing

Request existing Sec 106 obligations applied but with updating of out of date definitions.

6.5 Education

Request existing Sec 106 obligations applied

PART B: PLANNING APPRAISAL

Sections 7, 8, 10 and 11 below are extracts of the 2008 Committee report (as amended) which are still relevant. Section 13 provides an update.

7.0 **Policy Background**

7.1 The site is an existing business area. The adopted Local Development Framework Core Strategy seeks retention of business use. Local Plan policy

EMP 6 encourages mixed use redevelopment in the Stoke Road/Mill Street area. This site can be considered to be an extension of this area; the inquiry Inspector supported this view. The health centre can be counted as an employment use such that the proposal does, just, comply with this policy and the Core Strategy. Nearby redevelopment has been approved as an exception to the previous Local Plan policy regarding retention of business use.

- 7.2 Whilst the Core Strategy seeks to concentrate high density development in the town centre this site is so close to the expanded town centre area (Mill Street being the new boundary) an exception can be made. Consequently the scheme can be considered acceptable in terms of land use/density provided that quality design and Section 106 matters are satisfactory including securing the employment use.
- 7.3 Key criteria in Local Plan policy EMP 6 that need to be met include no adverse affect on amenities of neighbouring residential areas, car parking limited to reflect good public transport links and making a positive contribution to enhancing the local environment. These issues are dealt with below.

8.0 **Transport and Highway Matters**

- 8.1 There are no vehicle traffic impact problems compared to the existing use of the site. To help reduce car use convenient and attractive pedestrian and cycle links to the town centre (and other local facilities) are important. Consequently the requested financial contribution to make these improvements is acceptable. Potentially some of the money could go towards a scheme to add a pedestrian link over the railway either as part of the Crossrail project or alterations to the existing station footbridge. Implementation of these would be dependent upon Network Rail and train company agreement. A contribution to the railway station north forecourt enhancement is also sought as residents will use this route.
- 8.2 The parking ratio of 0.8 spaces per dwelling is acceptable subject to the enhancements to non car modes of travel referred to above. The appeal Inspector was happy with this ratio. The site is quite accessible but not highly accessible because of the walk distance to the town centre. By condition a parking management plan will be agreed to ensure affordable housing, visitors and health centre users will each have acceptable levels of parking. Comments on health centre parking are yet to be received from Transport Section.

9.0 **Affordable Housing**

- 9.1 The existing planning obligation agreement containing the affordable housing package (described in 2.8 above) was accepted by the Council when the existing planning permission was granted. However some updates are required to deal with changed policy and organisations.

10.0 **Design Matters**

- 10.1 The scale of the scheme fits in with approved schemes to the south and adjacent to the station but it will contrast with the 2 storey houses along Petersfield Ave. This site is on the edge of the area promoted as an area for redevelopment because of its sustainable location near the station. The submitted scheme can be considered acceptable in terms of overall scale as the separation distances for adjacent dwellings are acceptable and the narrow frontage means the overall bulk of the scheme will not be so noticeable when passing along Petersfield Ave.
- 10.2 This proposal addresses the appeal Inspectors concerns by reducing bulk on the frontage above two storey height. However the two storey health centre will project forward more than the previous schemes but it will not come forward of the building line formed by Petersfield Ave. houses.
- 10.3 Retention of existing boundary trees between the site and the garage access of adjacent houses is impractical because of root disturbance through construction. Bearing in mind they are not good specimens the proposed replacement and additional tree planting is supported.
- 10.4 Regarding appearance the contemporary design fits in with some of the schemes near the station. It will however contrast with the more traditional designs on Petersfield Avenue. The site does however have a limited frontage onto the road and the use of cedar cladding is softer in appearance than metal cladding such that overall the appearance of the flats is acceptable. The inquiry Inspector did not think contemporary design a problem.

11.0 **Residential Amenity**

- 11.1 The east wing will be three storey at the point behind Petersfield Ave. homes. This is the same as the previous smaller scheme but half of the previous stepped flank wall (containing stairwell windows) will be set back between 1 and 2.5 metres further away from the rear of Petersfield Ave houses and the window area reduced. The overall distance between the building and the rear of 10 Petersfield Avenue will be between 33.5/35.5 metres (previously 33 metres) to the now stepped flank.
- 11.2 The west wing, at third storey level, will be not come as far forward compared to the previous larger scheme such that it will have less effect on Petersfield Ave. homes. Compared to the previous smaller scheme the building will come forward a few metres at this level only. Immediately adjacent to number 10 Petersfield Avenue the new building (three storey) will be 8 metres away; this is less than the previous scheme. Clarification of the precise separation distances compared to previous schemes is to be clarified prior to the Committee meeting.
- 11.3 The flats will significantly change the view from nearby houses but the separation distances are adequate for privacy. The distance (diagonally) to houses opposite is 35m at third storey (as before) or 30 m at two storey level.

Rear gardens will feel overlooked because of the height of the new buildings but this relationship is not unusual for an edge of town centre site.

11.4 The distance to adjacent flats is reasonably acceptable for high density development in terms of overlooking. Within the scheme some windows are 21m apart on the 3 and 4 storey element. The applicants study indicates rooms will still have acceptable levels of light. The proximity of the 5 storey block to the recently built 7 storey block to the south may result in some less desirable conditions in terms of light to lower rooms.

11.5 Flats on the east side might suffer if noisy equipment, that does not require planning permission, is mounted on the adjacent industrial building. Consequently a condition will be added to ensure adequate insulation and ventilation is incorporated within the affected flats.

12.0 **Section 106 matters**

12.1 The applicant's unilateral section 106 planning obligation was accepted by the Council when the existing planning permission was granted. It provides for :

Affordable Housing package as described in paragraph 2.8.

Contribution to education; all levels.

Contribution to transport; pedestrian/cycle links including possible bridge link; station (north) forecourt enhancement.

Contribution to recreation.

Sustainable Development; build to the Code for Sustainable Homes level 3 standard.

Offer the health centre to a health care provider. If no agreement reached within a period of one year after starting development developer can offer space to an education/training provider.

12.2 The obligation needs to be varied to make it apply to an 'extension of time' permission and to update some references which are out of date.

13.0 **Further considerations as at 2011**

13.1 Government guidance regarding extension of time applications asks Council's to take a positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly. However Council's, when making decisions, can take account of policy and other material considerations that have changed significantly since the original grant of permission in October 2008.

13.2 The full adoption of the Core Strategy in November 2008 is a new material consideration. However the relevant policies relating to loss of business use

and seeking predominantly family housing outside the town centre (policy CS4) were considered in their draft form before the 2008 permission was granted. See section 7 above.

- 13.3 It is also relevant to point out that the appeal Inspector for the earlier applications was aware of the 'family housing' policy in the then draft Core Strategy but he did not think it justified refusal of a flatted scheme in this location.
- 13.4 Because of the particular circumstances of this site in particular it being adjacent to the Town Centre boundary where, within it, higher density development is encouraged the significance of this now adopted policy is reduced.
- 13.5 Furthermore in the current economic conditions the development is most unlikely to be viable if the amount of saleable development on the site reduces. If the site was developed with houses the amount of saleable floor space would be less than that proposed.
- 13.6 The 2010 Proposals Map identifies the area north of the Station, including this site, as a selected key location where some policies can be relaxed if proposals provide comprehensive regeneration in particular residential or mixed uses.
- 14.0 **Objectors observations**
- 14.1 With regard to the objectors comments most were raised and considered in connection with the approved development. Whilst some comments are clearly relevant and need to be addressed as part of the development (e.g. by condition or planning obligations) none are significant new material considerations that would justify a different recommendation from that made previously. This approach is in line with Government guidance referred to in paragraph 13.1 above.
- 14.2 Objectors highlight that the appeal Inspector rejected a scheme of flats and expect that decision to influence a decision on this new application. The existing planning application was submitted and approved after the appeal decision. The appeal decision related solely to the earlier schemes. The permitted scheme, whilst still a very substantial building next to houses, addressed the specific concerns raised by the Inspector when rejecting the earlier proposals.
- 14.3 One matter that has changed in recent years is the opening of a Church in one of the former commercial buildings off Mill Street. Residents refer to overflow parking taking place on Petersfield Avenue. However this is not considered a significant issue bearing in mind the proposed flats scheme has a reasonable amount of parking on site for its location near the town centre.

15.0 **Summary**

15.1 This proposal has not changed since 2008. Material considerations that have changed since 2008 are not significant enough to justify a change in recommendation. Government guidance regarding extension of time applications indicates Council's should be positive about extension of time applications during the economic downturn. The recommendation of approval is however subject to a variation of the planning obligation being agreed.

PART C: RECOMMENDATION

16.0 **Recommendation**

16.1 Delegate a decision to the Head of Planning Policy and Projects for the signing of a satisfactory variation of the Section 106 unilateral planning obligation.

16.2 Having considered the relevant policies and comments from consultees and those notified the development is considered to be acceptable subject to conditions and the completion of a legal agreement.

17.0 **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. Approved plans

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. 1680-09 C SITE LAYOUT AND ROOF PLAN
- (b) Drawing No. 1680-18H GROUND FLOOR
- (c) Drawing No. 1680-19C FIRST FLOOR
- (d) Drawing No. 1680-20D SECOND FLOOR
- (e) Drawing No. 1680-21E THIRD FLOOR
- (f) Drawing No. 1680-22D FOURTH FLOOR
- (g) Drawing No. 1680-17D BASEMENT1
- (h) Drawing No. 1680-35 A Ramp Detail
- (i) Drawing Nos. 1680-23B 24 25C 26C 27 28C 16C Elevations
- (j) Drawing Nos. 1680-31A Sections
- (k) Drawing Nos. 1680-10 11 12 13a 14 floor plans.
- (l) Drawing Nos. 1680- 34 Store

- (m) Drawing Nos. 1680-29 and 30 (floor plans for house)
- (n) Drawing No. 1680-32A (Elevations of House)

REASON To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area and to comply with the policies in The Local Plan for Slough 2004.

3. Samples of materials

Details and 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 development is commenced on site and the development shall be carried out in accordance with the details approved. (Please liaise with the planning department regarding which samples are required).

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. Lighting Scheme

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.

5. Bin storage

The bin stores on the approved drawings 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.

6. Noise attenuation and ventilation.

No dwelling on the east elevation of the building (that which faces the industrial unit in Whittenham Close) shall be occupied until its respective approved noise attenuation and associated ventilation measures have been installed. The noise attenuation measures and associated ventilation measures shall have first been submitted to and have been approved in writing by the Local Planning Authority. Details of ventilation measures shall include air change information for habitable rooms (on the east elevation) at times when windows are closed.

REASON To protect the occupiers of the flats from the external noise environment in the interests of residential amenity and in accordance with Core Policy 2 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008 and Planning Policy Guidance note 24.

7. Soil - Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwater's and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

8. Soil - Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part

2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

9. Soil - Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REASON To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

10. Soil - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 7, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 8, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 9.

REASON To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document,

December 2008.

11. Landscaping Scheme

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.

12. Boundary treatment

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

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

13. Alterations to existing access and sightline

No development shall commence until details of the alterations to the existing point 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. The details shall include sightlines of 2.4m by 43m. The sightlines shall be kept free of all obstructions higher than 600 mm above the adjoining carriageway level.

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

14. Off Site Highway Works

No development shall be occupied until off site highway works have been carried out in accordance with details that shall have first been submitted to and approved

in writing by the Local Planning Authority prior to commencement of any development. The off site works shall comprise Installation of access on Petersfield Avenue Reinstating redundant access to 10 Petersfield Avenue as standard footway construction Drainage connections Dedication of sight line areas, if required .

REASON In the interest of conditions of general safety on the adjacent highway network.

15. Internal access roads

Prior to first occupation of the development, the internal access roads footpath and vehicular parking and turning provision shall be provided in accordance with approved plans. The access road shall include a connection with the existing rear vehicular access for existing houses in Petersfield Avenue.

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

16. Cycle parking

No development shall be begun until details of the cycle parking 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 and the storage areas on the approved drawings 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.

17. Car Park Allocation

The car parking for dwellings and the D1 use shall be allocated and managed in accordance with a scheme that shall have first been approved in writing by the Local Planning Authority prior to the commencement of development.

REASON In the interest of the free flow of traffic and conditions of general safety on the adjoining highway and in the interest of comprehensive planning of the area.

18. Surface Water Drainage

The construction of the surface water drainage system shall be carried out in accordance with details submitted and approved in writing by the Local Planning Authority before the development commences. The drainage works shall be completed in accordance with those details prior to the occupation of any dwelling. The system may require balancing of surface water on site. Soakaways shall not penetrate the water table and they shall not in any event exceed 2 metres in depth below existing ground level nor be within contaminated ground.

REASON To prevent the increased risk of flooding and pollution of the water environment.

19. Security

Each entry point to the building (including bin and cycle stores and basement car park), the entry to the main surface car park and the access to the two parking spaces for number 10 Petersfield Avenue shall have installed a secure entry system prior to occupation of any dwelling served by its associated entry point. The system shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority.

REASON In the interest of crime prevention.

20. External Appearance Details

No development shall commence until detail elevational and section drawings of windows, doors, eaves and balconies have been submitted to and approved in writing by the Local Planning Authority. The drawings shall be at 1:100 scale.

REASON In the interest of visual amenity.

21. Archaeology

No development shall take place until the applicant has secured and implemented an archaeological watching brief as part of phased programme of archaeological work in accordance with a written scheme of investigation (method statement), which has first been submitted to and been approved by the Local Planning Authority.

REASON The site is within an area of archaeological potential. An archaeological watching brief is required to mitigate the impact of development and ensure preservation 'by record' of any surviving remains. This is to be undertaken as the provisional stage of a phased programme of works should initial investigations warrant further mitigation.

Informative(s)

1. The applicant is reminded that an Undertaking and a variation to it under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.

2. Highway Matters

It is intended to declare the access road as a 'Prospectively Maintainable Highway' under Section 87 of the New Roads and Street Works Act 1991.

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.

The applicant will need to enter into a section 279 agreement for the basement area under sailing an adopted highway.

The applicant will need to enter into a section 278 Agreement for works within the existing highway.

No water metres will be permitted within the public footway. The applicant will need to provide way leave to the Thames Water plc for installation of the water meters within the application site.

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.

The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system. In order to comply with this condition, the developer is required to submit a longitudinal detailed drawing indicating the location of the highway boundary.

3. The developer is asked to ensure that purchasers of flats are fully aware of the limited parking space on the development and that they purchasers should not expect to park on the public highway nearby. This is to help ensure flat owners do not have more cars than parking spaces available to them on site.
4. The decision to grant planning permission has been taken having regard to the policies and proposals in the Local Plan for Slough 2004, as set out below, (to Supplementary Planning Guidance) and to all relevant material considerations.

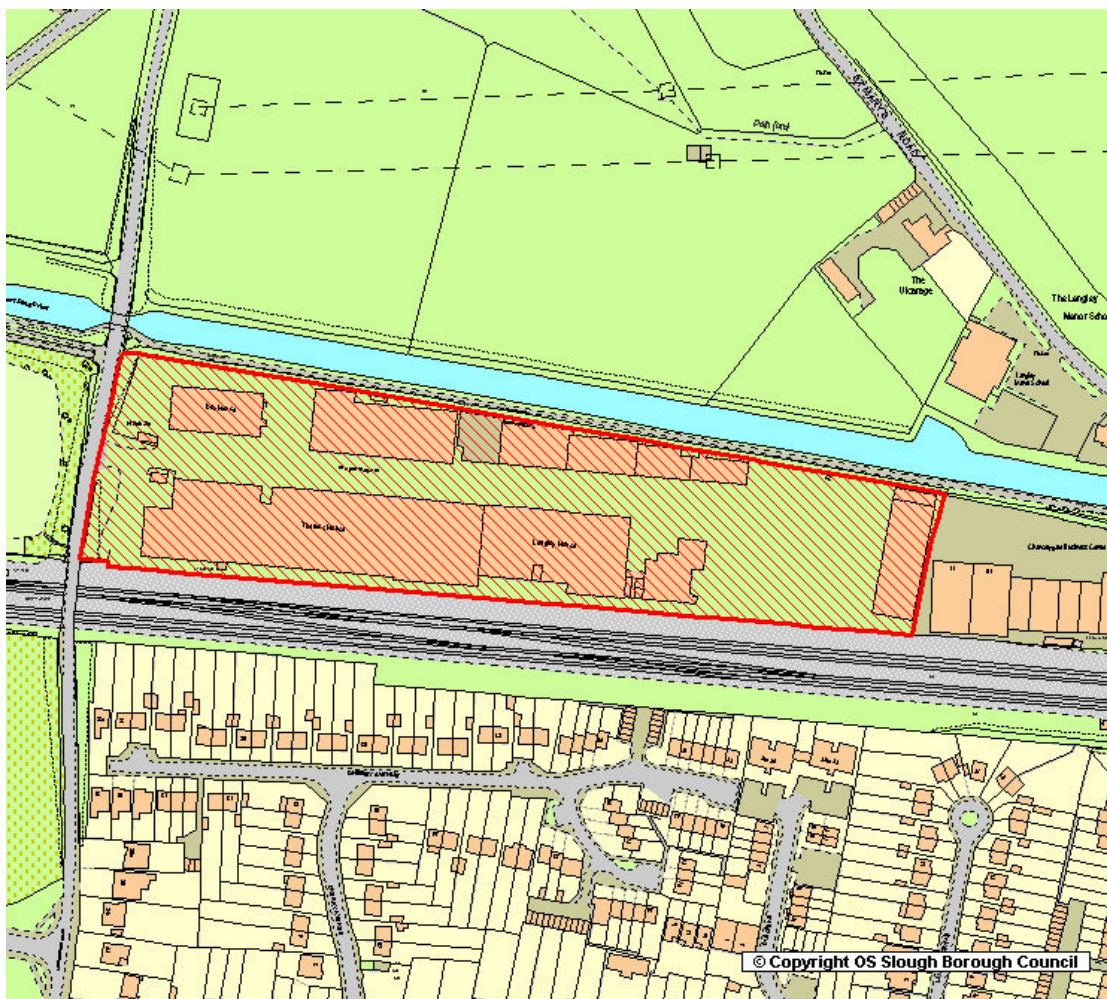
Policies:- H9, H10, H14, EMP 3, EMP 6, EN 1, EN 3, EN 4, EN 5, EN 32, OSC15, T1, T2, T3 and T8 of The Adopted Local Plan for Slough 2004 and Core Policies 1, 3, 4, 5, 7, 8 and 10 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

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

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Registration Date:	12-Sep-2011	Applic. No:	P/13110/007
Officer:	Mr. Albertini	Ward:	Langley St. Marys
		Applic type:	Major
		13 week date:	12th December 2011
Applicant:	Taylor Wimpey West London		
Agent:	Mr. Geoff Armstrong, DPP West One, 63-67, Bromham Road, Bedfordshire, MK40 2FG		
Location:	Middlegreen Trading Estate, Middlegreen Road, Slough, Berkshire, SL3 6DF		
Proposal:	DETAILS OF DEVELOPMENT RE: EXISTING OUTLINE PLANNING PERMISSION FOR 200 DWELLINGS (RESERVED MATTERS APPLICATION) (188 DWELLINGS NOW PROPOSED).		

Recommendation: Delegate to HPPP for S106



P/13110/007

1.0 SUMMARY OF RECOMMENDATION

- 1.1 Delegate to Head of Planning Policy & Projects for Section 106 obligation variation.

PART A: BACKGROUND

2.0 Proposal

- 2.1 This application is for the detailed design of the existing outline planning permission development. The existing permission for the land owner dating from 2006 is for 200 homes but this application, by a house builder, proposes only 188 homes. The revised scheme comprises:

Private Homes

- 1 bedroom apartment – 4
- 2 bedroom - 63
- 3 bedroom house – 8
- 3 / 4 bedroom house - 20
- 4 bedroom house - 44

Affordable Homes

- 1 bedroom apartment – 8
- 2 bedroom - 12
- 3 bedroom - 8
- 4 bedroom house - 12
- 5 bedroom house - 9

6 of the above flats will be shared ownership the rest for rent.

- 2.2 Much of the canal side will have an informal road alongside serving two and a half storey linked detached homes which will overlook the canal and open fields beyond. Three storey terraces will predominate in the middle of the site and at its far eastern end where the affordable housing is located. Alongside the railway will be flats in 6 blocks plus some houses at the far end. The flats are mostly 4 storeys high with one 5 storey building rising to 17m at the ridge line. The latter is the same position as the larger building that was previously on the site.
- 2.3 A traffic calmed core access road passes down the southern portion of the site. The arrangement of the buildings provide for three spaces to link the core access road to the canal side area. Furthermore three pedestrian links onto the canal towpath are proposed. A small open space is located at the far end amongst the affordable housing and next to the canal. This can be used by children as an informal space for play but there will be no access to the canal in the vicinity of this open space for child safety reasons.
- 2.4 The flats alongside the railway help protect railway noise from other parts of the site. However a 3 metre high acoustic barrier along the railway is proposed to

reduce noise levels for the flats and those houses that are next to the railway. In addition homes near the railway will have to be built to meet minimum noise levels set by planning conditions. An acoustic report has been submitted.

- 2.5 Trees near the access will remain. Most or may be all trees on the canal edge of the site and the canal bank (which is outside the site) will go as they are not of good quality. The developer has been in discussion with British Waterways. The intention is to replace the trees. Details of those within the site have been provided. Details of canal bank trees are the subject of conditions and an outstanding query.
- 2.6 In general the form of buildings is hipped roofed with projecting gables in brick and tile with feature cladding plus steel and glass balconies. There are broadly three different elevational treatments. Along the tree lined access road full height gable projections clad in blue for the flats or white for houses plus upper level cream boarding on the biggest block. The transition streets linking to the canal have few projections but clad in white weatherboard. The waterside edge has gable fronted homes with rustic boarding on upper levels and steel and glass balconies. The waterside edge homes reflect the more rural outlook and more informal canal side road with planting. The design statements points out that it is generally isolated from the immediate residential neighbourhood but features from those areas have influenced the design. Brick and tile colour are not specified in detail but a limited palette of colours is indicated.
- 2.7 In the north west corner of the site a sub station and foul water pumping station is proposed. In the south west corner access to the railway will remain but will be landscaped.
- 2.8 Car parking is a mixture of on-plot for the bigger homes, allocated or communal parking on forecourts (mostly 90 degrees to street) or rear/side courtyards. The courtyards all have scope for access gates to be installed. The largest has 12 parking spaces. Some flats have undercroft parking but one car depth only. Overall 1.78 spaces per dwelling are proposed.
- 2.9 The following is background information and is not part of this reserved matters application. The existing outline permission provides for the existing site access to be used plus alterations to Middlegreen Road including the creation of a continuous footway on the east side of the road, over the railway bridge, to the site entrance. Separate discussions are underway about the practical implementation of this and consideration of the implications of bridge reconstruction works required as part of the Crossrail scheme.
- 2.10 An existing Section 106 planning agreement provides for 36 % affordable housing with a bias towards family homes. It also provides for financial contributions towards education (primary or secondary), recreation (Bloom Park) plus sustainable development – code 3 homes and renewable energy. No transport or highway contributions/works were agreed (other than bridge and path works referred to above) as the residential development would have created no more traffic than previous industrial/business use of the site. Various conditions are attached to the outline permission including, canal side towpath and access

enhancements, noise attenuation scheme to protect homes from the worst rail noise and soil investigation.

3.0 **Application Site**

- 3.1 This 3.1 hectare site is on the edge of the town between the railway and the canal with Green Belt beyond to the north and west. North of the canal is a field with overhead electricity cables within view. To the east there are new light industrial and warehouse units. Opposite the site entrance to the west is Bloom Park. To the south beyond the railway are rear gardens of Cherry Ave. and adjacent roads. The nearest houses are about 65 metres away to the south.
- 3.2 The former commercial buildings have been demolished. The site used to be dominated by large buildings alongside the railway. The top of the canal bank is slightly above the level of the site and contains some small trees. There are trees adjacent to the site entrance and along part of the railway boundary.
- 3.3 The site entrance lies in a small dip between bridges over the railway and the canal. There is no footway to the site. The railway bridge is signal controlled one-way working. Middlegreen Road leads on to Langley Road to the south and to Iver or George Green to the north. The railway bridge is Listed grade II for its association with Brunel's railway engineering.

4.0 **Site History**

- 4.1 P/13110/000 between 190 and 245 dwellings (outline) refused by the Council June 2005; Granted on appeal Nov 2006 for 200 homes.
P/13110/001 200 dwellings outline withdrawn Dec 2005.
P/13110/002 200 dwellings outline refused July 2006
P/13110/003 variation of condition re access sightline. Approved Oct. 2007.
P/13110/004 Extension of Time re 2006 permission Approved April 2010
P/13110/005 Withdrawn
P/13110/006 Reserved Matters 167 homes Approved April 2010 (not being progressed)
P/13110/008 variation of condition re canal path works Withdrawn Nov 2011.

The key permissions are underlined.

5.0 **Neighbour Notification**

- 5.1 Middlegreen Road 1-9, 13-19 odd, 2-38 ev., 4a, 24a, 34a 36a
Langley Rd 75, 78, 80
Sutton Ave. 63
Halkingcroft 68, 75
Cherry Ave. 23, 23a-54 incl.
The Drive 8-33 incl.
Laurel Ave. 23 – 27
Langley Manor School & Vicarage St. Marys Road

5.2 1 letter of objection received raising issues of:

Traffic generation – narrow bridge; country lane; peak hour problems; risk of alternative route Halkingcroft

Highway Safety – walking along Middlegreen Rd

Parking Problems – inadequate provision; risk of parking on existing roads nearby.

Loss of Amenities – route to canal used by residents.

5.3 In response traffic and (off site) highway matters were dealt with at the outline stage. As this is a reserved matters application for just the design matters within the site there are no opportunities for re considering traffic matters. See 2.9 and 2.10 above. There are proposals to improve pedestrian access over the bridge and to the canal (via the site). As existing residential streets are quite a distance from the site it is unlikely that any significant overflow will occur on those streets. See also 7.9 below. The environment around the route to the canal will change but bearing in mind previous industrial use and lorry traffic the residential use should not create a significantly worse environment.

5.4 Letter received from Friends of Slough Canal noting canal access proposals.

6.0 **Consultation**

6.1 Traffic
No objection

6.2 Highways
No objection subject to minor alterations. Revised drawing expected.

6.3 Housing
No objection to negotiated revised package. Both the applicant and the Council requested a change to the existing Sec. 106 agreement regarding affordable housing. The result is a lower percentage of affordable dwellings (26%) but a mix that better reflects current needs plus updated procedures re provision of affordable housing. The number of people that can be accommodated in affordable housing is no different from that approved in the original 2006 outline permission for 200 homes.

6.4 Environmental Health (re noise report)
No comments received yet.

6.5 British Waterways
Seek clarification about path link to towpath.

6.6 South Bucks District Council
No objection

PART B: PLANNING APPRAISAL

7.0 Assessment

- 7.1 The reduction from 200 to 188 homes is a benefit as it means fewer flats are proposed compared to earlier indicative schemes that were put forward by the owner to support the original outline planning application.
- 7.2 A planning condition on the outline permission specifically allows the mix of homes to be agreed. 46% of the homes will be flats which is quite high for the Council's Core Strategy policy of seeking predominantly family homes. This policy was introduced after the permission for 200 homes was first given in 2006 which is a relevant consideration. The 200 units, first proposed before 2006 and in more buoyant times, assumed a large proportion of flats and three storey terraced houses. It would be difficult to reduce the proportion of flats proposed without creating an unsatisfactory dense development of houses. The advantages and disadvantages of progressing with development of this site were considered as part of the 2010 application to extend the time limit on the original permission. Overall because of the site specific circumstances the mix of homes proposed is acceptable.
- 7.3 The affordable housing package as revised is acceptable. Whilst the percentage of homes is below the normal 40 % policy threshold the number of people that can be accommodated is quite high. Furthermore the proportion of family units, 60%, is higher than proposed for the private sale part of the site. As indicated in the Consultation section above the affordable homes do not comply with the existing Section 106 agreement so a variation is recommended before the application is approved.
- 7.4 The large buildings on the railway side of the site are a practical way of reducing rail noise to the rest of the site. This means the flats, which rise well above the proposed acoustic fence, are single aspect with main windows facing north only. 14 houses also back on to the railway. A combination of the 3 metre acoustic fence and enhanced building specification in terms of glazing and ventilation arrangements means the homes should be able to meet the required standard in the relevant planning condition. However it should be noted that a 3 m high fence on the south, sunny, side of short rear gardens is not ideal in terms of amenity.
- 7.5 The flats are positioned broadly in line with the previous large industrial buildings on the site. The roof of the 5 storey building will take the total height 2 metres above the demolished industrial building. However the distance between new and existing homes south of the railway (at least 65 metres) is too great to cause an overlooking problem but many residents will see the flats on the skyline from their homes. The distance between 4 storey flats and new some new homes opposite varies between 14 and 20 metres which is more typical of town centre development. This is another compromise bearing mind the principle established by the outline planning permission.
- 7.6 The concept of having homes overlooking the canal is supported as it provides an interesting outlook from homes in a relatively dense development. It does

have a slight urbanising effect on the canal environment but this is difficult to avoid if the site is to be developed. British Waterways and the applicant are in discussion about replacement tree planting on the canal bank to help soften the appearance of the built development when viewed from the canal and green belt land opposite. Consideration of the setting of the green belt is a policy consideration.

- 7.7 Replacement of trees on the north boundary is acceptable; the Council's tree officer thinks this is a better long term solution because of the condition and type of tree. However further clarification is being sought re adjacent off site trees. The railway boundary trees will go to allow the acoustic fence to be constructed.
- 7.8 The density of development does result in an unusually tight development in parts for a suburban location. The flats are all close to the road and have minimal amenity space. Those in the 5 storey block do overlook a courtyard area with a distant view to the canal. The access road has some tree planting but the need to accommodate car parking and highway standards limits scope for mass planting to help soften the impact of the density as seen along the core access road.
- 7.9 Car parking provision at 1.78 spaces per unit is consistent with approvals in the past when Government policy sought restrictions on parking and is a reflection of the old 2006 approval.
- 7.10 Use of rear parking courts is not ideal but as they are small and can be gated they are acceptable.
- 7.11 Garden lengths are reasonable for a development of this density but some compromises have been made bearing in mind the density and desire for houses rather than flats. Some flats have balconies.
- 7.12 To comply with a condition a small open space in the affordable housing area is proposed. This is essential for on site children's play as there are many 4 and 5 bed homes at the end of the site. Bloom Park is nearby but only accessible by crossing Middlegreen Rd or using the narrow and low headroom path under the canal bridge. Planning policy normally requires 10% open space with a play area however at the outline stage, in 2006, a compromise was reached involving a financial contribution for Bloom Park enhancements. Conditions cover long term management of the open space. It is expected that the Housing Association will maintain it. The open space will only be transferred to the Council if it wishes to take it on.
- 7.13 The design of buildings and elevations are satisfactory. The creation of different characters for different parts of the site is supported.
- 7.14 The proposal will not adversely affect the setting of the Listed railway bridge. Crossrail proposals involve substantial rebuilding of the bridge.

8.0 **Conclusion**

- 8.1 The number of homes is less than the limit in the outline permission but the development is still quite dense which has led to a few compromises in terms of design for an edge of town location. However this is a consequence of the original 2006 permission, given by the Secretary of State, for 200 homes and assumption at that time about what form the development would take. Bearing this in mind and the benefits of seeing the vacant site used the overall scheme is satisfactory. The affordable housing package has been changed but is satisfactory.

PART C: RECOMMENDATION

9.0 **Recommendation**

- 9.1 Delegate a decision to the Head of Planning Policy and Projects for the signing of a satisfactory Section 106 Agreement variation.
- 9.2 Having considered the relevant policies and comments from consultees and those notified the development is considered to be acceptable subject to conditions and the completion of a planning obligation.

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

Condition(s)

1. Approved plans

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

TO BE COMPLETED ON AMENDMENT SHEET AFTER REVISED
DRAWINGS RECEIVED

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.

2. Samples of materials

Details of external materials and samples of bricks, tiles and cladding 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.

3. Lighting Scheme

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. The scheme shall cover car parking courtyards and unadopted roads.

REASON In the interest of crime prevention and visual amenity.

4. Bin storage

No development shall commence until details of the proposed bin store (to include 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 their associated house or building 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.

5. Cycle parking

No development shall be begun until details of the cycle parking provision (including 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 the approved details prior to the first occupation of its associated house or building 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.

6. Boundary treatment

No development shall commence on site until details of the proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until its associated boundary treatment has been implemented. The 187th dwelling shall not be occupied until all approved boundary treatment has been implemented. Boundary treatment shall be retained 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.

7. Internal access roads

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

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

8. Garage use for parking only

The garage(s) hereby permitted shall only be used to accommodate cars which are used ancillary to the enjoyment of the dwelling-house on the site and shall not be used for any trade or business purposes; nor adapted as habitable room(s) without the prior permission in writing from the Local Planning Authority.

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities and visual amenities of the area in accordance with Policy EN1 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. Removal of PD rights - outbuildings

Notwithstanding the terms and provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order amending or revoking and re-enacting that Order), Schedule 2, Part 1, Class E no buildings greater than 25 cubic metres shall be erected, constructed or placed on the site without the express permission of the Local Planning Authority.

REASON In the interest of residential amenity in particular retaining gardens that are small for the size property and location of the development.

10. Removal of PD rights - extensions

Notwithstanding the terms and provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order amending or revoking and re-enacting that Order), Schedule 2, Part 1, Class A no building shall be enlarged more than 5 cubic metres without the express permission of the Local Planning Authority.

REASON In the interest of residential amenity in particular the protection of garden space.

Informative(s)

1. Conditions on outline

Notwithstanding the submission of details pursuant to outline planning permission as part of the reserved matters application this decision does not cover approval of details relevant to those conditions. Decisions on those submissions will be made separately.

2. Reason for Approval

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, and to all relevant material considerations.

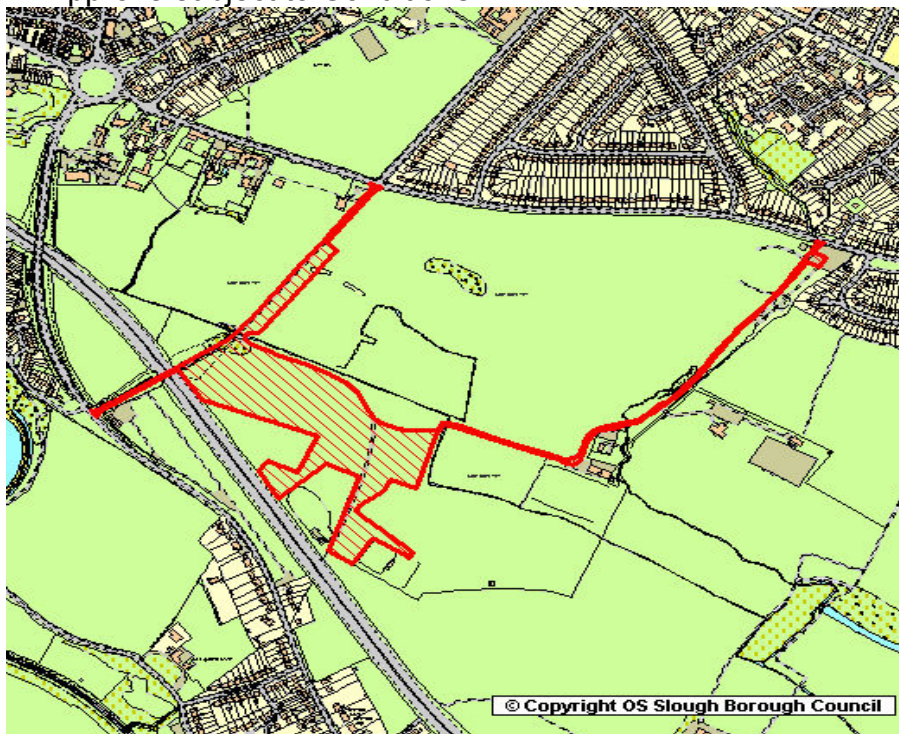
Policies:- H14, H17, EN1, EN3, EN5, OSC5, CG4 and T8 of The Adopted Local Plan for Slough 2004 and Core Policies 1, 2, 3, 4, 7, 8, 9 and 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

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

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Registration Date:	03-Oct-2011	Applic. No:	P/15180/000
Officer:	Ian Hann	Ward:	Upton
		Applic type:	Major
		13 week date:	2nd January 2012
Applicant:	Mr. S. Shaw, OLYMPIC DELIVERY AUTHORITY		
Agent:	Miss Sarah Simpson, Mott Macdonald Ltd 2nd Floor , East Wing, 69-75, Thorpe Road, Norwich, Norfolk, NR1 1UA		
Location:	Upton Court Park, Upton Court Road, Slough, Berkshire, SL3 7LU		
Proposal:	<p>APPLICATION FOR THE TEMPORARY USE OF LAND ADJACENT TO THE EXISTING ACCESS ROAD WITHIN THE WESTERN END OF UPTON COURT PARK FOR USE AS A TEMPORARY PEDESTRIAN WAITING / LOADING AREA FOR AWAITING SHUTTLE BUSES, INCLUDING TEMPORARY INSTALLATION OF CROWD CONTROL BARRIERS, HARD SURFACING, ASSOCIATED BUILDINGS TO PROVIDE TOILETS AND WELFARE OFFICE. TEMPORARY USE OF EXISTING ACCESS ROADS WITHIN UPTON COURT PARK TO FACILITATE USE OF LAND WITHIN THE NEIGHBOURING ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD AS A PARK AND RIDE CAR PARK.</p> <p>THIS APPLICATION IS IN SUPPORT OF PROPOSALS FOR THE USE OF LAND WITHIN THE ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD FOR A TEMPORARY PERIOD OF SEVEN WEEKS AS A PARK AND RIDE FACILITY IN CONNECTION WITH THE LONDON 2012 OLYMPIC GAMES EVENTS AT ETON DORNEY LAKE.</p>		

Recommendation: Approve subject to Conditions



1.0 SUMMARY OF RECOMMENDATION

- 1.1 This is a cross boundary planning application with the lion share of the proposal falling within the administrative boundaries of the Royal Borough of Windsor and Maidenhead. The elements of the proposal which fall within the administrative boundaries of Slough, are more minor in nature and by themselves would not constitute a major planning application. However, given that the proposal in total is a major development and given that the proposal has a wider than local significance, it is brought before this Committee for decision.
- 1.2 In addition, Members are advised that the Royal Borough of Windsor and Maidenhead has consulted this authority, seeking the Council's views, under spheres of mutual interest, on the main element of the proposal which falls within their administrative boundaries and for which there is a separate item on the agenda.
- 1.3 Having considered the relevant policies it is considered that temporary conditional planning permission be granted for, *“temporary use of land adjacent to the existing access road within the western end of Upton Court Park for use as a temporary pedestrian waiting/loading area for awaiting shuttle buses, including temporary installation of crowd control barriers, hard surfacing, associated buildings to provide toilets and welfare office. Temporary use of existing access roads within Upton Court Park to facilitate use of land within the neighbouring Royal Borough of Windsor and Maidenhead as a park and ride car park”*.

PART A: BACKGROUND

2.0 Proposal

- 2.1 While part of the application site falls within the borough boundaries of Slough Borough Council the majority of the site, where the actual physical parking of vehicles will take place falls within the boundaries of The Royal Borough of Windsor and Maidenhead, although the land itself is owned by Slough Borough Council, who have to grant a license in order for the whole area to be used as a park and ride. Identical full detailed planning applications have been submitted both to Slough and to the Royal Borough of Windsor and Maidenhead. Although both applications are closely interrelated, deposited plan reference ETD-01-MMD-DR-1205 P01 identifies those proposals which relate specifically to Slough and are set out in paragraphs 2.2 and 2.3 below.
- 2.2 The planning application submitted to Slough upon which a decision is required, relates to: *temporary use of land adjacent to the existing access road within the western end of Upton Court Park for use as a temporary pedestrian waiting/loading area for awaiting shuttle buses, including temporary installation of crowd control barriers, hard surfacing, associated buildings to provide toilets and welfare office. Temporary use of existing access roads within Upton Court Park to facilitate use of land within the neighbouring Royal Borough of Windsor and Maidenhead as a park and ride car park”*.

- 2.3 The proposals that fall to be determined under this application involve changes to the existing access and the internal access road as well as the siting of the shuttle bus loading area. The only change to the existing access opposite Lascelles Road will see the removal of the existing gate and height restriction barrier. The internal roads within the park from the north-eastern entrance will remain unchanged apart from some temporary carriage widening close to the proposed parking area and temporary separation barriers where the road bends by Slough Cricket Club. The biggest change will see the formation of a temporary bus shuttle loading area. This would involve the setting out of 4 bays using crowd control barriers and fencing pins with tape to be used as crowd control measures to move people towards and into the pens where they will then board the buses taking them to the venue. Temporary surfacing for pedestrians will also be laid to form and demarcate the pedestrian areas. Facilities will also be provided for the spectators in the form of 2 sets of temporary toilets and 2 sets of disabled toilets / baby changing areas as well as a temporary welfare building for workers and marshals on the site. The temporary toilets would have a width of 2.29m, length of 6.12m and a height of 3.05m. The disabled toilets / baby changing units would have a width of 1.96m, length of 1.96m and a height of 2.31m. The welfare unit would have a width of 2.29m, length of 4.88m and a height of 3.05m. The waste created from these facilities will be removed from site by appropriately approved contractors.
- 2.4 The application submitted to the Royal Borough of Windsor and Maidenhead is for: *“Change of Use of Land to a temporary park and ride to be used in connection with the 2012 Olympic Games together with temporary structures and associated works together with two access routes from Upton Court Road Slough and one access from Slough Road Datchet”*.
- 2.5 The proposal is temporary in nature and will be in operation for 14 days between 28th July 2012 and 11th August 2012 (inclusive) and for 3 days during the Paralympic Games from 31st August 2012 and 2nd September 2012 (inclusive). Any enabling works that may be required will take place between 15th January 2012 to 15th February 2012 (inclusive) and site set up will take place from 23rd July 2012 to 28th July 2012 (inclusive). Demobilisation works will be implemented during a one week period after the final event has taken place on 2nd September 2012.
- 2.6 The proposed temporary park and ride scheme is anticipated to accommodate 2,009 parking spaces with an additional 30 spaces for blue badge holders, to serve spectators attending the Olympic and Paralympic Games events at Eton Dorney. During the Olympic Games the site will be open to members of the public from 04:30 and will close to members of the public at varying times from between 15:00pm and 18:00 (events at Dorney will finish between 11:10 and 14:10). The hours of operation during the Paralympic Games are to be confirmed but will not exceed those during the Olympic Games. The proposed scheme has been set up so that cars will enter via the existing entrance at the north-eastern part of the site, closest to Quaves Road, before following the existing access road to the southern part of the site where the vehicles will park. Spectators will then make their way to the shuttle bus loading areas where they will be held in pens before boarding the buses to the venue. The buses will enter the park via the

existing northern entrance, opposite Lascelles Road, where they will be held on the existing road until they can enter one of the 4 loading bays. They will then leave the site via the southern entrance onto Datchet Road.

- 2.7 The application is accompanied with plans showing the locations and layout of the park and ride facility in its entirety, including those elements within the Royal Borough of Windsor and Maidenhead together with more detailed plans showing the proposals within Slough including layout of the shuttle bus loading area as well as the elevations of the temporary buildings and fencing.

In addition the following supporting statements have been submitted

- Planning Statement
- Design and Access Statement
- Statement of Community Involvement
- Transport Assessment
- Arboricultural Report
- Flood Risk Assessment
- Phase One Habitat Survey
- Information to Inform Appropriate Assessment (in relation to Habitat and Species).

3.0 **Application Site**

- 3.1 The site in total has an area of approximately 12.7ha forms part of Upton Court Park and is located within the Metropolitan Green Belt. The total application site (within both Slough and the Royal Borough) forms part of the existing park, which has a number of formal and informal recreation areas and facilities, including a children's play area, playing fields, remote control race tracks, equestrian facilities, associated clubhouses and changing room facilities.

- 3.2 That part of the entire site which falls with the Royal Borough primarily occupies the southernmost playing fields area of the park, avoiding areas of nature conservation interest and the race tracks, however, the routes into the park for buses and cars, shuttle bus loading area and temporary buildings lie within the Borough of Slough, and are the subject of this application.

- 3.3 The entire site is bounded by mature hedging with various access points into the park.

- 3.4 The nearest dwellings to the site, that fall within the control of Slough Borough Council are opposite the bus and car access points and are approximately 80m from the shuttle bus holding area on the opposite side of Upton Court Park.

4.0 **Site History and Background**

- 4.1 There are a number of historical planning applications affecting the use and appearance of Upton Court Park from the cricket, rugby and hockey clubs that use the are south eastern part of the site to the addition of new play facilities. Such applications are not wholly relevant to the current application.

4.2 Upton Court Park is also regularly used for major events such as the Mela Festival, fairs and the bonfire night firework displays for example although many of these events would benefit from deemed consent as granted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended). This does however indicate the fact the Upton Court Park is capable of being used for large events as well as formal and informal recreation.

5.0 **Neighbour Notification**

5.1 1, 2, 3, 4, 4a, 4b, 5 Church View, Upton Court Road, Slough.

Long Close School, Parkside Hotel, The Coach House, Slough Cricket Club, Upton Court Road, Slough.

2, 2a, 6, 16, 18, 20, 22, 24, 26, 28, 30, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 100a, 101, 102, 102a, 104, Upton Court Road, Slough

2, 4, 6, 8, 10, 12, 14, 16, 18, 20, Castleview Road, Slough

76, 77, 79, 81, 83, 85, Quaves Road, Slough

57, 58, 60, 62, 64, 66, 68, 70, 72 Buckland Avenue, Slough

81, 83, 85, Lascelles Road, Slough

Notices placed on site

Notice placed in local press

No responses have been received from the neighbour consultations to date. Any additional responses will be reported on the Committee Amendment Sheet.

6.0 **Consultation**

6.1 **Transport and Highways**

There are no objections in principle to the proposals although further details are being discussed and will be reported on the amendment sheet.

6.2 **Land Contamination Officer**

Any comments will be reported on the amendment sheet.

6.3 **Environmental Services and Quality / Parks**

Any comments will be reported on the amendment sheet.

6.4 **Environment Agency**

Any comments will be reported on the amendment sheet.

6.5 **Arboricultural Officer**

The application is supported by a Tree survey and Arboricultural reports which identifies the trees that could be affected by the proposal and gives detail of suitable tree protection methods for most of the trees: The main risk to the trees being from soil compaction and impact damage. Many of the trees are Horse Chestnuts which are suffering from various pathogens and to help the trees combat these it is imperative that the trees are not subjected to further stress or damage.

To insure the trees area unaffected by the proposal I would recommend that the protection for trees 10 and 11 also includes a fence on the tree side of the temporary path, from the gate from the car parking field to tree 9. It is likely that without this measure there will be a desire line develop through the Root Protection Area (RPA) of these trees to the queuing area for the busses and this will cause compaction which will be harmful to the trees.

If the above amendment is included in the trees protection measures, there should be no significant effect on the trees caused by the proposal.

6.6 Thames Valley Police

There are no police objections to this application.

Our main concern is that these temporary car parks do not become targets for local offenders and generate extra local vehicle crime. A large number of vehicles, with a high proportion being from out of the area, will be parked with only the parking attendants present. There are likely to be electronic navigational aids and other property left in vehicles as they will not be able to be taken into the main games site.

This police area has historically suffered from high levels of vehicle crime compared to the national average. A nearby wooded area has been used as illegal encampment for homeless people over the last few summers and this park does suffer from trail bike riders using it as an unauthorised cross country course. This mode of transport is regularly used for vehicle crime as it allows a quick and easy form of escape for offenders.

The proposed site will not have any formal perimeter fencing but does have fairly good natural boundaries consisting of the motorway, ditches and mature hedges. Security of the site will depend on the 16 marshals being tasked appropriately during the day to cover the perimeter and outlying sections of the site. Discussions have been held with the applicants to make them aware of the concerns, and the above local information, and they assure me that they will be tasked to patrol and take up static positions covering the vulnerable perimeter once the initial parking allocation has finished. These mitigation measures are acceptable actions to deter crime but they will need to be maintained throughout the duration of the games to prevent this site becoming a crime target.

It is strongly recommended that crime prevention messages should be included on the site signage warning drivers not to leave property on display.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1

National guidance

- Planning Policy Statement 1 (Creating Sustainable Communities)
- Planning Policy Guidance 2 (Green Belts)
- Planning Policy Statement 9 (Biodiversity and Geological Conservation)
- Planning Policy Guidance 13 (Transport)
- Planning Policy Statement 23 (Planning & Pollution Control)
- Planning Policy Guidance 24 Planning and Noise
- Planning Policy Statement 25 Development and Flood Risk

Local Development Framework, Core Strategy, Submission Document

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 2 (Green Belt and Open Spaces)
- Core Policy 6 (Retail, Leisure and Community Facilities)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability & the Environment)
- Core Policy 10 (Infrastructure)

Adopted Local Plan for Slough

- OSC1 (Protection of Public Open Space)
- T2 (Parking Restraint)

7.2

The planning considerations for this proposal are:

- The design and appearance / impact on the street scene and appearance of the local area and the Green Belt
- The impact on the living conditions of the adjoining residential properties
- Traffic and highway implications
- Flooding implications
- Ecological and tree implications

8.0

Design and Appearance & Impact on the Openness of the Green Belt

8.1

Design and external appearance is assessed against PPS1, Core Policy 8 and Local Plan Policy EN1, while Green Belt policy is assessed against PPG2 and Core Policy 2.

8.2

Planning Policy Statement 1 (Delivering Sustainable Development) advises 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'.

- 8.3 Core Policy 8 of the Local Development Framework, Core Strategy, states that: “All development in the Borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change.” Part 2 to that policy covers design and in sub section b) it states: “all development will respect its location and surroundings”.
- 8.4 Policy EN1 of the Adopted Local Plan states that “all development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surrounding”, in accordance with the criteria set out in that policy.
- 8.5 Planning Policy Guidance 2 (Green Belts) states that “Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development”
- 8.6 Paragraphs 3.12 to 3.20 of PPG 2 relate to park and ride development and the guidance states that park and ride sites are not inappropriate in the Green Belt provided that the following criteria has been met:
- The site is a sustainable option,
 - The purposes of the Green belt is not compromised,
 - A thorough impact of travel impacts is assessed,
 - Buildings are for essential facilities only ,
 - An assessment of all potential sites has been carried out.
- 8.7 Annex E to Planning Policy Guidance 13 – Transport states park and ride development is not inappropriate within the Green Belt provided that a thorough and comprehensive assessment of potential sites has been carried out. It outlines that such an assessment should include both non-Green Belt and if appropriate other Green Belt locations, having regards to sustainable development objectives and the need to be flexible about size and layout.
- 8.8 Core Policy 2 Green Belt and open spaces states that existing areas of the Metropolitan Green Belt will be maintained.
- 8.9 The proposals with regards to the land within the control of Slough Borough Council as a Local Planning Authority under this application will see the temporary laying of pedestrian footways and carriage widening as well as fencing and 4 temporary buildings for a limited time of 7 weeks, including the set up and demobilisation works. Once the use upon the site has ended the site shall be restored so that it is in the same condition as it was before the use commenced.

- 8.10 As the site will only be used for a short temporary time period with minor construction work, building works and fencing required and with no permanent changes to the park no objections are raised to the impact on the character of the area or the street scene. Any impact upon the street scene during the time of the park and ride operation will be mitigated by the fact that the shuttle bus loading area will be set back approximately 70m from the entrance, which combined with the limited amount of works required for the use will ensure that the proposals will have no real detrimental impact upon the street scene.
- 8.11 In terms of Green Belt it is considered to be there may be cases where a Green Belt location is the most sustainable of the available options and would not be inappropriate development provided certain criteria are met. This is contained within PPG2 – Green Belt which was amended by Annex E of PPG13 -Transport which inserted this new assumption and is considered below.
- 8.12 An assessment has been carried out by the applicants who have confirmed that other sites were assessed and considered as not being suitable at John Hampton Sports Ground for the impact it would have on neighbouring residential properties and Ascot Racecourse due to the operational problems of having to run from two sites on either side of a busy main road, as would be required at that site. Other park and ride sites have also been set up at Stafferton Way and Braywick Park, both near Maidenhead, as well as in Windsor Great Park. Therefore it is considered that there are no suitable or viable sites for the proposed use that would be able to provide the required objectives and be suitably flexible with regards to size and layout. Furthermore the use of this site is considered to be appropriate due to its previous use for large scale events and its existing infrastructure (access and roadways) to facilitate such a use.
- 8.13 The proposed scheme will not seriously compromise the purposes of designating land as Green Belt as the proposals will not increase the sprawl of large built up areas, prevent towns from merging into one another, encroach upon the county side by the fact that the proposals include small scale temporary works, building and fencing in relation to access and the shuttle bus loading area for a limited time period only.
- 8.14 The proposals are based upon the Olympic Transport Plan as prepared by the Olympic Delivery Agency and the traffic impacts have been considered as set out elsewhere in this report and the report dealing with the physical parking element of the site.
- 8.15 It should further be considered that there will be no more permanent built development upon the site. Once the temporary structures have been removed and there would be no further harm upon the Green Belt.
- 8.16 No objection is therefore raised in terms of the design, scale, Green Belt and external appearance of the development. The proposal is considered to be consistent with guidance given in PPS1, PPG2 Core Policies 2 and 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan.

9.0 **Impact on Adjoining Residential Properties**

- 9.1 The impact on adjacent residential properties is assessed against Planning Policy Statement 23, Core Policy 8 and Local Plan Policy EN1.
- 9.2 PPS23, states that, the following matters should be considered in the preparation of development plan documents and may also be material in the consideration of individual planning applications where pollution considerations arise: the existing, and likely future, air quality in an area, including any Air Quality Management Areas (AQMAs) or other areas where air quality is likely to be poor.
- 9.3 Core Policy 8 of the Local Development Framework, Core Strategy, states that “The design of all development within existing residential areas should respect the amenities of adjoining occupiers.”
- 9.4 Policy EN1 of the Adopted Local Plan states that “all development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surrounding”, in accordance with the criteria set out in that policy.
- 9.5 The proposals with regards to the temporary use of the site with associated temporary works and fencing for the shuttle bus loading area will not have a detrimental impact upon the amenities of neighbouring residential properties in terms of loss of privacy or being overbearing due to the limited nature of the works, fencing and buildings and the fact that the nearest residential property is approximately 70m away.
- 9.6 While it is noted that the site will be open from 04:30 and the Travel Assessment indicates that cars will start arriving from 05:30 at the rate of approximately 400 cars every half hour until 08:00 these vehicles are attracted to the site because of the parking facilities, which form the basis of the application found elsewhere on this agenda upon which Members will be asked to form comments to send to the neighbouring authority. In any event it is not considered that the vehicle movements themselves would be harmful to the amenity of neighbouring properties as visiting vehicles will be required to display the relevant parking passes in the front windscreen of the vehicle and will enter the site without the need of being stopped, thereby ensuring queues of vehicles do not develop on Upton Court Road, which could have detrimental impact on residential amenity. Those cars not displaying the required pass will be held at a holding area close to the access, while checks are undertaken to see if they are able to enter the site and car engines will be switched off for this purpose, as not to disturb nearby residential amenity.
- 9.7 Buses that will be picking up passengers from the shuttle bus loading area will be Euro IV emission standard to ensure that they will be clean and will reduce emissions to a minimum. Although it is acknowledged that the proposals will have a temporary impact on air quality this will be a limited increase for a temporary period and will not have a detrimental impact upon the amenity of local residents.

- 9.8 No objection is therefore raised in terms of the impacts on adjoining residential properties. The proposal is considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan.
- 10.0 **Traffic and Highways**
- 10.1 The relevant policies in terms of assessing traffic and highway impacts are Core Policies 7 and 10, Local Plan Policy T2 and the adopted parking standards.
- 10.2 Core Policy 7 requires that development proposals will have to make appropriate provisions for reducing the need to travel, widening travel choices and making travel by sustainable means of transport more attractive than the private car, improving road safety, improving air quality and reducing the impact of travel upon the environment.
- 10.3 Core Policy 10 states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. Where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements. These improvements must be completed prior to the occupation of a new development and should serve both individual and communal needs. Infrastructure includes transportation.
- 10.4 Local Plan Policy T2 stipulates the number of parking spaces that will need to be provided for developments.
- 10.5 It should be noted that the main traffic and highways implications for the park and ride scheme will come from the parking element of the scheme rather than from this application for temporary works, fencing and buildings for shuttle bus loading area. The additional vehicles will be accessing the park for the car parking provision rather than for the shuttle bus service, over which Slough Borough Council have no control, other than as landlords as the site is situated in the neighbouring Royal Borough of Windsor and Maidenhead.
- 10.6 However it is considered that the cars will arrive at the site between 05:30 to 08:00 in time for the events to start at 09:30 at the games venue and will have left the site by 16:00, thereby causing no additional congestion during the peak period hours of travel between 08:00 to 09:00 and 17:00 to 18:00. It should also be noted that the use will be during the school summer holidays where trip numbers on local roads are reduced. Although the proposals will result in an approximate additional 4678 single way car and bus trips a day they will not be at times that will cause an unreasonable increase in traffic movements.
- 10.7 Cars will arrive at the site in staggered time slots that would have been allocated to them at the time that they would have purchased their parking tickets. This will ensure that there will not be a rush of cars entering the site at any one time with approximately 400 cars arriving during each half hour period between 05:30 and 08:00. This together with the long accessway to the parking area will ensure that there will not be a backlog of cars onto Upton Court Road.

- 10.8 Buses will access the site via the entrance close to Lascelles Road and will leave the site via the access onto Datchet Road where they will turn right to the red cow roundabout and from there along Albert Street and Windsor Road before joining the Windsor Relief Road and onto Windsor Racecourse where passengers will disembark. The maximum number of bus movements will be between 30 and 40 per hour arriving and leaving the site, again outside of the main peak period hours of travel so will not have an impact upon the local road network.
- 10.9 Local Parking Orders will be enforced during the time of the use to avoid parking outside of the site and this will be patrolled by enforcement officers and Police, the cost of which will need to be negotiated for in the licence agreement for the use of the park. The cost of providing additional enforcement resources is to be funded by the Olympic Delivery Authority and this is to be secured by the Council through the licence agreement.
- 10.10 Transport comments have not been received at the time of writing this report. However, there have been pre application discussions with the Council's engineers and it is understood that there is unlikely to be any fundamental issues of concern.

11.0 **Flooding Implications**

- 11.1 The site falls within Flood Zone 2 as identified on the Council's Flood Map.
- 11.2 The levels will remain as existing and the use is considered to be an appropriate land use within a flood zone, although if the access road was to flood the site would be closed. A surface water run off strategy would ensure that there would not be an increased risk of flooding else where.
- 11.3 Therefore it is considered that these proposals would not result in additional flood risk issues.

12.0 **Ecological and tree implications**

- 12.1 These proposals have been considered from an ecological view point and with the proposed temporary works, fencing and buildings positioned away from the woodland and wetland areas there would be no impact upon the ecology of the park. Spill kits will be provided should there be a vehicle spillage on the site.
- 12.2 The proposed shuttle bus loading area, is sited within an area of the park which contains several trees. These trees should be appropriately fenced, in accordance with the submitted details to protect these trees from damage. Fencing should also be used to try and ensure that the public keep to the temporary pathways to avoid any damage occurring to the root protection areas of nearby trees.
- 12.3 These proposals are not considered to impact upon the ecology or the trees within the site.

13.0 **Summary**

13.1 This application seeks to change the use of part of the site into an area for a shuttle bus loading area used in association with a wider park and ride scheme for the site for a temporary period associated with the Olympic and Paralympic Games and includes the use of existing roads and accesses and the erection of temporary works, fencing and buildings. It is considered that the proposed use would not detract from the appearance or character of the area or have a detrimental impact upon the Green Belt. It is not considered that the proposal would be harmful to the living conditions of residential properties or have any detrimental impact upon the existing highway network. It is therefore considered that the proposal is considered to comply with relevant policy. The proposal is therefore recommended for approval.

PART C: RECOMMENDATION

14.0 **Recommendation**

14.1 Having considered the relevant policies it is considered that this application should be approved subject to conditions.

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

Condition(s)

1. The use hereby permitted shall be carried out between 28th July 2012 to 2nd September 2012 inclusive and, all buildings, equipment and hard surfaces shall be removed no later than 10th September 2012.

REASON To ensure the temporary use is discontinued and the site can be restored.

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. ETD-01-MMD-DR-1201 P01, Dated 16/08/2011, Recd On 03/10/2011

(b) Drawing No. ETD-01-MMD-DR-1202 P01, Dated 04/08/2011, Recd On 03/10/2011

(c) Drawing No. ETD-01-MMD-DR-1203 P01, Dated 03/08/2011, Recd On 03/10/2011

(d) Drawing No. ETD-01-MMD-DR-1204 P01, Dated 01/08/2011, Recd On 03/10/2011

(e) Drawing No. ETD-01-MMD-DR-1205 P01, Dated 04/08/2011, Recd On 03/10/2011

(f) Drawing No. ETD-01-MMD-DR-1207 P01, Dated 03/08/2011, Recd On 03/10/2011

(g) Drawing No. ETD-01-MMD-DR-1209 P01, Dated 04/08/2011, Recd On 03/10/2011

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. The development hereby approved shall be implemented only in accordance with the details and recommendations contained in the following reports hereby approved by the Local Planning Authority:

- (a) Planning Statement Dated September 2011 Recd On 03/10/2011
- (b) Design and Access Statement Dated September 2011 Recd On 03/10/2011
- (c) Phase One Habitat Survey Dated September 2011 Recd On 03/10/2011
- (d) Arboricultural Report Dated September 2011 Recd On 03/10/2011

Notwithstanding the recommendations contained within the Arboricultural Report the protection for trees 10 and 11 shall also include the provision of a fence on the tree side of the temporary path, extending from the gate to the car parking area field up to tree 9.

- (e) Transport Assessment Dated September 2011 Recd On 03/10/2011
- (f) Flood Risk Assessment Dated September 2011 Recd On 03/10/2011

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 Local Plan for Slough 2004.

4. A scheme for the restoration of the site to the same condition as it was prior to the commencement of the use hereby permitted has ceased shall be submitted for the written approval of the Local Planning Authority within 2 months of the date of this permission.

REASON To ensure that the restoration of the site contributes to the amenities of the Upton Court Park.

5. Restoration of the site in accordance with any scheme approved pursuant to Condition 4 shall be commenced within 1 month of the cessation of the use hereby permitted. Restoration works shall be completed within 3 months of commencement of restoration.

REASON To ensure that the restoration of the site contributes to the amenities of Upton Court Park.

6. Unless otherwise agreed in writing by the Local Planning Authority the site shall be restricted to the hours 04:30 to 18:00 during the days that events are taking place at Eton Dorney.

REASON To protect amenities of neighbouring residents.

Informative(s)

1. 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:- National guidance

- Planning Policy Statement 1 (Creating Sustainable Communities)
- Planning Policy Guidance 2 (Green Belts)
- Planning Policy Statement 9 (Biodiversity and Geological Conservation)
- Planning Policy Guidance 13 (Transport)
- Planning Policy Statement 23 (Planning & Pollution Control)
- Planning Policy Guidance 24 Planning and Noise
- Planning Policy Statement 25 Development and Flood Risk

The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 2 (Green Belt and Open Spaces)
- Core Policy 6 (Retail, Leisure and Community Facilities)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability & the Environment)
- Core Policy 10 (Infrastructure)

The Adopted Local Plan for Slough 2004

- OSC1 (Protection of Public Open Space)
- T2 (Parking Restraint)

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

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SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee

DATE: 1st December 2011

CONTACT OFFICER: Ian Hann
(For all Enquiries) (01753) 875839

WARD(S): Upton

PART I
FOR DECISION

PROPOSED TEMPORARY PARK & RIDE, UPTON COURT PARK.

CONSULTATION WITH SLOUGH BOROUGH COUNCIL UNDER SPHERES OF MUTUAL INTEREST

1. **Purpose of Report**

- 1.1 The purpose of this report is to seek the views of Members in relation a cross boundary planning application for a proposed temporary park and ride facility at Upton Court Park submitted to the Royal Borough of Windsor and Maidenhead.

2. **Recommendation**

That the Royal Borough of Windsor and Maidenhead be advised that Slough Borough Council raises no objections to the planning application, subject to no adverse comments being received, arising from consultations undertaken in respect of planning application P/15180/000.

3. **Community Strategy Priorities**

- **Celebrating Diversity, Enabling inclusion**

No implications

- **Being Safe, Feeling Safe**

Matters of security would need to be addressed through the licence with the Olympic Delivery Authority.

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

Whilst there may be some temporary localised affects on air quality, managing arrivals and bussing spectators to the Olympic event will help to relieve traffic congestion and help to minimise impacts on air quality within the wider area of Slough

- **Prosperity for All**

No implications

4. **Other Implications**

(a) **Financial**

Any financial implications for Slough would be addressed through the licence with the Olympic Delivery Authority

(b) **Risk Management**

Any risks would need to be addressed through the licence with the Olympic Delivery Authority

(c) **Human Rights and Other Legal Implications**

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

(d) **Equalities Impact Assessment**

There is no specific adverse impact on equalities issues.

Supporting Information

5.0 **Background**

5.1 This is a cross boundary planning application with the lion share of the proposal falling within the administrative boundaries of the Royal Borough of Windsor and Maidenhead. The elements of the proposal which fall within the administrative boundaries of Slough, are more minor in nature and included within a separate planning application reference P/15180/000, which is included on the agenda for separate decision. However, given that the proposal in total is a major development and given that the proposal has a wider than local significance, it is brought before this Committee to seek its views.

5.2 The nature of the application, submitted to the Royal Borough of Windsor and Maidenhead, upon which the Council is being consulted under spheres of mutual interest and which is closely inter-related with planning application reference P/15180/000, is for: *“Change of Use of Land to a temporary park and ride to be used in connection with the 2012 Olympic Games together with temporary structures and associated works together with two access routes from Upton Court Road Slough and one access from Slough Road Datchet”*.

5.3 The purpose of this report is to seek the views of Members in relation to this application and having regard to all relevant national and local planning policies, it is recommended that the Royal Borough of Windsor and Maidenhead be advised that Slough Borough Council raises no objections to the planning application, subject to

no adverse comments being received, arising from consultations undertaken in respect of planning application P/15180/000.

6. **Proposal**

- 6.1 A full detailed planning application has been submitted to the Royal Borough of Windsor and Maidenhead for the change of use from public open space to a temporary park and ride site to be used in connection with the London 2012 Olympic and Paralympic Games together with associated temporary buildings, structures and works. The proposal is temporary in nature and will be in operation for 14 days between 28th July 2012 and 11th August 2012 (inclusive) and for 3 days during the Paralympic Games from 31st August 2012 and 2nd September 2012 (inclusive). Any enabling works that may be required will take place from 15th January 2012 to 15th February 2012 (inclusive) and site set up will take place from 23rd July 2012 to 28th July 2012 (inclusive). Demobilisation works will be implemented during a one week period after the final event has taken place on 2nd September 2012.
- 6.2 The proposed temporary park and ride scheme is anticipated to accommodate 2,009 parking spaces with an additional 30 spaces for blue badge holders, to serve spectators attending the Olympic and Paralympic Games events at Eton Dorney. During the Olympic Games the site will be open to members of the public from 04:30 and will close to members of the public at varying times from between 15:00pm and 18:00 (events at Eton Dorney will finish between 11:10 and 14:10). The hours of operation during the Paralympic Games are to be confirmed but will not exceed those during the Olympic Games. The proposed scheme has been set up so that cars will enter via the existing entrance at the north-eastern part of the site, closest to Quaves Road, before following the existing access road to the southern part of the site where the vehicles will park. Spectators will then make their way to the shuttle bus loading areas where they will be held in pens before boarding the buses to the venue. The buses will enter the park via the existing northern entrance, opposite Lascelles Road, where they will be held on the existing road until they can enter one of the 4 loading bays. They will then leave the site via the southern entrance onto Datchet Road.
- 6.3 While part of the application site falls within the borough boundaries of Slough Borough Council and is subject to a full planning application to be determined by this Committee and appears elsewhere on this agenda, the majority of the site, where the actual physical parking of vehicles will take place falls within the boundaries of The Royal Borough of Windsor and Maidenhead, although the land itself is owned by Slough Borough Council, who have to grant a license in order for the whole area to be used as a park and ride. This application has been submitted to the Royal Borough of Windsor and Maidenhead as the land falls within their control as a Local Planning Authority and deals with the parking area and three temporary buildings. Slough Borough Council have been consulted on this application as neighbouring authority and have the option of raising no objections or objecting to the scheme. Members should note that another report within this agenda deals with the full application with regards to the shuttle bus drop off area and temporary buildings, fencing and works element of the scheme, all of which falls under the control of Slough Borough Council as a Local Planning Authority, rather than just as a landowner.

- 6.4 The proposals that fall to be determined under this application involve the temporary use of the southern element of the site for the parking of cars. This would involve the setting out of 5 parking zones that will be filled up in turn. Temporary surfacing for pedestrians will also be laid to form and demarcate the pedestrian walkways. Facilities will also be provided in the form of a disabled toilets / baby changing area, a temporary site office and a temporary welfare building for workers and marshals on the site. The temporary disabled toilets / baby changing units would have a width of 1.96m, length of 1.96m and a height of 2.31m. The welfare unit would have a width of 2.29m, length of 4.88m and a height of 3.05m. The site office would have a width of 3.05m, length of 3.6m and a height of 3.05m. The waste created from these facilities will be removed from site by appropriately approved contractors.
- 6.5 The accompanied with plans showing the locations and layout of the site as well as the elevations of the temporary buildings together with the following documents:
- Planning Statement
 - Design and Access Statement
 - Statement of Community Involvement
 - Transport Assessment
 - Arboricultural Report
 - Flood Risk Assessment
 - Phase One Habitat Survey
 - Information to Inform Appropriate Assessment (in relation to Habitat and Species).

7. **Application Site**

- 7.1 The application site covers an area of approximately 12.7ha located within Upton Court Park and is set within the Metropolitan Green Belt. The site forms part of the existing park, which has a number of formal and informal recreation areas and facilities, including a children's play area, playing fields, remote control race tracks, equestrian facilities, associated clubhouses and changing room facilities.
- 7.2 The application site primarily occupies the southernmost playing fields area of the park, avoiding areas of nature conservation interest and the race tracks. The main car park site is the subject of this application lies within the Royal Borough of Windsor and Maidenhead, whereas the routes into the park for buses and cars, shuttle bus loading area and temporary buildings lie within the Borough of Slough.
- 7.3 The entire site is bounded by mature hedging with various access points into the park.
- 7.4 The nearest dwellings to the site, that fall within the control of Slough Borough Council are opposite the bus and car access points and are approximately 310m from the parking areas.

8.0 **Site History and Background**

8.1 There are a number of historical planning applications affecting the use and appearance of Upton Court Park from the cricket, rugby and hockey clubs that use the are south eastern part of the site, to the addition of new play facilities. Such applications are not wholly relevant to the current application.

8.2 Upton Court Park is also regularly used for major events such as the Mela Festival, fairs and the bonfire night firework displays for example although many of these events would benefit from deemed consent as granted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended). This does however indicate the fact the Upton Court Park is capable of being used for large events as well as formal and informal recreation.

9.0 **Neighbour Notification**

9.1 Neighbouring properties have not been consulted on this particular application, as it falls outside of the administrative boundaries of Slough. However, neighbouring properties within Slough were consulted on those elements of the proposal, including the shuttle bus loading area, which formed the basis of planning application reference P/15180, which is up for separate decision on the agenda.

10.0 **Consultation**

10.1 Consultations have been undertaken with respect to planning application reference P/15180, which is on the agenda for separate decision. With respect to matters of traffic, contamination, and drainage, it is anticipated that any observations made could relate to the proposal in total and as such any observations relevant to this application should be forwarded to the Royal Borough of Windsor and Maidenhead for consideration.

11. **Policy Background**

11.1 Although this is a cross boundary application, with the proposals in Slough and the neighbouring Royal Borough of Windsor and Maidenhead being closely inter-related as a single scheme, this application, upon which Slough's observations are being sought, will be assessed by the Royal Borough having regard to national planning policies and local planning policies adopted by the Royal Borough

11.2 In terms of national planning guidance, the following are relevant:

- Planning Policy Statement 1 (Creating Sustainable Communities)
- Planning Policy Guidance 2 (Green Belts)
- Planning Policy Statement 9 (Biodiversity and Geological Conservation)
- Planning Policy Guidance 13 (Transport)
- Planning Policy Statement 23 (Planning & Pollution Control)
- Planning Policy Guidance 24 Planning and Noise
- Planning Policy Statement 25 Development and Flood Risk

11.3 The planning considerations for this proposal are:

- The design and appearance/ impact on the street scene and appearance of the local area and the Green Belt
- The impact on the living conditions of the adjoining residential properties
- Traffic and highway implications
- Flooding implications
- Ecological and tree implications

12.0 **The design and appearance/ impact on the street scene and appearance of the local area and the Green Belt**

12.1 Design and external appearance is assessed against PPS1, , while Green Belt policy is assessed against PPG2.

12.2 Planning Policy Statement 1 (Delivering Sustainable Development) advises 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'.

12.3 Planning Policy Guidance 2 (Green Belts) states that "Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development"

12.4 Paragraphs 3.12 to 3.20 of PPG 2 relate to park and ride development and the guidance states that park and ride sites are not inappropriate in the Green Belt provided that the following criteria has been met:

- The site is a sustainable option,
- The purposes of the Green belt is not compromised,
- A thorough impact of travel impacts is assessed,
- Buildings are for essential facilities only,
- An assessment of all potential sites has been carried out.

12.5 Annex E to Planning Policy Guidance 13 – Transport states park and ride development is not inappropriate within the Green Belt provided that a thorough and comprehensive assessment of potential sites has been carried out. It outlines that such an assessment should include both non-Green Belt and if appropriate other Green Belt locations, having regards to sustainable development objectives and the need to be flexible about size and layout.

- 12.6 The proposals with regards to this application will see the area used for temporary parking and the laying of pedestrian footways 3 temporary buildings for a limited time of 7 weeks, including the set up and demobilisation works. Once the use upon the site has ended the site shall be restored so that it is in the same condition as it was before the use commenced.
- 12.7 As the site will only be used for a short temporary time period with minor construction and building works required and with no permanent changes to the park no objections are raised to the impact on the character of the area or the street scene. Any impact upon the street scene during the time of the park and ride operation will be mitigated by the fact that the parking area it will be set back approximately 130m from the entrance, which combined with the limited amount of works required for the use will ensure that the proposals will have no real detrimental impact upon the street scene.
- 12.8 In terms of Green Belt it is considered to be there may be cases where a Green Belt location is the most sustainable of the available options and would not be inappropriate development provided certain criteria are met. This is contained within PPG2 – Green Belt which was amended by Annex E of PPG13 -Transport which inserted this new assumption and is considered below.
- 12.9 An assessment has been carried out by the applicants who have confirmed that other sites were assessed and considered as not being suitable at John Hampton Sports Ground for the impact it would have on neighbouring residential properties and Ascot Racecourse due to the operational problems of having to run from two sites on either side of a busy main road, as would be required at this site. Other park and ride sites have also been set up at Stafferton Way and Braywick Park, both near Maidenhead, as well as in Windsor Great Park. Therefore it is considered that there are no suitable or viable sites for the proposed use that would be able to provide the required objectives and be suitable flexible with regards to size and layout. Furthermore the use of this site is considered to be appropriate due to its previous use for large scale events and its existing infrastructure (access and roadways) to facilitate such a use.
- 12.10 The proposed scheme will not seriously compromise the purposes of designating land as Green Belt as the proposals will not increase the sprawl of large built up areas, prevent towns from merging into one another, encroach upon the countryside by the fact that the proposals in clued small scale temporary works and buildings in relation to a parking area for a limited time period only.
- 12.11 The proposals are based upon the Olympic Transport Plan as prepared by the Olympic Delivery Agency and the traffic impacts have been considered as set out elsewhere in this report and the report dealing with the physical parking element of the site.
- 12.12 It should further be considered that there will be no more built development upon the site. Once the temporary structures have been removed and there would be no further harm upon the Green Belt.

12.13 No objection is therefore raised in terms of the design, scale, Green Belt and external appearance of the development. The proposal is considered to be consistent with guidance given in PPS1 and PPG2 . The Royal Borough of Windsor and Maidenhead will assess matters of design and street scene impact against its own adopted local planning policies.

13. Impact on Adjoining Residential Properties

13.1 The impact on adjacent residential properties is assessed against Planning Policy Statement 23.

13.2 PPS23, states that, the following matters should be considered in the preparation of development plan documents and may also be material in the consideration of individual planning applications where pollution considerations arise: the existing, and likely future, air quality in an area, including any Air Quality Management Areas (AQMAs) or other areas where air quality is likely to be poor. PPG13 states that "*local air quality is a key consideration in the integration between planning and transport*".

13.3 With respect to the impact of the proposals in terms of air quality, the site is not located within a designated Air Quality Management Area, and subject to any observations from the Environmental Services Division to the contrary, whilst it is acknowledged that the proposals will have a temporary impact on air quality this will be a limited increase for a temporary period and will not harm the long term amenity of local residents in Slough.

13.4 While it is noted that the site will be open from 04:30 and the Travel Assessment indicates that cars will start arriving from 05:30 at the rate of approximately 400 cars every half hour until 08:00. It is not considered that the vehicle movements themselves would be harmful to the amenity of neighbouring properties as visiting vehicles will be required to display the relevant parking passes in the front windscreen of the vehicle and will enter the site without the need of being stopped, thereby ensuring queues of vehicles do not develop on Upton Court Road, which could have detrimental impact on residential amenity. Those cars not displaying the required pass will be held at a holding area close to the access, while checks are undertaken to see if they are able to enter the site and car engines will be switched off for this purpose, as not to disturb nearby residential amenity.

13.5 By reference to PPG 13 and PPG 23, no objection is therefore raised in terms of the impacts on adjoining residential properties. The Royal Borough of Windsor and Maidenhead will assess matters of residential impact against its own adopted local planning policies.

14.0 **Traffic and Highways**

- 14.1 PPG13 states: *“Park and ride schemes, in appropriate circumstances, can help promote more sustainable travel patterns, both at local and strategic levels..... Well-designed and well-conceived schemes - which accord with the advice in this guidance - should be given favourable treatment through the planning system”.*
- 14.2 A detailed Transport Assessment has been submitted as part of the planning application.
- 14.3 It should be noted that the main traffic and highways implications for the park and ride scheme will come from the parking element of the scheme as the vehicles will be accessing the park for the car parking provision rather than for the shuttle bus service.
- 14.4 Vehicles will arrive at the site between 05:30 to 08:00 in time for the events to start at 09:30 at the games venue and will have left the site by 16:00, thereby causing no additional congestion during the peak period hours of travel between 08:00 to 09:00 and 17:00 to 18:00. It should also be noted that the use will be during the school summer holidays so trip numbers on local roads are reduced. Although the proposals will result in an approximate additional 4678 single way car and bus trips a day they will not be at times that will cause an unreasonable increase in traffic movements.
- 14.5 Cars will arrive at the site in staggered time slots that would have been allocated to them at the time that they would have purchased their parking tickets. This will ensure that there will not be a rush of cars entering the site at any one time with approximately 400 cars arriving during each half hour period between 05:30 and 08:00. This together with the long accessway to the parking area will ensure that there will not be a backlog of cars onto Upton Court Road.
- 14.6 Buses will access the site via the entrance close to Lascelles Road and will leave the site via the access onto Datchet road where they will turn right to the red cow roundabout and from there along Albert Street and Windsor Road before joining the Windsor Relief Road and onto Windsor Racecourse where passengers will disembark. The maximum number of bus movements will be between 30 and 40 per hour arriving and leaving the site, again outside of the main peak period hours of travel so will not have an impact upon the local road network.
- 14.7 Local Parking Orders will be enforced during the time of the use to avoid parking outside of the site and this will be patrolled by enforcement officers and Police, the cost of which will need to be negotiated for in the licence agreement for the use of the park, over which Slough Borough Council will have control.
- 14.8 Having regard to PPG 13, no objections are raised, from the information that has been received to date, on highway grounds and that the proposals, and traffic generated thereon, will not have a detrimental impact upon highway congestion or

safety. The Royal Borough of Windsor and Maidenhead will assess matters of traffic impact against its own adopted local planning policies.

15.0 **Flooding implications**

15.1 The site falls within Flood Zone 2 as identified on the Environment agency's latest Flood Map.

15.2 The levels will remain as existing and the use is considered to be appropriate land use within a flood zone, although if the access road was to flood the site would be closed. A surface water run off strategy would ensure that there would not be an increased risk of flooding else where.

15.3 Having regard to PPS 25, and subject to not receiving any adverse comments from the Environment Agency, it is considered that these proposals would not result in additional flood risk issues.

16.0 **Ecological and tree implications**

16.1 These proposals have been considered from an ecological view point in relation to PPS9 and with the proposed car parking area will be positioned away from the woodland and wetland areas there would be no impact upon the ecology of the park. Spill kits will be provided should there be a vehicle spill on the site.

16.2 The proposed parking area will be around a group of trees which will be appropriately fenced, in accordance with the submitted details to protect these trees from damage.

16.3 Having regard to PPS 9, these proposals are not considered to impact upon the ecology or the trees within the site. The Royal Borough of Windsor and Maidenhead will assess matters of ecological / arboricultural impact against its own adopted local planning policies.

17.0 **Summary**

17.1 This application seeks to change the use of part of the site into a parking area for a shuttle bus loading area used in association with a wider park and ride scheme for the site for a temporary period associated with the Olympic and Paralympic Games and temporary works and buildings. It is considered that the proposed use would not detract from the appearance or character of the area or have a detrimental impact upon the Green Belt. It is not considered that the proposal would be harmful to the living conditions of residential properties or have any detrimental impact upon the existing highway network in Slough. It is therefore considered that the proposal is considered to comply with relevant policy.

SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee **DATE** 1st December 2011

CONTACT OFFICER: Paul Stimpson
Head of Planning Policy & Projects
01753 87 5820

WARD(S): All

PART I
FOR DECISION

LOCAL DEVELOPMENT FRAMEWORK: ANNUAL MONITORING REPORT 2010/11 AND FUTURE OF MONITORING AND MINERALS AND WASTE PLANNING.

1. **Purpose of Report**

The purpose of the report is to obtain Members approval of the seventh Annual Monitoring Report (AMR) for submission to the Secretary of State by 31st December 2011 in accordance with the requirements of the Planning and Compulsory Purchase Act 2004. It also provides an update on the future of monitoring and Minerals and Waste planning in Slough.

2. **Recommendation**

The Committee is requested to resolve:

- That the Local Development Framework Annual Monitoring Report 2010/11 be approved for submission to the Secretary of State by 31st December 2011 and subsequently published.
- That the Council should continue to produce and publish future monitoring reports that are focused upon local needs as well as meeting statutory requirements.
- That the future arrangements for Minerals and Waste planning and monitoring in Slough are noted.

3. **Community Strategy Priorities**

3.1 The Local Development Framework is an important spatial element of the Community Strategy and will help to contribute to the following emerging priorities:

- **A Cleaner, Greener place to Live, Work and Play**
- **Prosperity for All**

4. **Other Implications**

(a) Risk Management

There are no specific issues directly arising from this report

(b) Human Rights Act and Other Legal Implications

It is considered that there are unlikely to be any significant implications in relation to the Human Rights Act.

(c) Equalities Impact Assessment

The Annual Monitoring Report is a factual document and not a Policy document therefore an Equalities Impact Assessment is not necessary.

(d) Workforce

There are no workforce issues arising from this report.

5 **Supporting Information**

Introduction

- 5.1 The Planning and Compulsory Purchase Act (2004) required all Councils to prepare an Annual Monitoring Report (AMR) at the end of each financial year and submit it to the Secretary of State for approval the following December. The Localism Bill has, however, proposed changes to the way in which monitoring will be carried out in the future, the implications of which are set out below.
- 5.2 The Annual Monitoring Report forms an important part of the on-going monitoring work that the Planning Department carries out in order to assess the effectiveness of its policies and the performance of the development plans.
- 5.3 The results of the AMR for this year have been summarised below. The key point to emerge from the latest monitoring is that the level of house building in Slough remains low. There were 249 dwellings completed in 10/11 which is slightly less than the 275 dwellings built in the previous year and less than half the rate in previous years. This was due to the impact of the downturn in the economy and the general decline in house building activity rather than a lack in supply of sites. Whilst it is not predicted that the number of completions will pick up in the current year, there are some large housing sites in the pipe line.
- 5.4 This means that the housing trajectory still shows that Slough has a five, ten and fifteen year supply of housing land and, due to the high number of completions since 2006, we are still on track to meet our target of 6,300 before 2026.
- 5.5 The report also highlights the progress that has been made in producing an up to date development plan. Slough has an adopted Core Strategy and Site Allocations document which means that it has a well established policy framework for the future. Only around half of local authorities nationally have adopted Core Strategies and few have adopted DPDs for detailed policies or allocations.
- 5.6 As a result of the publication of the Localism Bill the future of monitoring will change. Under the new regulations there will still be a statutory duty to produce monitoring report for local people but they won't have to be submitted to the Secretary of State. The local

authority will have more flexibility to decide what goes into the report and be able to publish them on the website.

- 5.7 There is still a statutory requirement to monitor a number of indicators. The government has published a draft “Single List” of data requirements which retains all of the returns that currently made to the government. Once the final list is published there may be a few more additional indicators relating to things like Neighbourhood Planning and the Community Infrastructure Levy.
- 5.8 It should also be noted that as part of the budget saving process, the Council has taken over the monitoring work since April 2011 that was previously done by the Joint Strategic Planning Unit. This will include the preparation of the Annual Commitment documents and housing returns to Department of Communities and Local Government.
- 5.9 The Joint Strategic Planning Unit also used to publish a separate Annual Monitoring Report for Minerals and Waste. This has now been incorporated into the current AMR.

Annual Monitoring Report (AMR) 2010/11

- 5.10 The Annual Monitoring Report is a crucial part of the ‘feedback loop’ in the policy making process. It reports the progress of planning policies and key documents against national core output indicators (COIs). To maintain consistency with previous AMRs we have continued to report on all the Core output indicators a number of local monitoring indicators.
- 5.11 The statistical basis for the report is the financial year from April 2010 to March 2011, but additional information has been included about progress since March this year.
- 5.12 This is the seventh report that we have produced and it provides the opportunity to review how well we are progressing with the Local Development Framework (LDF). The report assesses the effectiveness of existing policies and outlines the progress made in the implementation of the LDF. A copy of the AMR for 10/11 can be emailed to Members on request.
- 5.13 The main content of the document is as follows:
- Introduction to the Borough, including key contextual characteristics, issues and challenges facing the area;
 - Progress in the preparation of local development documents against the timetable in the Local Development Scheme;
 - Extent to which saved policies from the Local Plan for Slough and Core Strategy 2006-2026 are being implemented;
 - The extent to which development meets the National Core Output indicators and Local Output indicators, which reflect local priorities and concerns;
 - The identification of any trends and changes from the previous AMR;
 - A housing trajectory which demonstrates to what extent the housing allocation is likely to be met;
 - Extent to which the SPZ is achieving its purpose;

5.14 The AMR is divided into core subject areas such as housing, employment and retail, for which monitoring data is available. Objectives for each topic area are identified, and appropriate policies linked to these are set out.

5.15 The key results from this year's Monitoring Report can be summarised as follows:

Local Development Scheme (LDS)

5.16 The Annual Monitoring Report must contain information on whether the timetable and milestones for the production of development documents specified in the Local Development Scheme are being achieved.

5.17 The LDS sets out a project plan and timescales for producing the various documents that collectively will form the Local Development Framework.

5.18 In May 2009 the Council produced a third revision of the LDS to cover the period April 2009 to March 2012. Updated information on progress on the LDF has been included. The documents specified in the LDS (2009-2012) and their progress against the milestones for the period April 2010 to March 2011 are detailed below:

5.19 A separate LDS was produced for Minerals and Waste planning but this is no longer relevant following the abolition of the Joint Strategic Planning Unit which is explained elsewhere in this report.

The Site Allocations DPD

5.20 The production of the Site Allocations DPD was in accordance with the timetable set out in the Local Development Scheme. This included the publication of the draft Publication Version for public comment in November 2009 and the submission of the Document to the Secretary of State in February 2010. The Hearing was subsequently held in June 2010 and the DPD was found 'sound' in August 2010, enabling it to be adopted in November 2010.

Sustainable Design and Construction Supplementary Planning Document SPD

5.21 The title of the SPD has been modified to Sustainable Design SPD. Work has begun on the preparation of the SPD. This will contain sections on designing out crime, sustainable design and a Town Centre urban design framework. It is envisaged that a draft of the document will be the subject of public consultation in summer 2012.

Residential Extensions Guidelines SPD

5.22 The Residential Extensions Guidelines Supplementary Planning Document (RESPD) was adopted on 11th January 2010. The new guidelines have been produced in light of increasing pressures for householders to build larger and more dominant extensions, and the impact of such extensions on both the general street scene and residential amenities within established residential areas of Slough.

5.23 The SPD is assisting the development control process in assessing applications for house extensions through a series of guidelines that include criteria for acceptable size, siting and design. This has given more certainty and clarity to applicants and agents

proposing and submitting householder applications about what is acceptable, and helped improve the transparency and consistency of decision making.

Appeal Decisions

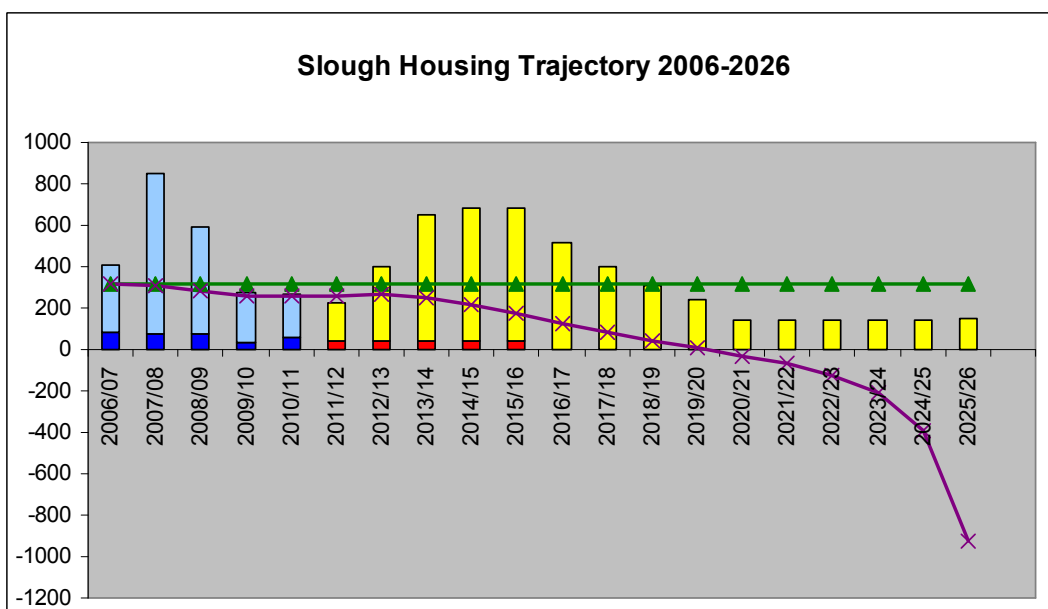
- 5.24 The monitoring report also has to look at whether there are any lessons to be learnt from appeal decisions. There were 34 appeals against the refusal of planning applications in Slough in the 12 months from April 2010.
- 5.25 Only 10 appeals (29%) were allowed by the Inspectors which is a comparatively high success rate. All but two of the appeals that were allowed were for householder type of applications where an element of judgement is required. There were no significant challenges to the policies in the Residential Extensions SPD. As a result it is not considered that any review of policies is required as a result of the appeal decisions.

Existing Policies:

- 5.26 A review of the Saved Policies of the Slough Local Plan was undertaken following the completion of the Site Allocations DPD which was adopted November 2010. As a result it was decided that the following policies were no longer needed because they were no longer relevant or had been superseded.
- EMP5 - Proposed town centre offices
 - OSC7 - Cippenham Green Wedge
 - CG3 - Redevelopment of the Canal Basin
 - TC1 - Town Centre Small Housing Sites
- 5.27 All other Saved Local Plan policies have been retained.
- 5.28 The proposed abolition of the South East Plan will leave a policy vacuum in some areas that are not fully covered by the Local Plan or Core Strategy. As a result the following policies were adopted for Development Control and plan making purposes at Cabinet on 12th July 2010:
- Policy WCBV3 (Scale and Distribution of Housing development(which sets out an annual average of 315 dwellings for Slough and a total provision of 6,300 between 2006 and 2026
 - Policy CC2 (Climate Change) which sets out a target to reduce the region's carbon dioxide emissions by at least 20% below 1990 levels by 2010 and by at least 25% by 2015 and 80% by 2050.
 - Policy NRM11 (Development Design for Energy Efficiency and Renewable Energy) which states that major new development should secure at least 10% of their energy requirements from decentralised and renewable or low carbon sources where feasible and viable.
- 5.29 The proposed abolition of the South East Plan, and absence of a Core Strategy also means that there is a lack of up to date strategic policies for minerals and waste. As a result it is proposed to use the principles behind the policies in the Regional Plan for determining planning applications for minerals or waste in Slough.

Housing

- 5.30 The monitoring report shows that 249 net additional dwellings were completed in Slough last year. Although this was slightly higher than forecasted figure of 217 net additional dwellings, this is less than the 275 dwellings built in the previous year and less than half the rate in previous years. This was due to the impact of the downturn in the economy and the general decline in house building activity rather than a lack in supply of sites.
- 5.31 Even with last year's shortfall, completions over the first 5 years of the plan period have still averaged 475 a year which is significantly above the required average of 315 per annum.
- 5.32 Despite the impact of the 'credit crunch' and the downturn in the economic climate the Housing Trajectory (see below) still shows that Slough has a five and fifteen year supply of housing land required by Planning Policy Statement 3 (PPS3). The Trajectory also shows that Slough is projected to meet its housing allocation for 2006-2026 without any reliance upon windfalls or any other sites coming forward through the planning process.



Key:

- Expected net completions on medium and large sites
- ▲ PLAN- Requirement – Annualised (315 per annum)
- X MANAGE- Residual annual average

- 5.33 77% of the gross housing completions in 2010/11 were on previously developed sites a (PDL) site which exceeds the 60% target. This figure tends to fluctuate annually as it is dependent on which sites come forward. There are a number of Greenfield sites being developed and there are others in that are expected to come forward in the short-mid term. This will affect the figure for completions on PDL in future years but it is anticipated Slough will still meet the 60% target.

- 5.34 The monitoring shows that the percentage of flats built in Slough in 2010/11 was 39%. This is a significant decrease from the peak of 92% in 2007/08 when there were a high number of flatted developments in the town centre. This reflects the lack of demand for flats in the town centre and the effectiveness the policy in the Core Strategy that seeks to ensure that outside of the town centre new residential development will predominantly consist of family housing.
- 5.35 77 of the new homes built in 2010/11 were affordable, which is approximately 31% of the total net completions. This includes a number of new build affordable housing completions on former small garage sites. This means that we are on course to meet the 'stretched target' in the Local Area Agreement.

Gypsy and Traveller Housing needs

- 5.36 There were no new pitches for Gypsy and Travellers in 2010/11. The Council is intending to retain the target for providing 6 new pitches in the South East Plan even though the Government intends to revoke it.

Employment

- 5.37 The monitoring shows that there was a net gain of 13,696 square metres of employment floorspace in 2010/11 compared to 143,676 square metres in 2009/10. This reflects a lack of activity in the commercial sector.

Retail, Leisure and offices

- 5.38 There was a total net gain of 23,922 square metres of retail, leisure and office floor space during 2010/11 compared to overall loss of 1,371 m² in 2008/09. This included the 9,795m² Sainsbury's superstore on the Uxbridge Road.

Flooding

- 5.39 Within the period of 2010/2011, no planning permissions granted were contrary to the advice of the Environment Agency with reference to flood risk.
- 5.40 There were four objections based on flood risk grounds, however all these objections were resolved. The four applications provided further information to the EA which was deemed satisfactory and with appropriate conditions attached which mitigated any concerns the EA had raised regarding flood risk.

Future Monitoring

- 5.41 The way in which monitoring is carried out in the future is likely to be affected by the Government's changes to the planning system. This will not, however, change the overall duty for Council's to carry out monitoring.
- 5.42 Currently there is a statutory duty to prepare and submit an Annual Monitoring Report to the Secretary of State. The Localism Bill when enacted will include a statutory to duty to prepare reports and publish them to the local community. The AMR will therefore no longer be required to be submitted to the Secretary of State in December of each year. As a result there is scope for the Council to publish a monitoring report in September

which will provide more up to date information. The report can also be more focused to what the community would be interested in. Possible future indicators that could be reported on are Development Control statistics and retail vacancies. Future AMR's can also include an update on the implementation of the Site Allocations.

- 5.43 There is still a statutory requirement to monitor a number of indicators. The Government has published a draft "Single List" of data requirements which retains all of the returns that currently made to the government. The final list is likely to be published in December 2011 and may include a few more additional indicators relating to things like Neighbourhood Planning and the Community Infrastructure Levy.
- 5.44 Some monitoring, such as the returns that had to be made to the Regional Planning body, was previously carried out by the Joint Strategic Planning Unit on behalf of the Berkshire Authorities. The abolition of Regional planning means that this is no longer needed. This was one of the reasons why it was decided to disband the Joint Unit and take all of the remaining monitoring functions in house. This includes the preparation of the Annual Planning Commitments documents for employment and housing and the housing returns that have to be made to the Department of Communities and Local Government.
- 5.45 This will produce some budget savings but will also increase the amount of work that will have to be carried out in the Planning Policy section. It is anticipated that can be achieved in part by the increased use of technology.

Minerals and Waste Planning

- 5.46 Minerals and Waste planning, including the preparation of Annual Monitoring Reports, has, until recently been carried out by the Joint Strategic Planning Unit on behalf of the six Unitary Authorities. Following the decision not to progress with the Core Strategy, all work on the Berkshire Minerals and Waste Local Development Framework has ceased. The Joint Unit has now been closed as a budget saving measure and so all responsibility for minerals and waste planning has passed to the individual Unitary Authorities.
- 5.47 As a result it is now intended to incorporate Minerals and Waste into our Annual Monitoring Reports. This section covers the position of Minerals and Waste Planning in the light of Government changes to the planning system and a record of latest trends.
- 5.48 Members should note that data on National Core Indicators was always reported on Minerals between January-December 2010 and Waste between April 2010 –March 2011. Much of this information came from annual surveys of commercial operators. It will take some months to make similar arrangements to continue this.
- 5.49 There have been significant changes in the waste industry over the past two decades. Emphasis on waste minimisation, recycling and energy from waste has meant less dependency upon landfill. Slough BC did make early decisions about waste facilities. As these become operational, a significant shift has taken place to meet these set objectives. These are clearly reflected in this Report.
- 5.50 The Government has announced the requirement for aggregates production from primary land in Berkshire. There are very few remaining mineral reserves in Slough,

most being extracted and restored. An existing Rail Depot is safeguarded to bring aggregates from further afield.

- 5.51 This Council is better placed than most for dealing with changing circumstances for the reasons set out above. The policy base for determining new applications will be drawn from the Saved Policies from the 1998 Waste Local Plan for Berkshire and 2001 Replacement Minerals Local Plan.
- 5.52 It is important that the Council continues to engage in minerals and waste matters at a regional and sub regional level and that our evidence base remains up to date. Annual monitoring will play an important part in this work.

6. **Conclusion**

Members' approval is being sought for the draft Annual Monitoring Report which is summarised above so that it can be submitted to the Secretary of State by 31st December 2011 and subsequently published.

7. **Background Papers**

- '1' Slough Annual Monitoring Report 2004/2005
- '2' - Slough Annual Monitoring Report 2005/2006
- '3' - Slough Annual Monitoring Report 2006/2007
- '4' -Slough Annual Monitoring Report 2007/2008
- '5 ' -Slough Annual Monitoring Report 2008/2009
- '6' Slough Annual Monitoring Report 2009/2010
- '7' -Slough Borough Planning Commitments for Employment Uses at March 2011
- '8' -Slough Borough Planning Commitments for Residential Uses at March 2011
- '9' - Localism Bill (2011)

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SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: 1st December 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	<u>Decision</u>
P/01949/015	<p>2 and 3 The Pavillions, Stoke Gardens</p> <p>OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR THE CONSTRUCTION OF FIFTY SIX NO. FLATS IN TWO NO. FOUR STOREY BLOCKS (BLOCK A: EIGHTEEN NO. TWO BEDROOM FLATS AND BLOCK B: TWELVE NO. ONE BEDROOM AND TWENTY SIX NO. TWO BEDROOM FLATS), WITH FIFTY TWO NO. PARKING SPACES.</p> <p>The appeal was dismissed on the grounds that it made inadequate provision for affordable housing contrary to Core Policy 4 (Housing)</p> <p>The applicant offered £245,580 compared to the £1.1m that had been negotiated on the previous permission.</p> <p>The Inspector concluded that the proposal did not meet the Council's criteria for relaxing Sec 106 agreements whereby the site either has to be either half built, hindering regeneration or an eyesore.</p> <p>He also stated that there was every reason to believe that the five year housing target will be met comfortably.</p>	<p>Appeal Dismissed</p> <p>5th September 2011</p>
P/15062/001	<p>21 Parkland Avenue</p> <p>ERECTION OF PART SINGLE / PART DOUBLE STOREY SIDE EXTENSION WITH HIPPED AND PITCHED ROOF (SINGLE STOREY ELEMENT WITH MONO PITCHED ROOF) PART SINGLE / PART DOUBLE STOREY REAR EXTENSION WITH HIPPED AND PITCHED ROOF (SINGLE STOREY WITH MONO PITCHED ROOF INCORPORATING TWO SKY LIGHTS) LOFT CONVERSION WITH A SMALL REAR</p>	<p>Appeal Allowed subject to conditions</p> <p>3rd October 2011</p>

DORMER WINDOW WITH FLAT ROOF AND INSTALLATION OF TWO SKY LIGHTS ON THE MAIN ROOF FACING NO. 23 PARKLAND AVENUE

The Inspector allowed the appeal and concluded that the main issue was:

1. The effect of the development on the character and appearance of the house and its surroundings.

And the reasons for supporting the appeal are as follow:

2. The inspector agrees that the proposal would add considerably to the size of the dwelling, however; supports the design due to considerable attention with regards to the appearance of the existing structure with, for example, a low ridge level and pitched and hipped roofs.

3. The appeal inspector is of the opinion that Parkland Avenue is characterised with big front and side extension and these extensions are the established character of the street. Most significantly he refers to extension at no. 19 and compares the subject extension as being a match to it and therefore it would restore and balance the design and appearance of the two semis.

4. The appeal inspector acknowledges the fact that the proposal is not in compliance with Guidelines EX1 which restricts front extensions to front porches only and EX11 which asks for 1m set in from the boundary for two storey side extensions. However; he is of the opinion that these Guidelines should be relaxed in this instance. This is because; he claims the proposed front extension at no. 21 would match that of no. 19 and will be similar to others in the street; therefore; would be in keeping with the character of the street. As for the visual gap between no. 21 and 23, he claims that at present the space would be retained as he is not aware of any proposal for no. 23. If there was any future proposal it would be considered in accordance with the circumstances prevailing at the time.

5. As for Council's objection to first floor rear extension being bulky and dominant, the inspector refers to Guidelines EX26 and EX32 and states that the proposal would comply with the above guidelines for the most part as they allow some flexibility and notwithstanding the width in comparison to the width of the original house considers the design and appearance of the first floor rear extension is acceptable.

6. Furthermore; the appeal inspector considers that the proposal is in compliance with policy EN1 and H15 of the Local Plan, 2004 in terms of impact on neighbours, the quality of design, the character of the surrounding area, the street scene, parking arrangements and garden space.

7. With these findings in mind, the inspector allows the appeal and grants planning permission subject to conditions.

P/07127/002	172 London Road ERECTION OF FIRST FLOOR SIDE AND REAR EXTENSION WITH HIPPED PITCHED ROOF INCLUDING THE PROVISION OF FLANK WALL WINDOWS. ERECTION OF FRONT EXTENSION WITH PART MONO-PITCHED / PART PITCHED ROOF	Appeal Dismissed 18 th October 2011
Enforcement	24-26 Parsons Road The unauthorised material change of use from single residential dwelling houses to houses in multiple occupation use, a commercial staffed residential care, support and rehabilitation place. The unauthorised erection of a rear conservatory extension at No. 24 Parsons Lane.	Appeal Dismissed and enforcement notice upheld as corrected and varied. Appeal allowed insofar as it relates to conservatory and deemed unconditional permission granted. 19 th October 2011
P/06110/012	13 Grasmere Avenue USE OF PREMISES TO SUPPLY AND FIT TYRES IN ADDITION TO THE AUTHORISED USE FOR THE SALE STORAGE AND REPAIR OF CAR ALTERNATES AND STARTING MOTORS	Appeal Dismissed 31 st October 2011

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ENFORCEMENT NOTICES, BREACH OF CONDITION NOTICES, SECTION 215 NOTICES

ONGOING TO DATE (16.11.11)

PART 1 (PLANNING ENFORCEMENT)

Planning Reference and Officer	Legal Ref/ Officer	Address and Breach Description	Details of actions Planning prefaced (P) Legal prefaced (L)
2010/00258/ENF BL	CF	74 Burnham Lane Outbuilding	(P) Planning Enforcement Notice served 18 October 2011
2010/00435/ENF BL	CF	596 London Road Rear extension	(P) Planning Enforcement Notice served 24 June 2011. Compliance due 24 August 2011 (P) Appeal refused 11 October 11
2010/00507/ENF BL	CF	28 Salt Hill Drive Rear extension	(P) Planning Enforcement Notice served 25 May 2011. Compliance due 22 Aug 2011. (P) Compliance achieved. Not complete due to state of property after removal of rear extension. Letter sent Possible 215 action.
2009/00133/ENF EW	CF	19, Cowper Road	(P) Instructions sent to legal on 17.05.2011 to engross EN re: unlawful front canopy. (P) EN Served on 17 th June 2011 (P) Ongoing until compliance date is reached

2010/00207/ENF BL	CF	24-26 Parsons Road	<p>(P) Planning Enforcement Notice served 21 January 2011. compliance by 11 April 2011</p> <p>(P) Appeal lodged. Technical issue with notice –withdrawn 14th February 2011.</p> <p>(P) New Notice served 15th February 2011</p> <p>(P) Appeal lodged awaiting further information from inspectorate.</p> <p>(P) Appeal ongoing Statement Submission stage 24 June 2011.</p> <p>(P) Planning inspector visit carried out 27 September 2011. Await result</p> <p>(P) Appeal Dismissed. 19 Oct 11. New compliance date 19 Apr 12</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 still awaits determination.(23 June 2011)</p> <p>(P) Still awaits determination 19 October 2011</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>(P) Awaits s 106 (23 June 2011)</p>

<p>2009/0149 TBA</p>	<p>CF T3/698</p>	<p>65 Gloucester Avenue Deport 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 TBA</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 17/1/07, 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) Negotiations completed and way forward agreed. If no action taken as agreed then default works will be considered</p>

<p>2006/00296/ENF EW</p>	<p>T3/712</p>	<p>Land at Tanhouse Farm, Mill Street, Colnbrook, Berkshire (parcel of land adj. Top Yard)</p>	<p>(P) To send instructions to legal to engross 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) Redrafted instructions sent to Legal, EN imminent. (P) Site inspection/meeting with occupiers on 14th Sept established further information concerning breach activities.</p>
<p>2006/00296/ENF EW</p>	<p>T3/712</p>	<p>Land at Tanhouse Farm, Mill Street, Colnbrook, Berkshire (South off the Colne River)</p>	<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>

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

2007/00395/ENF RL	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> <p>(P) Direct action in place. Owner commences compliance himself. As at 6 Oct 2011 the side dormer has been removed.</p> <p>(P) Site visit made 19 October 2011. Compliance has been achieved. Dormer and 1st floor rear extension removed.</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> <p>(P) Instructions sent to legal to reissue notice.</p> <p>(P) Notice Served on 4th August, effective date 1st September.</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 engrass 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> <p>(P) Appeal dismissed and notice upheld with variations, compliance 4 months.</p>
2006/00382/ENF TBA	CF	100 Waterbeach Road, Slough	<p>(P) Planning Enforcement Notice served Oct 2010 re use as 6 flats</p> <p>(P) Planning Appeal process begun and Statement of Evidence forwarded 24 Nov 10.</p> <p>(P) Appeal ongoing</p> <p>(P) Planning Inspectorate visited</p> <p>(P) Appeal dismissed and notice upheld with variations – 6 months for compliance</p>
2009/00376/ENF TBA	CF	21 Richmond Crescent	<p>(P) Planning Enforcement Notice served re habitable outbuilding 14/03/11</p> <p>(P) Appeal to Planning Inspectorate submitted</p> <p>(P) Appeal withdrawn</p> <p>(P) CLEUD submitted 19/07/11</p>

2009/00377/ENF TBA	CF	23 Richmond Crescent	(P) Planning Enforcement Notice served re habitable outbuilding 14/03/11 (P) Appeal to Planning Inspectorate submitted (P) Appeal withdrawn (P) CLEUD submitted 19/07/11
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. (P) EN served on 22 nd June 2011 (P) Notice effective compliance expected to be achieved by Feb 2012
2010/00336/ENF TBA	CF	80 Norfolk Avenue	(P) Instruction sent to legal to draft EN re habitable outbuilding (P) Notice served on 20 June 2011
2011/00070/ENF TBA	CF	40 Court Crescent	(P) Instruction sent to legal to draft EN re habitable outbuilding (P) EN served 31 st May 2011
2010/00435/ENF BL	CF	371 Rochford Gardens, Slough	(P) Instruction sent to legal to draft EN (P) Planning Enforcement Notice served 30 September 2011. Compliance due 30 November 2011.
2011/00313/ENF TBA		2a Mildenhall Road, Slough	(P) Instruction sent to legal 18 th August 2011 to draft Enforcement Notice regards car wash operating out of permitted hours.

2010/00108/ENF TBA		7a Richmond Crescent, Slough	(P) Instruction sent to legal 18 th August 2011 to draft Enforcement Notice regards unauthorised rear extension
2011/00289/ENF EW		1, Granville Avenue	(P) TSN Served 14 th July for 28 days, cease use of dwelling as place of worship educational institution. (P) EN drafted to Legal on 18 th Aug. (P) Amends to draft EN as per series of site investigations and meetings.

GLOSSARY OF ABBREVIATIONS

PLANNING - Enforcement

BL = Bob Lee
EW = Edward Wilson

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 (17.11.2011)

PART 2 (PLANNING ENFORCEMENT)

Planning Reference and Officer	Legal Reference and Officer	Address and Breach Description	Details of actions Planning prefaced (P) Legal prefaced (L)
2011/00280/ENF BL	CF	37 Aylesbury Crescent Vehicle repairs	(P) 1st court appearance re prosecution 15 December 2011
2009/00206 BL	OK	1 Boston Grove Vehicle repairs	(P) Instructions sent to Legal This day 12 October 2009. (L) Hearing 26 th February. Failed to attend. Warrant issued. (P) Warrant executed. Legal to advise of next hearing.

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> <p>(L) Trial set for 5th January 2012 at Reading Magistrates Court</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> <p>(L) next hearing 22nd July 2011 for formal plea to be entered.</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 (L) pleaded not guilty matter adjourned until 19 th August to be formally committed to Crown Court for Trial
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GLOSSARY OF ABBREVIATIONS

PLANNING - Enforcement

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

HMO = House in Multiple Occupation
PA = Planning Application
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