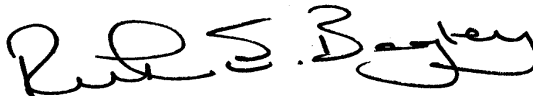


Date of issue: 29th April, 2013

MEETING	PLANNING COMMITTEE (Councillors Carter (Chair), Dar, Hussain, O'Connor, Plenty, Rasib, Sharif, Smith and Swindlehurst)
DATE AND TIME:	WEDNESDAY, 8TH MAY, 2013 AT 6.30 PM
VENUE:	FLEXI HALL, THE CENTRE, FARNHAM ROAD, SLOUGH, SL1 4UT
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	TERESA CLARK 01753 875018

NOTICE OF MEETING

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



RUTH BAGLEY
Chief Executive

AGENDA

PART 1

<u>AGENDA</u> <u>ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
1.	Apologies for Absence		
	CONSTITUTIONAL MATTERS		
2.	Declarations of Interest		

All Members who believe they have a Disclosable Pecuniary or other Pecuniary or non pecuniary Interest in any matter to be considered at the meeting must declare

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

that interest and, having regard to the circumstances described in Section 3 paragraphs 3.25 – 3.27 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 3.28 of the Code.

The Chair will ask Members to confirm that they do not have a declarable interest.

All Members making a declaration will be required to complete a Declaration of Interests at Meetings form detailing the nature of their interest.

- | | | | |
|----|---|-------|--|
| 3. | Guidance on Predetermination/Predisposition - To Note | 1 - 2 | |
| 4. | Minutes of the Last Meeting held on 4th April 2013 | 3 - 6 | |
| 5. | Human Rights Act Statement - To Note | 7 - 8 | |

PLANNING APPLICATIONS IN THE WESTERN PART OF THE BOROUGH

- | | | | |
|----|---|---------|---------|
| 6. | S/00696/000 - St. Anthonys Catholic Primary School, Farnham Road, Farnham Royal, Slough | 9 - 24 | Farnham |
| 7. | P/14515/005 - 234, Bath Road, Slough | 25 - 50 | Farnham |
| 8. | P/04195/004 - 158, Burnham Lane, Slough | 51 - 64 | Haymill |

PLANNING APPLICATIONS IN THE EASTERN PART OF THE BOROUGH

- | | | | |
|-----|--|----------|------------|
| 9. | P/02523/011 - 27, Cheviot Road, Slough | 65 - 84 | Foxborough |
| 10. | P/09547/003 - 96 & 96a, Upton Road, Slough | 85 - 100 | Upton |

MATTERS FOR INFORMATION

- | | | | |
|-----|---------------------------|-----------|--|
| 11. | Planning Appeal Decisions | 101 - 102 | |
| 12. | Members Attendance Record | 103 - 104 | |
| 13. | Date of Next Meeting | | |

Tuesday 18th June 2013, 6.30pm.

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ITEM

REPORT TITLE

PAGE

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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.

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PREDETERMINATION/PREDISPOSITION - GUIDANCE

The Council often has to make controversial decisions that affect people adversely and this can place individual members in a difficult position. They are expected to represent the interests of their constituents and political party and have strong views but it is also a well established legal principle that members who make these decisions must not be biased nor must they have pre-determined the outcome of the decision. This is especially so in “quasi judicial” decisions in planning and licensing committees. This Note seeks to provide guidance on what is legally permissible and when members may participate in decisions. It should be read alongside the Code of Conduct.

Predisposition

Predisposition is lawful. Members may have strong views on a proposed decision, and may have expressed those views in public, and still participate in a decision. This will include political views and manifesto commitments. The key issue is that the member ensures that their predisposition does not prevent them from consideration of all the other factors that are relevant to a decision, such as committee reports, supporting documents and the views of objectors. In other words, the member retains an “open mind”.

Section 25 of the Localism Act 2011 confirms this position by providing that a decision will not be unlawful because of an allegation of bias or pre-determination “just because” a member has done anything that would indicate what view they may take in relation to a matter relevant to a decision. However, if a member has done something more than indicate a view on a decision, this may be unlawful bias or predetermination so it is important that advice is sought where this may be the case.

Pre-determination / Bias

Pre-determination and bias are unlawful and can make a decision unlawful. Predetermination means having a “closed mind”. In other words, a member has made his/her mind up on a decision before considering or hearing all the relevant evidence. Bias can also arise from a member’s relationships or interests, as well as their state of mind. The Code of Conduct’s requirement to declare interests and withdraw from meetings prevents most obvious forms of bias, e.g. not deciding your own planning application. However, members may also consider that a “non-pecuniary interest” under the Code also gives rise to a risk of what is called apparent bias. The legal test is: “whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the Committee was biased”. A fair minded observer takes an objective and balanced view of the situation but Members who think that they have a relationship or interest that may raise a possibility of bias, should seek advice.

This is a complex area and this note should be read as general guidance only. Members who need advice on individual decisions, should contact the Monitoring Officer.

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Planning Committee – Meeting held on Thursday, 4th April, 2013.

Present:- Councillors Carter (Chair), Dar, O'Connor, Plenty, Rasib (Vice-Chair), Sharif, Smith (arrived 6.32 pm) and Swindlehurst (arrived 6.36 pm)

PART I

70. Apologies for Absence

None.

71. Declarations of Interest

Declarations were made as follows:

Agenda Item 6: P/10549/006 - Unit, 731, Bath Road, Slough

Councillor Swindlehurst declared that he had discussed the policy aspects of the application with Paul Stimpson, Head of Planning Policy and Projects but he had an open mind and would debate and vote on the item.

Councillor Carter declared that he had received an email relating to the application but had not read the content and had forwarded the message on to the Planning Officer.

Agenda Item 7: S/00695/000 - Haymill Centre, 112, Burnham Lane, Slough

Councillor O'Connor declared that she lived off Burnham Lane, in the vicinity of the application site but she had an open mind and would debate and vote on the item.

Councillor Carter declared that he was the local member for the Ward in which the application was situated.

72. Guidance on Predetermination/ Predisposition - To Note

Members confirmed that they had read and understood the guidance note on Predetermination and Predisposition.

73. Minutes of the Last Meeting held on 21st February, 2013

The minutes of the last Meeting of the Planning Committee held on 21st February, 2013 were approved as a correct record.

74. Human Rights Act Statement - To Note

The Human Rights Act statement was noted.

Planning Committee - 04.04.13

75. Amendment Sheet and Public Speaking

An amendment sheet was tabled, detailing alterations and amendments received to applications since the agenda was circulated. The Committee adjourned to allow members the opportunity to read the amendment sheet.

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

Oral representations were made to the Committee by an Objector and the Applicant with regard to S/00695/000 - Haymill Centre, 112, Burnham Lane, Slough.

76. S/00695/000 - Haymill Centre, 112, Burnham Lane, Slough, SL1 6LZ

Application	Decision
Reprovision of Haybrook College comprising extension of the existing Millside School, construction of new school buildings for springboard and shared accommodation, virtual school and new 4 court sports hall.	Delegated to the Head of Planning Policy and Projects

77. P/10549/006 - Unit, 731, Bath Road, Slough, Berks

Application	Decision
Variation of condition 7 of planning permission P/10549/003 dated 10/09/2012 for alterations to front and rear elevations to facilitate internal subdivision of the unit into two separate units, plus the insertion of a mezzanine floor of 836m ² for display only with no retail sales to allow up to 5% of the gross floor space of unit 731B to be used for the sale of food or food products.	<p>Delegated to the Head of Planning Policy and Projects for S106</p> <p>Agreements to undertake:</p> <p>A bilateral agreement with the current owner of the premises, restricting the nature of food items for sale to diabetic, lunchtime and baby items:</p> <p>An appropriate agreement/unilateral undertaking from Boots to retain the operation of their store in the Slough Town Centre for a period of no less than 5 years:</p> <p>Clarification of size food retail area to be less than 5% of the available retail floor space:</p>

Planning Committee - 04.04.13

	That the application be referred back to the Committee for decision if agreement not reached by 4 th July, 2013.
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78. S/00700/000 - Land opposite, 65-71, Buttermere Avenue, Slough

Application	Decision
Change of use of existing grassed public open space incorporating removal of existing bollards and excavation of land to provide 6 no. car parking bays (located opposite no's. 65, 67, 69 and 71 Buttermere Avenue) and associated hard surfacing and kerbing.	Approved with conditions.

79. Planning Appeal Decisions

Details of recent Planning Appeal decisions were noted.

80. Members Attendance Record

The Members Attendance record was noted.

81. Date of Next Meeting

Resolved – The date of the next Planning Committee was confirmed as Wednesday, 8th May 2013.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.25 pm)

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

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

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

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

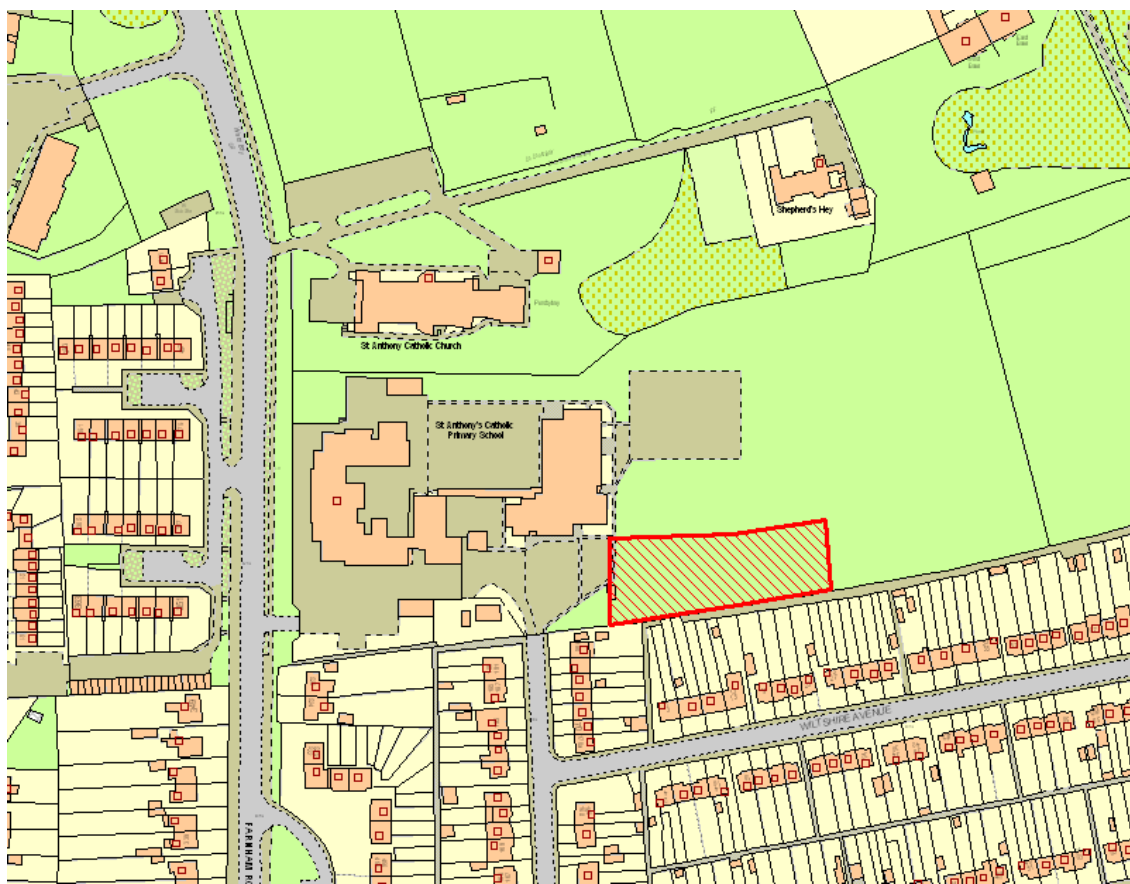
	USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House
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:	28-Feb-2013	Applic. No:	S/00696/000
Officer:	Mr. J. Dymond	Ward:	Farnham
		Applic type:	Major
		13 week date:	30th May 2013
Applicant:	Mr. James Craig, Slough Borough Council		
Agent:	Mr. Lee Packman, The AED Practice Building L27, London Road Campus, London Road, Reading, Berkshire, RG1 5AQ		
Location:	St. Anthonys Catholic Primary School, Farnham Road, Farnham Royal, Slough, SL2 3AA		
Proposal:	ERECTION OF TWO SINGLE STOREY BUILDINGS WITH FLAT ROOFS INCORPORATING ROOF LANTERNS TO PROVIDE 10 NEW CLASSROOMS (ONE BUILDING TO CONTAIN SIX CLASSROOMS INCLUDING GROUP TEACHING SPACE, OFFICE AND ASSOCIATED WC FACILITIES, AND ONE BUILDING TO CONTAIN FOUR CLASSROOMS, INCLUDING AN OFFICE SPACE, WC AND GROUP TEACHING ROOM), FORMATION OF MACADAM FOOTPATH, AND ASSOCIATED WORKS.		

Recommendation: Delegate to Head of Planning Policy and Projects



1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 This application has been referred to the Planning Committee for consideration as the application is for a Major Development.
- 1.2 Having considered the relevant policies set out below, the representations received from consultees and other interested parties, and all other relevant material considerations, it is recommended that the application be delegated to the Head of Planning Policy and Projects for final determination, subject to consideration of tree and landscaping issues, completion of an undertaking and finalising of conditions.

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 This is a full planning application for the erection of 2no. single storey buildings with flat roofs incorporating roof lanterns to provide 10 new classrooms. One building would be 662m² and would contain six classrooms including a group teaching space, an office and associated WC facilities. The other building would be 374m² and would contain four classrooms, including an office space, a WC and a group teaching room. The development would also involve the formation of macadam footpath, and associated works.
- 2.2 It is proposed to carry out the development in two phases. The classroom building containing six classrooms would be erected under the first phase, and the classroom building containing four classrooms would be erected under the second phase.

3.0 **Application Site**

- 3.1 St Anthony's Catholic Primary School is situated to the north of the Borough in close proximity to the edge of the boundary with South Bucks. The School is located on the eastern side of Farnham Road.
- 3.2 The surrounding area to the south and west of the site is primarily urban in nature, characterised mainly by housing development. To the north and east of the site the aspect is more rural. The west of the site is built up with school buildings, whereas the east of the site remains open with the school playing fields.

4.0 **Site History**

- 4.1 P/04694/010 THE REFURBISHMENT OF EXISTING PLAY AREAS COMPRISING OF RESURFACING ADDITIONAL PLAY EQUIPMENT, SECURE FENCING AND A NEW PATH

- Approved with Conditions; Informatives 22-Sep-2010
- P/04694/009 ERECTION OF A SINGLE STOREY SIDE EXTENSION WITH PITCHED ROOF TO CARETAKERS HOUSE.
Approved with Conditions; Informatives 17-Aug-2009
- P/04694/008 CERTIFICATE OF LAWFULNESS FOR THE ERECTION OF A SINGLE STOREY SIDE EXTENSION WITH PITCHED ROOF TO CARETAKERS HOUSE
Withdrawn by Applicant 16-Jun-2009
- P/04694/007 ERECTION OF A SINGLE STOREY EXTENSION WITH FLAT ROOF TO PROVIDE RECEPTION / WAITING ROOM
Approved with Conditions; Informatives 26-May-2009
- P/04694/006 ERECTION OF A SINGLE STOREY REAR EXTENSION TO EXTEND CLASS ROOM AND STAFF ROOM
Approved with Conditions; Informatives 10-Aug-2007
- P/04694/005 RETROSPECTIVE APPLICATION FOR EXISTING BUILDING AND PROPOSED EXTENSION TO BUILDING TO PROVIDE WC/CLOAKROOM (ADDITIONAL LETTER RECEIVED 24/01/2001)
Approved with Conditions; Informatives 29-Jan-2001
- P/04694/004 ERECTION OF A SINGLE STOREY FLAT ROOF EXTENSION TO A DETACHED TERRAPIN
Withdrawn (Treated As) 06-Aug-2002
- P/04694/003 ERECTION OF SINGLE STOREY FLAT ROOF EXTENSION TO SCHOOL
Withdrawn by Applicant 04-Nov-1998
- P/04694/002 PROVISION OF GLAZED COVERED WAY OVER EXISTING PATH
Approved with Conditions 17-Jun-1994

5.0 **Neighbour Notification**

- 5.1 5, Wiltshire Avenue, Slough, SL2 1BB, 7, Wiltshire Avenue, Slough, SL2 1BB, 19, Wiltshire Avenue, Slough, SL2 1BB, 33, Wiltshire Avenue, Slough, SL2 1BB, 35, Wiltshire Avenue, Slough, SL2 1BB, 27, Wiltshire Avenue, Slough, SL2 1BB, 25, Wiltshire Avenue, Slough, SL2 1BB, 73, Wiltshire Avenue, Slough, SL2 1BB, West Barn, Church Road, Farnham Royal, Slough, SL2 3AW, 41, Wiltshire Avenue, Slough, SL2 1BB, 43, Wiltshire Avenue, Slough, SL2 1BB, 49, Wiltshire Avenue, Slough, SL2 1BB, 51, Wiltshire Avenue, Slough, SL2 1BB, 57, Wiltshire

Avenue, Slough, SL2 1BB, 63, Wiltshire Avenue, Slough, SL2 1BB, 79a, Wiltshire Avenue, Slough, SL2 1BB, 79, Wiltshire Avenue, Slough, SL2 1BB, St. Anthonys Catholic Church, Farnham Road, Farnham Royal, Slough, SL2 3AE, 69, Wiltshire Avenue, Slough, SL2 1BB, 21, Wiltshire Avenue, Slough, SL2 1BB, 3, Wiltshire Avenue, Slough, SL2 1BB, 1, Wiltshire Avenue, Slough, SL2 1BB, 37, Wiltshire Avenue, Slough, SL2 1BB, 39, Wiltshire Avenue, Slough, SL2 1BB, 178, Stafford Avenue, Slough, SL2 1AS, 75, Wiltshire Avenue, Slough, SL2 1BB, 9, Wiltshire Avenue, Slough, SL2 1BB, 59, Wiltshire Avenue, Slough, SL2 1BB, 174, Stafford Avenue, Slough, SL2 1AS, 176, Stafford Avenue, Slough, SL2 1AS, 191, Stafford Avenue, Slough, SL2 1AR, 189, Stafford Avenue, Slough, SL2 1AR, 65, Wiltshire Avenue, Slough, SL2 1BB, 71, Wiltshire Avenue, Slough, SL2 1BB, 172, Stafford Avenue, Slough, SL2 1AS, 17, Wiltshire Avenue, Slough, SL2 1BB, 23, Wiltshire Avenue, Slough, SL2 1BB, 29, Wiltshire Avenue, Slough, SL2 1BB, 31, Wiltshire Avenue, Slough, SL2 1BB, 45, Wiltshire Avenue, Slough, SL2 1BB, 47, Wiltshire Avenue, Slough, SL2 1BB, 183, Stafford Avenue, Slough, SL2 1AR, 180, Stafford Avenue, Slough, SL2 1AS, 351, Farnham Road, Farnham Royal, Slough, SL2 3AF, 181, Stafford Avenue, Slough, SL2 1AR, 170, Stafford Avenue, Slough, SL2 1AS, 377, Farnham Road, Farnham Royal, Slough, SL2 3AF, 407, Farnham Road, Farnham Royal, Slough, SL2 3AF, 187, Stafford Avenue, Slough, SL2 1AR, 185, Stafford Avenue, Slough, SL2 1AR, 526, Farnham Road, Slough, SL2 1HX, 55, Wiltshire Avenue, Slough, SL2 1BB, 53, Wiltshire Avenue, Slough, SL2 1BB, 170a, Stafford Avenue, Slough, SL2 1AS, 379, Farnham Road, Farnham Royal, Slough, SL2 3AF, 177, Stafford Avenue, Slough, SL2 1AR, 179, Stafford Avenue, Slough, SL2 1AR, 524, Farnham Road, Slough, SL2 1HX, 61, Wiltshire Avenue, Slough, SL2 1BB, Shepherds Hey, Farnham Road, Farnham Royal, Slough, SL2 3AE, 77, Wiltshire Avenue, Slough, SL2 1BB, 67, Wiltshire Avenue, Slough, SL2 1BB, East Barn, Church Road, Farnham Royal, Slough, SL2 3AW, 15, Wiltshire Avenue, Slough, SL2 1BB, 13, Wiltshire Avenue, Slough, SL2 1BB, Shepherd's Hey, Farnham Road, Farnham Royal, Bucks, SL2 3AE

5.2 In accordance with Article 13 of The Town and Country Planning (Development Management Procedure) (England) Order 2010, a site notice was displayed at the site and the application was advertised in the 15th March 2013 edition of The Slough Express.

5.3 Occupier of Sheperd's Hey, Farnham Road - Object for the following reasons in summary:

- Concerns about 10 classrooms would significantly increase number of pupils which will increase noise;
- Large increase in traffic down Farnham Road which is unmanageable at certain times of the day;
- Unclear whether the school will be used on Saturday as the weekend is the only respite for the noise;
- Car parking has been grossly underestimated;
- Otherwise no objection to the expansion of the school.

5.4 Occupier of 177 Stafford Avenue - Object for the following reasons in summary:

- Level of traffic in Stafford Avenue is already high at the beginning

and end of the school day. Adding a potential three hundred pupils and associated parents/cars will lead to complete gridlock.

5.5 Occupier of West Barn, Church Road - Object for the following reasons in summary:

- Traffic generation: There is major congestion at the start and end of the school day on Farnham Road combined with gridlock on Church Road at these times;
- Concerned that expansion will lead to further illegal parking on Farnham Road;
- Noise: Garden abuts the playing field and noise is high at break time. With another 180 pupils, this is bound to increase.

5.6 The concerns raised are noted, and those matters that are considered to be material planning considerations are assessed below.

6.0 **Consultation**

6.1 Sport England

No objection.

6.2 Traffic and Road Safety/Highways Development

Transport and highway mitigation required in connection with the proposed development. Identified mitigation required includes the following:

- Provision of additional hard standing for parking in Broad Oak Court;
- Widening of the footpath between Stafford Avenue and Farnham Road adjacent to the southern boundary of the site to 3m wide to improve cycling access;
- Provision of double height kerbing or some other parking deterrent along Farnham Road and general area;
- Upgrade the crossing point to a Toucan;
- Other normal cycling and transport measures including: cycle parking, travel plan, cycling provision schemes, lining & signing, variable 20mph signing.

6.3 Contaminated Land

No potentially contaminative historical land uses recorded at the site. No visual or olfactory signs of potential contamination recorded during the geotechnical site investigation; the geological sequence comprised topsoil overlying natural ground.

6.4 Tree Management Officer

Recommend that the application be supported by an Arboricultural

Survey/Arboricultural impact assessment and landscape proposal. A tree survey has been received and the comments of the Tree Officer will be reported on the amendment sheets.

6.7 Principal Engineer - Drainage

No comments received.

6.8 South Bucks District Council

No objection.

6.9 Environmental Protection

No comments received.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

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

National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework

The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document

Core Policy 1 – Spatial Strategy
Core Policy 5 – Employment
Core Policy 6 – Retail, Leisure and Community Facilities
Core Policy 7 – Transport
Core Policy 8 – Sustainability and the Environment
Core Policy 9 – Natural and Built Environment
Core Policy 10 – Infrastructure
Core Policy 11 – Social Cohesiveness
Core Policy 12 – Community Safety

The Local Plan for Slough, Adopted March 2004

Policy EN1 – Standard of Design
Policy EN2 – Extensions
Policy EN3 – Landscaping Requirements
Policy EN5 – Design and Crime Prevention
Policy T2 – Parking Restraint
Policy T8 – Cycling Network and Facilities
Policy OSC2 – Protection of School Playing Fields

Other Relevant Documents/Statements

7.2 There are considered to be a number of issues relevant to the assessment of this application. The main issues are considered to be as follows:

- Principle of development
- Design and Impact on street scene
- Highways and transport
- Impact on neighbour amenity
- Drainage and flood risk
- Trees and landscaping
- Ecology
- Planning obligations

8.0 **Principle of Development**

8.1 The proposed classroom buildings would be erected on land currently forming part of the grassed area of the school playing fields. Sport England has been consulted and has confirmed that the site would be considered to form part of, or constitute a playing field for planning purposes.

8.2 It is noted however that no pitches are marked out in this area and the trees in situ are considered to restrict the use of this area for pitch sports. Sport England therefore considers that the potential impact of the proposal on the playing field is therefore minimal. No objection is raised.

8.3 Policy OSC2 of the Adopted Local Plan for Slough sets out that development proposals should not have an unacceptable adverse impact on playing pitch provision. It is not considered that the proposed classroom buildings would have an unacceptable adverse impact on playing pitch provision and as such, the proposal is considered to be acceptable in terms of this policy.

8.4 Turning to the acceptability of the principle of the proposed buildings, the National Planning Policy Framework states at para. 72 that “local planning authorities should take a proactive, positive and collaborative approach to development that will widen choice in education.”

8.5 Core Policy 6 of the Core Strategy similarly supports the provision of community facilities including education uses.

8.6 The supplementary text to Core Policy 5 of the Core Strategy, which relates to employment identifies that there is a need for better education and training opportunities in order to improve the skills of some of the resident work force. It is envisaged that the current skills gap will be reduced over time as a result of the continuing success of students attending schools and colleges.

- 8.7 Furthermore, it is recognised that uses such as education are in themselves an important source of jobs. They are therefore classed an employment use for the purposes of the Core Strategy. The submitted application form indicates that full time equivalent staff numbers will increase from 48 to 60.
- 8.8 School expansion is taking place across the Borough in response to a rapid increase in demand for school places. Central Government has allocated Slough capital funding in the form of Basic Need funding to expand school provision.
- 8.9 St Anthony's Catholic Primary School is currently a two form entry primary school with a Published Admissions Number (PAN) of 60 (total of 510 pupils); the proposal is to increase the school to a three form of entry primary school with a PAN of 90 (total of 690 pupils). It is submitted that the proposal will help meet the growing number of school places required in the catchment area.
- 8.10 The proposed classrooms would provide two new blocks containing ten classrooms to accommodate *180 extra pupils*.
- 8.11 The proposed classrooms are considered to contribute towards meeting the demand for additional school places in the area and would support the continued use of the site for education purposes. The proposed development is considered to comply with Core Policies 5 and 6 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.
- 9.0 **Design and Impact on Street Scene**
- 9.1 Core Policy 8 of the Core Strategy and Policies EN1 and EN2 of The Adopted Local Plan for Slough require that development shall be of a high quality design which shall respect its location and surroundings and provide amenity space and landscaping as an integral part of the design. The National Planning Policy Framework states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 9.2 The proposed classroom buildings would be single storey in height. They would be rectangular in shape and would have flat roofs. The buildings would feature roof lanterns to provide light to corridors and rooflights are proposed above classrooms.
- 9.3 The proposed buildings would be sited adjacent to the southern boundary of the site. The siting of the proposed buildings is considered to be reasonably well related to the existing school buildings. They are considered to respect the general pattern of development on the site in terms of maintaining the group of school buildings to the west of the site and maintaining open playing fields to the east. It is not considered that the proposed buildings would be visible from the street and as such they

are not considered to impact on the street scene.

9.4 The proposed buildings are considered to be acceptable in design terms. The proposed classrooms would be of a modular construction and would be rendered with an external finish. Windows and external doors would be colour coated aluminium casements set at a uniform height.

9.5 The proposed classrooms are considered to be acceptable in design and street scene terms and would comply with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008; Policy EN1 of The Adopted Local Plan for Slough 2004; and the National Planning Policy Framework.

10.0 **Highways and Transport**

10.1 The main issues in relation to highway and traffic matters are considered to be with regard to trip generation, parking, improving pedestrian and cycle accessibility, and encouraging a change of travel mode for staff and students.

10.2 There are two vehicular accesses to the school. One access is from Farnham Road and the other access is from Stafford Avenue. There are four pedestrian accesses to the school.

10.3 There are 48 no. car parking spaces on the site. These parking spaces are for staff use only. It is understood that the School has an agreement with St. Anthony's Church to the north relating to the use of their 42 no. space car park during pick up and drop off times.

10.4 It is understood that the school does not currently benefit from dedicated cycle storage and a store for 30 no. cycles is proposed as part of the proposed development.

10.5 A transport statement and school travel plan have been prepared and submitted with the application. The travel plan proposes measures that St Anthony's Catholic Primary School will use to promote walking and cycling in order to reduce the amount of single car usage.

10.6 The Council's Transport consultant considers that a contribution for mitigation is required to address the potential highway and transport impacts of the proposal. The identified mitigation required includes the following:

- Provision of additional hard standing for parking in Broad Oak Court;
- Widening of the footpath between Stafford Avenue and Farnham Road adjacent to the southern boundary of the site to 3m wide to improve cycling access;
- Provision of double height kerbing or some other parking deterrent along Farnham Road and general area;

- Upgrade the crossing point to a Toucan;
- Other normal cycling and transport measures including: cycle parking, travel plan, cycling provision schemes, lining & signing, variable 20mph signing.

10.7 Whilst such obligations would normally be secured through a Section 106 Agreement, in this instance the applicant is the Borough Council and as such, it is unable to enter into a normal agreement with itself under this Section. However, confirmation has been received from the applicant that they are prepared to fund the identified highway and transport measures and accordingly, an undertaking will have to be completed prior to the issuing of the permission.

10.8 Subject to an undertaking for a financial contribution for appropriate mitigation measures being received, it is considered that the highway and transport would be acceptable and the development would comply with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008; Policies T2 and T8 of The Adopted Local Plan for Slough 2004 and the National Planning Policy Framework.

11.0 **Impact on Neighbour Amenity**

11.1 The proposed buildings would be single storey in height and would have flat roofs.

11.2 The separation distance between the proposed classroom buildings and the rear elevation of 13 and 15 Wiltshire Avenue would be 25 metres. The separation distance between the nearest corner of the proposed classroom building to the west and 180 Stafford avenue would be 18 metres.

11.3 Whilst windows to classrooms are proposed in the south elevations of the buildings, it is not considered that views from these windows would have the potential to give rise to an unacceptable impact on neighbour amenity through overlooking. In addition, it is not considered that the proposed buildings would have the potential to have an adverse impact on the amenity of neighbouring occupiers as a result of their height, proximity to the boundary with neighbouring properties, or through loss of light or overshadowing.

11.4 Whilst concerns have been raised regarding the potential disturbance to neighbouring residential properties as a result of noise, it is not considered that the proposed classrooms would have the potential to give rise to any additional undue adverse impact to the surrounding area as a result of noise. Whilst the proposed buildings would allow for an increase in the number of pupils attending the school by 180; the general layout, size and provision of playing pitches and other outside spaces in relation to neighbouring properties would remain as existing. Whilst it is noted that concerns have been expressed regarding the use of the school site on

Saturdays, the nature of the use of the site in terms of days of the week that the school will open and the hours of operation would not appear to change as a result of this proposal.

11.5 In terms of impact on neighbour amenity including noise, the proposed development is considered to comply with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the National Planning Policy Framework.

12.0 **Drainage and Flood Risk**

12.1 The site is located within Flood Zone 1. As such, the site has a low probability of river or sea flooding. It is proposed that finished floor levels will be set a minimum of 150mm above adjacent ground levels to enable surface water to be conveyed safely across the site without affecting property. A condition is recommended requiring the submission of drainage details for approval prior to the commencement of the development. Having regard to drainage and flood risk matters, it is considered that the proposed development would be acceptable and compliant with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the National Planning Policy Framework.

13.0 **Trees and Landscaping**

13.1 The proposal would involve the removal of a number of trees adjacent to the southern boundary of the site. These are listed on the submitted site layout plan. A tree survey has been requested and further consideration will therefore be given to tree and landscaping matters having regard to the provisions of Policy EN3 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 the National Planning Policy Framework.

14.0 **Ecology**

14.1 The applicant has submitted a Phase 1 Habitat Survey. The survey concludes that the habitats found on site are of low nature conservation value as they are widespread, frequent, easily re-creatable and support animal species that are common and generally widespread in the UK as a whole.

14.2 The proposal is considered to be acceptable in ecological terms. Core Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document states that development will not be permitted unless it preserves natural habitats and the biodiversity of the Borough. The submitted survey is considered to demonstrate that the proposal will comply with this policy, and the National Planning Policy Framework.

15.0 **Process**

15.1 In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through requesting additional information. The development is considered to be sustainable and is considered to accord with the requirements of the National Planning Policy Framework.

-

16.0 **Summary**

16.1 The proposal has been considered against relevant development plan policies, and regard has been had to the comments received from consultees and other interested parties, and all other relevant material considerations.

16.2 It is recommended that the application be delegated to the Head of Planning Policy and Projects for formal determination following consideration of tree and landscaping issues, completion of a an undertaking and finalising of conditions.

PART C: RECOMMENDATION

17.0 **Recommendation**

17.1 Delegate to the Head of Planning Policy and Projects for final determination following consideration of tree and landscaping issues, completion of an undertaking and finalising of conditions.

PART D: LIST OF CONDITIONS

CONDITIONS:

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

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

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

- (a) Drawing No. 01, Dated JAN 2013, Recd On 11/02/2013
- (b) Drawing No. SB1284/MP121, Dated 07.01.12, Recd On 11/02/2013
- (c) Drawing No. SB1284/MP122, Dated 07.01.12, Recd On 11/02/2013
- (d) Drawing No. SB1284/MP131, Dated 07.01.12, Recd On 11/02/2013
- (e) Drawing No. SB1284/MP132, Dated 07.01.12, Recd On 11/02/2013
- (f) Drawing No. SB1284/EL201, Dated 07.01.12, Recd On 11/02/2013

- (g) Drawing No. SB1284/EL202, Dated 07.01.12, Recd On 11/02/2013
- (h) Drawing No. SB1284/SP101, Dated 07.01.12, Recd On 11/02/2013
- (j) Drawing No. SB1284/SP102, Dated 28.02.13, Recd On 28/02/2013

REASON To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area and to comply with the Policies in the Development Plan.

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

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

- 4. 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, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

- 5. No development shall commence until tree protection measures during construction of the development for existing retained trees (as identified on the approved landscaping scheme) have been submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented prior to works beginning on site and shall be provided and maintained during the period of construction works.

REASON To ensure the satisfactory retention of trees to be maintained in the interest of visual amenity and to meet the objectives of Policy EN3 of The Adopted Local Plan for Slough 2004.

- 6. 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 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, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

7. Prior to the occupation of the development hereby granted permission, a school travel plan shall be submitted to the Local Planning Authority for approval in writing. This plan shall set out measures and targets to reduce car travel to the school, based on Slough Borough Council guidance. The travel plan shall set out a five year programme of scheme and initiatives, identified in conjunction with Slough Borough Council and it shall be reviewed on a annual basis in accordance with the timescale laid out in the plan.

REASON REASON To reduce travel to work by private car, to meet the objectives of Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

8. The development hereby permitted shall not begin until details of on and off site drainage works have been submitted to the Local Planning Authority and approved in writing. No works which result in the discharge of ground or surface water from the site shall be commenced until the off-site drainage works detailed in the approved scheme have been completed.

REASON To ensure that foul and water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework.

9. Full details of the surface water disposal shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development hereby approved. Once approved, the details shall be fully implemented prior to the first occupation of the dwellings and retained as such thereafter.

REASON To ensure that the proposed development is satisfactorily drained in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

10. Prior to the development hereby approved first being brought into use, details of the cycle parking provision (including location, housing and cycle stand details) shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details prior to the first 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, Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

INFORMATIVES:

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through requesting additional information. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.
2. 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:- EN1, EN2, EN3, EN5, T2, T8 and OSC2 of The Adopted Local Plan for Slough 2004; Core Policies 1, 5, 6, 7, 8, 9, 10, 11 and 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008; and the National Planning Policy Framework.

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:	16-Jan-2013	Applic. No:	P/14515/005
Officer:	Mr. W. McCarthy	Ward:	Farnham
		Applic type:	Major
		13 week date:	17th April 2013
Applicant:	Mr. Graeme Steer, Slough Trading Estate Limited		
Agent:	Mr. Benjamin Taylor, Barton Wilmore Regent House, Prince's Gate, 4, Homer Road, Solihull, West Midlands, B91 3QQ		
Location:	234, Bath Road, Slough, SL1 4EE		
Proposal:	RESERVED MATTERS (LAYOUT, SCALE, APPEARANCE AND LANDSCAPING) PURSUANT TO CONDITION 3 OF PLANNING PERMISSION P/14515/3, DATED 18 JUNE 2012, FOR THE CONSTRUCTION OF B1(A) OFFICES (PLOT OB01) DECKED AND SURFACE LEVEL CAR PARK (PLOT CP01) CYCLE PARKING, LANDSCAPING AND ANCILLARY WORKS.		

Recommendation: Delegate to the Head of Planning Policy and Projects



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant Policies and comments from consultees; the development is considered to be acceptable in principle, subject to resolving outstanding Highway and Traffic concerns.

1.2 It is recommended that the application should be delegated to the Head of Planning Policy and Projects.

PART A: BACKGROUND

2.0 **Introduction**

2.1 The applicant, SEGRO, who own the Slough Trading Estate, has submitted the first Reserved Matters application in response to the granting of Outline Application P/14515/003, dated 18 June 2012, known as LRCC2 for the following development:

OUTLINE APPLICATION FOR MEANS OF ACCESS (IN PART FOR CHANGES TO LEIGH ROAD/BATH ROAD JUNCTION, ACCESS AND RE-ALIGNMENT OF LEIGH ROAD, AND CHANGES TO AND NEW ROADS OFF LEIGH ROAD, CHANGES TO IPSWICH ROAD/BATH ROAD, GALVIN ROAD/BATH ROAD AND SERVICE ROAD AND EDINBURGH AVENUE/FARNHAM ROAD JUNCTIONS AND ACCESS), DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES AND REDEVELOPMENT OF THE LEIGH ROAD CENTRAL CORE, CONSISTING OF OFFICES (B1A), HOTELS (C1), RETAIL (A1), FINANCIAL AND PROFESSIONAL SERVICES (A2), RESTAURANTS (A3), DRINKING ESTABLISHMENTS (A4), HOT FOOD TAKEAWAY (A5), CONFERENCE FACILITIES, SKILLS AND LEARNING CENTRE, CRÈCHE (ALL D1) HEALTH CLUB/GYM (D2), TRANSPORT HUBS, NEW LEIGH ROAD BRIDGE, PARKING, HARD AND SOFT LANDSCAPING , CCTV, LIGHTING, STREET FURNITURE, BOUNDARY TREATMENT AND ALL ENABLING AND ANCILLARY WORKS.

2.2 The current application is for the reserved matters (layout, scale, appearance and landscaping), for the construction of B1(a) offices (Plot ob01) decked and surface level car park (Plot cp01) cycle parking, landscaping and ancillary works.

3.0 **Proposal**

3.1 The proposal consists of the construction of 'V' shaped building, five storeys in height on an extended, basement car park. The development provides up to 15,146m² (GEA) of office accommodation, which will be used as flexible office space by a number of different occupiers. The 'V' is the result of aligning the office floor plates with the Bath Road and the Leigh Road. The wings are symmetrical rectangular blocks, regularised to produce efficient office floor space across all five floors. The hinge of the

'V' creates a strong presence at the junction of the Bath Road and Leigh Road. The main access to the building is however from the north and not from Bath Road. The main entrance leads into a full height glazed atrium that creates functional and visual link between the two office blocks across all floors. The atrium houses the reception and access to ancillary accommodation. The vehicular and pedestrian access to the building and the car park will be from both Leigh Road and the Bath Road service road.

3.2 The elevational treatment that creates the very distinctive appearance of the building is a result of the architects setting themselves the following design objectives:

- Provide excellent views out from the floors to enhance visual amenity
- Provide maximum level of natural light to reduce artificial lighting
- Intelligent and cost effective control of unwanted solar gain

3.3 The various options that have been investigated by the architects resulted in a building that will be glazed from floor to ceiling and therefore have a predominately glazed appearance. In order to control solar gain, large format louvres (fins) have been chosen, because they allow almost unobstructed views out of the building and allow maximum daylight penetration into the space. The fins will not be used for the return elevations facing west and north.

3.4 Parking will be provided in the basement and a multi-storey car park. The multi storey car park will be located directly to the north of the proposed office building. In order to match the theme of a predominantly glazed office building, the car park will also have "glass channels". The split-level deck car park is proposed to provide 183 additional car parking spaces, in addition to 60 ground level spaces that are currently used by Fiat and will be re-provided for their use. A further 25 spaces are also proposed at ground level for visitors and VIP's. The existing basement will be reconstructed and extended to provide 219 car parking spaces, motor cycle and cycle parking facilities. The basement will also provide disabled car parking, cycle welfare facilities, plant and ancillary accommodation.

3.5 A south facing terrace is provided at ground floor level as an extension of the recessed hinged corner facing the Bath Road / Leigh Road junction. The roof will accommodate the mechanical and electrical plant for the building, which is screened in order to reduce visibility. The roof will also accommodate photovoltaic panels for energy generation and solar hot water heating.

4.0 **Application Site**

4.1 The application site is situated within Slough Trading Estate, which is located approximately 1.6km to the north west of Slough town centre. Slough Trading Estate covers an area of 162.4 hectares and the Great Western Main line runs east to west through the southern part of the

Estate. The application site lies in the central southern part of the Estate, on the junction of Bath Road and Leigh Road.

- 4.2 The application site currently consists of two linked office buildings. Historically both buildings have been used as the Segro headquarters, but the building on the corner (eastern building) has been vacated for some time.
- 4.3 The immediate surroundings of the site, to the west, north and east, comprise Slough Trading Estate which include primarily industrial and warehouse uses. The Estate currently accommodates approximately 17,500 employees working within around 400 companies.
- 4.4 Beyond the Trading Estate boundary are: Haymill Valley and Burnham Lane to the west; the Perth Trading Estate, residential development and public open space to the north; Farnham Road to the east; and residential development in Thirkleby Close and Pitts Road to the south east. To the immediate south of the site are principally commercial uses on the southern side of Bath Road.

5.0 **Site History**

- 5.1 Historically Slough Trading Estate has been recognised as primarily an industrial and warehousing area with offices only being allowed along the Bath Road frontage. This is reflected in Local Plan Policy EMP7 (Slough Trading Estate) which states:

'Within Slough Trading Estate, as shown on the Proposals Map, developments for B1 business, B2 general industrial and B8 warehousing and distribution will be permitted subject to:

- 1. major independent B1(a) offices being located on the Bath Road frontage in accordance with the application of a sequential approach under Policy EMP1; and*
- 2. there being no overall increase in the number of car parking spaces within the estate.'*

- 5.2 The Trading Estate is also a Simplified Planning Zone (SPZ) which means that B1 business development, apart from B1 (a) offices, B2 general industrial, B8 warehousing and distribution and some sui generis development can take place without the need for planning permission, provided the development complies with the conditions. This is intended to provide certainty, flexibility and speed of delivery for new developments on the Trading Estate.
- 5.3 The Slough Core Strategy 2006 – 2026 which was adopted in December 2008 established a new Spatial Strategy for Slough which can be summarised as being one of *'concentrating development but spreading the benefits'*. Core Policy 1 (Spatial Strategy) states that intensive employment generating uses such as B1 (a) offices, and intensive trip generating uses, such major retail or leisure uses, will be located in the

appropriate parts of Slough town centre.

5.4 The spatial strategy does, however, recognise that in order to spread the benefits that development can bring, not all of it should take place in the town centre. It therefore encourages comprehensive regeneration of selected key locations, at an appropriate scale. It also states that there may be some relaxation of the policies and standards in the Local Development Framework within these locations where this can be justified by the overall environmental, social and economic benefits that can be provided to the wider community.

5.5 As a result a specific exception has been made for the Trading Estate through Core Policy 5 (Employment) which states:

'B1 (a) offices may also be located on the Slough Trading Estate, as an exception, in order to facilitate the comprehensive regeneration of the estate. This will be subject to the production of a master Plan and the provision of a package of public transport improvements. This will be partly delivered through a subsequent Local Development Order which will replace the Simplified Planning Zone.'

5.6 Following the adoption of the Core Strategy in December 2008, SEGRO came forward with the previous proposal for the Leigh Road Central Core Area which included 130,000m² of office space. There were extensive negotiations with SEGRO in order to address the issues that arise from this scale of office, particularly with regard to controlling the level of commuting by the private car. This has resulted in an agreed package of measures for transport any other facilities that formed part of the original LRCC1 approval which was granted in September 2010. The current application contains a similar package of measures which accord with the provisions of the Core Strategy.

5.7 Following the grant of the planning permission for LRCC1, the Council's Site Allocations DPD was adopted in November 2010. This includes Slough Trading Estate as Site Specific Allocation 4. This proposes that the Trading Estate should be the subject of comprehensive mixed use development of the Estate for business (including B1a offices), residential, retail, hotels, conference facilities, educational facilities, recreation, community and leisure uses. The Site Planning Requirements of Policy SSA4 seek to ensure that Development Proposals within the Estate should be generally in accordance with the Illustrative Masterplan and accompanying Masterplan Document (January 2009) and the LRCC Area which forms part of it unless otherwise agreed by the Council. It also restricts the amount of new B1 (a) offices to a maximum of 130,000m² gross internal area to be built in the LRCC area unless otherwise agreed with the Council.

5.8 Subsequent to the granting of LRCC1, a further application P/14515/003 has been submitted on 13th May 2011, to amend the approved redevelopment area. The main difference between LRCC1 and LRCC2 is

the fact that the redevelopment site for LRCC2 does not extend north of Buckingham Avenue. This outline application was approved on 18th June 2012 and the current application is a submission of details in relation to this application.

- 5.9 Another application P/14515/004 has been submitted on 27th December 2012 for the following development:

NON-MATERIAL AMENDMENTS TO AMEND THE APPROVED PARAMETERS PLAN PL/01/03, LISTED IN CONDITION 4 OF PLANNING PERMISSION P/14515/003, DATED 18TH JUNE 2012 (OUTLINE APPLICATION FOR MEANS OF ACCESS (IN PART FOR CHANGES TO LEIGH ROAD/BATH ROAD JUNCTION, ACCESS AND RE-ALIGNMENT OF LEIGH ROAD, AND CHANGES TO AND NEW ROADS OFF LEIGH ROAD, CHANGES TO IPSWICH ROAD/BATH ROAD, GALVIN ROAD/BATH ROAD AND SERVICE ROAD AND EDINBURGH AVENUE/FARNHAM ROAD JUNCTIONS AND ACCESS), DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES AND REDEVELOPMENT OF THE LEIGH ROAD CENTRAL CORE, CONSISTING OF OFFICES (B1A), HOTELS (C1), RETAIL (A1), FINANCIAL AND PROFESSIONAL SERVICES (A2), RESTAURANTS (A3), DRINKING ESTABLISHMENTS (A4), HOT FOOD TAKEAWAY (A5), CONFERENCE FACILITIES, SKILLS AND LEARNING CENTRE, CRÉCHE (ALL D1) HEALTH CLUB/GYM (D2), TRANSPORT HUBS, NEW LEIGH ROAD BRIDGE, PARKING, HARD AND SOFT LANDSCAPING, CCTV, LIGHTING, STREET FURNITURE, BOUNDARY TREATMENT AND ALL ENABLING AND ANCILLARY WORKS).

The purpose of this application was to amend the parameters plan, due to the fact that a site survey of 234 Bath Road revealed a sewer that would be very expensive to divert in order to comply with the originally approved parameters plan. The application was approved on 23 January 2013.

6.0 **Neighbour Notification**

- 6.1 The following adjoining occupiers were consulted.

Bath Road: 217a, 219, 221, 225, 240, 224-230, 250-252 Bath Road
275, 816 Leigh Road

No comments have been received.

7.0 **Consultation**

7.1 **Transport and Highway Comments**

7.1.1 **Highway Alterations**

When reviewing the plans it is unclear exactly what is being proposed in terms of highway improvements to Leigh Road and A4 Service Road when this development is implemented. I suspect that as this development does not trigger the junction improvement at Leigh Road /

Bath Road junction then no changes are proposed to the existing layout. I have strong concerns with this as the existing junction has never been tested as to whether it can cope with the additional traffic of this development. Furthermore under LRCC2 it was clearly envisaged that the A4 Service Road junction with Leigh Road would be stopped up, but this is not proposed with this scheme and therefore there would be considerably more pressure on the A4 Bath Road / Leigh Road /Service Road junction than ever envisaged as part of LRCC2. This raises both safety concerns and congestion issues and therefore it will need to be addressed. This has been highlighted previously to PBA in March 2012 and therefore it is surprising that this has not been addressed as part of this application. As with my pre-application comments dated 19/2/13 in relation to this site if it was to be brought forward as a stand alone site a scheme will need to be developed to stop traffic using the Leigh Road end of the service road, with exceptions for cyclists and the proposed shuttle bus. This scheme will need to be secured as part of the development and agreed prior to determination.

7.1.2 **Access**

The existing access arrangements are being altered and therefore the redundant accesses will need to be removed and the footway reinstated.

7.1.3 **Junction of Aberdeen Avenue /Leigh Road**

It would be helpful if further plans were submitted showing the impact of the new decked car park on the existing layout of Aberdeen Avenue in terms of footway widths, whether there is any impact on visibility of pedestrians crossing Aberdeen Avenue and on the visibility splays from Aberdeen Avenue.

7.1.4 **Car Park Layout**

From my understanding of the submitted plans, 60 car parking spaces are being provided for Fiat on the Ground Floor Deck and these will be accessed from the Fiat site. There would appear to be a slight reduction in the number of spaces being provided to Fiat than existing – clarification please. How does the visibility work in terms of vehicles emerging from the basement deck and the vehicles leaving the upper car park. This is not particularly clear on the plans and could be a health and safety issue on-site. I have measured the internal dimensions of the car park and it would appear that some of the aisles do not measure 6.0m, which will make it harder for vehicles to manoeuvre in and out of spaces. Please clarify the dimensions of the aisle widths for all decks and car parks. Aisle widths should be a minimum of 6.0m wide and spaces 4.8 x 2.4m. The remainder of the parking of the decked car park to the rear of the site is to be allocated to the tenant of 234 Bath Road and there are a total of 243 spaces. Outside a further 25 spaces and in the basement car park 219 spaces providing a total of 487 spaces for 234 Bath Road. From the submitted documents, it is unclear as to what the total floor area is of the building and how this conforms to the agreed parking standards as per LRCC2 – this information needs to be provided.

7.1.5 **Cycle Parking**

My advice to developers on cycle parking is frequently the same - quality not quantity, and follow best practice guidance on the layout; these are simple rules. Aisle widths of 0.6m are not sufficient neither is the proposed 0.7m width between racks. Cyclists using these racks will have high value cycles and they will not expect them to get damaged trying to manoeuvre their bikes in and out of these spaces. Racks should be sited 1.0m apart and care be made to ensure that all racks can be adequately accessed and there is no risk to cyclists locking their bikes and hit by a passing vehicle. The designer of the scheme needs to take account the best practice TfL guidance

<http://www.tfl.gov.uk/assets/downloads/businessandpartners/Workplace-Cycle-Parking-Guide.pdf> and make the necessary changes to the scheme such that an appropriate design is developed in accordance with best practice guidance. Furthermore it is not clear how access to the cycle parking will be secured – is a separate gate to be provided.

In the basement car park some thought needs to be given as to how cyclists will access the large bank of spaces from the access ramp. Cyclists will not cycle around the whole car park to access the bays, but from a health and safety perspective it is not going to be safe for them to emerge at 90 degrees to the access ramp. A dedicated path through the spaces needs to be provided.

7.1.6 **Showers, Changing Rooms and Locker Facilities**

It would appear that showers, lockers and changing facilities are to be provided at basement level and this is to be welcomed. Some more detailed plans of what is being proposed and the ratio of showers to floor space and how this conforms to BREAM standards would be helpful. Encouraging non-car modes is a critical element of the overall Masterplan and therefore getting these facilities right in the first building is important.

7.1.7 **Vehicle Tracking**

To ensure that service vehicles and possible drop off for the employers shuttle service within the site tracking should be re-provided to ensure that all vehicles can still adequately access the site. This includes providing tracking for manoeuvring into spaces 6 + 7 which are adjacent to the access barrier.

7.1.8 **Car Park Management Plan**

Noting the previous concern of the Local Highway Authority about the use of the Leigh Road access for vehicles travelling to the car park, a Car Park Management Plan should be prepared and submitted to the Local Highway Authority setting out measures how employee vehicles will be discouraged from accessing the site from the Leigh Road access. Further measures need to be implemented to prevent this access being used in a two direction e.g. signing and these will need to be set out in the Plan.

7.1.9 **Travel Plan**

Further information needs to be provided on the timescales and content of the Travel Plan.

7.1.10 **Recommendation**

In my comments I have highlighted a number of issues that still need to be addressed prior to determination, but it is my view all of the issues can be addressed. However at this stage until the further information is provided the application does not contain sufficient information for the Local Highway Authority to determine the impacts of the development on the safety and operation of the public highway. Therefore the proposed development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7. However subject to the further information be supplied and agreed as acceptable and within this would include the scheme for Bath Road Service Road together with the other issues I have identified then I would withdraw this objection to the scheme.

PART B: PLANNING APPRAISAL

Policy Background

8.0 **National Guidance**

8.1 **National Planning Policy Framework (March 2012)**

- 8.1.1 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.
- 8.1.2 A presumption in favour of sustainable development lies at the heart of the NPPF. The document recognises that sustainable development has economic, social and environmental dimensions that are mutually dependent, and Paragraph 8 states that 'economic growth can secure higher social and environmental standards, and well designed buildings and places can improve the lives of people and communities.'
- 8.1.3 Section 1 reinforces the Government's commitment to securing economic growth in order to create jobs and prosperity and states that the planning system should help to facilitate this. Paragraph 19 states that 'Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.'
- 8.1.4 Section 7 of the NPPF relates to good design in development proposals and recognises the indivisibility of good planning and good design. Development proposals should be of a high quality and be inclusive.
- 8.1.5 Paragraph 58 it is stated that planning policies and decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area, not just for the

short term but over the lifetime of the development;

- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

8.1.6 In paragraph 60 it is stated that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. *It is, however, proper to seek to promote or reinforce local distinctiveness.*

8.1.7 However, paragraph 61 acknowledges that design goes beyond aesthetic considerations and stresses that planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment. But in paragraph 64 it is stated that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

9.0 **The Development Plan**

Local Plan for Slough, March 2004

9.1 The Local Plan for Slough was adopted by the Council in March 2004. The site is identified on the planning maps as Trading Estate/Simplified Planning Zone (EMP7) and as an Existing Business Areas (EMP3, S4). The following policies apply:

9.2 Policy EMP2 lists a number of criteria that business developments must comply with, these are:

- a) the proposed building is of a high quality design and is of a use and scale that is appropriate to its location;*
- b) It does not significantly harm the physical or visual character of the surrounding area and there is no significant loss of amenities for the neighbouring land uses as a result of noise, the level of activity, overlooking, or overbearing appearance of the new building;*
- c) the proposed development can be accommodated upon the existing highway network without causing additional congestion or creating a*

- road safety problem;
- d) *appropriate servicing and lorry parking is provided within the site;*
 - e) *appropriate contributions are made to the implementation of any off-site highway works that are required and towards other transport improvements such as pedestrian and cycle facilities, that are needed in order to maintain accessibility to the development without increasing traffic congestion in the vicinity or in the transport corridors serving the site;*
 - f) *the proposal incorporates an appropriate landscaping scheme;*
 - g) *the proposal would not significantly reduce the variety and range of business premises;*
 - h) *the proposal does not result in a net loss of residential accommodation; and*
 - i) *the proposal maintains any existing primary and secondary shopping frontages at ground level on the site.'*

9.3 The introductory text to Policy EMP7 provides information about Slough Trading Estate in paragraphs 3.59 - 3.69 these are provided below:

The Slough Trading Estate is the largest concentration of business and employment in the Borough. It extends to nearly 200ha and provides over 700,000m² of business and industrial accommodation in some 700 buildings. The 400 tenants of the Trading Estate range in size and activity and provide in the order of 20,000 jobs, or nearly 30% of the Borough's total employment. In particular, the manufacturing sector has always been well represented on the Trading Estate. Just over 50% of jobs on the Estate are within manufacturing businesses compared to the overall figure of 22% for the Borough. The scale and range of businesses on the Trading Estate and the employment this creates are vital components of the local economy.

The Estate's attractiveness to business is partly a function of its accessibility to the M4, M25, Heathrow Airport and Central London, but also because of its critical mass in terms of business linkages and the existing employment base. As such, the Estate accommodates many firms that contribute to important economic clusters of similar industries both within Slough and the wider Thames Valley.

Active management by Slough Estates plc has enabled a rolling programme of refurbishment and redevelopment to take place to meet the needs of existing businesses and attract inward investment. The ability of the Estate to respond to the changing needs of business was enhanced by the designation of a Simplified Planning Zone (SPZ) in 1995. This permits most types of business class development (excluding independent B1a office accommodation) to take place, subject to conditions attached to the scheme, without the need for planning permission. All other major development, such as large retail schemes, still require planning permission in the usual way.

These various attributes make the Trading Estate a preferred location for

business accommodation in Classes B1(b) research and development, B1(c) light industrial, B2 general industrial and B8 distribution and storage of broadly the same scale as currently exists on the estate. It is not considered necessary to apply a sequential approach to these uses in this location and it is not intended that any policies of the plan require it for such development.

Headquarters and other types of major independent office development have taken place along the Bath Road frontage, which has made good use of this accessible location within the Trading Estate. Whilst there is little scope for additional major independent office floorspace, Policy EMP1 applies a sequential test to such development whereby they will only be allowed if there are no suitable sites available in the town centre, edge of the town centre or other existing business areas as well served by public transport as the Bath Road.

Small-scale office units play an important role in promoting the economic development of the Borough. The difference in trip generation between small-scale office accommodation and other B1 uses can be of a small magnitude. On this basis, small office units up to 200m² in size will be permitted within the Estate.

The Borough Council recognises that there is independent office accommodation in other locations within the Estate, apart from the Bath Road frontage. New B1(a) office schemes over 200m² will only be permitted elsewhere if it is replacing that which already exists on an individual site. Otherwise new office accommodation will be limited to ancillary office accommodation in accordance with Policy EMP1 in order to control the intensification of uses in inappropriate locations. The SPZ already includes a reference to limiting office accommodation to those that are ancillary.

The amenity and environment of the Estate does vary, with newer schemes reflecting current accepted standards. Servicing for older units does not always meet the current standards but the redevelopment of sites provides the opportunity to improve provision.

In the past, parking has been provided to meet the maximum level of demand in accordance with Borough Council standards, which have been included within the SPZ scheme. In order to prevent any further increase in traffic generation it is intended to cap parking provision at the current level within the Trading Estate. This means that as a general principle any redevelopment proposal should not increase the number of car parking spaces that exist or existed on the site even if it is proposed to increase the amount of floorspace. However, additional spaces could be gained from another part of the Estate so that the overall level of car parking on the Trading Estate is not increased. It is therefore proposed to review the SPZ scheme to ensure it complies with the new approach to parking standards.

Major improvements to public transport provision will be sought along the A4 Bath Road corridor in order to improve accessibility to the Trading Estate by alternative means of transport to the car. Improved links to Burnham and Slough railway stations will also be sought which will make it easier to commute to the estate by train. In addition, all major new developments will be required to produce Company Travel Plans to demonstrate how firms will encourage staff to use public transport.

It is recognised that on-street parking controls may have to be introduced in the areas around the Trading Estate in order to prevent an over-spill of parking into adjacent residential areas.'

9.4 Policy EMP7 (Slough Trading Estate) states that:

'Within the Slough Trading Estate, as shown on the Proposals Map, developments for B1 business, B2 general industrial and B8 warehousing and distribution will be permitted subject to:

- 1. major independent B1(a) office developments being located on the Bath Road frontage in accordance with the application of a sequential approach under Policy EMP1; and*
- 2. there being no overall increase in the number of car parking spaces within the estate.'*

9.5 Policy EN1 (Standard of Design) states that development proposals must reflect a high standard of design and must be compatible with and/or improve their surroundings.

9.6 Policy EN3 (Landscaping Requirements) requires a comprehensive landscaping scheme for all new development proposals.

9.7 Policies T2, T7, T8 and T9 are transport policies relating to new developments. In particular, Policy T2 advises no increases in the total number of car parking spaces on-site will be permitted within commercial redevelopment schemes. In addition, the Council's car parking standards are contained at Appendix 2 and the standard in Existing Business Areas for Class B1(a) offices is 'no overall increase' and then there are specific standards for Class A1-5, C1, D1 and D2 uses. There is therefore a distinction between Class B and non-Class B uses within Existing Business Areas.

Slough Local Development Framework, Core Strategy 2006 – 2026

9.8 The overall spatial strategy within the Core Strategy can be summarised as one of '*Concentrating development but also spreading the benefits to help build local communities*'. In order to achieve this it specifically encourages the comprehensive regeneration of selected key locations and identifies the Heart of Slough as somewhere where major change can be made to the urban townscape and the quality of the public realm.

9.9 Core Policy 1 (Spatial Strategy)

This policy requires that all development complies with the spatial strategy set out in the core strategy. The overarching planning strategy for Slough is for high density housing, intensive employment generating uses or intensive trip generating uses to be located in the town centre.

The strategy does however state that comprehensive regeneration of selected key locations within the Borough will also be encouraged at an appropriate scale. It provides for some relaxation of the policies or standards in the Local Development Framework. However this must be justified by the overall environmental, social and economic benefits that will be provided to the wider community.

9.10 Core Policy 5 (Employment)

The location, scale and intensity of new employment development must reinforce the Spatial Strategy and Transport Strategy. This includes the application of a parking cap upon new developments unless additional parking is required for local road safety or operational reasons. Intensive employment-generating uses such as B1 (a) offices will be located in the town centre in accordance with the spatial strategy. The policy specifically provides an exception for Slough Trading Estate. This exception is allowed on the basis that:

- there will be comprehensive regeneration across the estate;
- the production of a 'masterplan'; and
- the provision of public transport improvements.

The policy states that this will be provided through a subsequent Local Development Order which will replace the Simplified Planning Zone which currently regulates development on the estate. The implementation section to Core Policy 5 states the following in relation to Slough Trading Estate:

'Slough Trading Estate has specifically been identified as an area for regeneration within the policy. This will be implemented through a Master Plan which is being prepared by SEGRO. This will identify the location of the proposed new offices within a new hub. Around 3,600 new jobs could be created on the Trading Estate over the plan period. The amount of new B1 (a) offices, and the scale of other development will, however, be dependent upon a number of requirements being met. These will include capping the number of parking spaces at current levels and introducing a package of public transport improvements and other initiatives in order to ensure that there is no increase in the level of car commuting into the estate. This should also involve increasing the number of Slough residents working in the estate. Once the Master Plan has been approved it is proposed that key elements, such as the new hub, will be considered through a planning application and the rest of it will be implemented through a subsequent Local Development Order which will replace the existing SPZ.'

The introductory text to Core Policy 5 discusses Slough Trading Estate in sections 7.85, 7.86 and 7.88 which state:

‘Slough Trading Estate is the largest Existing Business Area and provides around a quarter of all of the jobs in the Borough. As a result its continued success as an employment centre is of great importance to the local economy and the prosperity of the town as a whole. There has been a rolling program of refurbishment and redevelopment in the Trading Estate in recent years in order to ensure that it is able to accommodate modern business needs and continues to attract inward investment. This has been aided by the designation of the Trading Estate as a Simplified Planning Zone with its integrated transport strategy.

It is recognised that the Trading Estate will need to continue to evolve to serve the needs of knowledge-based industries. SEGRO are in the process of producing a Master Plan for the area which is intended to achieve this. The success of the Trading Estate is important to the Borough’s sustainable development as it has the potential to retain and attract businesses, create jobs and offer opportunities for improving skills and training to local people. As a result it is proposed that Slough Trading Estate should be treated as a special case within the Core Strategy. This means that B1 (a) offices may be allowed in the proposed new hub within the Trading Estate, as an exception to the Spatial Strategy, in order to facilitate the comprehensive regeneration of the Estate.

Any employment-generating uses within the Borough which exacerbate the problems identified above will be expected to contribute towards appropriate training, childcare and/or transport measures as required.’

- 9.11 Core Policy 7 (Transport)
New development is to be located in the most accessible locations, thereby reducing the need to travel, improve road safety and improve air quality. Development proposals will have to make contributions to, or provision for the development of Slough town centre as a Regional Hub.
- 9.12 Core Policy 8 (Sustainability and the Environment)
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.
- 9.13 Core Policy 9 (Natural and Built Environment)
Development will not be permitted unless it:
- Enhances and protects the historic environment;
 - Respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations;
 - Protects and enhances the water environment and its margins;
 - Enhances and preserves natural habitats and the bio-diversity of the Borough, including corridors between bio- diversity rich features.
- 9.14 Core Policy 10 (Infrastructure)
Development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new infrastructures must be

sustainable.

- 9.15 Core Policy 11 (Social Cohesiveness)
The development of new facilities which serve the recognised diverse needs of local communities will be encouraged. All development should be easily accessible to all and everyone should have the same opportunities.
- 9.16 Core Policy 12 (Community Safety)
All new development should be laid out and designed to create safe and attractive environments in accordance with the recognised best practice for designing out crime. Activities which have the potential to create anti-social behaviour will be managed in order to reduce the risk of such behaviour and the impact upon the wider community.

Site Allocations DPD

- 9.17 The Site Allocations DPD was adopted in November 2010. The main purpose of this document is to identify the sites that are needed to deliver the Spatial Vision, Strategic Objectives and policies in the Core Strategy. As a result it contains all of the key regeneration sites within Slough.
- 9.18 The whole of the Trading Estate has been included as Site Specific Site Allocation 4 in the adopted Site Allocations DPD. This requires that development proposals within the Slough Trading Estate should be substantially in accordance with the Illustrative Masterplan and accompanying Masterplan Document (January 2009) and the Leigh Road Central Core Area which forms part of it.
- 9.19 The main planning requirements from these documents which have been included within the Site Allocation DPD are as follows:
- *All major new B1(a) offices are limited to the Leigh Road Central Core Area*
 - *There is no overall increase in the total number of parking spaces upon the Trading Estate*
 - *A package of public transport improvements are provided in order to meet modal shift targets that will ensure that there is no increase in the level of car commuting into the Estate*
 - *A package of skills training is provided in order to increase the number of Slough residents working on the Estate*

The scale and nature of the proposed retail, hotel and leisure uses should be ancillary to and serve the needs of the Trading Estate and minimise the impact on the vitality and viability of the Farnham Road District centre and Slough Town Centre.

The Sainsbury's store in the Farnham Road should be extended in order to serve the Estate as well as acting as the anchor store for the Farnham Road.

The Leigh Road Central Core should include a transport hub and skills centre.

Apart from the gateway features on the Bath Road and the hotel Hub, all buildings will be a maximum of height of four storeys.

- 9.20 The Site Allocations DPD therefore formed the basis for the parameters for the LRCC2 application. The current application for Reserved Matters, follows on from this approval.

Planning Assessment

10.0 Principle of Development

- 10.1 Planning permission (P14515/000) for the first version of the Leigh Road Central Core development (LRCC1) was approved on 30th September 2010 following the signing of the Sec 106 legal agreement. The second version (LRCC2) was approved as application P/14515/003 on 18th June 2012.

- 10.2 The current application has been submitted to develop Plot OB01, which has the following parameters for the office building in accordance with the approved drawing for application P/14515/003 and are set out as follows:

- maximum area: 25,000m² GIA
- provisional ground floor level: +31.20m AOD
- min building height: +43.50 m AOD (3 storeys)
- max building height: +54.70m AOD (5 storeys + plant)

- 10.3 In terms of the car park, the parameters for Plot CP 01 have been set as follows:

- provisional ground floor level: +31.20m AOD
- min building height: +34.20 m AOD (2 decks)
- max building height: +40.20m AOD (4 decks)

- 10.4 In terms of assessing the principle, it is considered that the proposal is consistent with the parameters plan that was approved as part of LRCC2. The use, footprint and upper limits of the building comply with the approved plan and therefore no objection is raised in terms of the principle of the proposal, subject to satisfactorily addressing the reserved matters outlined in condition 3 of planning permission P/14515/003, relating to scale, layout, appearance and landscaping.

11.0 Scale

- 11.1 Both the Illustrative Master Plan and the Site Allocation for the Trading Estate allow some flexibility in the way that the Commercial Core is delivered, provided it complies with the basis principles. The approved LRCC1 and LRCC2 have established the principle of creating a gateway

building at the entrance to the regeneration area, consisting of a five-storey building, with plant on the roof. This is an increase in height compared to the other headquarter buildings along the Bath Road, but it has been recognised that the additional height is necessary in order to achieve a gateway affect.

11.2 It is also worth repeating that the proposed building is consistent with the approved parameters that are outlined in paragraphs 10.2 and 10.3 above. The Site Allocations DPD also states in SSA4 that: *“Apart from the gateway features on the Bath Road and the hotel hub, all buildings will be a maximum of height of four storeys.”* The scale of the proposed office building is the result of a combination of factors, but this has been well established as part of the outline application, which included detail drawings of the building currently under consideration.

11.3 The fact that the building will be five-storeys in height and also forward of the building line in Bath Road, means that the scale of the building will result in a very prominent and dominating building. This is considered to be acceptable in order to create a gateway feature. The DAS contends that *“the unbroken glass facades allow the building to reflect the changing sky conditions and nearby buildings, helping to dematerialise it’s mass and sit elegantly in the background”*. It is also felt that there is sufficient separation between the users of the Bath Road and the proposed building not to be too overbearing when viewed from the majority of public vantage points. The trees on the highway verge between Bath Road and the service road will also act to soften the visual impact on pedestrians and other road users, with additional tree planting proposed along the Leigh Road elevation. On balance it is therefore believed that the scale of the application building is appropriate as a gateway feature leading to buildings in Leigh Road that will be off reduced scale, similar to the four-storey buildings in Bath Road.

12.0 Layout

12.1 The proposed “V” shaped building, which follows the road alignment, results in a sheltered area behind the building, which in fact will be the main entrance. The majority of the headquarter buildings fronting Bath Road all have very distinctive characteristics, with main pedestrian entrances from Bath Road. The two offices buildings currently occupying the site is however an exception to this, with an access from Leigh Road and a pedestrian entrance from the north. It is regrettable that the proposed scheme has not used the redevelopment of the application site to reflect a stronger Bath Road presence. Other office buildings on the northern side of Bath Road have grand entrances created by substantial open space, soft and hard landscaping, as well as canopies supported on full height columns. Imitating this would have been consistent with the NPPF’s objective to *“respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.”* It is also considered that the

proposed development is 'turning its back' on the Bath Road, being inward facing in order to create a "sheltered" environment for the future occupiers.

12.2 The applicant is of the opinion that the "*spaces around the building are as important as the building itself and have been designed to create vibrant and positive working environment with good relationship between the internal and external spaces and how these are used.*" It is worth noting that the combination of the solar path and the height of the building will mean that the "sheltered" area will also receive very little direct sunlight and it is therefore questioned whether the open space in front of the entrance will be used as envisaged by the applicant. In contrast, other buildings in Bath Road with southerly entrances and landscaping provide ample breakout spaces for its occupants. It also means that the buildings come alive with people, in stead of having a passive frontage onto Bath Road.

12.3 The Design and Access Statement (DAS) explains the four design options have been considered and the "*design development process is based on a detailed understanding of the Site, its potential constraints and opportunities together with the aspirations of those who live and work in the area including its immediate and wider context.*" The architects have developed the building by undertaking detailed studies on massing, form and function and its effect on daylight, sunlight and the pedestrian level wind environment, including assessments of the building from a large number of local and distant vantage points. It is encouraging that so much care has been taken to develop the building, but the following statement in the DAS is disconcerting: "*The plan form of the principal building was a key factor, where the internal configuration of accommodation had to make very efficient use of space, with the result having a major influence on the external appearance and character of the buildings as a whole.*" It gives impression that the lay-out has been predominately influenced by the internal office requirements. This forms the lead-in to the detailed explanation of the four options that have been investigated by the architects and then conclude that when tested against Segro's brief, the "V" shaped layout "*provides the optimum balance of building requirements within the sites constraints.*" Policy EN1 (Standard of Design) requires that development proposals must reflect a high standard of design and must be compatible with and/or *improve their surroundings*. It is considered that the current proposal has not utilised the opportunity to address the requirement to improve its surroundings and provide a building with Bath Road frontage that would be more inviting to its occupiers, as well as *reinforce local distinctiveness* in accordance with the NPPF.

12.4 In response to the pre-application discussions the applicant has removed the louvers from the recessed elevation of the hinge, together with a simplification of the fenestration on this face to be as flush as possible. On balance it is believed that this approach to give greater prominence on the corner to create a gateway feature offsets the lack of space at ground

level to provide a welcoming approach for pedestrians, similar to other buildings fronting Bath Road. It is also acknowledged that the NPPF states that *“planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.”* No objection is therefore raised to the layout of the proposed development.

13.0 **Appearance**

13.1 In paragraph 3.3 it has been explained the appearance of the building has been significantly influenced by the use of predominantly glass and the projecting fins. This approach is a result of the architects striving to achieve the following design objectives:

- Provide excellent views out from the floors to enhance visual amenity
- Provide maximum level of natural light to reduce artificial lighting
- Intelligent and cost effective control of unwanted solar gain

13.2 The DAS also states that *“the passive solar heat gain is key to the building concept and is instrumental in defining its character.”* In light of the above design objectives, the architects decided that in order to maximize views out and daylight into the office space that the external envelope had to be designed with floor to ceiling glazing, with solid spandrel elements at slab level. To control solar gain, the architects opted for large format fins, because they allow almost unobstructed views out of the building and allow maximum daylight penetration into the space. The result is a highly efficient system with a distinctive architectural character.

13.3 The proposed building also included the fins on the recessed hinge elevation at pre-application stage. Officers raised concerns that despite the characteristic design features on the main elevations, it was not clear that the building had enough of a presence to act as a gateway feature to the new developments along the Leigh Road. The architects have responded to this concern and have modified the proposed building to omit the fins from the recessed elevation of the hinge, together with a simplification of the fenestration on this face to be as flush as possible. This accentuates the full height of this element of the building and has *“a heroic proportion, consistent with the character of other Bath Road office buildings that utilise full height columns as a device to achieve a grand sense of scale or mark an ‘event’”*. The architects have not agreed to incorporate columns on the recessed elevation in order to mimic this design feature found on most of the other buildings in the area. It was felt that this would create the false impression of this elevation being the main building entrance, which is not the case. In order to pick up on this characteristic, the architects have introduced vertical fins at the ends of the horizontal fins. According to the DAS, *“these fins have the additional benefit of framing the Bath Road and Leigh Road elevations making the overall composition more seamless and better resolved. They also have a*

column like presence framing the hinge facade and giving the building a greater sense of presence on the Bath Road.” As outlined in the section above, officers would have preferred the main entrance on Bath Road, but in weighing up all the other considerations, it is believed that the amended scheme has gone some way in addressing officer’s initial concerns.

- 13.4 In terms of the return elevations facing west and north, it is worth noting that these elevations will be highly visible in the street scene. The north elevation’s prominence is a result of the height difference between the main building and the multi-storey car park, which will be sited directly north. The west elevation is highly prominent for road users when travelling in an easterly direction towards Slough town centre, due to the fact that the return elevation is 17m in front of the adjacent Fiat building (240 Bath Road). This means that approximately 80% of this side elevation will be forward on the very strong building line in Bath Road. In the pre-application submission, the proposed return elevations have been designed to incorporate two materials, consisting of black aluminium curtain walling for approximately half the width of this elevation and glass for the remainder. Officers expressed concerns about these elevations at pre-application stage, noting that sufficient consideration has not been given to how this will look in the street scene. The submitted application did not take officers concerns on board, but in response to subsequent discussions, the elevation has been amended to make the whole elevation in glass and thereby exposing the emergency staircase. Although this does not constitute a significant redesign, which has been requested by officers, it is considered that this change, in combination with a lighter colour of the material, has improved this elevation. The architects contend that *“by revealing the stairs the revised design of the return elevations achieve a welcome degree of animation. Moreover the vertical blades at the end of each wing which capture the twisting elements have a similar feel to the column and edge wall of the adjoining building enhancing their relationship. The lighter colour palette of the proposals are complimentary and tie the building to its neighbour. The step up in scale matches the step out of the building line of the new building towards the Service Road and therefore achieves a symmetry enabling both buildings to be read as individuals, which is a characteristic of the plots along the Bath Road. Although the new building is more prominent in this particular viewpoint, the general impression of the development is that the perceived scale that would normally be considered appropriate for a gateway building.”*

- 13.5 In terms of the colour of the materials, the pre-application scheme included a light coloured palette, which in combination with the mainly glass elevations resulted in a ‘light weight building’, despite the five-storey height. Notwithstanding officers favouring a lighter approach to the building, the application has been submitted with a dark palette, including black for the fins. In subsequent discussions with the applicant, the application has been amended and it has been reverted back to the lighter colour palette. In stead of using black for the fins, the proposed fins will now be constructed from natural anodised aluminium. The

architects are of the opinion that *“the natural anodised aluminium provides a sharp contrast to the glazed elements and accents the brise soleil as dynamic elements across the façade and as a distinctive feature of the building. Conceptually the brise soleil are like a protective mesh around a much softer core generated from the hinge and wrapping round to be absorbed within the cladding to the cores. The shadows generated by the brise soleil also give a sense of depth to the overall composition.”* Officers are in agreement that this significant improvement will contribute in achieving a land mark building, with unique design features, whilst respecting the distinctive characteristics of its surroundings.

13.6 The applicant has also responded favourably to concerns about the appearance of the multi-storey car park. The submitted application originally included the use of a black mesh cladding for the elevations of the car park. Officers raised a concern about the colour and the material on a car park in such a highly prominent position. In response to the changes to the main building and the increase in glass on the north elevation adjacent to the car park, the proposal has been amended to include sandblasted translucent glass channels for the car park elevations. This is similar to those on the current development on the Lonza site at 224-228 Bath Road. The glass channels will provide the suitably neutral background status that is complimentary to the strength of the office building concept and the proposed materials. This is once again seen as a significant improvement to appearance of the car park and no objection is raised to this part of the proposal.

13.7 In summary, it is considered that the applicant has responded positively to officers concerns about the appearance of the building and sufficient amendments have been undertaken in order to overcome the majority of the concerns. On balance it is therefore believed that the proposal is acceptable in terms of its appearance.

14.0 **Landscaping**

14.1 The DAS states that the strong design and appearance of the main building on this junction will be in itself be the dominant statement that influences the public realm. The landscaping on the frontages is therefore minimal, relying on simple lines of trees. The landscaping plan indicates the use of simple line of semi-mature Maple trees on the road frontage facing Leigh Road, to compliment the existing line of mature Horse Chestnut trees on the Bath Road frontage. The chestnut trees along the Bath Road are diseased and as part of the proposals to regenerate the area, the applicants have agreed to replace any diseased or dying trees on a phased basis to try to ensure that the Bath Road retains its distinctive appearance as part of the Section 106 agreement for LRCC2. The proposed Maple trees will be set within a simple grass strip, which will lead the eye along the building façade and the other developments in the rest of the estate.

14.2 As mentioned before, a break out area has been provided in the recessed

area on the corner elevation, which has been raised in order to create a sense of separation with the adjoining areas. The “*carefully balanced design*” of soft and hard landscaping is also proposed between the main entrance and the car park, which will create a “plaza” that will be used for recreation. This area will be used as break out area by providing seating against raised planters as well as gently mounded grassed areas.

14.3 The building will also include 450m² area of specially designed “green roof”, which will include 29 species of grasses and flowering plants.

14.4 In summary, it is believed that the proposed landscaping is acceptable to complement the striking features of the building and no objection is therefore raised in terms of the proposed landscaping.

15.0 **Traffic and Highways**

15.1 Core Policy 7 (Transport) states that all new developments should reinforce the principles of the transport strategy as set out in the council’s Local Transport Plan and Spatial Strategy, which seeks to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel. It also requires that development proposals will, either individually or collectively, 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; and
- Improving air quality and reducing the impact of travel upon the environment, in particular climate change.

15.1.1 In response to the Traffic and Highway Engineers comments, the applicant has submitted a comprehensive response below and additional information to address the issues raised in section 7.1 of this report.

15.1.2 **“Shuttlebus**

The A4 bus service will run to the east of 234 Bath Road, as shown Drawing 17563-478-006. There may be the potential for this route to be extended to include O2 Telefonica, which operates their own service at present. There is, however, a degree of further discussion and agreement to be reached on such a combined service.

There is no certainty over the routing of the extended service to incorporate O2. It could be that such an extension would run on the A4 Bath Road between Ipswich Road and Leigh Road or, alternatively, it could run along the service road. It is unlikely that there would be a significant journey time advantage of one routing option over the other and Slough Borough Council have confirmed that there is scope for bus priority to be used at the traffic signals for this service. Using the service road would mean that there is scope for a further stop close to LG or Fiat,

but neither of these companies have shown any real commitment to be part of the service at present. The two possible extended bus routes to O2 are shown on Drawings 17563-478-007 and 17563-478-008.

Western Service Road

Drawing 17563-478-004 shows the potential to close the western service road to all traffic i.e. this would work with the shuttle bus service as currently envisaged and also with O2 in place routing on the A4 Bath Road between Ipswich Road and Leigh Road. The service road fronting 234 Bath Road would be dedicated as a cycle and footway. Bollards would be provided to the east of the approved main access to 234 Bath Road from the service road. A turning area would be retained utilising the 234 access. The existing northern footway and eastern end of the stopped up section of the service road could be used for landscaping. Drawing 17563-478-005 shows an alternative layout option for the service road where the western service road is retained for buses only in an eastbound direction through introducing a new bus lane. This option would only be required if the A4 bus service is to pass along the service road. Whilst this is not presently envisaged it could be accommodated with the layout as shown.

Access

In response to concerns that there may be conflict points within the site, including vehicles emerging from the basement deck and vehicles leaving the upper car park, as well as potential for cars to exit via the existing entrance with Leigh Road, we enclose Drawing 17563-478-002. This illustrates the road markings that will help to address these concerns and ensure safe circulation within the Site.

Junction of Aberdeen Avenue /Leigh Road

Enclosed Drawing 17563-478-001 shows the impact of the new decked car park on the existing layout of Aberdeen Avenue in terms of footway widths and the impact on visibility of pedestrians crossing Aberdeen Avenue and on the visibility splays from Aberdeen Avenue. It shows the existing road layout with the proposed new decked car park adjacent to Aberdeen Avenue. The junction visibility from Aberdeen Avenue will be retained and demonstrates that visibility will not be compromised by the proposal.

Car Park Layout

A total of 60 car parking spaces are being provided for Fiat at ground floor level and there will be no reduction from the amount of spaces shown on Fiat's demise plan (this shows 60 spaces).

We enclose annotated versions of Drawings 10-075 PL 099 01, 10-075 PL 100 01 and 10-075 PL 150 01 that illustrate the internal dimensions of the car park. This confirms that aisle widths exceed 6 metres and that car parking spaces are a minimum 4.8 metres by 2.4 metres in size. The Gross External Area (GEA) of new building is 15,146m² and there are 427 car parking spaces being provided which gives a car parking ratio of

1:35m2, which accords with the agreed parking standards for LRCC2.”

- 15.1.3 It is considered that the majority of these issues can be resolved. However, the additional information has raised some issues that need to be addressed before the final determination of the application. The Engineers final comments will be reported on the amendments sheets.

16.0 **SECTION 106 AGREEMENT**

- 16.1 This application will not have a Section 106 agreement, because the agreement is linked to the main LRCC2 approval. It is however worth noting that the proposed building's floor area is below the level that would trigger the main S106 contributions. However, if this proposal is implemented, Segro will have to appoint a Transport Manager within six months of implementation of the scheme who would be responsible for securing a work place Travel Plan following occupation.

17.0 **CONCLUSION**

- 17.1 Slough Trading Estate provides around a quarter of all of the jobs in the Borough and its continued success as an employment centre is of great importance to the local economy and the prosperity of the town as a whole. It is recognised that the Trading Estate will need to evolve to serve the needs of knowledge-based industries in order to retain and attract businesses, create jobs and offer opportunities for improving skills and training to local people. As a result the Core Strategy treats the Trading Estate as a special case and allows B1(a) offices as an exception to the Spatial Strategy, in order to facilitate the comprehensive regeneration of the Estate as a whole and for this reason the LRCC1 and LRCC2 applications have been approved.
- 17.2 The principle of the current proposal already been established through the granting of the previous planning permission for LRCC2, which contained detailed drawings of the proposed building. It is considered that the applicant has gone some way in addressing the majority of the officer's concerns, as discussed in this report. As a result it is considered that the application should be supported, because of the economic and regeneration benefits that it can provide by initiating the comprehensive redevelopment of the Trading Estate.

PART C: RECOMMENDATION

18.0 **RECOMMENDATION**

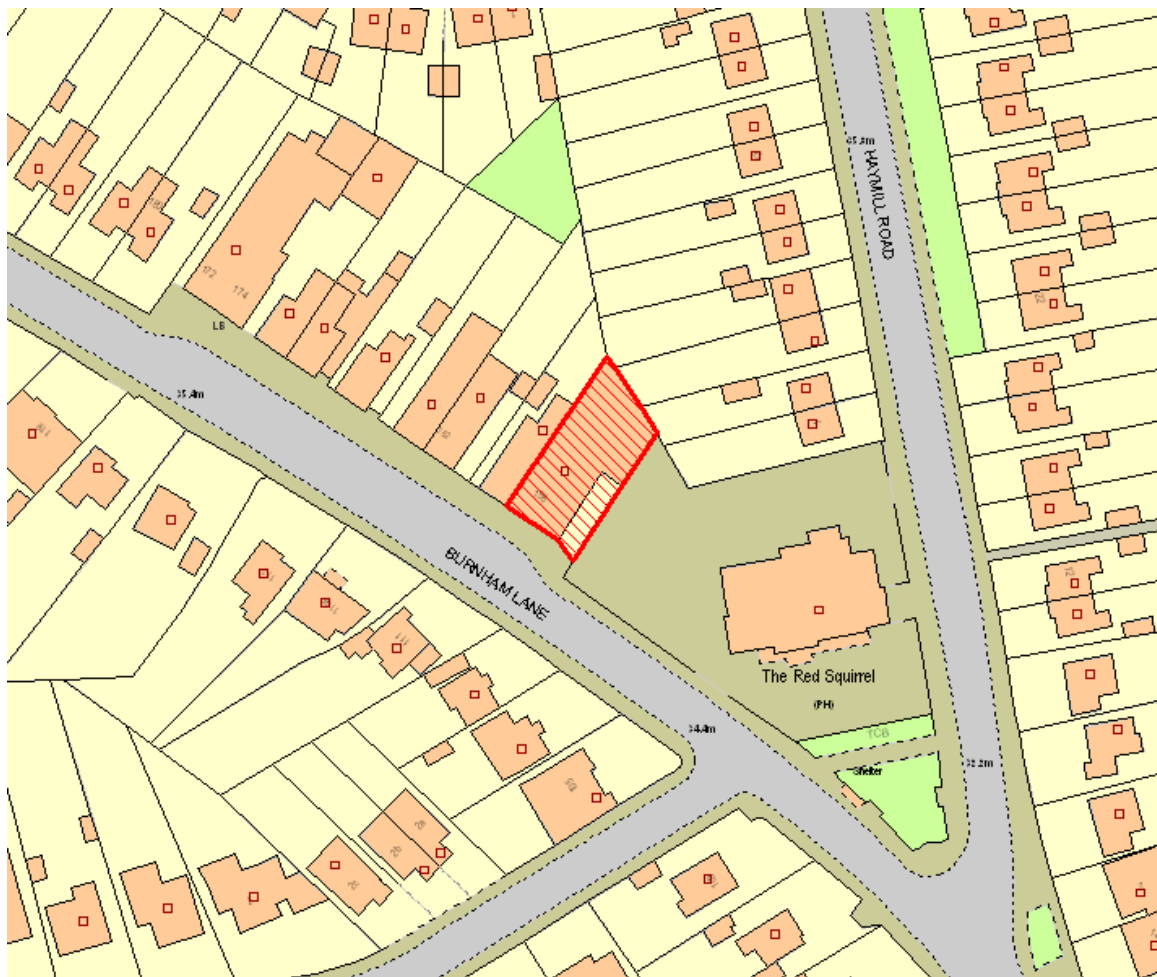
- 18.1 Delegate to the Head of Planning Policy and Projects for resolution of the outstanding matters relating to changes to the highway, finalising condition relating to drawings and final determination.

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

To be reported on the amendments sheets.

Registration Date:	18-Feb-2013	Applic. No:	P/04195/004
Officer:	Ann Mead	Ward:	Haymill
		Applic type:	
		13 week date:	
Applicant:	Mr. Barbar Sheikh		
Agent:	Mr. Abdul Wajid, AwArchitecture 12, Waverly Road, Slough, Berkshire, SL1 4XN		
Location:	158, Burnham Lane, Slough, SL1 6LE		
Proposal:	CHANGE OF USE FROM A1 (RETAIL) TO A5 (HOT FOOD TAKEAWAY).		

Recommendation: Approve, subject to conditions.



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Approve, subject to conditions.

1.2 This application is being reported to the Planning Committee at the request of Councillor Brooker on the following grounds:

- There are already 2 takeaways in the vicinity (fish and chips shop and Indian).
- Tesco's is another food shop that sells food that can be taken away.
- There will be severe parking problems as parking is already restricted.
- There will be an increase in the rubbish in the area and may encourage rats.
- There is a school close by the new takeaway increasing the risk of children's unhealthy eating habits and their road safety.
- There is a crossing and bus stops nearby and the new shop will increase the danger to people who use these facilities.

1.3 The application was also called to the Planning Committee at the request of Councillor Wright on the following grounds:

- Concentration issues: Proximity of other A5 outlets and Tesco's.
- Proximity of schools with 14 within a 1 mile radius.
- Loss of local amenity.
- Customer traffic generations/deliveries.
- Traffic congestion caused by Tesco and other A5 outlets generating highway safety issues.
- Limited parking space and lack of alternative parking.
- Increase in litter problems.
- Storage of waste products.
- Disturbance for local residents caused by opening hours, odours, discharge of fumes, noise level and general anti social behaviour.
- Attraction of unwanted youth gatherings in the evening hours.
- Public health side and Food Agency involvement.
- Increase in public and children's obesity with figures for Slough School Children over 50% (School Census 2011).

PART A: BACKGROUND

2.0 **Proposal**

2.1 This is a full planning application for the redevelopment of the application site to provide one unit measuring 128m² of A5 use and to retain one unit measuring 40 square metres of A1 use.

The application is accompanied by plans showing the site location, site layout, elevations and floor plans. The following is also submitted:

- Planning, Design and Access Statement including Ventilation and Extraction Statement.

2.2 The plans that have been submitted shows the A1 unit offered with no supporting facilities. The majority of the site is taken up by the proposed A5 unit, with the bin store provided next to the side delivery door and 3 cycle parking bays offered beneath the stairs leading to the first floor flat.

3.0 **Application Site**

3.1 The application site is situated on the northern side of Burnham Lane in a shopping parade as identified in the Local Plan for Slough 2004 under Policy S1. The existing use of the unit is A1 (Retail).

The application site borders the Tesco Express store to one side and the Wine Well to the other. To the rear of the site the boundary is tree lined with residential properties facing out into Haymill Road.

The application site has a parking bay to the front with a secure iron work gate to the side of the property measuring 2.8m in width. There is currently an estate agents sign advertising the property. The site has security shutters in place.

4.0 **Relevant Site History**

4.1 P/04195/000 – Erection of a concrete garage for storage. Approved with conditions on 23rd March 1976.

P/04195/001 – Erection of a single storey extension to existing warehouse/retail shop. Approved with conditions on 29th May 1984.

P/04915/002 – Sub division of existing A1 retail shop and workshop into one A1 retail shop and one A2 financial and professional services unit and alterations to flat to provide new staircase. (amended plans 24/05/1991). Approved with conditions on 25th June 1991.

P/04195/003 – Installation of new shop front. Approved with conditions on 18th March 1999.

5.0 **Neighbour Notification**

5.1 111, Burnham Lane, Slough, SL1 6LA, 121, Blumfield Crescent, Slough, SL1 6NN, 7, Haymill Road, Slough, SL1 6NB, 3, Haymill Road, Slough, SL1 6NB, 168, Burnham Lane, Slough, SL1 6LE, 113a, Burnham Lane, Slough, SL1 6LA, 1, Haymill Road, Slough, SL1 6NB, 108, Bowyer Drive, Slough, SL1 5EQ, 5, Haymill Road, Slough, SL1 6NB, 164, Burnham Lane, Slough, SL1 6LE, 97, Burnham Lane, Slough, SL1 6JY, 160, Burnham Lane, Slough, SL1 6LE, 132, Burnham Lane, Slough, SL1 6LY, 168, Derwent Drive, Slough, SL1 6HP, 109, Burnham Lane, Slough, SL1 6LA, 170, Burnham Lane, Slough, SL1 6LE, 172, Burnham Lane, Slough,

Berkshire, SL1 6LA, 160a, Burnham Lane, Slough, SL1 6LE, 168a, Burnham Lane, Slough, SL1 6LE, 162a, Burnham Lane, Slough, SL1 6LE, Pippin Grove JCK Ltd, 628 London Road, Slough, SL3 8QH were consulted on 28th February 2013.

5.2 Identical letters of objection have been received from nos: 164, 160, 162A, 172, 170, 168A, 160A, 168, stating their objections to the proposal on the following grounds:

- The lease expires on 26th March 2013 and they are not displaying the paperwork showing the intention of change of use so that locals are aware.
- The property has been painted with fixtures and fittings having started to be installed.
- With the property being split into two, the worry is that the other half will become a fast food takeaway at a later date, so a restriction as to what is allowed to be traded is needed.
- Traffic is a huge problem on the busy road with this parade of shops, as a school, Tesco's and train station are in close vicinity, so additional delivery vans, cars and mopeds would add to the situation.
- Highway safety should be a priority, with young families in the area. The shop is located on a blind corner when coming from the Tesco direction, as children tend to run ahead of their parents.
- Parking is a problem for the current shops, the existing lay by does not currently serve the shops and the residential flats and customers, with only 8 spaces at any one time.
- The existing trade for all the shops is suffering from the bollards and yellow lines in place. There are already 2 takeaways serving the local community, with the use of the unit allocated to A1 used for a trade with less frequent use.
- They propose sufficient parking for staff and customers and supplier delivery which they intend to use the side entrance. The shop as a small driveway which cannot facilitate the activities proposed. Cycle parking is proposed and 4 units use of the narrow driveway is not feasible.
- With it being a residential area, there is concern about smell and disturbance levels, with opening hours not in alliance with other units in the parade.

A further 5 letters and 3 e-mails have been received highlighting problems with expected deliveries, exaggerated parking problems, a potential litter problem, possible pollution, the risk of antisocial behaviour, the late closing time in a residential area, the unit listed as A1, what will it become eventually and affect the sleep of neighbouring residents through noise and disturbance.

6.0 **Consultation**

6.1 **Transport and Highways**

Transport and Highways were consulted on the 28th February 2013 and responded on the 27th March 2013 with the following comments:

This is a proposal to convert 125 square metres of 170 square metres of A1 shop unit into an A5 takeaway. The site is located on Burnham Lane in a small terrace of shop units. Parking spaces for customers are provided in the form of limited waiting (1 hour restriction) parking bays in a layby providing a facility for the terrace of shops. Staff parking is provided to the side, albeit that it obstructs the service access and fire exit, however the site can be considered to have a notional parking demand already for A1 use. Furthermore as the site is located in a shopping area there is no requirement to providing parking for A1 or A5 use.

The traffic generation of an A1 use compared to A5 use is likely to be relatively similar and therefore I do not see any significant increase in trips to the site.

The cycle parking proposed does not look up to standard and long secure long stay parking should be provided for staff use preferably in the form of a locker noting the limited natural surveillance of the proposed location.

Recommendation:

Subject to condition, I would raise no highway objection.

6.2 Thames Water

Recommend the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in leaflet 'Best Management Practices for Catering Establishments.'

Recommendation:

On the basis of the information provided we would not have any objection to the above planning application.

6.3 Neighbourhood Enforcement Team

Neighbourhood Enforcement Team were consulted on the 13th March 2013 and responded on the 10th April 2013 with the following comments:

Extractor System – The plans indicate that this system will terminate at first floor height approximately 5 metres from one of the windows to the domestic property above. No details have been provided regarding the specification for the extraction system. Please can you request the specification for the extraction system from the applicant? I am specifically interested in details as to any noise attention and also what

filters etc will be used to control the odour.

Deliveries – Times and days will need to be restricted so as to prevent noise disturbance to neighbours.

Operating Hours – I note that the applicants wish to remain open until midnight, this could have a detrimental impact on the residents above, from noise etc.

Waste Storage/Collection and Disposal – Can an informative be added regarding ensuring waste is correctly stored and regularly disposed of via appropriate means e.g. a commercial contract. Also can we add an informative regarding concern about litter from customers and ensuring adequate bins are provided for customers to use.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The application is considered alongside the following policies:

National Policy Guidance:
The National Planning Policy Framework

Adopted Local Plan for Slough 2004. Relevant Policies are S1 (Retail Hierarchy) EMP2 (Criteria for Business Developments) and T2 (Parking Restraint), EN1 (Standard of Design) and T8 (Cycling Network and Facilities).

Slough Local Development Framework, Core Strategy 2006 – 2026 Development Plan Document, December 2008. Relevant Policies are the overarching Core Policy 7 (Transport) and Core Policy 8 (Sustainability and the Environment).

7.2 Policy EMP2 (Criteria for Business Developments) states:
“Proposals for business developments will only be permitted if they comply with all of the following criteria:
a) the proposed building is of a high quality design and is of a use and scale that is appropriate to its location;
b) it does not significantly harm the physical or visual character of the surrounding area and there is no significant loss of amenities for the neighbouring land uses as a result of noise, the level of activity, overlooking, or overbearing appearance of the new building;
c) the proposed development can be accommodated upon the existing highway network without causing additional congestion or creating a road safety problem;
d) appropriate servicing and lorry parking is provided within the site;
e) appropriate contributions are made to the implementation of any off-site highway works that are required and towards other transport

improvements such as pedestrian and cycle facilities, that are needed in order to maintain accessibility to the development without increasing traffic congestion in the vicinity or in the transport corridors serving the site;

f) the proposal incorporates an appropriate landscaping scheme;

g) the proposal would not significantly reduce the variety and range of business premises;”

- 7.3 The main planning considerations are therefore considered to be:
- Impact of the proposal on the vitality and viability of the local shops
 - Impact on local amenity
 - Servicing and parking implications
 - Design and Appearance

8.0 **Impact of the Proposal on the Vitality and Viability of the Local Shops**

8.1 The applicant has stated that the flat, both shop units and the garage previously operating as ‘Wave’ are all empty since the applicant took over the lease. The preferred use of the other empty A1 shop is as a barber, but there is no interest to date.

8.2 The Local Plan for Slough identifies this row of shops along Burnham Lane as a local shopping parade providing essential day to day services to local communities in which they are located. The parade consists of 9 shops and to permit this use would have 3 shops in the A5 use class. There would be 5 units in A1 (Retail) use and the betting shop providing essential day to day services to local communities in which they are located.

8.3 The proposal provides an active use to the ground floor as opposed to unused at present, creating development that can grow and develop in its own right. The proposal will consist of 4 employees.

8.4 The other A1 use at ground floor level on the proposed plans would be left as a vacant unit with no facilities provided. However an internal fit out could be undertaken without the need for planning permission to meet the needs of a future occupier.

9.0 **Impact on Local Amenity**

9.1 The row of shops is surrounded by mainly residential dwellings. The impact of the proposal on local residents (particularly associated noise and odour implications) must be taken into consideration. Core Policy 8 of the Core Strategy requires that, all development in the Borough should:

- a) Be of high quality design that is practical, attractive, safe, accessible and adaptable;

- b) Respect its location and surroundings;
and should not:
- a) Give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting and noise;

Letters of objection have been received highlighting the potential for litter problems and possible pollution. The hours of operation for the proposed A5 unit were stated as 11am – midnight from Monday – Sunday and including Bank Holidays. The hours of operation will be conditioned as the Fish and Chip shop at No: 164 and Monihar Tandoori at No: 168 both have opening hours to 11pm with 10pm on Sundays and Bank Holidays. The application should be restricted to the same opening times to enable the existing uses to remain viable.

9.2 The application has been referred to a Neighbourhood Enforcement Officer who recommended that the delivery hours will need to be conditioned to prevent noise disturbance to neighbours and likewise for the hours of operation. The Neighbourhood Enforcement Officer was concerned that the plans indicate that the extractor system will terminate at first floor level approximately 5 metres from one of the windows to the domestic property above. I have requested a copy of the specification for the extract system and have forwarded it to the Neighbourhood Enforcement Officer who recommended that a noise assessment be carried out in accordance with BS4142. The assessment is necessary to provide details as to the current background levels and likelihood of complaints should this system be installed given the extremely close proximity of residents.

The Neighbourhood Enforcement Officer would like any waste produced to be stored and regularly disposed of via a commercial contract, to ensure that customer litter bins and waste do not attract vermin, or result in the immediate area engulfed in litter, complying with criteria contained in Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document.

10.0 **Servicing and Parking Implications**

Core Policy 7 (Transport) of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document requires that: *“All new development should reinforce the principles of the transport strategy as set out in the Council’s Local Transport Plan and Spatial Strategy, which seek to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel.*

Development proposals will, either individually or collectively, 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; and*
- *Improving air quality and reducing the impact of travel upon the environment, in particular climate change.*

Parking spaces for customers are provided in the form of limited waiting (1 hour restriction) parking bays in a layby providing a facility for the terrace of shops. Staff parking is provided to the side but this obstructs the service access and fire exit for the flat above. The site is considered to have notional parking demand already for A1 use, as with the site being situated within a shopping area there is no requirement to provide parking for the use. The Highway Engineer stated that the cycle parking proposed was inadequate in meeting the objectives of the Slough Integrated Transport Strategy, therefore a revised plan is expected shortly.

11.0 **Design and Appearance**

11.1 Policy EN1 of the adopted Local Plan states that development proposals are required to reflect a high standard of design and must be compatible with and/ or improve their surroundings in terms of scale, height, massing/ bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees; and relationship to watercourses. On the plans submitted the design of the take away is functional with the reception ordering area at the front of the premises, with the counter as a divide with food preparation behind the counter area and the kitchen, toilets and staff room across the rear of the premises. The delivery door is located on the flank wall, with the waste bins proposed next to it. The extractor fan is proposed on the flank wall elevation and will be set back 14.3m from the front elevation, therefore the impact on design and appearance of the premises will be minimal, and is considered acceptable for this application.

11.2 The fascia is completely blank at present therefore any signage associated with the takeaway business may need to apply for advertisement consent approval before installation takes place.

12.0 **Summary**

12.1 On the basis of the information provided it is considered that the proposals would not have a detrimental impact upon the character of the area or neighbouring amenity and the application should be approved subject to conditions.

PART C: RECOMMENDATION

13.0 **Recommendation**

Approve subject to conditions.

14.0 **PART D: LIST OF CONDITIONS AND INFORMATIVES**

14.1 **CONDITIONS**

1 Time limit

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 Plan

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 1305/PL/02 Dated 04/02/2013 Recd On 13/02/2013
- (b) Drawing No 1305/PL/03 Dated 04/02/2013 Recd On 13/02/2013

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 Hours of Opening

The use hereby permitted shall not be open to members of the public / customers outside the hours of 1100 hours to 2300 hours on Mondays to Fridays, 1100 hours to 2300 hours on Saturdays, and 1100 hours to 2200 hours on Sundays and Bank/Public Holidays.

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

4 Deliveries

No vehicles for delivery purposes may arrive, depart, be loaded or unloaded within the general site except between the hours of 08:00 and 18:00 Mondays to Fridays and 08:00 and 13:00 hours on Saturdays and at no time on Sundays or bank holidays, without the prior agreement in writing of the Local Planning Authority.

REASON To protect local residents from excessive noise disturbance.

5 Odour

The ventilation system should include a filtration system capable of neutralising odours. The filtration system should be installed, and at all

times, maintained and operated so as to prevent nuisance to neighbouring residents caused by cooking odours. Details of the ventilation and odour mitigation systems should be submitted to the local planning authority prior to any development taking place.

REASON To protect local residents from nuisance caused by odours.

6 Hours of Construction

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

REASON In the interests of the amenities of the area.

7 Noise During Operation

The noise from the extraction and ventilation system shall be so attenuated that noise generated by the operation of the equipment shall not increase the background noise levels during day time hours (07:00 - 23:00 hours) and night time hours (23:00 - 07:00 hours) at any nearby premises above that prevailing when the equipment is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:1997. Details of the BS 4142 report shall be submitted to and approved by the Local Planning Authority in writing prior to commencement of the development. Equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.

REASON To protect the occupants of the neighbouring properties from noise disturbance.

8 Filtration Equipment

Suitable ventilation and filtration equipment shall be installed to suppress and disperse fumes and odours created from cooking operations on the premises. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues. Details of the equipment shall be submitted to and approved by the Local Planning Authority in writing prior to commencement of the development. Equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.

REASON To ensure that unsatisfactory cooking odours outside the premises are minimised in the interests of the amenity of occupiers of nearby properties.

9 Storage and Collection of Waste

An adequate number of commercial waste storage receptacles must be provided to store all waste generated by the premises. These waste storage receptacles must remain situated within the boundary of 158 Burnham Lane, Slough. A commercial waste collection contractor must

be engaged to remove waste at regular intervals. A copy of the commercial waste collection contract must be supplied to the Neighbourhood Enforcement Team.

REASON To protect the amenities of occupiers of neighbouring residential properties and to prevent the uncontrolled storage and disposal of commercial waste.

10 Cycle Parking

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

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

INFORMATIVES

- 1.** Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. In line with best practice for the disposal of Fats, oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewerage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 0203 577 9963.
- 2.** Application forms to register a food business, as well as advice on assisting food business proprietors in meeting legal requirements can be obtained by contacting the Food and Safety Team on 01753 875255.
- 3.** The current approval does not confer planning permission for the modification, erection or display of advertising signage, which would be subject to a separate advertisement application.
- 4.** 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.
- 5.** The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.
- 6.** The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip

or any other device or apparatus for which a licence must be sought from the Highway Authority.

7. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.

8. 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:

National Policy Guidance:

The National Planning Policy Framework

Slough Local Development Framework, Core Strategy 2006 – 2026 Development Plan Document, December 2007. Relevant Policies are the overarching Core Policy 7 (Transport) and Core Policy 8 (Sustainability and the Environment).

Adopted Local Plan for Slough 2004. Relevant Policies are EMP2 (Criteria for Business Developments), EN1 (Standard of Design), T2 (Parking Restraint) and S1 (Retail Hierarchy).

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 875837.

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Registration Date:	29-Jan-2013	Applic. No:	P/02523/011
Officer:	Mr Smyth	Ward:	Foxborough
		Applic type:	
		13 week date:	
Applicant:	Mr. Waqas Choudhery, Dawat-e-Islami		
Agent:			
Location:	27, Cheviot Road, Slough, SL3 8LA		
Proposal:	CHANGE OF USE FROM LICENSED MEMBERS SOCIAL CLUB (SUI GENERIS) TO ISLAMIC COMMUNITY AND TEACHING CENTRE AND PLACE OF WORSHIP (CLASS DI) AND RETENTION OF SECOND FLOOR FLAT (CLASS C3)		

Recommendation: Delegate to the Head of Planning Policy and Projects



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant Policies below and the additional information provided by the applicant, officers are of the view that the development can be considered to be acceptable subject to adequate controls being retained over parking and traffic.

1.2 Delegate the application to the Head of Planning Policy and Projects for completion of a Section Planning Obligation Agreement, finalising conditions and final determination.

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

- The planning application submitted on 25th September 2012 by Dawat-e-Islami charitable organisation is to convert the former Langley Village Club into an Islamic Community & Teaching Centre through change of use to class D1, however the planning application on the SBC website claims this is a change of use from licensed members club to Islamic community centre and place of worship. The floor plans include the conversion of the 1st floor into a dedicated prayer hall as a mosque rather than as a teaching and community centre.
- The objections from local residents in Cheviot Road, Mendip Close, Quantock Close and Grampian Way are that there are only 35 parking spaces available in the Langley Village Club site therefore where will the additional car parking be available during weekday evenings and weekends when local residents are at home with their cars parked out in the surrounding streets?
- Residents fear serious traffic congestion in Cheviot Road and surrounding roads which could occur when religious festivals such as Eid take place at the proposed place of worship.
- Friday lunchtime prayers will take place at the same time as patient appointments at the adjacent Langley Medical Centre and also parents collecting their children from the morning session and dropping off their children off for the afternoon session at the Sure Start Centre and reception classes at Foxborough Primary School which is also adjacent to the proposed site in Common Road. These prayer times between 1-2 pm on Fridays could also cause traffic congestion in the surrounding area
- The applicant's travel plans do not mention the possibility of worshippers attending from outside of Slough potentially from the West London and Thames Valley areas for Friday prayers and major religious festivals.
- Local residents would wish to see temporary parking controls in place during major religious events.
- Concerned about what feasible alternatives are in place if neither of the car parks (Harvey Park & Parlaunt Road) being proposed are not available for use

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 An application was previously submitted for a *change of use from licensed members social club to Islamic Community and Teaching Centre*. The further supporting information that accompanied that application stated the planned activities to include:
- Children’s education classes
 - Ladies study circle, probably twice weekly
 - Adult Study Classes and Tuition
 - Language courses: English, Arabic, Urdu
 - Counselling & advice as required for community members eg on issues of drugs, domestic, marital, family etc.
 - Education for special needs and disabled members of the community.
- 2.2 Upon reviewing the submitted plans it was apparent, at the time, that the first floor was being proposed as a prayer hall. In light of this, the description of the proposal was changed to: *Change of Use from Licensed Members Social Club (Sui Generis) to Islamic Community and Teaching Centre and Place of Worship (Class D1)*. That application has since been withdrawn.
- 2.3 The current application is a resubmission following the previous withdrawal. Notwithstanding the previous issue raised in terms of the description of the proposal as included on the planning application form, this remains as it was previously ie. “*Change of Use from Licensed Members Social Club to Islamic Community and Teaching Centre*”. No changes have been made to the proposed floor plans, which include: on the ground floor, the accommodation will comprise 2 no. classrooms, reception, committee room, entrance hall with reception toilets and store. At first floor the accommodation will comprise prayers hall, toilets, kitchen and stairs. There is no change to the second floor two bedroom flat, which is accessed via the clubhouse and is to be retained for a caretaker or project manager. As there has been no change to the floor plans this planning application has been registered as a ***Change of Use from Licensed Members Social Club (Sui Generis) to Islamic Community and Teaching Centre and Place of Worship (Class D1) and Retention of Second Floor Residential Flat***. The applicant has not challenged the Council’s revised description.
- 2.4 Also as with the previous application, the total gross internal floorspace is shown as 305 sq m. However, it has been established that this is the footprint and not the total internal floorspace, which excluding the second floor flat equates to 610 sq m. The dimensions of the building have been verified by reference to the original planning permission.
- 2.5 There is an existing on site car parking for 35 no. cars.
- 2.6 Additional information has been provided in support of the application, which builds upon the statement as submitted in support of the previous application and seeks to address a number of issues that arose during the life of that application. The statement sets out more information about Dawat-e-Islami as an organisation and use of the building as a Teaching and Community Centre, including information on classes, class sizes and operating hours, and for which it is stated that the existing car park would be more than adequate. Most classes will start after 6.30pm after the health centre and school have closed.

2.7 With respect to Friday prayers and on the 2 no. special days, the applicants acknowledged that additional people will be use the facility and in the event that the car park becomes full, worshippers will be directed by stewards to the nearby car parks in Harvey Park and in Parlaunt Road. A minibus shuttle service will be available to provide transport for worshippers travelling between the centre and the car parks.

2.8 The applicants have submitted a transport statement/travel plan. The travel plan sets out the site's characteristics, the main objectives of the travel plan, the travel plan strategy, the roles and responsibilities of the travel plan coordinator including management support, monitoring and reporting and action plan details. An organisational plan is also attached.

3.0 **Application Site**

3.1 The site comprises a two storey social club with a residential flat within the roof space. The site is served by its own car park which provides car parking for up to 35 no. cars. The building contains some full height windows although most windows are high level, designed to minimise noise outbreak.

3.2 Adjoining the site to the north east is the Langley Health Centre and car park. To the south of the host property is a four storey block of flats, beyond which is Foxborough Primary School. To the south and west of the site is two storey terraced housing. Currently, there are no on- street parking restrictions in place within the vicinity of the site.

4.0 **Site History**

4.1 There is an extensive planning history for this site, but the relevant site history is set out below.

P/02523/008, Demolition of existing buildings and erection of two and four storey buildings to provide 30 flats, 11 houses and a new village club house (including stewards flat) (amended plans dated 27/05/02, , 12/07/02, 30/08/02). Approved 20-Jun-2003

P/02523/009, Installation of 2 smokers shelter canopies and a brick pillar to create additional front entrance door. Approved 17-Oct-2007

The social club was constructed following a grant of planning permission in 2003 for demolition of existing buildings and erection of two and four storey buildings to provide 30 flats, 11 houses and a new village club house. Formerly the wider site contained a larger single storey village club, car park and 2 no. large Council owned houses.

4.2 A previous application reference P/02523/011 was submitted for a similar use, but was withdrawn by the applicants, following an indication from Planning Officers that the application was to be recommended for refusal and before it was due to be heard at Planning Committee.

5.0 **Neighbour Notification**

5.1 Langley Health Centre,
Headteacher, Foxborough Primary School
1 – 12, 14 – 17 Sir Robert Mews
2 – 12, 14 – 30 (even nos) Cheviot Road
19, 49 Cheviot Road

10 – 16 & 25 – 38 Mendip Close
27 – 35 Quantock Close
1 – 5 Yiewsley Terrace

Letters of Objection have been received from 10, 12, 33, 36 Mendip Close, 14 Cheviot Road, 36 Seacourt Road, Governing Body of Foxborough Primary School. The main reasons for objecting are summarised below and are similar in nature to those raised previously in respect of the earlier application:

- Cheviot Road is very busy for parking due to Langley health centre being next door and for which parking commences at around 7.30 am and lasts through to early evening, with parking spilling over onto Cheviot Road itself, Mendip close and the club itself. This situation is aggravated by parking for Foxborough primary school.
- Cheviot Road is the only road into and out of the Foxborough estate and constantly busy
- A change of use to mosque will generate much more traffic than the club did.
- What provisions are there to prevent parking from the proposed mosque spilling over onto neighbouring roads, particularly on Islamic holy days and on prayer day each Friday
- Increased noise and disturbance and in particular external noise from the car park and its users, impacting on the outdoor learning experiences of pupils at Foxbrough School and Islamic calls for prayer which could involve the use of external speakers.
- Users may be asked to walk but in reality most will drive.
- Use of the car parks in Harvey Park and Parlaunt Road will force shoppers to park in surrounding residential streets.
- The occupier of 36 Seacourt Road works in Chalvey and has first hand knowledge of the parking issues that occur in surrounding roads near to the Islamic Centre.

Late consultation letter sent to the Site Controllers Bungalow at Foxborough School. The 21 day consultation period expires on 23rd April 2013 and any comments received will be reported on the Amendment Sheet.

5.2 A petition has been received containing 11 no. signatures from 5 no. separate addresses. In addition to the points set out above, the following additional comments are made:

- The average number of people attending Friday prayers in a mosque or place of worship is 421 whilst Eid stands at 613 according to research conducted by the Charity Commission.
- Another dimension is that a Muslim is required to pray 5 times a day with most prayer times falling in the day time during activity hours when most people need to go in and out of the neighbourhood
- The Transport Plan is flawed. How will the travel plan be monitored and enforced in future years when the numbers will have certainly grown. The issue is not simply about congestion caused by cars but also by the numbers of people attending.

One letter of support has been received from the occupiers of 1 Yiewsley Terrace. A further e mail in support has also been received but which is not identified by address.

5.2 A petition has been received from objectors to the proposal. The objection relates to traffic congestion and parking. The petition contains 659 signatures. This is in addition to the petition which was submitted in respect of the previous planning application which contained 255 signatures opposing the application.

The previous petition comprised 200 no. standard letters of objection which have been signed on an individual basis. On the reverse side of most of these sheets, but not all, were minutes of a meeting held by the Foxborough Tenants and Residents Association, held on 8th September 2012, to discuss three alternative uses for the Langley Club based upon the bids received. Being a standard letter, the reasons for objecting are common to all petitioners, that being on grounds of traffic and parking:

“that we are already virtually up to capacity with parking and that there are potential hazards in a number of places: the doctors surgery is open all day, queues beginning form at 0.7.30; the local primary school, just 100 metres from the surgery, has access problems; the school has special needs classes, whose pupils arrive and leave at different times between 08.45 and 16.30; the redwood House ambulance needs constant access; Cheviot Road, Mendip Close, Common Road, Eden Close, Quantock Close, Sir Roberts mews, Humber way, Raymond Road and Tamar way are frequently at capacity with parked cars and heavy congestion; large vehicles, waste-disposal lorries, coaches etc etc already frequently bring the area to a near standstill; as most of the garage sites have been – or are going to be- demolished, more and more cars and vans have been parked on the highway, with the result that you take your life in your hands when crossing the road; there is only one exit to the estate and even if a second was created, it would not solve congestion at the top of Cheviot road, a problem highlighted by Fiona Mactaggart, our member of Parliament.

It must be emphasised that this is in no way anti-Islam, but merely opposition to a potential parking problem in an area and on an estate which is creaking at the seams”

In addition a further 55 no. signatures were collected, with a general objection to the proposal, but without any detailed reasons given. When collecting signatures information was also gathered relating to car ownership. This revealed that the 255 signatories owned a total of 91 no. cars.

5.3 A new petition in support of the proposals has not been submitted in respect of the current application, but a petition, in support of the proposals, containing 402 signatures, was submitted in respect of the previous application. The basis for the petition was as follows:

“We the undersigned request the Council to give permission to open an Islamic Community Centre in Langley. We require this for our community events and for our children on weekends. We believe 27 Cheviot Road SL3 9LA is a suitable building for a community centre with ample parking, there is no such facility in Langley currently and we ask the Council to allow us to use this building for our community use”.

A second petition/undertaking containing 251 no. signatures from 103 no. separate addresses was also submitted in relation to the previous application. It was determined at that time that 39 (35%) of those addresses listed duplicated addresses in the first petition. That undertaking set out the following:

“We the undersigned residents of Foxborough Ward (Slough Borough Council) give formal undertaking to the Planning Committee with regards to a potential car parking issue by changing the premises from D2 to D1 usage, that we shall walk to and from the Islamic community and teaching centre of Dawateislami located at 27 Cheviot Road Slough SL3 8LA and will promote this practice accordingly”.

A new undertaking has not been submitted to support the current application, but with the applicants seeking to rely on a copy of the undertaking to walk which was submitted in support of the previous application.

6.0

Consultation

6.1

Transport & highways

Following the submission of further information in respect of the previous application, the transport and highways engineers revised their comments to read as follows:

Further information has been supplied by the applicant in terms of the size of the development and the proposed use of the hall and the comments provide an updated recommendation of the proposed development.

Development Proposal

The applicant states that the building will be used:

- mainly on evenings and weekends;*
- community activities and classes will be held in the evenings and weekends after both the school and health centre will be closed;*
- Friday prayers will be between 13.00-14.00 – this will not coincide with school traffic*
- facility for local people who live in Langley (Foxborough ward) meaning that these people will not have to travel to other facilities elsewhere in the Borough*
- the applicant assumes that 90% of people will walk to the site for Friday prayers as the catchment area for the Centre will be Langley*
- Maximum number of people expected is 300 on special occasion days. Please note this is the maximum and this number of people will only attend the building a few times a year.*
- The building will mainly be used for education classes for adults and children which will start after 4.30pm. There will be a few classes in the evening, each class will consist of 15-20 people. There will be 50-60 people in the building at any one time during the week. On weekends there will be about 60-100 people in the building in the evenings.*

Assessment Against Local Plan Parking Standards

D1 places of worship require 1 space per 10m² for car parking provision, so against the gross floor area the development requires 61 spaces. However if one looks specifically at the use of each part of the building a case could be made that the hall which measures 217m², would require 22 parking spaces under the adopted parking standards. The ground floor facilities should be considered under D1 Further Education, which requires 1 space per member of staff, plus 1 space per 3 non-teaching staff, plus 1 space per 3 students. Therefore against current parking standards for this use class the level of provision meets the standards. Although the planning case officer has advised that it would be very difficult to prevent the ground floor of the building being used for prayers as well and therefore a greater proportion of the building should be considered under the standard of 1space per 10m². In the case of this particular development, one does need to make sure that the level of parking provision can accommodate the

development peaks and that if parking cannot be accommodated within the site car park then there should be facilities that provide parking without saturating the local residential streets.

Parking Concerns During Peak Periods

Following the submission of further information in relation to this application and complaints about the operation of the recently opened Islamic Centre at Westward House on Montrose Avenue, which have been made since I made my original comments, I am concerned that my initial comments may have overlooked a genuine concern that there is likely to be a shortage of parking. At the Westward House site the Council has received complaints that the area of the building being used as a prayer hall is larger than what was given permission for and as a result the building is generating a higher number of trips and greater parking demand. Whilst the applicant has re-iterated that the catchment area for the Centre is Langley, this will not stop people travelling to the site by the car. If people are travelling from work to the prayer hall on a Friday there are only a limited number of employment establishments within a short walk distance of the site; therefore the suggestion of 90 percent of centre users arriving by foot is considered unrealistic.

Another element of local concern is that there is already high demand for parking within the immediate vicinity of the site, with the patients from the adjacent Health Centre capitalizing on the empty Social Club car park and on my site visit at 10.00 on 12/12/12 the Social club car park was close to capacity. Patients are also parking in the vicinity of the health centre / social club on-street. I would suspect that any future occupier of the Social Club would seek to prevent patients from parking in their car park if it was affecting their operation. Therefore the streets around the centre will become much busier in parking terms than the existing situation now. Whilst the health centre parking issues are not a material consideration within this application I think one does need to take account of the impact of periods of high parking demand on local residents.

Consistency of Assessment in terms of Parking with other Sites

In terms of considering this application one does need to consider how other recent applications have been assessed. The most recent similar sites that have received consent are Islamic Centres at :

- 68-72 Ragstone Road – 783m² with 34 parking spaces – 1 space per 23m² - extension to site was agreed at appeal
- Westward House, 39 Montrose Avenue – 932m² with 49 car parking spaces (311m² for prayer hall) – 1 space per 19m²
- 339-345 Bath Road – 574m² with 24 car parking spaces (1 space per 24m²)
- proposed development - 610m² with 35 car parking spaces (1 space per 17m²)

Proximity to Places of Work

- Montrose Avenue - close proximity to the Slough Trading Estate, Perth Trading Estate and the businesses and shops on Farnham Road;
- 339-345 Bath Road close proximity to businesses and workplaces on the Slough Trading Estate, Bath Road Retail Park and Bath Road frontages
- Ragstone Road is within 520m of edge of Slough town centre and serves the Chalvey ward which contains a busy secondary shopping area and a number of small businesses
- proposed development is 950m from Hurricane Court development, the Harrow Centre in Langley 1.15km and Sutton lane development is 1.8km away

Proximity to Public Car Parks (Public and Private)

Whilst this was not a consideration when the other sites were considered, following their implementation it has become apparent that overspill parking does occur at public car parks in the vicinity of these sites:

- Montrose Avenue – opposite Sainsburys car park on Farnham Road;*
- 339-345 Bath Road is opposite the Bath Road Retail Park car park;*
- Ragstone Road site – 400m to Jubilee River public car park, 850m from Herschel multi-storey car park*
- proposed site – the nearest public car parks is on Parlaunt Road 580m, 840m from Langley leisure Centre car park, and there is a Leisure Services car park at Harvey Memorial Park 440m from the site which is only operational at the weekend – use outside of this time would be subject to an agreement with SBC Leisure Services;*

In terms of consistency with other applications, in terms of parking provision provided specifically for the development it has a similar number. In respect of proximity to work places there are no obvious large employers within 800m of the site (a 10 minute walk). In terms of additional car parks there are no public car parks within 400m (5 minute walk). There are some clear differences with this site to the other three sites.

Travel Plan Measures

It is unlikely that travel plan measures on their own would be sufficient to encourage 90 percent of worshippers to travel to the site by non car means as suggested by the applicant. As no travel plan has been submitted it is difficult to be sure if any measures are to be proposed, but it would appear unlikely. The most effective measures would be to prevent worshippers from parking on-street, but this would have impacts on local residents as well and they would have to accept the implementation of a residents parking zone. This would cause some inconvenience to local residents as they would have to purchase permits to park on-street, compared to no charge now, also it would mean that their visitors would have to pay in future. The costs of implementing a scheme would be relatively high (which would be funded by the applicant through a S106 agreement) and the enforcement costs for the Council would also be high, which would not be covered by a S106 contribution. A residents parking scheme could only be implemented following public consultation and there is no guarantee that the scheme would be accepted by local residents.

Summary and Recommendation

Taking account of the further submitted information and reflecting on our approach at other sites I do not believe that the applicant has made the case for this development and whilst it is consistent with the Parking Standards assuming the hall is only 217m², a case could be made that the development should be providing a larger number of spaces. Information has not been submitted to date that supports the claim that 90 percent of worshippers will arrive on foot and therefore unless this claim backed up I think it is reasonable to assume that a greater proportion of worshippers will come by car. If 90 percent are not going to arrive on foot where will those who are driving going to park if the car park capacity is exceeded. Therefore I think the applicant should be given a final chance to provide further information, if this is not forthcoming or not sufficiently robust to defend the 90 percent mode share claim then the application should be refused as it does not contain sufficient information for the Local Highway Authority to determine the impacts of the proposed development on the safety and operation of the public highway and the wider transportation network. Therefore the proposed development is contrary to Slough Borough Council's

6.2 **Neighbourhood Protection**

Neighbourhood Protection were not consulted in relation to the current application, but commented on the previous application that there were no objections to the proposed change of use from Club to Islamic Centre and that no complaints about noise were received when the building was used as a club.

6.3 **Licensing**

Under the terms of the current licence, the maximum capacity for the premises is 300 people. This is the maximum for the whole of the premises.

In addition there is an additional condition that states that 'Seats are available to accommodate 95% of the maximum capacity of the premises

6.4 **Thames Valley Police**

Late consultation sent. Any comments received will be reported on the Amendment Sheet.

6.5 **Building Control**

Guidance in the current building regulations for "Places of Assembly" would permit 1 person per 0.5 sq metre, standing. However, this figure can be distorted by a number of factors including means of escape, width of fire exits etc. The owners would be required to prepare a fire risk assessment, although this in itself would not fix a maximum number of persons.

Prior to the use commencing the applicants would need to obtain building regulations approval, which would include consideration of occupation levels.

6.6 **Parks Manager**

The Parks Manager has been approached by the applicant to determine the feasibility of the Harvey Park car park being leased by Dawateislami leasing the car park for use in connection with the centre for specific use during Friday prayers and on the two special days. This proposal is under consideration and discussions have taken place with the police. The outcome of those discussions is that the car park is to remain closed for general public use, this means that on week days it would be feasible to licence the car park to a specific group. However, this would be subject to the necessary legal checks and a decision by the Council that this would be supported.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

National Planning Policy Framework (NPPF)
Core Policies 7, 8 and 11 of the Slough Local Development Framework, Core Strategy (2006 – 2026) Development Plan Document December 2008
Policies EN1 and T2 of the adopted local plan for Slough 2004.

7.1 The proposal is assessed in relation to:

- Principle of the change of use
- Impact on neighbouring uses/occupiers
- Traffic and Parking

8.0 **Principle of the Change of Use**

8.1 The overarching Core Planning principles of the NPPF requires that planning *should always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings* (Paragraph 17). Paragraph 70 further states that: *To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should...plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.....and ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.*

Core Policy 11 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 states that: *The development of new facilities which serve the recognised diverse needs of local communities will be encouraged. All development should be easily accessible to all and everyone should have the same opportunities.*

8.1 The principle of using the building as *an Islamic Community and Teaching Centre and Place of Worship* is supported in planning terms as it would be an appropriate alternative use for the building and would serve as a local Islamic community facility and place of worship for the Langley area. However, concerns are expressed about the potential for traffic congestion and parking overspill onto surrounding residential streets as set out in the report below.

8.2 No objections are raised to the principle of the change of use in relation to paragraphs 17 and 70 of the NPPF nor Core Policy 11 of of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008, subject to the resolution of traffic and parking issues which are discussed in the report below.

9.0 **Impact on Neighbouring Uses/Occupiers**

9.1 The overarching Core Planning principles of the NPPF requires that planning *should always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings* (Paragraph 17). Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 states that: *All development will respect its location and surroundings.* Policy EN1 of the Adopted Local plan for Slough states: *development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of relationship to nearby properties.*

9.2 The potential impacts identified relate to noise and disturbance. Significant noise outbreak from the building is considered to be unlikely given that it's most recent use was as a social club and as part of the original planning permission details of noise attenuation measures were required through planning condition. Notwithstanding this, a condition could be imposed requiring that there should be no increase in the ambient background noise when measured at the nearest noise sensitive boundary when the building is in use. Further, a limit on the total number of persons permitted to occupy the building at any one time can be limited through a S106 Agreement, for which more detail is set out in the report below.

External noise could occur as a result of people congregating in the car park, particularly late at night. However it is not proposed to change the current operating hours which are: 6.00 am to 23.00 pm daily. The Neighbourhood Protection Section has confirmed that no complaints about noise have been received whilst the building has operated as a social club. Another potential source of external noise could be through the use of external tannoys/loudspeakers. However, the applicant has confirmed that external tannoys/speakers will not be used and in any event, this can be regulated through the imposition of planning conditions.

9.3 No objections are raised on grounds of adverse impact on neighbouring uses/occupiers in relation to Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 nor Policy EN1 of the Adopted Local plan for Slough 2004 on the basis that, conditions can be imposed covering noise breakout, operating hours and a restriction on the use of external tannoy systems or loudspeakers. In addition maximum occupancy can be controlled through a section 106 Agreement.

10.0 **Traffic and Parking**

10.1 There are a total of 35 no. parking spaces available to serve the existing building. From the site visit it would appear that whilst the building is currently unoccupied, the car park is being used informally by visitors to the neighbouring health centre. The site visit was made on a Wednesday at 11.30 am and there were a total of 14 no. cars in the car park. In addition the adjacent health centre car park was almost full and there were additional cars parked on street. The existing use of the building is sui generis and with the absence of a specific car parking standard, this was previously assessed on its individual merits. The current proposal falls into Class D1, albeit there are varying parking standards within that use class depending on the actual use.

10.2 The approved parking standard for a place of worship is 1 space per 10 sq metres. On the basis of the submitted layout, only the first floor is proposed as a prayer hall. Taking the net floor area ie excluding circulation areas, toilet areas and kitchen, the total floor area is 215 sq m. requiring 22 no. car parking spaces and leaving a balance of 13 no. spaces to serve the ground floor which comprises 2 no. classrooms, reception and Committee room.

10.3 Assessing the planning application strictly on the basis of how it is proposed to be used and in accordance with the Council's approved car parking standards, it could be argued that a total of 35 car parking spaces would be sufficient, to support the use. However, drawing on local experience from other similar places of worship in Slough, where there are problems with parking spilling over onto neighbouring roads, it is considered that a total of 35 no. car parking spaces may prove to be inadequate. The applicant has advised that on special days, of which there are 2 no. in each calendar year, the maximum number of people attending would not exceed 300 people. The further issue is that both places of worship and community/education centres fall within the same D1 Use Class and which are interchangeable without the need for further planning permission, unless controlled through the imposition of a planning condition, but which would prove difficult to enforce against in practice.

10.4 Assuming a worst case scenario, in practice both ground and first floors, which would provide a total combined floorspace (excluding kitchens toilets and general

circulation areas) of 443 sq metres which could potentially be used for purposes of worship, as indeed may be necessary on special days to accommodate the maximum numbers of people anticipated. There is also the potential for marquees to be erected on the site to accommodate additional persons, on special days or at other times when larger numbers of people are anticipated and which being temporary structures would not need specific planning permission unless controlled by planning condition. In their previous application the applicants, advised that 90% of persons will walk to the centre and would be drawn primarily from the Langley/Foxborough area, although the basis for this figure is not known.

10.5 As stated in paragraph 5.3 above, an undertaking to walk, signed by a number of supporters, was received in respect of the previous application and which has been re-submitted in respect of the current proposal. Some analysis as to the location and distribution of the addresses of the signatories was undertaken at the time of the previous application and which is set out below.

Officers have carried out some analysis based upon the distribution of addresses given on the petition and cross referencing this information to guidance on suggested walking distances as provided in document “providing for journeys on foot”, published by the Institution of Highways and Transportation in 2000. The Council’s Highways and Transport Consultant advises that this document has been used quite widely in planning appeals.

Table 3.2 below is taken from this document.

Suggested Acceptable Walking Distances

	Town Centres (m)	Commuting/ School Sight – seeing (m)	Elsewhere (m)
Desirable	200	500	400
Acceptable	400	1000	800
Preferred Max	800	2000	1200

The Council’s Highway and transport engineer is of the view that anybody living within 400m (0.25 mile) of the facility will walk. Given that the prayers occur during the middle of the day when many will be at work or school then I think we can quite reasonably assume that a lower percentage of people will walk as the journey time increases. The Transport and Highways engineer suggests that:

- 75% of people who live within 800m will walk
- 50% of those who live within 1200m will walk
- 25% of those who live greater than 1200m will walk

The table below provides a snap shot of the petition in support of the proposal. It includes most but not all addresses provided, as not all of the addresses could be identified.

Of the total number of addresses identified from the petition, the following information can be deduced:

- 47 addresses from within 9 identified streets are within the recommended desired 400 m distance/ 5 minute walk or less from the proposal property.

100% of persons living within this zone would walk.

- 23 addresses within 4 identified streets are within the recommended acceptable 800m distance/ 10 minutes walk of the proposal property. 75% of persons living within this zone may walk*
- 11 addresses within 8 identified streets are within the recommended maximum 1200m distance/ 10 minutes walk of the proposal property. 50% of persons living within this zone may walk*
- 97 addresses within 50 identified streets are located beyond the recommended walking distance of 1200m from the proposal property. 25% of persons living more than 1200m from the proposal property may walk.*

On the basis of the above information provided by the petition, it is estimated from the various locations of the addresses given that approximately 52% of people may walk to the proposal property and 48% would drive or use other modes of travel. It is assumed that as the petition does extend to those areas identified in the table below, that it is expected that persons will travel from those areas to use the facility. The applicant has advised that on holy days the maximum number of people attending prayers would be 300 no. It is not clear how many people would be expected to attend on regular prayer days held during the day time on a Friday. However, assuming the worst case scenario of 300 persons, then based upon the analysis as set out above, there is the potential for up to approximately 144 no. persons to travel by car to the facility. The existing car park can only accommodate 35 no. parked cars.

- 10.6 The applicant has responded to this analysis with a more detailed breakdown of the persons who have signed the undertaking and which has been used in their response to queries raised by officers. Taking into account that a number of the signatories were female and would not attend the facility for prayers and given that there are several signatures from each property, the applicant has proposed a different scenario:

We also submitted another undertaking to the council with the current application which states that people will walk to the proposed centre. Please find attached analysis (2) which shows that there are at least 128 females who signed the undertaking. Please note these females will not attend Friday prayers and special occasion days. These females have been included in the above figures which is not realistic. So if we take these 128 females out of the undertaking, we are left with only 142 people who should be included in the undertaking.

Looking closely at the undertaking it can be seen that it has been signed from only 106 households. We believe the above percentages should be calculated on the number of households not the number of people as most definitely people from the same household will come in the same car and not bring one car each.

*Analysis (2) of the undertaking signed by 270 people shows:
33 households are within a five minute walk or 400 metres so 100% will walk
39 households are within 0.5 miles or a 10 minute walk. 75% of these will walk, so 30 households will walk and 9 will come by car.
12 households are with 1200 metres. 50% of these will walk, so 6 households will walk and 6 will come by car
22 households are above 1200 metres away 25% of these will walk, so 6*

households will walk and 16 households will come by car

This shows that a total of 31 cars will come to the centre

The existing car park can accommodate 35 cars, Also mentioned in the travel plan submitted we will encourage car sharing. The undertaking signed was from less than 50 roads. This shows that the people who signed the undertaking live close by and it will be convenient for them to share cars with their neighbours and other people who live close by. We will share details of people who live close to each other to encourage them to travel together.

- 10.5 What is clear is that an analysis of statistical data alone is unlikely to provide a clear picture of what may occur on the ground. Local experience would seem to suggest that such facilities can and do result in traffic congestion and parking overspill onto surrounding roads. Without there being adequate controls in place, Officers have concerns about the adequacy of existing car parking and the implications for traffic congestion and parking overspill, particularly as the local planning authority would have little or no control over an intensification of the use from combined education and community centre and place of worship to a place of worship only, with its obvious implications for visitor numbers, traffic and parking.
- 10.6 The way forward is seen as robust travel plan supported by the introduction of a residents controlled parking scheme. Whilst the applicant has submitted a travel plan, this has been evaluated by the Council's transport advisers and a number of suggestions have been made to improve its robustness. The Council's transport advisers are currently working with the applicants to secure a robust and sustainable travel plan.
The working draft is attached in Appendix 1.
- 10.7 However, for such a travel plan to be effective, it is essential that the targets are set out in that travel plan. The targets will be met by implementing the detailed measures set out in the travel plan. To determine whether or not these targets are being met will necessitate an independent survey being undertaken, which would be funded by the applicant and there would be regular meetings with the Council around the time of reporting. The applicant would be required to pay a travel plan monitoring fee to the Council as is the normal practice in respect of travel plans. Should a situation develop whereby the targets are consistently not being met, then the Council must retain the power to ensure that the use shall cease, by seeking an injunction from the courts. However, this must be a last result in the event that negotiations completely break down. This would need to be achieved through a bilateral s106 Agreement.
- 10.8 Hand in hand with this measure, it is proposed that the Council seek a financial contribution to fund changes to the Road Traffic Order, to allow the introduction of a resident's only parking scheme. The financial contribution to cover the costs of consulting with residents on the scheme and the administrative charges, together with the physical measures associated with the marking out of the bays on street and signage. In the event that the local residents do not vote in favour of a resident's only parking scheme that the money be used to implement other measures which are as yet to be determined. Payment of the financial contribution would also form an obligation in the S106 Agreement.
- 10.9 It is further proposed that the S106 Agreement contains a clause which would restrict the total number of persons occupying the building to not more than 300

at any one time and that prayers be restricted to the first floor of the building only. In the event that this maximum number is being consistently exceeded that the applicant would be required to submit a fresh planning application or seek a variation to the S106 Agreement to vary the total number. Failure to do either could result in the use having to cease, for which the Council could seek an injunction from the courts.

10.10 The Heads of Terms for a Section 106 are as follows:

- Prior to the use commencing the applicant shall pay the sum of £20,000 to the Council to cover the cost of implementing a change to the Road Traffic Order to allow the introduction of a resident's only parking scheme in the local area. The contribution would cover the consultation, administrative and implementation costs associated with scheme. In the event that the residents vote against the introduction of a resident's only parking scheme that the money be spent on other parking related measures, which are to be defined.
- To meet the targets set out in the travel plan which will be incorporated into the S106 Agreement. Should a situation develop whereby the targets are consistently not being met, then the use shall cease, until such time as a way forward can be agreed with the Council
- Pay the Council's travel plan monitoring fee of £3,000 to cover a 5 year period.
- The applicant to fund independent surveys to verify compliance with travel plan targets. The person or persons undertaking the surveys to be approved by the Council.
- The maximum number of persons permitted to occupy the building at any one time is not to exceed 300 and prayers are to be confined to the first floor only except on the 2 no. special occasion days (to be defined). In the event that this maximum number is being consistently exceeded that the applicant would be required to submit a fresh planning application or seek a variation to the S106 Agreement to vary the total number. Failure to do either would result in the use having to cease.

10.10 The draft Heads of Terms have been given to the applicant and whose acting solicitors have responded initially as follows:

1. *My client is grateful for the proposed change of use from a Licenced Members Social Club to an Islamic Community and Teaching Centre and Place of Worship within user Class D1 (ground and first floor of property) and retention of the residential flat (second floor of property). In this regard, my client does not understand why prayers may only be undertaken on the first floor of the property. There are two concerns. Firstly, the first floor probably does not hold 300 people though a survey and fire regulations inspection need to be undertaken to confirm this. Secondly, it is not within my client's gift or Islamic practice to turn people away in the event the number exceeds 300. In view of the fact the property has a ground floor and that this ground floor will also enjoy Class D1 use, would it be possible to agree that the principle place for prayers is the first floor but that the ground floor can be used in the event of high numbers attending prayer?*

Officer's Response: The change of use has not been approved. At this stage it is an application for planning permission which is to be reported to Planning Committee at its Meeting on 8th May 2013. The restriction to the first floor for prayers, reflects the plans submitted and there is a

concern that the whole building could be used solely for prayers in the future without this restriction in place, as has been the experience elsewhere in Slough. As a concession and in a response to the applicants request it has been agreed that this restriction can be lifted on the two special days (to be defined in the agreement) whereby the whole building may be used. The maximum figure of 300 people is the figure provided by the applicant as part of the planning application. It also reflects the maximum number of people who were permitted to occupy the building under the licence given in respect of the social club. The Council has been assured by the applicant that the maximum number of 300 is only likely to be reached on the two special days and not as a rule during Friday prayers. If the 300 maximum given is not a realistic number then the application should have reflected this. **Not agreed**

2. *My client notes the cost of the travel plan monitoring fee at £3,000. My client notes that this will fund monitoring for the 5 year period. My client is agreeable to meet the costs of this.*

Officer Response: For purposes of clarification, this relates to the Council's monitoring costs and not that of the applicant/occupier.

3. *My client notes the cost of putting a residents only parking scheme in place within the locality, in the sum £20,000. Similarly to the travel monitoring plan, my client does not wish to challenge the proposed cost of this although it is felt to be a greater level than anticipated. My client would however ask that rather than assuming the monitoring process will reveal the need for change to the Road Traffic Order within the locality, my client would prefer that any agreement with the Council should have a mechanism for triggering a payment of £20,000 in the event such a change is required, rather than assuming this to be the case prior to any monitoring and the change of use commencing. My client would be open to your reasonable suggestions for the list of triggering events which would draw a conclusion a parking issue had arising within the locality as a result of my client's use of the property.*

Officer's Response: As per the normal situation in a planning agreement financial payments such as that referred to are normally required either on signing of the agreement or prior to the use commencing. Relating payments to trigger points or non specific time periods can make it difficult for the Council to be able to secure the funds. **Not agreed.**

4. *You have proposed within your e-mail that a Section 106 Agreement be put in place. However, it is understood that 27 Cheviot Road does meet the size criteria for a Section 106 Agreement and I would be grateful if you could please confirm to me why a Section 106 Agreement is appropriate in this case rather than some other mechanism for putting in place the above proposals so that I can explain this to my client*

4. Officer's Response: As far as is known there is no size criteria which triggers a S106 Agreement. The purpose of the agreement is to allow planning permission to be granted by requiring measures to be put in place, which are reasonably related to the development, but without which the proposal would not be acceptable in planning terms, which is the situation here. **Not Agreed**

Whilst the applicant appears to have accepted the principle of a Section 106 Agreement, clearly there is still further negotiation to be undertaken before further progress can be made. It is anticipated that such negotiation will continue during the period up to the date of the Meeting and any additional information will be reported on the Amendment Sheet.

11.0 **Process**

11.1 Following an amendment (Amendment 2) to the Town and Country Planning (Development Management Procedure) Order 20012 , which was effective from the 1st December 2012, there is now an obligation on the local planning authority that a decision notice shall include a statement explaining how, in dealing with the application, the local planning authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

Following withdrawal of the previous application there have been discussions with the applicant to determine what measures can be put into place such that the application can be supported. Such measures to include a Section 106 Agreement, setting out obligations upon the applicant (as described above). In addition there are ongoing meetings between the Council's transport engineers and the applicants to secure a robust and sustainable travel plan.

It is considered that the local planning authority has worked proactively with the applicant to try and resolve issues of visitor numbers, parking and traffic. Subject to adequate safeguards in respect of visitor numbers parking and traffic, it is considered that the proposed use would improve the economic social and environmental conditions of the area and as such does accord with the National Planning Policy Framework.

11.2 In reaching this recommendation, officers have had due regard to the provisions of Section 149 of the Equality Act 2010 and have sought to seek a positive outcome to this application to meet the needs of a local community group in accordance with Core Policy 11 (Social Cohesiveness) of the Slough Local Development Framework Core Strategy Development Plan Document . At the same time officers have sought to protect the amenities enjoyed by existing local residents, by ensuring that controls are in place through mitigation, to be able to address the concerns of traffic and parking, in accordance with measures to be set out in a Section 106 Agreement.

PART C: RECOMMENDATION

12.0 **Recommendation**

12.1 Delegate the application to the Head of Planning Policy and Projects for completion of a Section Planning Obligation Agreement, finalising conditions and final determination.

12.2 In the event that a Section 106 Agreement is not completed that the Head of Planning Policy and Projects reserves the right to refuse planning permission for the following reason.

A holding objection is raised on the grounds that the applicant has failed to enter

into a Section 106 Planning Obligation Agreement for the purposes of regulating traffic congestion and parking within the vicinity of the site through the implementation of a travel plan which is designed to encourage alternative modes of travel to the private motor car in accordance with the aims and objectives of the Integrated Transport Strategy, parking controls and maximum occupation numbers, necessary to ensure that the proposed use when considered in conjunction with other parking intensive uses in the locality, including the neighbouring health clinic and school, will not result in localised traffic congestion and parking overspill onto surrounding residential streets, to the detriment of general highway safety and amenities of local residents. The proposed use is thereby contrary to Core Policy 7 of the Slough Local Development Framework Core Strategy(2006 – 2026) Development Plan Document December 2008.

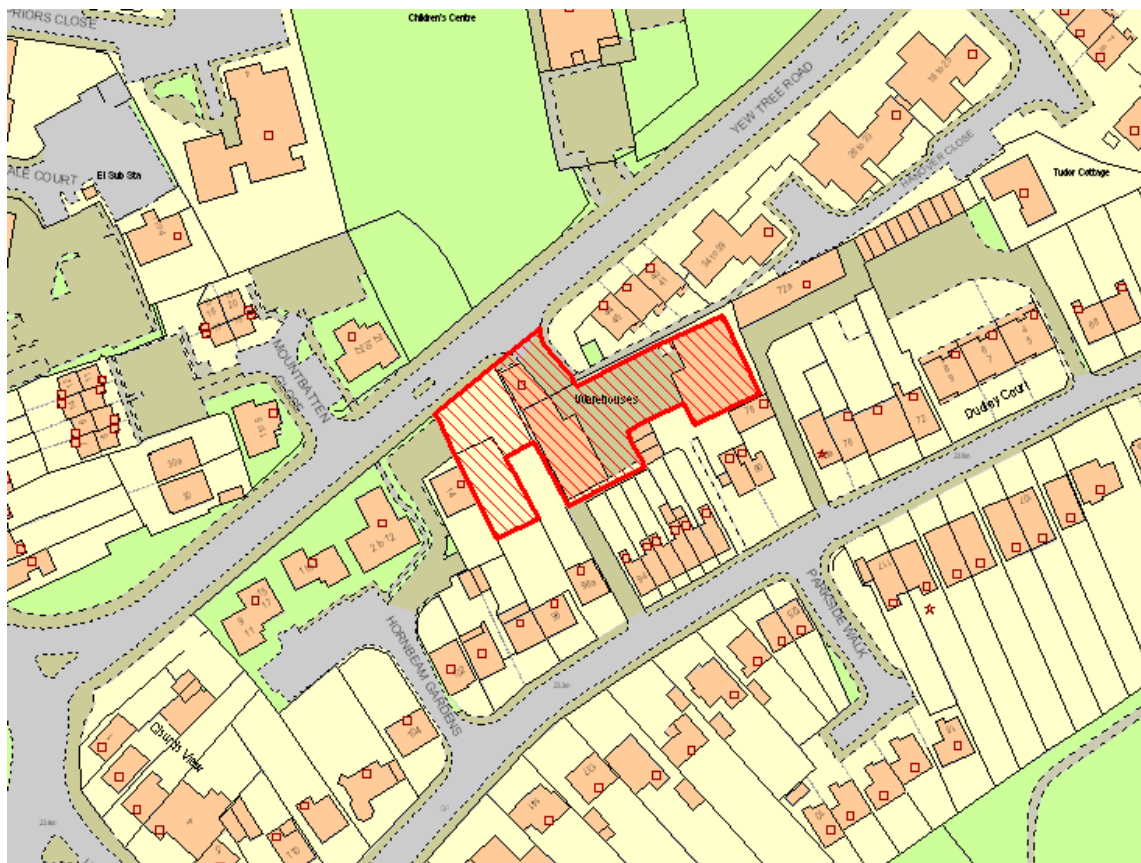
12.3 Set out below are the draft planning conditions, in the event that the application receives Member support. The detailed wording of the conditions would be finalised by officers, in the event that agreement can be reached with respect to the Section 106 obligations.

1. Time, 3 years
2. Approved Drawings
3. Hours of use 06.00am – 23.00pm daily including bank holidays
4. No external speakers/tannoys
5. Minimum of 35 no. car parking spaces to be maintained at all times.
6. No marquees to be erected on the site
7. No increase in ambient noise levels at the nearest noise sensitive boundary.
8. Maximum numbers (if not included in final S106 Agreement)
9. Prayers to be carried out on the first floor only (if not included in final S106 Agreement)
10. Second floor to remain in residential use.

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Registration Date:	15-Mar-2013	Applic. No:	P/09547/003
Officer:	Mr Smyth	Ward:	Upton
Applicant:	Mr. M Beill, STS Storage Systems Ltd	Applic type:	Major
Agent:	HAP Chartered Architects Ltd The Old Registry Office, 20, Amersham Hill, High Wycombe, Buckinghamshire, HP13 6NZ	13 week date:	14th June 2013
Location:	96 & 96a, Upton Road, SL1 2AW		
Proposal:	<p>DEMOLITION OF EXISTING INDUSTRIAL BUILDING AND REDEVELOPMENT OF THE SITE TO PROVIDE:</p> <p>6 NO. X 4 BEDROOM HOUSES COMPRISING 1 NO. X TWO STOREY HOUSE WITH GABLE ENDS AND 5 NO. X 2.5 STOREY HOUSES WITH HALF HIPS AND FRONT DORMERS CONTAINED WITHIN A TERRACE OF THREE HOUSES AND A PAIR OF SEMI DETACHED PROPERTIES;</p> <p>6 NO. TWO BEDROOM FLATS CONTAINED WITHIN A DOUBLE FRONTAGE THREE STOREY BUILDING WITH FRONT AND REAR GABLES AND SIDE DORMERS; ASSOCIATED ACCESS, PARKING, BIN STORE AND AMENITY SPACE.</p>		

Recommendation: Delegate to Head of Planning Policy and Projects



1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 Having considered the relevant Policies below, the development is considered to have an adverse affect on the sustainability and the environment for the reasons set out.
- 1.2 That the application be delegated to the Head of Planning Policy and projects for consideration of any additional substantive objections, continue negotiations with the applicant and final determination, including completion of a S106 Agreement and finalising conditions if appropriate, within the 13 week target date of 14th June 2013.
- 1.3 This is an application for the erection of 6 no. houses and 6 no. flats and therefore falls within the category of a major planning application.

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 This is a full application for: *demolition of existing industrial building and redevelopment of the site (including part of the rear gardens of the rear gardens to 96 & 96A Hornbeam Gardens) to provide:*
6 no. x four-bedroom houses comprising 1 no. x two-storey house with gable ends and 5 no. x 2.5 storey houses with half hips and front dormers contained within a terrace of three houses and a pair of semi detached properties;
6 no. two-bedroom flats contained within a double frontage three storey building with front and rear gables and side dormers; associated access, parking, bin store and amenity space.
- 2.2 The flats, comprising units 7 – 12 would be contained within a three storey building. The entrance is centrally positioned within the north facing elevation onto Yew Tree Road, serving 6 no. two bedroom flats (two per floor), each with a similar footplate and each containing a combined lounge/dining room/kitchen and separate bathroom. The block measures 16.5m wide X 10.5m deep and 10.5m high to the ridge. There is no amenity space provided for the flats, but balconies are proposed to the front elevation serving the lounge dining area at first and second floors. Cycle parking is provided adjacent to the west elevation.
- 2.3 Units 4 -6 comprise a terrace of three proposed dwelling houses, 2.5 storeys in height with accommodation within the roof space. At ground floor each of the properties has a living/dining room, separate kitchen and WC. On the first floor are 4 bedrooms (3 bedrooms plus study) and bathroom. Within the roofspace there is a further bedroom, with en suite and linen cupboard. The bedroom takes its light and aspect from a north facing dormer window. Each dwelling measures 5m wide X 8.5m deep X

7.7m high to eaves (9.25m to ridge). In addition to the front facing dormer serving each of the properties, there are a further 2 no. high level roof lights within the roof plane. There is a front canopy over the front entrance doors. Each of the houses has an equivalent 9 metre deep garden and there is a rear service path crossing plot 4 to serve plot 5. Rear gardens measure between 9.5 and 10m in depth.

2.4 Units 1 & 2 comprise a pair of 2.5 storey high four bedroom houses with accommodation in the roofspace. The accommodation, footplate and layout design and dimensions are similar to units 4 -6, as described above. Unit 1 is 1 two storey three bedroom house. It is an L shaped building dimensioning, 7.9m wide reducing down to 3.9m wide X 9.75m, in depth reducing down to 5.25m in depth. The height is 5.5m to eaves and 8m to ridge. The rear garden measures 7 m in depth but is 9m across its width.

2.5 A total of 21 communal car parking spaces are distributed across the site. Access is from Yew Tree Road utilising the existing access.

3.0 **Application Site**

3.1 The site is occupied by 3 no. industrial units with a central parking court. Both units are vacant at the present time. Access is from Yew Tree Road. The site also includes part of the rear gardens belonging to nos. 96 and 96a Upton Road, which lie to the west of unit 2.

3.2 The site is an irregular shape, with a site area of 0.1785 hectare and borders existing residential uses to the north, south and west. To the east the site abuts an existing warehouse/light industrial unit together with the access road serving it from Upton Road.

3.3 Adjoining the southern boundary of the site there is a small garage court with access from Upton Road and there is also a rear service path serving nos. 86 – 94 Upton Road.

4.0 **Site History**

4.1 There is no relevant planning history pertaining to this site.

5.0 **Neighbour Notification**

5.1 The Occupier, 24, Mountbatten Close, Slough, SL1 2BG
The Occupier, 25, Mountbatten Close, Slough, SL1 2BG
The Occupier, 26, Mountbatten Close, Slough, SL1 2BG
The Occupier, 27, Mountbatten Close, Slough, SL1 2BG
The Occupier, 21, Mountbatten Close, Slough, SL1 2BG
The Occupier, 22, Mountbatten Close, Slough, SL1 2BG
The Occupier, 23, Mountbatten Close, Slough, SL1 2BG
The Occupier, 7, Hornbeam Gardens, Slough, SL1 2DZ
The Occupier, 1, Hornbeam Gardens, Slough, SL1 2DZ

The Occupier, 3, Hornbeam Gardens, Slough, SL1 2DZ
The Occupier, 5, Hornbeam Gardens, Slough, SL1 2DZ
The Occupier, 8, Hornbeam Gardens, Slough, SL1 2DZ
The Occupier, 10, Hornbeam Gardens, Slough, SL1 2DZ
The Occupier, 12, Hornbeam Gardens, Slough, SL1 2DZ
The Occupier, 2, Hornbeam Gardens, Slough, SL1 2DZ
The Occupier, 4, Hornbeam Gardens, Slough, SL1 2DZ
The Occupier, 6, Hornbeam Gardens, Slough, SL1 2DZ
The Occupier, 14, Hornbeam Gardens, Slough, SL1 2DZ
The Occupier, Flat 1, 96, Upton Road, Slough, SL1 2AW
The Occupier, Flat 2, 96, Upton Road, Slough, SL1 2AW
The Occupier, 96a Upton Road, Slough, SL1 2AW
The Occupier, 98, Upton Road, Slough, SL1 2AW
The Occupier, 100, Upton Road, Slough, SL1 2AW
The Occupier, 102, Upton Road, Slough, SL1 2AW
The Occupier, 78, Upton Road, Slough, SL1 2AW
The Occupier, 80, Upton Road, Slough, SL1 2AW
The Occupier, 82, Upton Road, Slough, SL1 2AW
The Occupier, 84, Upton Road, Slough, SL1 2AW
The Occupier, 86, Upton Road, Slough, SL1 2AW
The Occupier, 88, Upton Road, Slough, SL1 2AW
The Occupier, 90, Upton Road, Slough, SL1 2AW
The Occupier, 92, Upton Road, Slough, SL1 2AW
The Occupier, 94, Upton Road, Slough, SL1 2AW
The Occupier, 72, Upton Road, Slough, SL1 2AW
The Occupier, 74, Upton Road, Slough, SL1 2AW
The Occupier, 74a Upton Road, Slough, SL1 2AW
The Occupier, 74b Upton Road, Slough, SL1 2AW
The Occupier, 76, Upton Road, Slough, SL1 2AW
The Occupier, 30, Yew Tree Road, Slough, SL1 2AS
The Occupier, 29, Hanover Close, Slough, SL1 2AP
The Occupier, 30, Hanover Close, Slough, SL1 2AP
The Occupier, 31, Hanover Close, Slough, SL1 2AP
The Occupier, 32, Hanover Close, Slough, SL1 2AP
The Occupier, 26, Hanover Close, Slough, SL1 2AP
The Occupier, 27, Hanover Close, Slough, SL1 2AP
The Occupier, 28, Hanover Close, Slough, SL1 2AP
The Occupier, 33, Hanover Close, Slough, SL1 2AP
The Occupier, 21, Hanover Close, Slough, SL1 2AP
The Occupier, 22, Hanover Close, Slough, SL1 2AP
The Occupier, 23, Hanover Close, Slough, SL1 2AP
The Occupier, 24, Hanover Close, Slough, SL1 2AP
The Occupier, 18, Hanover Close, Slough, SL1 2AP
The Occupier, 19, Hanover Close, Slough, SL1 2AP
The Occupier, 20, Hanover Close, Slough, SL1 2AP
The Occupier, 25, Hanover Close, Slough, SL1 2AP

5.2 The period of neighbour consultation expires on 1st May 2013. At the time of writing this report no letters of objection have been received however, any objections received before the date of the Meeting will be reported on

the Amendment Sheet. A late consultation letter and site notice and press notice have been placed, but the 21 day period for objections would go beyond the date of this Committee and officers are seeking Committee's approval to delegate the application back to officers to consider any late substantive objections which may be received.

6.0 **Consultation**

6.1 **Transport & Highways**

This is a proposal to demolish an existing industrial building (B1C) measuring 680sqm and two sections of gardens from the neighbouring properties and replace this with x6 three bed houses and x6 two bed flats. The site is located within a 10 minute walk of the town centre and therefore considered to be accessible.

Trip Generation

I have derived trip rates from the TRICS database for the existing site and it estimates that a site of this size would generate 46 vehicle trips per day. I have also derived trip rates for the proposed residential use and it estimates the site would generate 76 vehicle trips per day. Therefore the proposed development is likely to lead to an additional 30 vehicle trips per day.

Car Parking

The existing site has a parking demand of 14 spaces, although 7 were provided. The Slough Local Plan standards require a minimum of 1.75 spaces for 2-3 bedroom dwellings on the basis that the spaces are unassigned. I would envisage that with this development the houses are likely to be allocated 2 spaces each and the flats 1.5 spaces for the flats or 1 space with 3 visitor spaces. Given the accessible nature of the site the parking provision is acceptable.

Cycle Parking

Individual cycle stores are proposed for the houses – these should be in the form of garden sheds.

The proposed Bikeshel parking – 1 space for each flat is considered acceptable.

Refuse and Recycling

A refuse store is proposed for the flats to hold 2 eurobins – 1 for recycling and 1 for refuse. This is acceptable. For the houses separate wheelie bins are to be provided, which would indicate that they expect the refuse vehicle to enter the development to collect this waste. The refuse store is 38m from the furthest dwelling therefore it is too far for residents to pull their bins – with the maximum distance being 25m. Therefore tracking for a large refuse vehicle will need to be provided.

Access and Layout

I have measured the car parking bays and the aisles and they appear to

be slightly below standard – the parking spaces should measure 2.4x4.8 and aisle widths of 6.0m. It may be a result of printing off the scanned version – this needs to be checked against the submitted plans; if any of the dimensions are below standard then this will need to be addressed.

A shared surface/home zone arrangement may be appropriate for this development. Some small changes to the access road are proposed, but in principle this looks acceptable subject to detailed plans being submitted as part of a planning condition.

Area for Adoption

From the submitted plans it would suggest that only the hammerhead may be appropriate for adoption, but given that a management company will be required for the rest of the site it is most likely that adoption is not the preferred solution. Furthermore the developer should be made aware that residential roads along Yew Tree Road are affected by parent parking for the nearby St Mary's Primary School and therefore keeping the cul-de-sac private may be a better approach to dealing with any overspill parking than relying on enforcement.

Summary

The traffic generated by this proposal will be able to be accommodated at the site access, the development will nevertheless generate additional traffic movements onto the already heavily congested network within the Borough. In recognising that the highway network within the Borough experiences extensive problems with capacity and delay, the Borough Council has developed a Transport Strategy which is supported by central government policy to encourage modal shift to other forms of transport and manage congestion to enable targets within the Transport Act to be met. This development would place additional demands on the transport network on a daily basis and the associated traffic movements would exacerbate existing problems. On this basis a contribution towards the Slough Transport Strategy is required so that the implementation of schemes within the Strategy to promote other forms of travel and manage congestion can be brought forward. A contribution of £9,000 is considered commensurate with the additional traffic likely to be generated by this development and is consistent with the approach taken on other developments within the Borough.

Recommendation

On the basis that the tracking is provided and is satisfactory and the other dimensions then subject to securing the contribution of £9,000 and the conditions below I would not raise a highway objection.

Conditions

1. The development shall not begin until details of the disposal of surface water from the highway have been approved in writing by the Local Planning Authority and no dwelling shall be occupied until the works for the disposal of surface water have been constructed in accordance with

the approved details.

Reason: To minimise danger and inconvenience to highway users.

2. No part of the development shall be occupied until the new means of access has been altered in accordance with details to be approved prior to commencement and constructed in accordance with Slough Borough Council's Design Guide

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

Informative(s) required

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.

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

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.

The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.

The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.

The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.

6.2 Principle Drainage & Lighting Engineer

No objections subject to a condition covering the submission of surface water drainage details.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 This application is assessed in accordance with the following national and local planning policies:

National Policy Guidance

National Planning Policy Framework (NPPF)

Local Planning Guidance

Core Policy 1, 4, 7, 8 and 9 of the Local Development Framework, Core Strategy, Submission Document November 2007

Policies H13, H14, EN1, T2, T13 of the Adopted Local Plan for Slough 2004

7.2 ***National Policy Guidance***
The NPPF in its overarching Core Planning principles state that planning should: Proactively drive and support sustainable economic development to deliver the homes, business and industrial units infrastructure and thriving local places that the country needs.....always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.....encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental valuehousing applications should be considered in the context of the presumption in favour of sustainable development.....good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.....Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it function..

Local Planning Guidance

Slough Local Development Framework Core Strategy Development Plan Document

7.3 *Core Policy 1 requires that all development complies with the Spatial Strategy. That all development takes place on previously developed land within the built up area unless there are very exceptional circumstances. That high density housing development be located in the town centre and that elsewhere the scale and density of development will be related to the site's current or proposed accessibility, character and surroundings.*

7.4 *Core Policy 4, states that in urban areas outside of the town centre, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the accessibility of existing and proposed local services facilities and infrastructure. The density range indicated for urban locations is 20 – 70 dwellings per hectare. Within existing suburban residential areas there will be limited infilling which will consist of family houses that are designed to enhance the distinctive urban character and identity of the area. The*

density range for suburban areas is given as 37 – 55 dwellings per hectare. Urban and suburban areas are defined in the appendices to the Core Strategy.

- 7.5 *Core Policy 7 states that all new development should reinforce the principles of the transport strategy, to ensure that all new development is sustainable and is located in the most accessible locations*
- 7.6 *Core Policy 8 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. With respect to achieving high quality design all development will be:*
- a) be of a high quality design that is practical, attractive, safe, accessible and adaptable*
 - b) respect its location and surroundings*
 - c) be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style*

Adopted Local Plan for Slough

- 7.7 *The policies listed below are saved policies in accordance with a direction by the Secretary of State.*
- 7.8 *Policy 14 requires an appropriate level of amenity space be determined through consideration of the following criteria:*
- a) type and size of dwelling and type of household likely to occupy dwelling;*
 - b) quality of proposed amenity space in terms of area, depth, orientation, privacy, attractiveness, usefulness and accessibility;*
 - c) character of surrounding area in terms of size and type of amenity space for existing dwellings;*
 - d) proximity to existing public open space and play facilities; and*
 - e) provision and size of balconies.*

In the supporting text to that policy it is stated that, In the case of family units, the provision of adequate rear gardens is essential to provide space not only for people who wish to extend their living space into the garden, but also for children to have a secure and safe environment in which informal play can take place

- 7.9 *Policy EN1 requires that development proposals reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of: scale, height, massing, bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees, and relationship to water courses.*
- 7.10 *Policy T2 states that: Residential development will be required to provide a level of parking appropriate to its location and which will overcome road safety problems, protect the amenities of adjoining residents and not*

result in an adverse visual impact upon the environment.

8.0 **Principle of Residential Development**

8.1 The principle of residential development is acceptable on the site, however Core Policy 4 of the Slough Local Development Framework Core Strategy development Plan Document December 2008, states that *“In Urban areas outside of the town centre, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the accessibility of the location and the availability of existing and proposed local services facilities and infrastructure. Within existing suburban residential areas there will only be limited infilling which will consist of family houses that are designed to enhance the distinctive character and identity of the area.*

8.2 The site is located outside of the designated town centre area and as such, flats would not be supported. The policy is based upon the evidence provided by the Berkshire Strategic Housing Market Assessment. This policy has been successfully tested at appeal.

8.3 It is the view of officers that the site could be developed entirely of family housing, albeit it would not be possible to achieve the same level of development on the site.

8.4 Objections are raised on the grounds that the proposal which involves the construction of part of the site for flats on an urban site outside of the town centre, would be contrary to Core Policy 4, which seeks family housing on sites outside of the town centre and officers consider the site suitable entirely for family housing.

9.0 **Siting & layout Issues**

9.1 Concerns are expressed about the siting of the units shown as 7 -12 on the deposited plans. Whilst there is no firm building line along this part of Yee Tree Road, and notwithstanding the forward siting of the existing industrial unit on the western side of the site entrance, there is nonetheless a loose building line, with most of the neighbouring residential properties set back from the highway, creating a feel openness. It is considered that the block comprising 1 -7 which would be substantial in both height and bulk and would by virtue of its forward most siting, appear overly dominant within the street.

9.2 Whilst it is considered that this issue could be addressed as part of an overall change to the layout of the development and which would be necessary to address all of the officers concerns as set out in this report, an objection is being raised, pending possible revisions to the scheme in relation to Core Policy 8, Policies 13 and EN1 of the Adopted Local Plan and the National Planning Policy Framework.

10.0 **Design**

10.1 Whilst it acknowledged that the housing would replace industrial buildings, it is nonetheless considered that the proposal for 2.5 storey houses incorporating half hip roofs would result in a development which does not reflect the general character of the area. Surrounding housing is generally traditional two storey housing, most with hipped and pitched roofs.

10.2 For the scheme to be considered acceptable in design terms the houses would need to be redesigned on the basis of being two storey houses with traditional hipped and pitched roofs. Whilst this is achievable, it may not be feasible to use the loft space for habitable accommodation thereby resulting in smaller dwelling houses. Nonetheless, objections are raised in relation to design contrary to Core Policy 8 of the LDF, policies H13 and EN1 of the adopted local plan and the National Planning Policy Framework on the grounds that the development would not add to or enhance the character of the area.

11.0 **Impact on neighbouring Amenity**

11.1 A number of potential issues have identified in relation to impact on neighbouring amenity:

- The siting of the frontage block comprising 7 -12, as shown on the deposited plan is likely to compromise a 45 degree line of site when measured from the closest edge of the nearest habitable room window within the front elevation of the existing house at 14 Hornbeam Close.
- Unit 1, is as shown on the deposited plan, likely to result in overshadowing and shading of the rear gardens of nos. 40 – 45 Yew Tree Road. The siting of unit 1 does not achieve a minimum separation distance of 15 metres from the rear elevation of 42 and 43 Yew Tree Road and is likely to breach a 45 degree line of site from the neighbouring properties at 40 & 41 and 44 & 45 Yew Tree Road.
- The siting of unit 3 would not achieve a minimum separation distance of 15 metres from 80 and 82 Upton Road.
- There is a first floor window in the west facing elevation of 78 Upton Road. It is not known whether or not it is a habitable room, but if it is then unit 3 would compromise a 45 degree line of sight to that window.

11.2 To overcome the issues identified will necessitate a complete review of the layout and is likely to result in a reduction in the number of residential units which can be accommodated on the site. However, as the scheme currently stands objections are raised on grounds of adverse impact on

the amenity of neighbouring residential occupiers, contrary to Core Policy 8 of the LDF, Policies H13 and EN1 of the adopted Local Plan and the National Planning Policy Framework.

12.0 **Amenity Space**

12.1 No amenity space is provided for the proposed flats, although balconies are provided to each of the first and second floor units. The amenity space serving the proposed houses falls short of the Council's guidelines for rear amenity space as set out in its planning guidance, which requires a minimum depth of 15 metres or area of 100 sq metres.

12.2 As the scheme currently stands objections are raised on grounds of insufficient amenity space to serve the proposed development in relation to Policy h14 of the adopted local plan.

13.0 **Transport & Highways**

13.1 The Council's transport and highway engineers advise that: *The traffic generated by this proposal will be able to be accommodated at the site access. The development will nevertheless generate additional traffic movements onto the already heavily congested network within the Borough. In recognising that the highway network within the Borough experiences extensive problems with capacity and delay, the Borough Council has developed a Transport Strategy which is supported by central government policy to encourage modal shift to other forms of transport and manage congestion to enable targets within the Transport Act to be met. This development would place additional demands on the transport network on a daily basis and the associated traffic movements would exacerbate existing problems. On this basis a contribution towards the Slough Transport Strategy is required so that the implementation of schemes within the Strategy to promote other forms of travel and manage congestion can be brought forward. A contribution of £9,000 is considered commensurate with the additional traffic likely to be generated by this development and is consistent with the approach taken on other developments within the Borough. On the basis that the tracking is provided and is satisfactory and the other dimensions then subject to securing the contribution of £9,000 and the conditions below I would not raise a highway objection.*

13.2 No objections are raised on grounds of traffic or parking, in relation to Core Policy 7 of the LDF and policy T2 of the adopted local plan, subject to the applicant demonstrating vehicle tracking for a refuse vehicle and payment of a financial contribution towards the Slough Transport Strategy to manage to promote other forms of travel to the private motor car and manage congestion, by means of a legal agreement.

13.3 The requirement for a financial contribution may be waived if the scheme is amended to take account of the issues as set out in the report, which will inevitably result in a fewer number of dwelling units on the site.

14.0 **S106 issues**

14.1 The applicant may be required to enter into a Section 106 Agreement for the payment of a transportation financial contribution, but this may ultimately depend upon the final level of development and trip generation.

15.0 **Process**

15.1 Following an amendment (Amendment 2) to the Town and Country Planning (Development Management Procedure) Order 20012 , which was effective from the 1st December 2012, there is now an obligation on the local planning authority that a decision notice shall include a statement explaining how, in dealing with the application, the local planning authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

15.2 Whilst there were no pre application negotiations with respect to the proposal, following correspondence from the Council outlining the issues with the current scheme, the applicant has advised that he is willing to work with officers to reach an acceptable outcome. Negotiations will continue with the applicant during the period leading up to the Committee Meeting and any progress will be reported on the Amendment Sheet.

15.3 It is considered that the local planning authority is working proactively with the applicant to try and resolve the issues as highlighted in the report. Subject to securing the changes necessary to address the issues raised, it is considered that a revised residential scheme on the site would improve the economic social and environmental conditions of the area and as such does accord with the National Planning Policy Framework.

PART C: RECOMMENDATION

16.0 **Recommendation**

16.1 That the application be delegated to the Head of Planning Policy and projects for consideration of any additional substantive objections, continue negotiations with the applicant and final determination, including completion of a S106 Agreement and finalising conditions if appropriate, within the 13 week target date of 14th June 2013.

- 16.2 In the event that the applicant is minded not to amend the scheme to address the issues raised in this report that the Head of Planning Policy and Projects be authorised to refuse planning permission for some or all of the following reasons:

That part of the development which comprises flats would be contrary to the requirements of Core Policy 4 of the Slough Local Development Framework Core Strategy Development Plan Document December 2008 in that the policy requires that in urban areas outside of the town centre, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the accessibility of the location and the availability of existing and proposed local services facilities and infrastructure.

The proposed development by virtue of its siting bulk height and design would compromise the general siting of existing development along this part of Yew Tree Road thereby appearing overly dominant within the street and be out keeping with the general character and appearance of the area contrary to Core Policy 8 of the Slough Local Development Framework Core Strategy Development Plan Document December 2008, Policies H13 and EN1 of the Adopted local Plan for Slough 2004 and the National Planning Policy Framework.

The development by virtue of its siting bulk and massing would appear overly dominant and overbearing to existing neighbouring occupiers living at 14 Hornbeam Close, 40, 41, 44 and 45 Yew Tree Road and 78, 80 and 82 Upton Road and will also result in the overshadowing of rear gardens belonging to 40 – 45 Yew tree Road. The development is thereby contrary to Core Policy 8 of the Slough Local Development Framework Core Strategy Development plan Document December 2008, Policies H13 and EN1 of the Adopted local Plan for Slough 2004 and the National Planning Policy Framework.

The development fails to provide adequate rear amenity space to serve large family houses in accordance with Policy H14 of the adopted local Plan for Slough 2004.

- 17.0 In the event that the scheme is suitably amended to address the issues as outlined in the report then the following planning conditions will apply. At this stage only the heads are provided with the detailed wording to be finalised by officers.

19.0 **PART D: LIST OF CONDITIONS OR REFUSAL REASONS**

- 1) Time, 3 years
- 2) Approved drawings
- 3) External materials
- 4) External surfaces
- 5) Land contamination
- 6) Means of access

- 7) Minimum parking
- 8) Landscaping
- 9) Boundary Treatment
- 10) Waste Minimisation
- 11) Construction Management Plan
- 12) Working Hours
- 13) Delivery hours
- 14) Cycle parking
- 15) Bin Store
- 16) Surface Water Drainage

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SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: 8th May 2013

PART 1

FOR INFORMATION

Planning Appeal Decisions

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

WARD(S) **ALL**

Ref	Appeal	Decision
P/15403/000	63 Torridge Road RETENTION OF THE OUTBUILDING / GARDEN STORE AT THE REAR OF THE GARDEN WITH A FLAT ROOF.	Appeal Dismissed 2 nd April 2013
P/11767/002	219 Stoke Road RETENTION OF A SINGLE STOREY REAR OUTBUILDING WITH A PITCHED ROOF.	Appeal Dismissed 2 nd April 2013
P/15418/001	208 Burnham Lane ERECTION OF A TWO STOREY SIDE / FRONT EXTENSION WITH A PITCHED ROOF.	Appeal Dismissed 2 nd April 2013
P/06095/002	47 Mirador Crescent ERECTION OF A SINGLE STOREY SIDE AND REAR EXTENSION WITH A PITCHED ROOF.	Appeal Dismissed 19 th April 2013
P/09928/004	83 Burnham Lane DEMOLITION OF EXISTING EXTENSIONS AND ERECTION OF 2 NO TWO STOREY SIDE EXTENSIONS WITH PITCHED ROOFS AND FLAT ROOF SINGLE STOREY REAR EXTENSION.	Appeal Dismissed 23 rd April 2013

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MEMBERS' ATTENDANCE RECORD 2012/13
PLANNING COMMITTEE

COUNCILLOR	19/06/12	26/07/12	05/09/12	17/10/12	29/11/12	09/01/13	21/02/13	04/04/13	08/05/13
Carter	P	P	P	P	P	P	P	P	
Rasib	P	P	P	P	P	P	Ap	P	
Dar	P	P	P	P	P	P	P	P	
Hussain	P	P	P	P	P	P	Ap	Ab	
O'Connor	P	P	Ap	P	P	Ap	P	P	
Plenty	P	P	P	P	P	P	P	P	
Sharif	P* (from 7pm)	P* (from 7.07pm)	P	P* (from 6.35pm)	P* (from 6.54pm)	P	Ap	P	
Smith	P	P	P	P	P	P	Ap	P* (from 6.32 pm)	
Swindlehurst	P* (from 6.40pm)	Ap	P	P	Ap	P	P	P* (from 6.36 pm)	

P = Present for whole meeting
 Ap = Apologies given

P* = Present for part of meeting
 Ab = Absent, no apologies given

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