

Date of issue: 12th February, 2013

MEETING

PLANNING COMMITTEE

(Councillors Carter (Chair), Dar, Hussain, O'Connor, Plenty, Rasib, Sharif, Smith and Swindlehurst)

DATE AND TIME:

THURSDAY, 21ST FEBRUARY, 2013 AT 6.30 PM

VENUE:

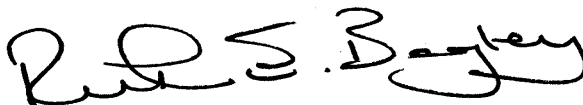
FLEXI HALL, THE CENTRE, FARNHAM ROAD,
SLOUGH, SL1 4UT

**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

**AGENDA
ITEM**

REPORT TITLE

PAGE

WARD

1. Apologies for Absence

CONSTITUTIONAL MATTERS

2. Declaration of Interest



**AGENDA
ITEM****REPORT TITLE****PAGE****WARD**

(Members are reminded of their duty to declare Disclosable Pecuniary Interests in respect of any item on the agenda).

- | | | | |
|----|-----------------------------------------------------------------|-------|--|
| 3. | Minutes of the Last Meeting held on Wednesday 9th January, 2013 | 1 - 2 | |
| 4. | Human Rights Act Statement | 3 - 4 | |

PLANNING APPLICATIONS IN THE WESTERN PART OF THE BOROUGH

- | | | | |
|----|-------------------------------------------------------------------------------------------------|---------|-------------------|
| 5. | P/05597/012 - 10, Stoke Gardens, Slough, SL1 3QQ | 5 - 24 | Central |
| 6. | P/08770/072 - Land South of Eltham Avenue, & West of Grimsby Road, Cippenham, Slough, Berkshire | 25 - 36 | Cippenham Meadows |

PLANNING APPLICATIONS IN THE EASTERN PART OF THE BOROUGH

- | | | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------|---------|-------|
| 7. | P/01433/014 - 165, High Street, Slough, Berks, SL1 1DS | 37 - 52 | Upton |
| 8. | P/11425/012 - Land Rear of 2-78 Castleview Road, Part Of Upton Court Park, & Part Of 36 Blenheim Road, Upton Court Road, Slough, Berkshire | 53 - 70 | Upton |

MATTERS FOR INFORMATION

- | | | | |
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| 9. | Planning Appeal Decisions | 71 - 72 | All |
| 10. | Members Attendance Record | 73 - 74 | All |

Press and Public

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



Planning Committee – Meeting held on Wednesday, 9th January, 2013.

Present:- Councillors Carter (Chair), Dar, Hussain, Plenty, Rasib (Vice-Chair), Sharif (arrived 6.40 pm), Smith and Swindlehurst

Also present under Rule 30:- Councillor Plimmer

Apologies for Absence:- Councillor O'Connor

PART I

52. Declaration of Interest

None.

53. Minutes of the Last Meeting held on 29th November 2012

Resolved – That the minutes of the Planning Committee held on 29th November 2012 be approved as a correct record.

54. Human Rights Act Statement

Noted.

55. P-02523-010 - Langley Village Club, 27, Cheviot Road, Slough

Application	Decision
Change of use from licensed members social club to Islamic Community and Teaching Centre and Place of Worship (Class D1).	Application withdrawn.

56. P-15326-000 - Garage compound rear of 5-17, 85-101, Grampian Way and 51-67, Cheviot Road, Slough

Application	Decision
Demolition of 12 No. existing garages and erection of one pair of semi detached bungalows with hipped and pitched roof and provision of 8 No. car parking spaces (4 No. for public use) with access from Grampian Way.	Approved, with conditions.

Planning Committee - 09.01.13

57. P-09961-002 - Brook and Future House, Poyle Road, Colnbrook, Slough

Application	Decision
Erection of a new building for class B1B (Research Development, High Technology) and or B1C (Light Industrial) and / or B2 (General Industry) and/or B8 (Storage or Distribution) with improved access, new perimeter fence, parking and landscaping. Outline planning application with access to be approved and appearance, landscaping, layout and scale to be reserved.	The revised maximum floorspace figure of 4011 sq m is approved and authority is granted to the Head of Planning Policy and Projects to amend condition 09 to reflect the revised floor space figure and to issue a revised decision notice

58. Planning Appeal Decisions

Noted.

59. Members Attendance Record

Noted.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.05 pm)

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

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

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

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

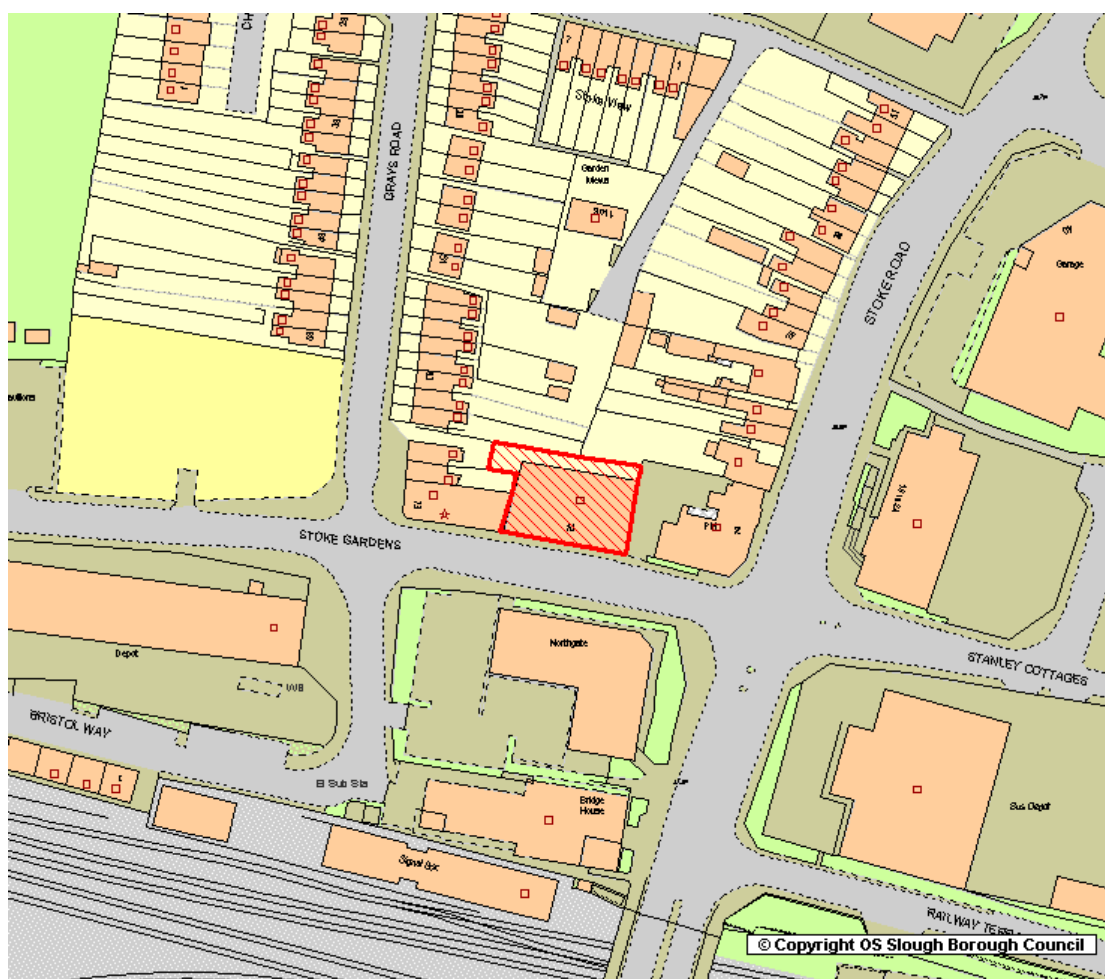
	USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House
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
SB	Sharon Belcher

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Registration Date:	27-Nov-2012	Applic. No:	P/05597/012
Officer:	Mr. J. Dymond	Ward:	Central
		Applic type:	Major
		13 week date:	26 th February 2013
Applicant:	Heathrow 1 Ltd		
Agent:	Mr. Albert Ogunsanya, Zyntax Chartered Architects 8, Arborfield Close, Slough, SL1 2JW		
Location:	10, Stoke Gardens, Slough, SL1 3QQ		
Proposal:	ALTERATIONS TO ELEVATIONS AND CHANGE OF USE OF BUILDING FROM OFFICES (CLASS B1) TO 14 NO. FLATS (CLASS C3) COMPRISING 11 NO. ONE BEDROOM AND 3 NO. TWO BEDROOM, INCORPORATING CONVERSION OF GROUND FLOOR CAR PARK TO RESIDENTIAL AND PROVISION OF CYCLE STORE AND BIN STORE, CAR PARKING TO BASEMENT LEVEL.		

Recommendation: Delegate to HPPP for S106 agreement



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 application against the development plan and relevant policies set out below, the representations received from consultees and all other relevant material considerations, it is recommended that the application be delegated to the Head of Planning Policy and Projects for formal determination following the completion of a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 and finalising of conditions.

PART A: BACKGROUND

2.0 **Proposal**

2.1 This is full planning application for the proposed change of use of the existing vacant class B1 office building to class C3 flats to provide 14 no. flats (11 no. one bedroom and 3 no. two bedroom) with car parking to the basement level and associated alterations.

2.2 The existing ground floor parking area would be converted to flats.

3.0 **Application Site**

3.1 The site is situated on the north side of Stoke Gardens. To the east of the site there is a locally listed public house, however part of this building is understood to be in use as a solicitor's office and permission has been granted for the subdivision of an apartment to form 2 no. one bedroom apartments above. To the west of the site there is a class A3 restaurant/café and a neighbouring class A1 hairdresser at ground floor level. On the opposite side of the road to the south, there are office buildings known as Northgate and Bridge House, beyond which is the railway line. To the south west there is an industrial unit. Beyond the northern boundary of the site is the rear yard area of 21 Stoke Road (which is a locally listed building) and the rear garden of 67 Grays Road.

3.2 The site is situated outside of the defined town centre and Stoke Road neighbourhood centre as shown on the Slough Local Development Framework Proposals Map. The commercial core of Slough town centre is located to the south of the site. To the north, the character of the area is considered to comprise a mixture of commercial and residential properties. A factory and other business uses are located to the west and this area is identified as an Existing Business Area.

3.3 The site is located outside of the selected key location for comprehensive regeneration (SKL3), as set out in the site allocations Development Plan Document. This allocation includes the buildings on the opposite side of Stoke Gardens known as Northgate and Bridge House, and the employment and residential uses to the east on the opposite side of Stoke Road.

3.4 The building is not currently in use and is vacant. A hoarding has been erected around the building.

4.0 **Site History**

Previous applications relating to the site are as follows:

4.1 P/05597/011 AMENDMENTS TO SCHEME APPROVED UNDER PLANNING PERMISSION REFERENCE P/05597/009 DATED 20/03/07 FOR THE ADDITION OF A MEETING ROOM AT 4TH FLOOR LEVEL AND CHANGE OF USE OF CARETAKERS APARTMENT TO SERVICED APARTMENT

Approved with Conditions; Informatives 17-Mar-2009

Planning conditions of note are considered to be as follows:

4. The Class C1 serviced apartment rooms hereby approved shall not be occupied by any guest for more than 90 consecutive days.

REASON To ensure that the building does not allow for full C3 residential accommodation, which would need to be assessed separately from this application, and would, without prejudice to any future application, have implications in terms of parking and amenity space provision.

4.2 P/05597/010 VARIATION OF CONDITION 2 OF PLANNING PERMISSION REFERENCE P/05597/009 DATED 20/03/07 TO ALTER FRONT AND SIDE ELEVATIONS

Approved with Conditions; Informatives 17-Mar-2009

Planning conditions of note are considered to be as follows:

9. The windows as approved at the rear (north elevation) of the development shall be tinted with 3M - Sun Control Window Films - Night Vision 25 in

accordance with drawing no. P-026, dated 18/07/08, received 21/07/08 and any window opening shall be at a high level (above 1.8m) only and shall be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.

REASON In the interests of the privacy of surrounding residential occupiers.

11. The Class C1 serviced apartment rooms hereby approved shall be not be occupied by any guest for more than 90 consecutive days.

REASON To ensure that the building does not allow for full C3 residential accommodation, which would need to be assessed separately from this application, and would, without prejudice to any future application, have implications in terms of parking and amenity space provision.

4.3 P/05597/009 ERECTION OF EXTENSION AND CHANGE OF USE TO FORM 17 SERVICE APARTMENTS AND OFFICE

Approved with Conditions; Informatives 20-Mar-2007

Planning conditions of note are considered to be as follows:

14. The windows as approved at the rear (north elevation) of the development hereby approved shall be tinted, and any window opening shall be at a high level (Above 1.8m) only. Details as to the tint of the window and any openings shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the development, and shall be retained at all times.

REASON In the interests of the privacy of surrounding residential occupiers.

16. The Class C1 serviced apartment rooms hereby approved shall be not be occupied by any guest for more than 90 consecutive days.

REASON To ensure that the building does not allow for full C3 residential accommodation, which would need to be assessed separately from this application, and would, without prejudice to any future application, have implications in terms of parking and amenity

space provision.

- 4.4 P/05597/008 REFURBISHMENT OF VACANT OFFICE BUILDING AND ERECTION OF TWO ADDITIONAL FLOORS. CONVERSION OF GROUND FLOOR TO A2 (FINANCIAL AND PROFESSIONAL SERVICES), CARETAKERS FLAT AND RECEPTION AREA. CONVERSION OF UPPER FLOORS TO C1 (HOTEL / SERVICED APARTMENTS). BASEMENT PARKING .

Approved with Conditions; Informatives 21-Sep-2006

Planning conditions of note are considered to be as follows:

5. The windows as approved at the rear (north elevation) of the development hereby approved shall be tinted, and any window opening shall be at a high level (Above 1.8m) only. Details as to the tint of the window and any openings shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the development, and shall be retained at all times.

REASON In the interests of the privacy of surrounding residential occupiers.

8. The C1 serviced apartment rooms hereby approved shall be not be occupied by any guest for more than 90 consecutive days.

REASON To ensure that the building does not allow for full C3 residential accommodation, which would need to be assessed separately from this application, and would, without prejudice to any future application, have implications in terms of parking and amenity space provision.

- 4.5 P/05597/007 ERECTION OF ROOF EXTENSION AND CONVERSION OF VACANT OFFICE BUILDING TO PROVIDE 2NO. TWO BEDROOM, 9NO. ONE BEDROOM AND 6NO. STUDIO FLATS, INDEPENDENT D1 USE AT GROUND FLOOR AND PART GROUND FLOOR PART BASEMENT PARKING

Refused 17-Jan-2006

For the following reasons:

1. The application is contrary to Policy EN1 of The Adopted Local Plan for Slough, 2004, as the proposed increase in the height of the building would confer an unacceptable overbearing impact upon the residential properties in close proximity to the rear of the application site.

2. The application is contrary to Policies EN1 and H13 of The Adopted Local Plan for Slough, 2004, as the development would result in an unacceptable increase in the level of overlooking and loss of privacy conferred upon the residential properties in close proximity to the rear of the application site.

3. The application is contrary to Policy H14 of The Adopted Local Plan for Slough, 2004, and the Adopted Guidelines for the Provision of Amenity Space Around Residential Properties as the development does not provide an adequate level of amenity space (Or a Legal Agreement to make up the shortfall in on-site amenity space provision) to serve the residential units.

4.6 P/05597/006 CHANGE OF USE OF GROUND FLOOR FROM CLASS B1(A) (OFFICE) TO CLASS D1 (NON RESIDENTIAL INSTITUTION)

Approved with Conditions; Informatives 01-Nov-2005

4.7 P/05597/005 CONVERSION OF VACANT OFFICE BUILDING TO PROVIDE 9NO. ONE BEDROOM AND 3NO. TWO BEDROOM FLATS AT FIRST AND SECOND FLOORS, INDEPENDENT B1(A) / A2 OFFICE AT GROUND FLOOR, WITH PART GROUND FLOOR PART BASEMENT PARKING.

Approved with Conditions; Informatives 22-Nov-2005

Planning conditions of note are considered to be as follows:

5. The windows as approved at flat numbers 4, 5, 10 and 11 as submitted on the approved plans shall have tinted windows, and any window opening shall be at a high level (Above 1.8m). Details as to the tint of the window shall be submitted to, and approved by, the Local Planning Authority prior to the occupation of the said flats, and shall be retained at all times.

REASON In the interests of the privacy of surrounding residential occupiers.

- 4.8 P/05597/003 SUBMISSION OF DETAILS FOR FOOTPATH BOUNDARY & VENTILATION AS PURSUANT TO CONDITIONS 3 4 & 8 OF PLANNING PERMISSION P/05597/001 DATED 10.01.89.

Approved with Conditions 13-Dec-1989

- 4.9 P/05597/002 SUBMISSION OF DETAILS FOR BUILDING MATERIALS PURSUANT TO CONDITION NO. 2 OF PLANNING PERMISSION P/05597/001 DATED 10.01.89.

Approved with Conditions 17-Mar-1989

- 4.10 P/05597/001 ERECTION OF A 3 STOREY OFFICE BUILDING WITH BASEMENT CAR PARKING (AS AMENDED ON 21.12.88)

Approved with Conditions 10-Jan-1989

- 4.11 P/05597/000 USE OF PREMISES FOR VEHICLE REPAIRS SERVICING AND TESTING AND ERECTION OF EXTENSION TO GARAGE WORKSHOP.

Approved with Conditions 18-Aug-1980

5.0 **Neighbour Notification**

- 5.1 19, Stoke Road, Slough, SL2 5AH, 73, Grays Road, Slough, SL1 3QG, 21a, Stoke Road, Slough, SL2 5AH, 21, Stoke Road, Slough, SL2 5AH, 71a, Grays Road, Slough, SL1 3QG, 71, Grays Road, Slough, SL1 3QG, 69a, Grays Road, Slough, SL1 3QG, 69, Grays Road, Slough, SL1 3QG, 67, Grays Road, Slough, SL1 3QG

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. The application was advertised in the 14th December 2012 edition of The Slough Express.

No representations received.

6.0 **Consultation**

- 6.1 Transport and Highways - No objections subject to the provision of Individual cycle lockers/storage units. 12. No future occupier of the flats hereby approved shall be entitled to a car parking permit from the Council to park upon the public highway within any current or

future local controlled parking zone.

6.2 Environmental Protection - Conditions recommended.

6.3 Planning Policy - No comments.

6.4 Crime Prevention Design Officer - 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:

The 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 3 – Housing Distribution

Core Policy 4 – Type of Housing

Core Policy 5 – Employment

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 9 – Natural and Built Environment

Core Policy 12 – Community Safety

The Local Plan for Slough, Adopted March 2004

Policy H10 – Minimum Density

Policy H11 – Change of Use to Residential

Policy H14 – Amenity Space

Policy EN1 – Standard of Design

Policy EN3 – Landscaping

Policy EN5 – Design and Crime Prevention

Policy T2 – Parking Restraint

Policy T8 – Cycling Network and Facilities

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework confirms that for the purposes of decision making, the policies in the Local Plan (which includes current Core Strategies) should not be considered out-of-date simply because they were adopted prior to the publication

of the Framework. Whilst the policies contained within the Framework are material considerations which must be taken into account, for 12 months from the day of publication of the Framework, “decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework”.

Other relevant documents

Slough Local Development Framework, Site Allocations, Development Plan Document (adopted November 2010)
Slough Local Development Framework Proposals Map
Slough Borough Council Developer’s Guide Parts 1-4
Guidelines for the Provision of Amenity Space Around Residential Properties (January 1990)
Guidelines for Flat Conversions (April 1992)
Department for Communities and Local Government ‘Dear Chief Planning Officer’ letter dated 24 January 2013 regarding Permitted development rights for change of use from commercial to residential

- 7.2 The main planning issues relevant to the assessment of this application are considered to be as follows:

- 1) Principle of development;
- 2) Design and Impact on the street scene;
- 3) Potential impact on neighbouring properties;
- 4) Amenity space for residents;
- 5) Transport, parking/highway safety.

8.0 **Principle of Development**

- 8.1 Core Policy 4 of the Core Strategy sets out the Council’s approach to the consideration of proposed housing development within the Borough. This policy states that in the urban areas outside the town centre, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the accessibility of the location, and the availability of existing and proposed local services, facilities and infrastructure.
- 8.2 Core Policy 5 of the Core strategy states that outside Existing Business Areas, the change of use or redevelopment of existing offices to residential will be encouraged where this is considered appropriate. Policy H11 of The Adopted Local Plan for Slough states that proposals for the conversion and change of use of existing commercial properties to residential use will be permitted subject to the proposal meeting relevant criteria.
- 8.3 Whilst the site is located outside of the town centre as shown on the Slough Local Development Framework Proposals Map, the town

centre boundary runs in an east-west direction, immediately to the south of Stoke Gardens.

- 8.4 Given that the site is in such close proximity to the town centre boundary and the proposal is for the change of use of a vacant commercial property to residential use, it is considered that the proposed change of use of the vacant building from an office to flats would be acceptable in principle.
- 8.5 For information, it should be noted that Communities and Local Government's Chief Planner has written to Local Planning Authorities in England advising them of forthcoming changes to permitted development rights for the change of use from B1(a) office to C3 residential purposes. Whilst the Government has announced its intention to introduce a permitted development right for this change of use, this permitted development right has not yet taken effect. Submissions have been invited as to exemption requests, and the permitted development right is expected to come into force in Spring 2013. It is understood that external alterations constituting development would still require planning permission.
- 8.6 Despite this proposed permitted development change, this application falls to be determined in the normal way, in accordance with the development plan unless material considerations indicate otherwise.

9.0 **Design and Impact on the Street Scene**

- 9.1 The thrust of Policy EN1 of The Adopted Local Plan for Slough and Core Policy 8 of the Core Strategy is that the design of proposed residential development should be of a high standard of design and reflect the character and appearance of the surrounding area.
- 9.2 The main external alterations to the building would be in the elevational changes to the ground floor of the building in conjunction with the conversion of the ground floor from car parking spaces to flats, and the addition of Juliette balconies.
- 9.3 Units 1, 2 and 3 would be accessed directly from the street. The remainder of the flats would be accessed via communal staircase and lift from a communal entrance hall at ground level. A bin store and cycle store is proposed at ground floor level, above the existing ramp providing access to the basement level car park.
- 9.4 It is considered that the changes proposed to the elevations would be in keeping with the character and appearance of the existing building. The additional doors and windows proposed are considered to respect the existing building.
- 9.5 With regard to room sizes, it is considered that the proposal would

be acceptable having regard to the standards set out in the Guidelines for Flat Conversions. Light provision and outlook for future occupiers is considered to be satisfactory.

- 9.6 Rooms are considered to be satisfactorily stacked to prevent the transmission of noise between walls and floors. Details of sound insulation measures will be required by condition. Environmental Protection have also requested that a scheme for protecting the proposed from noise from rail traffic is submitted for approval to ensure that the amenities of the future residents is not adversely affected by noise.
- 9.7 The proposal is considered to be acceptable in design and street scene terms and would comply with Core Policy 8 of the Core Strategy; Policy EN1 of The Adopted Local Plan for Slough; and the National Planning Policy Framework. It is also considered that the proposal would respect the setting of the locally listed building and the proposal would comply with Core Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

10.0 **Potential Impact on Neighbouring Properties**

- 10.1 It is considered that the main area for consideration in relation to the potential impact on neighbouring occupiers would be with respect to potential overlooking to rear gardens of properties on Grays Road and Stoke Road.
- 10.2 Whilst no extension or significant alteration to the position of windows is proposed, it is acknowledged that the nature of the occupation of the building would change to a habitable use. As such, it is considered that occupiers of the proposed flats would, by virtue of the arrangement of habitable rooms and spaces, likely utilise windows to provide outlook and aspect.
- 10.3 It will be noted from an inspection of the planning history of the site set out above, that permission has been previously granted for the change of use of the building to habitable uses. Mitigation measures have previously been proposed to limit the potential impact on neighbouring properties to the rear from overlooking in the form of the application of a tinted film to windows. The applicant is proposing to provide a film to the lower part of windows on the rear elevation at first and second floor level. It is also proposed that future occupiers of the proposed second floor units would not have access to the external walkway.
- 10.4 Given that the relationship between the existing building and the rear of neighbouring properties on Grays Road and Stoke Road does not appear to have changed significantly following previous approvals for similar proposals at the site, it is considered that

subject to appropriate mitigation being provided, the proposal would be acceptable in amenity terms having regard to the angled views and separation distances between the building and neighbouring properties.

- 10.5 It is not considered that the proposed flats would give rise to unacceptable issues relating to overlooking, overshadowing or loss of privacy.
- 10.6 In addition, the proposal is not considered to have the potential to prejudice the future delivery of residential or mixed use development on the adjacent land to the south which forms part of the selected key location for comprehensive regeneration (SKL3).
- 10.7 The proposal would thus comply with Core Policy 8 of the Core Strategy and the National Planning Policy Framework.

11.0 **Amenity Space for Residents**

- 11.1 The ground floor units would benefit from an area of private outside amenity space, whereas the units on the first and second floors would not have any area of outside space.
- 11.2 Slough Borough Council Developer's Guide Part 2 sets out that a financial contribution in lieu of private amenity space can be sought in the case of high density residential schemes in or near the town centre that have inadequate private amenity space. The contribution should be applied for the enhancement of existing nearby public open space.
- 11.3 The site is considered to be near the town centre. The applicant will be required to submit a unilateral undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 for the payment of a financial contribution prior to the commencement of the development to address the amenity space shortfall. A similar contribution has been sought previously to address the shortfall of on-site amenity space provision in connection with planning application P/05597/005 for the proposed change of use of the building to flats.
- 11.4 Subject to this undertaking which is considered to comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010, it is considered that the proposal would comply with Core Policy 8 of the Core Strategy; Policy H14 of The Adopted Local Plan for Slough; and the National Planning Policy Framework.

12.0 **Transport, Parking/Highway Safety**

- 12.1 Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document sets out the

Planning Authority's approach to the consideration of transport matters. The thrust of this policy is to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel.

12.2 The location of the site is considered to be sustainable and is accessible by a variety of means of transport, including bus and rail.

12.3 Policy T2 of The Adopted Local Plan for Slough 2004 seeks to restrain levels of parking in order to reduce the reliance on the private car through the imposition of parking standards. The parking standards require that residential development within predominantly residential area should provide the following number of parking spaces:

- 1 bedroom flat (all spaces assigned) – min. 2 per unit
- 1 bedroom flat (one space assigned) – min. 1 per unit, plus 0.5 communal
- 1 bedroom flat (all spaces communal) – min. 1.25 per unit (a minimum of 1 per unit has been accepted in some locations)
- 2 or 3 bedroom flat (all spaces assigned) – min. 2 per unit
- 2 or 3 bedroom flat (all spaces communal) – min. 1.75 per unit

12.4 It should be noted that relevant parking standards for sites within the town centre would be for nil spaces to be provided.

12.5 The proposal would provide 19 no. car parking spaces at basement level.

12.6 It is considered that this level of parking provision would be acceptable having regard to relevant standards. A condition is recommended which would prevent occupiers of the flats from being entitled to a local residents parking permit for future and proposed schemes to limit pressure on surrounding on-street parking.

12.7 Turning to cycle parking provision, it has been requested that individual cycle lockers/storage units are provided for future occupiers to utilise. A condition is recommended regarding the submission of details for approval prior to the commencement of the development.

12.8 The proposal is considered to comply with Core Policy 7 of the Core Strategy; Policy T2 of The Adopted Local Plan for Slough; and the National Planning Policy Framework.

13.0 **Process**

13.1 In dealing with the application, the Local Planning Authority has

worked with the applicant in a positive and proactive manner. The applicant sought pre-application advice and this was provided. The applicant has taken account of the advice given. Assistance has been provided with the unilateral undertaking. The development is considered to be sustainable and in accordance with the requirements of the National Planning Policy Framework.

14.0 **Summary**

14.1 The proposal has been considered against relevant development plan policies, and regard has been had to the comments received, and all other relevant material considerations.

14.2 It is recommended that the application be delegated to the Head of Planning Policy and Projects for formal determination following the completion of a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 and finalising of conditions.

PART C: RECOMMENDATION

15.0 **Recommendation**

15.1 Delegate to the Head of Planning Policy and Projects for formal determination following the completion of a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 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. 20-12-01, Dated Nov. 2012, Recd On 27/11/2012

(b) Drawing No. 20-12-02, Dated Nov. 2012, Recd On 27/11/2012

- (c) Drawing No. 20-12-03, Dated Nov. 2012, Recd On 27/11/2012
- (d) Drawing No. 20-12-04, Dated Nov. 2012, Recd On 27/11/2012
- (e) Drawing No. 20-12-05, Dated Nov. 2012, Recd On 27/11/2012
- (f) Drawing No. 20-12-06, Dated Nov. 2012, Recd On 27/11/2012
- (g) Drawing No. 20-12-07, Dated Nov. 2012, Recd On 27/11/2012

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. All new external work shall be carried out in materials that match as closely as possible the colour, texture and design of the existing building at the date of this permission.

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

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.

5. No development shall commence on site until details of the proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved by the Local Planning Authority. Before the development hereby permitted is occupied, a suitable means of

his boundary treatment shall be implemented on site prior to the first occupation of the development and retained at all time on the future.

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

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

REASON To ensure that there is adequate cycle parking available at the site in accordance with Policy T8 of The Adopted Local Plan for Slough 2004, and Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

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

REASON In the interests of visual amenity of the site and ensure that refuse storage arrangements are satisfactory in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004 and Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

8. No development shall commence until details of sound insulation of the flats hereby granted permission have been submitted to and approved by the Council and these approved details shall be implemented on site prior to first occupation of the development.

REASON To protect the occupiers of the flats form noise transmission in the interests of residential amenity and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

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

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

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

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

11. The Development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Any security measures to be implemented in compliance with this condition shall seek to achieve the 'Secured by Design' accreditation awarded by Thames Valley Police.

REASON In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000; in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and to reflect the guidance contained in The National Planning Policy Framework.

12. No future occupier of the flats hereby approved shall be entitled to a car parking permit from the Council to park upon the public highway within any current or future local controlled parking zone.

REASON In order to ensure that the development does not harm the amenities of the occupiers of neighbouring residential

properties by adding to on-street parking demand in the area in accordance with Policy T2 of The Adopted Local Plan for Slough 2004 and Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

13. There shall be no access to the roof at second floor level other than for maintenance purposes at any time.

REASON In the interests of visual amenity and the safeguard the amenity of neighbouring residents in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

14. Prior to the commencement of the development hereby approved, details of the film to be applied to windows in the rear elevation at first and second floor level as shown on Drawing No. 20-12-06, Dated Nov. 2012, Recd On 27/11/2012 shall be submitted to the Local Planning Authority and approved in writing. The approved film shall be provided on site prior to the first occupation of the development and retained in that form thereafter.

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

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

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

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

REASON In the interests of the amenities of the area in accordance 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.

16. No development shall take place until details in respect of measures to deal with waste arising from the construction phase have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of building operations and the subsequent use of the building:

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

REASON In the interests of the amenities of the area in accordance 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.

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

REASON In the interests of the amenities of the area in accordance 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.

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

REASON In the interests of the amenities of the area in accordance 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.

INFORMATIVES:

1. The applicant will need to apply to the Council's Land Charges Department for numbering of the units.

2. 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.
3. The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.
4. The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.
5. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
6. This decision has been taken having regard to the policies and proposals in the Local Plan for Slough 2004 and the Slough Local Development Framework, Core Strategy 2006 - 2026, as set out below, (to Supplementary Planning Guidance) and to all relevant material considerations.

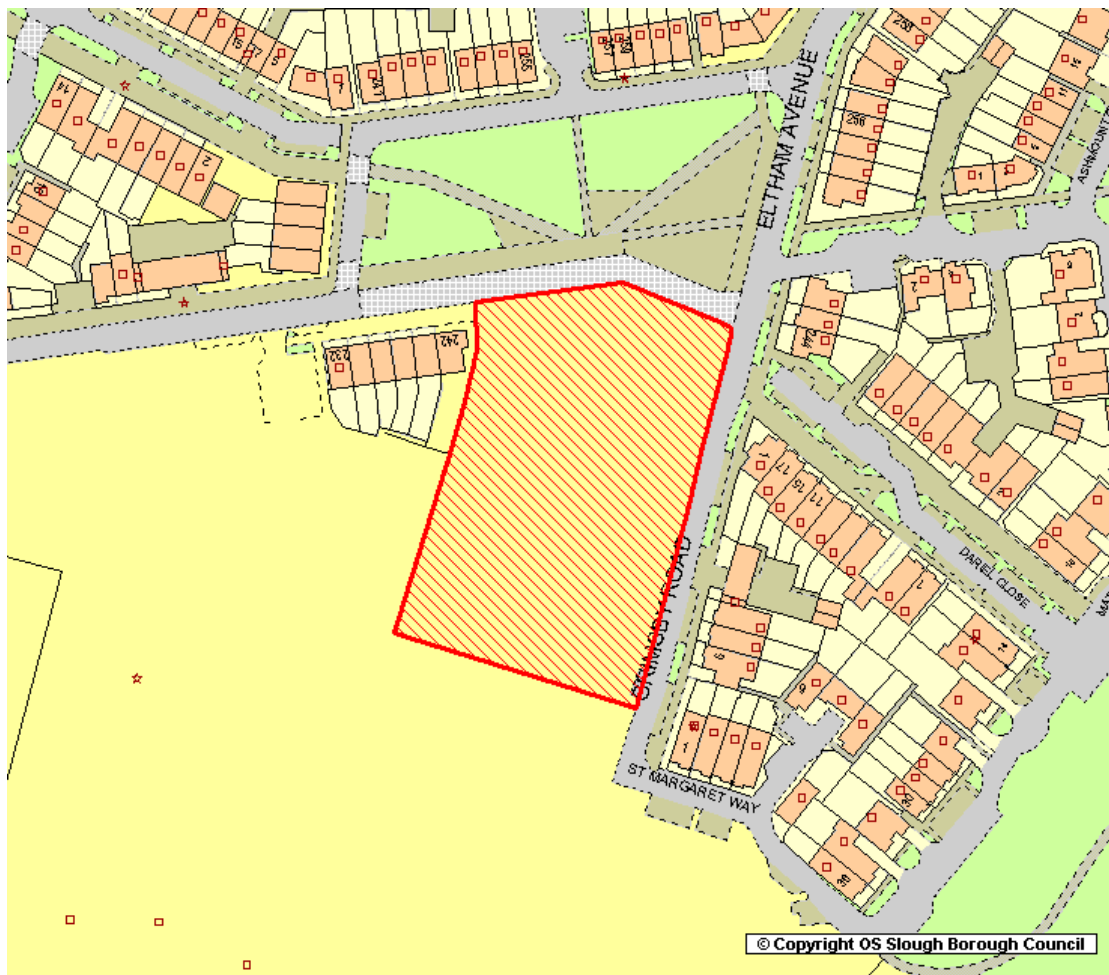
Policies:- H10, H11, H14, EN1, EN3, EN5, T2 and T8 of The Adopted Local Plan for Slough 2004; Core Policies 1, 3, 4, 5, 7, 8, 9 and 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008; The National Planning Policy Framework and the Technical Guidance to The National Planning Policy Framework.

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.

7. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions. 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.

Registration Date:	13-Dec-2012	Applic. No:	P/08770/072
Officer:	Mr. Albertini	Ward:	Cippenham Meadows
		Applic type:	Major
		13 week date:	14th March 2013
Applicant:	Barratt Homes Ltd		
Agent:	Mr. Roger Rippon, Rippon Development Services 19, Christchurch Gardens, Reading, RG2 7AH		
Location:	Land South of Eltham Avenue, & West of Grimsby Road, Cippenham, Slough, Berkshire		
Proposal:	CONSTRUCTION OF 20 NO. DWELLINGS WITH ASSOCIATED ACCESS, CAR PARKING AND LANDSCAPING.		

Recommendation: Delegate to HPPP for Section 106 agreement.



1.0 **SUMMARY OF RECOMMENDATION**

Delegate to HPPP for Section 106 to be completed.

PART A: BACKGROUND

2.0 **Proposal**

2.1 Since the application was first submitted the number of dwellings has been reduced by 1 to 20 homes. The mix of homes comprises:

2 four bedroom houses
10 three bedroom houses
2 three bedroom houses – affordable
3 two bedroom houses – affordable
2 two bedroom maisonettes – affordable
1 one bedroom flat over garage – affordable.

2.2 Most of the homes will be 2 and half storeys high with some 2 storey next to the Grimsby Road frontage. They are terraced except the 4 beds which are semi detached. One terrace faces the central open space on Eltham Ave another faces onto the courtyard area that provides parking for the first terrace. A third terrace faces Grimsby Road.

2.3 The affordable housing will comprise mostly homes at target rents. 2 of the houses will be shared ownership.

2.4 There are 2 allocated parking spaces per home plus extra spaces for the 4 bed units and some visitor spaces.

2.5 The elevations will be similar to the recently built homes adjacent comprising boarding at upper levels on most homes, grey roofs and brickwork below plus render feature panels.

2.6 The applicant has offered financial contributions towards transport, recreation and education facilities that can be secured in a Section 106 agreement.

3.0 **Application Site**

3.1 The 0.43 hectare site sits between homes built by Barratt in Cippenham phase 3 and 4. Asda is short walk to the east beyond the play area/open space and Western House school is within walking distance to the west. The site forms the southern side of the focal point for this part of phase 3 and 4 with a small open space; shared surface area and bus stop.

3.2 The contractor's compound on the site is being cleared most works

on phase 4 having been completed. Some external works and infrastructure works are outstanding regarding phase 3 & 4.

- 3.3 To the west and south are mainly 2 and half or 3 storey homes and similarly to the east on the opposite side of the road.

4.0 **Site History**

- 4.1 Phase 3 outline 300 homes approved May 2006 P/08770/056

Phase 4 161 homes approved 2010 P/08770/067 and reserved matters /070 – adjacent site.

5.0 **Neighbour Notification**

- 5.1 Grimsby Rd 1-9 odd
Eltham Ave 238 – 260 ev. 241-269 odd
Kenbury Drive 17-37 odd
Glyncroft 1 – 13 odd
St. Margarets Way 1

- 5.2 One objection received concerned about the area becoming congested, narrow roads, speeding traffic, young people hanging around, unsocial behaviour, parking problems. Response – a higher parking ratio is proposed than the surrounding area which will hopefully limit overspill on to the surrounding streets. Unsocial behaviour is not something that can be controlled via the planning system and the new housing will not necessarily contribute to the problem. The surrounding estate roads are quite narrow – that is part of the design of the estate.

6.0 **Consultation**

- 6.1 Transport – traffic generation from the site as a health centre had not been taken account of in the original traffic impact assessment. Consequently a contribution is sought towards the integrated transport strategy for improvements along the A4 corridor and at Twinches Lane. In addition to encourage non-car modes of travel a public transport voucher is sought for each household.

- 6.2 Highways – requested revisions substantially incorporated in revised drawings. A better sightline from the development access had been sought but as reduced sightlines had been accepted for earlier phases the developers have not been asked to provide this.

- 6.3 Housing – Requested change of mix now agreed. Requested social rent and shared ownership. Agreed a form of affordable rent that has rents similar to target rents accepted by the Council.

- 6.4 Education – request education contribution
- 6.5 Berkshire Archaeology – request study as adjacent excavation found items of interest.
- 6.6 Environment Agency – no objection

PART B: PLANNING APPRAISAL

7.0 Policy Background

- 7.1 The principle of development on the site was established by the phase 3 outline permission. Although the indicative boundary of the health centre has altered slightly as part of phase 4 development the associated Section 106 agreement effectively reserved a site for 5 years for a health centre. The 5 year period expired in May 2012. Over that period Barratt had at various times been in contact with the PCT about it taking the site but no 'agreement to lease', the key trigger in the Section 106, had been signed within the 5 year period.
- 7.2 The proposal complies with Core Strategy policy in terms of type and distribution of housing. The updated 5 year supply of housing includes this site as part of the Cippenham urban extension.
- 7.3 The site overlaps flood zone 2 but because of level changes associated with the Cippenham development the Environment Agency are not objecting.
- 7.4 Regarding affordable housing the application is being treated as a phase of the wider Cippenham development so 40% affordable housing has been requested. Normally schemes of less than 25 units do not require affordable housing on site.

8.0 Design Matters

- 8.1 The scheme is quite dense but in the context of the surrounding development is not inappropriate. The core of the phase 3 and 4 development was intended to have a concentration of homes compared to the fringes.
- 8.2 The elevations and form of development tie in with the earlier phases. There is space for some tree planting to continue the street trees in Eltham Ave adjacent.
- 8.3 Whilst several homes front onto the street most parking is to the rear the adjacent shared surface, open space and bus stop not being suitable for kerb side or frontage parking. Parking meets

Council standards and is greater than that adjacent which is important. The earlier phase 3 had limited parking due to Government policy at that time and the permission having been granted by the Secretary of State. Consequently there is limited spare parking capacity so it is important that this site has adequate on site parking.

- 8.4 The scheme complies with Core Strategy and Local Plan design and related housing policies.

9.0 **Infrastructure**

- 9.1 The applicant has agreed the principle of paying the requested financial contributions to transport, education and recreation facilities. This application is being treated as a continuation of the earlier phases so no new open space/play area is needed, those having been secured already. The recreation contribution will go towards maintenance of the open spaces.
- 9.2 A reduced education contribution has been accepted. This reflects the fact that the previous phase 3 and 4 contributions helped pay for the new school expansion; education contributions and the way they are applied are currently being reviewed and the 40% affordable housing achieved for a site. If the site were not part of the phased Cippenham development it may well be claimed by a future developer, as an independent scheme under 25 units for which the 40% affordable housing policy would not apply.

10.0 **Conclusion**

- 10.1 The Cippenham phase 3 outline permission included this site. The health centre proposal of 2006 has not been secured in the timescale specified in the permission. A further and final phase of housing development is satisfactory subject to securing the following in a Section 106 agreement – Affordable Housing (40%); transport contribution, bus ticket voucher, recreation contribution, education contribution, sustainable development.
- 10.1 Having considered the relevant policies referred to in this report , the representations received and all other relevant material considerations the following recommendation is made.

11.0 **PART C: RECOMMENDATION**

Recommendation

Delegate a decision to the Head of Planning Policy and Projects

- for the signing of a satisfactory Section 106 Agreement.

- to agree any minor amendments to the planning application, draft conditions list and Section 106 planning obligation matters.

12.0 **PART D: LIST OF CONDITIONS.**

12.1 **Conditions**

1. Time

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

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

2. Approved plans

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

P857/001 Rev H Layout Received 31/1/13
P857/SS01 rev C Streetscene Received 8/1/13
P857/2BM 01 B & 02 A House Type Received 8/1/13
P857/2BF 04 & 04 House Type Received 11/10/12
P857/MA01 House Type Received 11/10/12
P857/MA+ 01 & 02 House Type Received 11/10/12
P857/NO+ 01 & 02 House Type Received 11/10/12
P857/HO 01 & 02 House Type Received 11/10/12
P857/2BH 01 House Type Received 11/10/12
P8573BH 01 & 02 House Type Received 11/10/12
P8573BH 01Rev B & 02 House Type Received 8/1/13

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. Materials

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

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

4. Lighting Scheme

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

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

5. Landscaping Scheme

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

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

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

6. Boundary treatment

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

the future.

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

7. New access

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

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

8.

Internal access roads

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

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

9. Rain Water Storage

Prior to the occupation of each house that has a down pipe on its rear or side elevation a rain water storage container shall be installed in accordance with the following (unless otherwise agreed by the local planning authority) : The butt or tank capacity shall be at least 150 litres for two bedroom houses and be at least 200 litres for houses with three or more bedrooms.

REASON In the interest of sustainable development in particular reduction of fresh water consumption.

10. Low or zero carbon energy

Construction of any house or flat shall not commence until a low or zero carbon energy scheme has been submitted to and been approved in writing by the local planning authority. The scheme shall include details of energy to be generated on the site from low or zero carbon sources equivalent to 10% of the

developments estimated carbon emissions and it shall also state which dwellings will incorporate the energy generation equipment. The scheme shall be implemented as approved and no dwelling shall be occupied until its associated energy generating equipment has been installed and is operational.

REASON In the interest of sustainable development in particular reducing carbon emissions.

11. Construction Management Scheme

No development shall take place until a Construction Management Plan has been submitted and approved in writing by the local planning authority, which shall include details of the provision to be made to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning within the site plus wheel cleaning facilities during the construction period. These details shall thereafter be implemented as approved before the development begins and be maintained throughout the duration of the construction works period.

REASON In the interest of minimising danger and inconvenience to highway users.

12. Surface water

No dwelling shall be occupied until until surface water drainage has been installed in accordance with details that shall have first been submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development hereby approved.

REASON To prevent the risk of flooding in accordance with Policy 8 of the Core Strategy 2006 -2026.

13. Archaeology

No development shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the planning authority.

Reason:

The development relates to a known archaeological site, identified by evaluation during previous phases of development. Areas developed as part of Phase 3 received further investigation following initial evaluation, with remains on the current site being preserved in situ. Excavation of these remains

will allow them to be preserved by record and will further enhance our understanding of the archaeology of the area, particularly in relation to the density and nature of settlement activity.

Soil Contamination

DETAILS TO BE CONFIRMED

Garage use for parking only

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

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

14. Removal of Permitted Development rights - outbuildings

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

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

15. Removal of Permitted Development rights - extensions

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

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

INFORMATIVE(S):

1. The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
2. This decision has been taken having regard to the policies and proposals in the Local Plan for Slough 2004 and the Slough Local Development Framework, Core Strategy 2006 - 2026, as set out below, and to all relevant material considerations.

Policies:- EN 1 EN3 H14 H10 of The Adopted Local Plan for Slough 2004 and Core Policy 3, 4, 7, 8, 9, 10, 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

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

3. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions. 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.

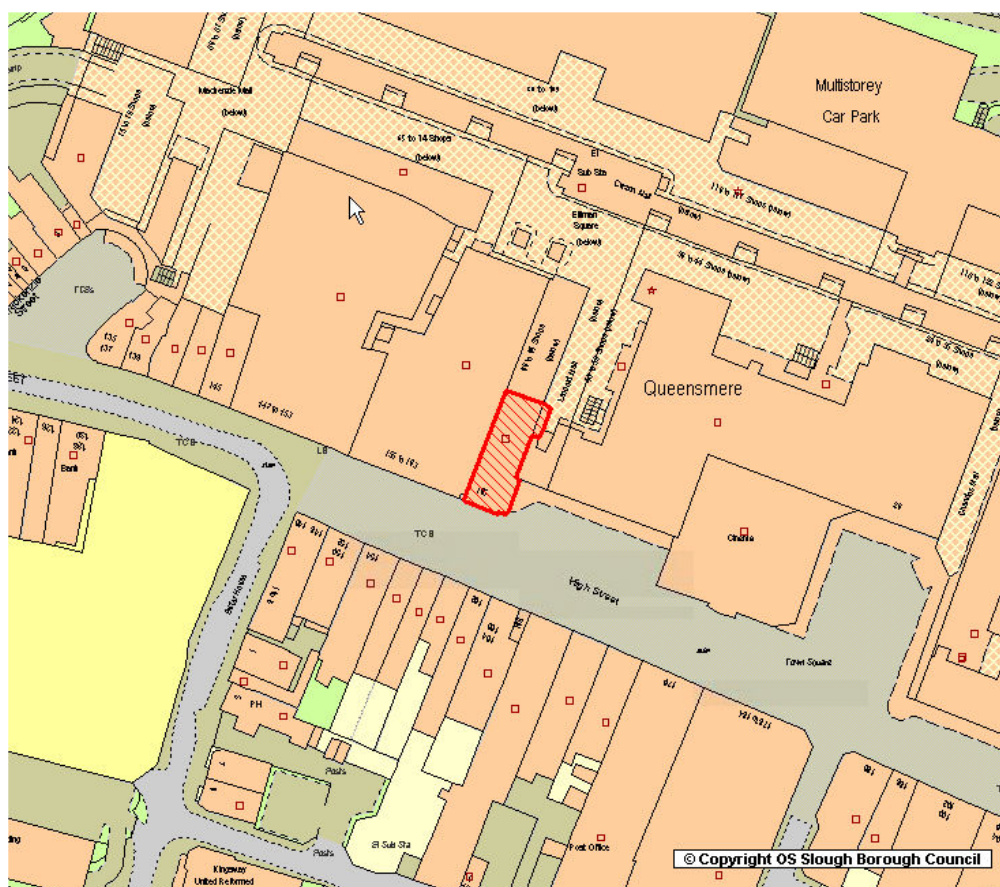
Informative

This notice DOES NOT convey any consent that you may require for Building Regulations. If you are unsure whether you need Building Regulations approval and before you start any work please contact Building Control Services independently on (01753) 875810 to check whether they require an application.

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Registration Date:	11-Dec-2012	Applic. No:	P/01433/014
Officer:	Mr Smyth	Ward:	Upton
		Applic type:	Major
		13 week date:	12 th March 2013
Applicant:	Slough Shopping Centre LLP		
Agent:	Mr. John Blackwell, Cunnane Town Planning LLP 67, Strathmore Road, Teddington, Middlesex, TW11 8UH		
Location:	165, High Street, Slough, Berks, SL1 1DS		
Proposal:	ERECTION OF A TWO STOREY EXTENSION TO CREATE 2 NO. FLOORS OF RESIDENTIAL ACCOMMODATION ON TOP OF THE EXISTING BUILDING AND CHANGE OF USE OF FIRST AND SECOND FLOORS OF THE EXISTING BUILDING FROM CLASS A2 OFFICE USE TO CLASS C3 RESIDENTIAL TO CREATE 6 NO. ONE BEDROOM AND 6 NO. TWO BEDROOM FLATS WITH PEDESTRIAN ACCESS FROM HIGH STREET. CHANGE OF USE OF GROUND FLOOR FROM CLASS A1 RETAIL TO CLASS A1 RETAIL, CLASS A3 RESTAURANT/CAFE OR CLASS A5 HOT FOOT TAKEAWAY.		

Recommendation: Delegate to HPPP



1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 This is a major application comprising 12 no. dwelling units which is bought before Planning Committee for decision.
- 1.2 Having considered the relevant Policies below and subject to the satisfactory resolution of all outstanding details, the development is considered not to have an adverse affect on the sustainability and the environment for the reasons set out.
- 1.3 That the application be delegated to the Head of Planning Policy and Projects for resolution outstanding matters relating to fenestration, internal layout, building heights and servicing , no substantive objections being received finalising conditions and final determination

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 The proposal is for the erection of a two storey extension to create 2 no. floors of residential accommodation on top of the existing building and change of use of the first and second floors of the existing building from Class A2 Office Use to Class C3 Residential to create 6 no. one bedroom and 6 no. two bedroom flats with pedestrian access from High Street. Change of Use of ground floor from Class A1 retail to Class A1 retail, Class A3 restaurant/cafe or Class A5 hot food takeaway.
- 2.2 No physical changes are proposed to the ground floor at this stage, which retains an open floor plate. There are stairs leading up to the first and second floors together with a small service lift at the northern end of the property. There is a separate pedestrian entrance and stair from the High Street frontage also providing access to the first and second floors
- 2.3 At first floor level 2 no. two bedroom flats are proposed. Bicycle parking is shown for 3 no. bicycles together with an additional storage area. The main bedroom and lounge serving Flat 1 takes its aspect light and sunlight from due south facing onto High Street, utilising the existing frontage fenestration .Additional light and aspect is provided within the western elevation utilising angled bay windows. Angled bay windows also provide the main aspect and light to bedroom 2. Flat 2 relies wholly upon the installation of angled bay windows for its light and aspect to the main bedroom and the lounge/secondary bedroom. A removable dividing screen wall is proposed together with sun pipes to improve

daylight/sunlight penetration to the northern part of the room. Both flats have access to a roof terrace area separated by a glazed screen. A communal bin store is shown at first floor level serviceable from the existing Queensmere service deck.

- 2.4 Internal layout of the second floor is similar to that of the first floor, other than the lack of external terraces. Juliette balconies with safety balustrade are proposed instead
- 2.5 The third and fourth floors have similar internal layouts accessed from a single stair. Each floor contains 1 no. two bedroom and 3 no. one bedroom flats. Flat 5 on the third floor and flat 9 on the fourth floor takes their principle aspect, daylight and sunlight from the south, with windows facing directly onto High Street. Flats 6, 7 and 8 on the third floor and 10, 11 and 12 on the fourth floor take their aspect daylight and sunlight from the west with views over sailing the neighbouring building at 167 High Street towards the cinema building which is some 40 metres to the west. The neighbouring building is within the same ownership. Terraces are provided for the units on the third floor but not on the fourth floor. Each terrace is separated by a privacy screen. There is no lift to the third or fourth floors. Sun pipes are proposed at both upper levels.
- 2.6 The design and appearance of the proposed extensions are similar to the existing building retaining similar proportions of wall to fenestration and style and appearance of the fenestration itself. The total height of the building is shown to line through with that of the neighbouring building at 163 High Street, which is currently occupied by Debenhams. Building heights within this part of High Street are fairly consistent.
- 2.7 The one bedroom flats range in size from 38 sq m to 45 sq m and the two bedroom flats range in size from 66 sq m to 76 sq m. A number of amendments and clarification of detail has been sought including kitchen provision, refuse and servicing, enhanced bicycle parking/storage and other changes to the internal layouts and an update will be reported on the Amendment Sheet.
- 3.0 **Application Site**
- 3.1 The site occupies a town centre location currently forming a shop unit with a High Street frontage which recesses into the broader Queensmere shopping centre. Immediately adjacent to the unit, is one of three entrances into the Queensmere shopping centre from High Street. The building is three storeys with retail on the ground floor and ancillary storage and offices above. The building was constructed in 1960s using a mix of brick work and external white render. The building is finished with a flat roof. The ground floor displays a modern shop front with large display window and the rear of the building can be accessed from the Queensmere service

deck.

- 3.2 To the east is a three storey retail unit currently occupied by Debenhams. Although of a similar story height to the host property, it has more generous internal floor to ceiling heights and sits higher than the host building. The host property is located within the primary shopping frontage. Having a town centre location it is well situated for public transport and other services and facilities.

4.0 **Site History**

- 4.1 The most relevant planning history relates to the previous planning application P/01433/013 for change of use of first floor and second floor from retail/office (Class A1/B) to residential to provide 7 no. one bedroom flats and additional third floor to provide 4 no. one bedroom flats.
- 4.2 That application was withdrawn on 10th November 2011 by the applicant following objections raised by officers.

5.0 **Neighbour Notification**

- 5.1 Debenhams Plc, 155, High Street; Burger King (uk) Ltd, 150-152 High Street; 154a High Street; First Choice Holidays 154, High Street; Video Games Ltd 156, High Street; British Heart Foundation 158, High Street; Cheltenham & Gloucester Plc 160, High Street; Travelzone 160, High Street; T Mobile Ltd 162, High Street; Reed Employment Ltd 164, High Street; Goldmead Ltd 166, High Street; Nationwide Bldg Soc 170, High Street; Mcdonalds Restaurants Ltd 172, High Street; Savers 174, High Street; W H Smith Ltd 176, High Street; Post Office 176, High Street; Ernest Jones 56, Queensmere; The Barber Shop 58, Queensmere; Pizza Hut (uk) Ltd 59, Queensmere; H & M Hennes 52-53 Queensmere; The Orange Shop 46, Queensmere; Next Retail Ltd 46-55 Queensmere; 3 Store 70, Queensmere; Evans Ltd 71, Queensmere; 74c Queensmere; Tobacco Mart 74d Queensmere; Phones 4 U 74b Queensmere; 76, Queensmere Slough; Chemistry 54, Queensmere; 62, Queensmere; Carphone Warehouse, 68, Queensmere; Accessorize 72a Queensmere; The China Doctor 39a Queensmere; Chinese Medicine 74e Queensmere; O2 74, Queensmere; 74a Queensmere; Culture Café 24, Queensmere; Dragon Chef 75-77 Queensmere; K F C 55-57 Queensmere; The Body Shop International Plc 66, Queensmere; Card Factory 72, Queensmere;
- 5.2 The 21 day consultation period expires on 6th February 2013. Any comments received will be reported on the Amendment Sheet.

- 5.3 The press notice published and site notice displayed on 1st February 2013. 21 day period for comment expires on 21st February 2013. Any comments received will be reported on the Amendment Sheet.
- 6.0 **Consultation**
- 6.1 Transport & Highways: - Late consultation. Any comments will be reported on the Amendment Sheet
- 6.2 Town Centre Manager: - Late consultation. Any comments will be reported on the Amendment Sheet
- 6.3 Thames Valley Police: - Late consultation. Any comments will be reported on the Amendment Sheet
- 6.4 Waste Management Team: - Late consultation. Any comments will be reported on the Amendment Sheet

PART B: PLANNING APPRAISAL

- 7.0 **Policy Background**
- 7.1 This application is assessed against;
- The National Policy Framework
 - Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008
- Core Policy 1 (Spatial Planning Strategy),
Core Policy 3 (Housing Distribution),
Core Policy 4 (Type of Housing),
Core Policy 6 (Retail, leisure & Community Facilities)
Core Policy 8 (Sustainability & the Environment).
Core Policy 12 (Community Safety)
- Adopted Local Plan for Slough 2004
- Policy H7 (Town Centre Housing}
Policy H11 (Change of Use to Residential)
Policy H14 (Amenity Space)
Policy S12 (Change of Use from A1 to A3)
Policy EN1 (Standard of Design)
- 7.2 The application is considered in relation to:
- The Principle of Housing and Mixed Use Development
 - Design & Street Scene Impact

- Quality of Housing
- Access Servicing & Parking
- Amenity Space
- Designing Out Crime

8.0 **The Principle of Housing and Mixed Use Development**

8.1 The National Planning Policy Framework states 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.....*
- *encourage the effective use of land by reusing land that has been previously developed (brownfield land).....*
- *promote mixed use developments.....*
- *recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites..... normally approve planning applications for change to residential use and any associated development from commercial buildings.....*

8.2 With respect the ground floor retail element for which an open planning permission for A1, A3 or A5 is being sought Policy S12 states: Proposals for a change of use from retail to uses within the food and drink Use Class A3 will be permitted in either the primary or secondary shopping frontages subject to all of the following criteria being met:

- a. the proposal should provide a shop front design synonymous with a shopping location;
- b. if in the primary frontage, the proposal will not result in three or more similar uses being located next to each other;
- c. the proposal can demonstrate that levels of pedestrian flow will not be adversely affected;
- d. the proposal seeks to trade at hours complementary to a retail location;
- e. all proposals should provide appropriate servicing from the rear of the property utilising existing service roads. Where full rear servicing does not currently exist, the proposal will only be permitted if it is clear that servicing would not lead to traffic congestion and obstruction to parking and access;
- f. proposals must not result in any adverse environmental effects.

8.3 Core Policy of the LDF Core Strategy states: *Proposals for high density housing..... will be located in the appropriate parts of the town centre.* Core Policy 3 allocates a minimum of 3000 dwellings to the Town Centre. Core Policy 4 states that: *High-density housing should be located in Slough town centre.*

- 8.4 Policy H7 of the Local Plan states:*Within the Town Centre Commercial Core area, priority will be given to the development of mixed use schemes, including a residential element, unless it can be demonstrated that the site is unsuitable for residential use.*
- 8.5 Policy H11 states: Proposals for the conversion and change of use of existing commercial properties to residential use will be permitted subject to their meeting all of the following criteria:
- a. a satisfactory independent access is provided;
 - b. any parking provision meet the aims of the integrated transport strategy;
 - c. satisfactory minimum room sizes and internal layouts are achieved; and
 - d. satisfactory sound insulation measures are taken between each residential unit and adjoining properties.
- Proposals should also provide appropriate amenity area which can take the form of roof gardens, balconies, or more traditional forms of amenity space such as ground level gardens
- 8.6 The principle of providing housing in the Town Centre Area is acceptable as being a sustainable form of development. It would make effective and efficient use of an existing underutilised building, promotes a mixed scheme and would add to the vitality of the town centre in accordance with the principles underlying the aims and objectives of National Planning Policy Framework. It further complies with the requirements of Core Policies 1, 3 and 4 of the Local Development Core Strategy, Development Plan Document, in terms of housing location and distribution, housing type and density. The proposals which represent a mixed use retail and housing scheme, comply with the principles of Policy H7 of the Adopted Local Plan which supports the principle of such schemes within the Town Centre Commercial Core Area.
- 8.7 No objections are raised to the principle of housing as part of a mixed use scheme, in accordance with the NPPF, the Slough LDF Core Strategy or the adopted Local Plan for Slough nor to the principle of A3 or A5 use on the ground floor subject to appropriate conditions covering details of any extraction of ventilation extracting ducting and flue; opening hours and appropriate shop front design.
- 9.0 **Design & Street Scene Impact**
- 9.1 The National Planning Policy Framework states: *planning should always seek to secure high quality design and a good standard of amenity. 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.*
- 9.2 Core Policy 8 of the LDF Core Strategy states: *All development will:*

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

9.3

Policy EN1 of the Adopted Local Plan 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:

- a. scale;*
- b. height;*
- c. massing/Bulk;*
- d. layout;*
- e. siting;*
- f. building form and design;*
- g. architectural style;*
- h. materials;*
- i. access points and servicing;*
- j. visual impact;*
- k. relationship to nearby properties;*
- l. relationship to mature trees; and*
- m. relationship to water courses.*

These factors will be assessed in the context of each site and their immediate surroundings. Poor designs which are not in keeping with their surroundings and schemes which result in over-development of a site will be refused.

9.4

The main design issues relate to: the height of the building in relation to neighbouring buildings, the introduction of angled bay windows onto an otherwise blank flank wall elevation and the design and appearance of the proposed extension in relation to the host building and general street scene.

Height and Massing of Building

9.5

The submitted elevations show the height of the extended building to line through with the top of the neighbouring building(s), Clarification that this reflects the correct scenario has been sought

from the applicant, who has responded that:

"We understand your wish that the final height on the elevations should match up with 163 High Street (Debenhams). The project architect points out that visual inspection is often misleading due to the roof detailing currently at No.165 where the parapet extends higher from the ceiling/roof level. From the site survey and the architect's calculations, our clients are confident there is enough room to allow for the two additional floors to have 2.3m floor-to-ceiling heights and a space of 300mm for the construction of the new floor".

Architectural Style

- 9.6 The proposed extensions are not designed to be proportionate nor subordinate to the host building but are designed to be integral to the main building by replicating the existing architectural style of the building, utilising matching materials and adopting the same proportions and style of fenestration
- 9.7 The introduction of angled bay windows in the western flank wall of the existing building at first and second floor levels represents an alien but necessary design feature to ensure reasonable aspect and daylighting levels for the future occupants of the effected dwelling units. Given that this elevation at the lower levels is partly screened from view, by the existing of the neighbouring building, these would not unduly impact on the character and appearance of this part of the High Street.
- 9.8 No objections are raised on grounds of Design or Street Scene Impact in accordance with the NPPF, Core Policy 8 of the LDF Core Strategy or Policy EN1 of the Adopted Local Plan.

10.0 **Quality of Housing**

- 10.1 The overarching principles of the NPPF state that: *planning should always seek to secure high quality design and a good standard of amenity* for all existing and future occupants of land and buildings. Policy H11 of the adopted Local Plan states: proposals for the conversion and change of use of existing commercial properties to residential use will be permitted subject to meeting all of the following criteria:
- (c) satisfactory minimum room sizes and internal layouts.
- 10.2 The quality of housing is assessed in relation to room sizes & layout, aspect and daylight & sunlight.

Room Sizes & Layout

- 10.3 Internal floor areas are shown on the deposited floor plans and in all cases the floor areas shown comply with the minimum room sizes as set out in the Council's approved guidelines. Clarification is being sought from the applicant with regards to the provision of separate kitchens or kitchen areas within lounges. Some concerns have been expressed with respect to the layout of flats 2 and 4 which are shown as two bedroom flats, but with one of the bedrooms being combined with lounge and assumed kitchen area. Changes to the layout of these flats have been sought. An update will be included on the Amendment Sheet.

Aspect

- 10.4 The lounge to flat 1 on the first floor and flat 3 on the second floor takes its aspect from the front of the building facing due south. The main bedroom to each flat has a dual aspect and the second bedroom takes its aspect from the east with the use of angled bay windows. Flat 2 on the first floor and flat 4 on the second floor take their aspect from the south using angled bay windows to provide a directional view towards the High Street. The arrangements for the flats on the proposed third and fourth floors is similar, except that angle bay windows are not provided for directional view, as unlike the lower floors, views are possible over the top of the neighbouring building, which is within the same ownership as the applicant. The nearest tall building is the cinema, the flank wall of which is sited over 40 metres to the east. In addition the lounge serving flat 8 on the third floor and flat 12 on the fourth floor have a dual aspect . The only room with a relatively poor aspect is the second bedroom serving flats 8 and 12 which in both cases has a northerly aspect looking towards the rear service area, but the view for which is substantially narrowed by the presence of the neighbouring building.

Day and Sunlight

- 10.5 No daylighting / sunlighting study has been submitted with the application. However, for the most part it is considered that the habitable rooms serving the flats which have either a southern or easterly aspect will receive adequate day light. Given the sun path the amount of sunlight received will vary between the flats. The principle rooms serving flats 1, 3, 5 and 9 which have an easterly aspect will receive sunlight from early morning through to midday or just after. The second bedroom serving flats 1 and 3 and the principle rooms serving flat 2 and 4 will have an easterly aspect and will experience reduced sunlight in the early mornings and little or no sunlight after midday. It is proposed to introduce sun pipes to serve flats 2 and 4 which will improve living conditions within those units. Flats 6, 7, 8, 10, 11 and 12 on the third and fourth floors also

take their aspect from the east and will benefit from early morning sun through to midday or shortly afterwards. The only exception will be the second bedroom serving flats 8 and 12 which only have a northerly aspect and will receive no appreciable sun light.

- 10.6 Subject to changes to the layout of flats 2 and 4 to improve daylight penetration to habitable areas and general living conditions no objections are raised on grounds of housing quality and living conditions for future occupants in accordance with the overarching principles of the National Planning Policy Framework and Policy H11 of the adopted local Plan.

11.0 **Access Servicing & Parking**

- 11.1 The NPPF states that: *planning should aim to safe and accessible developments, containing clear and legible pedestrian routes.....`*
- 11.2 Core Policy 8 of the LDF Core Strategy states that: *All development will be of a high quality design, attractive, safe, accessible and adaptable.*
- 11.3 Policy H11 of the Adopted Local Plan states: *proposals for the conversion and change of use of existing commercial properties to residential use will be permitted subject to meeting all of the following criteria:*
- a) *a satisfactory independent access is provided*
 - b) *any parking provision meets the aims of the integrated transport strategy*
- 11.4 Policy T2 of the Adopted local Plan states that: *....the maximum level of on-site parking provision for the private car will be restricted to a maximum level in accordance with the integrated transport strategy.* The supporting parking standards require nil car parking and 1 no. bicycle parking space per dwelling for residential schemes in the town centre.
- 11.5 A pedestrian access, separate to the shop entrance is provided from High Street. Existing stairs are also available at the northern end of the building serving the ground first and second floors. This staircase provides escape in the event of fire and accesses onto the service deck at first floor level, via a series further external steps. There is also a small service lift, which serves ground to second floors. The proposals do not include extending the lift to serve the third and fourth floors.
- 11.6 Servicing including refuse collection is via the existing rear service deck at first floor level. A bin store has been provided on the rear

service deck adjacent to the fire exit at first floor level, large enough to accommodate 6 no. 1100 litre euro bins, in accordance with guidance given in the Developers Guide. The Council's Waste Management Section and Highway Engineers has been consulted on the servicing proposals and any comments received will be reported on the Amendment Sheet.

- 11.7 Concern has been expressed regarding travel distances particularly for the upper floor flats, some of the occupiers for which will need to negotiate a number of stairs and use a service lift to be able to deposit their rubbish within the bin store provided. In some cases these travel distances will exceed the guidance in the building regulations which indicate a 30 metres travel distance as being the normal maximum acceptable carrying distance. This matter is being addressed by the Building Control section in relation to a concurrent building regulations application.
- 11.8 2 no. cycle stores are provided on the first and second floors capable of providing cycle parking for 6 no. bicycles. Whilst there is a shortfall of 6 no. spaces/racks there is space available for an enlarged cycle store on both levels. The Council's highway engineers have proposed that individual lockers of a size sufficient to accommodate a bicycle be provided for each of the flats within the 2 no. enlarged stores and which if not used for cycle storage can be used for more general storage by the occupiers. Amended plans have been requested showing the enlarged cycle stores and subject to receipt, these amendments together with any comments received from the Council's highway engineers be reported on the Amendment Sheet.
- 11.9 To access the bicycle stores requires access from the rear service deck, from where there is access to a service lift. Whilst this is not desirable from a crime/fear of crime perspective, the alternative is for the individual occupier(s) to carry the bicycle up one of possibly two flights of stairs, if using the access from High Street.
- 11.10 The difficulties associated with carry distances for refuse disposal by the future occupiers of the upper floor flats could be eased if the existing lift was to be extended up into the third and fourth floors. However, this has not been agreed with the applicant. Similarly, access to the cycle store is far from ideal having to use the rear service ramp, however, an alternative provision on the ground floor adjacent to the High Street entrance would significantly eat into the ground floor retail space. The applicant has been requested to look for solutions to the issue of carrying distances and to provide amended plans showing 2 no. enlarged cycle stores. Further updates will be given on the Amendment Sheet. Subject to the submission of further information/amendments a view will need to be taken as to whether or not the proposals fully comply with guidance in the NPPF, Core Policy 8 of the LDF Core Strategy and

Policies H11 and T2 of the adopted local Plan in respect of these matters.

12.0 **Amenity Space**

12.1 The overarching principles of the NPPF state that: *planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*

12.2 Policy H11 of the adopted local Plan states: Policy H11 of the adopted Local Plan states: *proposals for the conversion and change of use of existing commercial properties to residential use will be permitted subject to meeting all of the following criteria.....proposals should also provide appropriate amenity area which can take the form of roof gardens, balconies, or more traditional forms of amenity space such as ground floor level gardens.*

12.3 Policy H14 of the adopted Local Plan states: *The appropriate level will 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*

12.4 Private terraces are provided to flats 1 and 2 on the first floor and Juliette balconies to flats 3 and 4 on the second floor. This pattern is repeated on the third and fourth floors. As the private terraces on the third floor will over sail habitable accommodation on the second floor, good sound proofing insulation will be required.

12.5 Approximately 50% of the flats will have access to a roof terrace, the remainder will have Juliette balconies. Given that this is a town centre site no objections are raised on grounds of amenity space provision in accordance with policies H11 and H14 of the Adopted Local Plan.

13.0 **Designing Out Crime**

- 13.1 The NPPF states: *Planning policies and decisions should aim to ensure that developments: create safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life or community cohesion...*
- 13.2 Core Policy 12 of the LDF Core strategy states:

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.....
- 13.3 Policy EN5 of the adopted Local Plan states: *All development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour.....*
- 13.4 The Thames Valley Police Crime Prevention Design Adviser has advised verbally that whilst he raises no objection in principle he does have some concerns about the pedestrian access which would be available from the rear service deck, particularly for those occupants who cycle, both in terms of the poor quality environment which this provides and due to concerns about crime or fear of crime. He will as minimum be seeking secure entry. Any formal comments received will be included on the Amendment Sheet.
- 13.5 Providing cycle parking on the ground floor or creating an access to the rear service lift from the High Street frontage, would both result in the loss of retail floorspace. Therefore on the basis that a rear access would remain for those occupants who cycle then it is proposed that a condition be imposed requiring the submission of a security management plan which could include measures to introduce CCTV, entry control and external security lighting. Subject to the imposition of an appropriately worded condition covering security measures no objections are raised on grounds of crime or fear of crime in accordance with the NPPF, Core Policy 12 of the LDF Core Strategy or Policy EN5 of the Adopted Local Plan.
- 14.0 **Summary and Conclusions**
- 14.1 No objections are raised to the principle of housing as part of a mixed use scheme, in accordance with the NPPF, the Slough LDF Core Strategy or the adopted Local Plan for Slough. Points of clarification and amendments have been sought from the applicant relating to fenestration, internal layout, building heights servicing and cycle parking which together impact upon the quality of the housing being provided. Responses received from the applicant will be reported on the Amendment Sheet. The period for consultation has not expired at the time that this report has been written and any comments received will also be reported on the Amendment Sheet

PART C: RECOMMENDATION

15.0 Recommendation

- 15.1 That the application be delegated to the Head of Planning Policy and Projects for resolution outstanding matters relating to fenestration, internal layout, building heights and servicing , no substantive objections being received finalising conditions and final determination.

In the event that the outstanding matters have not been resolved by the 13 week determination target date that the Head of Planning Policy and Project reserves the right to refuse planning permission on the following grounds:

The development does not deliver good quality housing as a result of poor internal layout and inadequate day lighting particularly relating to flats 2 and 4 as shown on the deposited plan thereby resulting in poor living conditions for future occupants contrary to the National Planning Policy Framework (Core Planning Principles) and Policy H11 of the Adopted Local Plan for Slough 2004.

- 15.2 On the basis that all outstanding matters are adequately addressed then the following conditions (headings only) would be applied:

16.0 PART D: LIST OF CONDITIONS - HEADINGS

1. Time limit, 3 years
2. Approved drawings
3. Bicycle parking to be provided pre- occupation (of the flats)
4. Security management plan to be submitted pre-commencement (of the flats)
5. Servicing to take place from the rear service deck and not from High Street
6. Details of Bin store to be submitted pre commencement (of the flats) and installed pre- occupation (of the flats)
7. Directional view due south for angled windows
8. Insulation of flats to protect against external noise –pre commencement (of the flats)
9. External materials – pre commencement of development
10. Maximum building height
11. Sun pipes to be installed pre-occupation of the flats in accordance with further details to be submitted for written

Approval

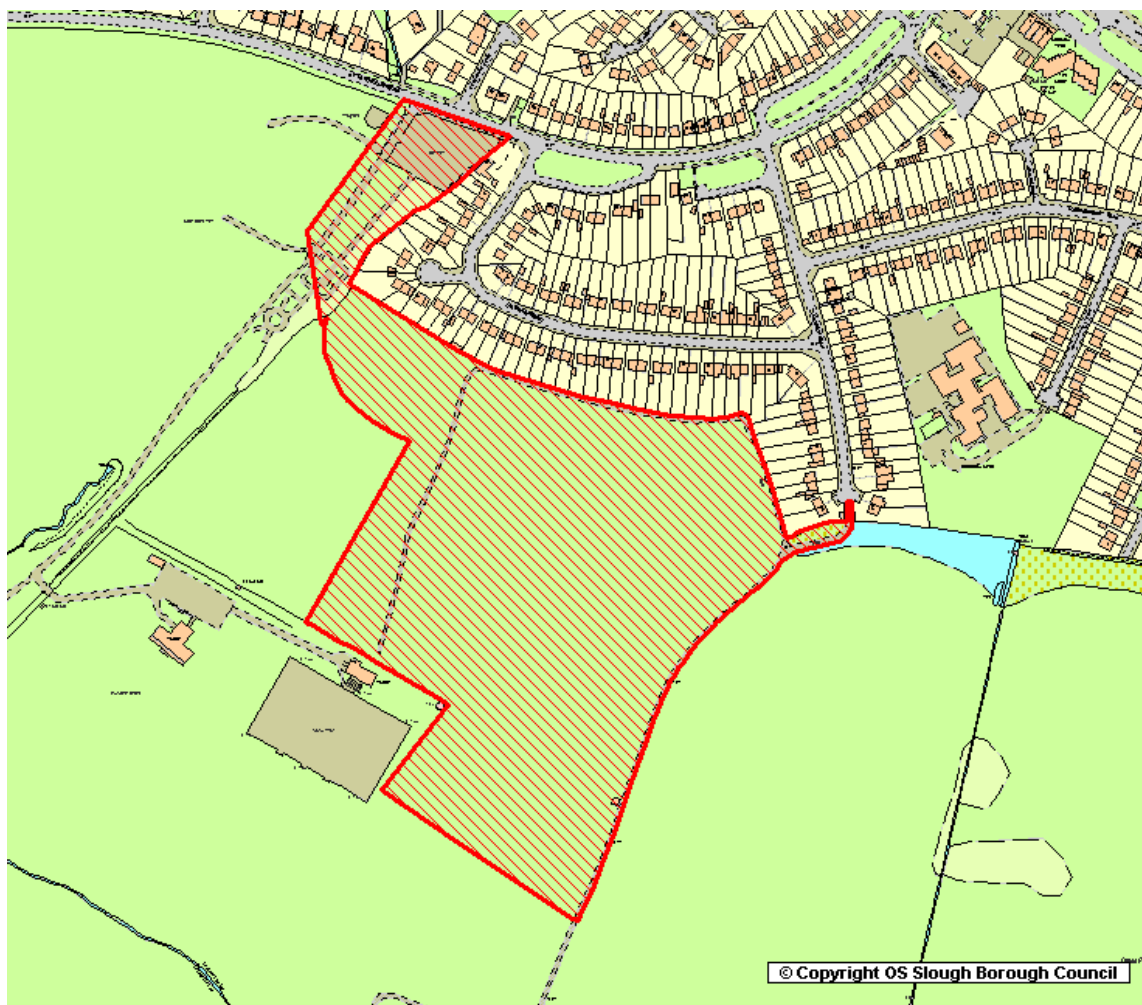
12. Prior to the occupation of the ground floor for A3 or A5 use, ventilation and fume extraction to be installed and maintained in accordance with details first approved in writing by the Local Planning Authority
13. Submission of Waste Minimisation Plan prior to commencement of development
14. Opening hours for A3 or A5 use of ground floor
15. Noise from equipment – no increase in ambient background noise at nearest noise sensitive boundary

Informatives

1. House numbering
2. Planning policies
3. Any changes to the shop front will require a separate planning application.
4. Pro- active & positive planning

Registration Date:	09-Nov-2012	Applic. No:	P/11425/012
Officer:	Mr. Albertini	Ward:	Upton
		Applic type:	Major
		13 week date:	8th February 2013
Applicant:	Bellway Homes Ltd and Kelobridge Ltd		
Agent:	Ms. Alex Owen, Barton Wilmore LLP 7, SOHO STREET, SOHO SQUARE LONDON		
Location:	LAND REAR OF 2-78 CASTLEVIEW ROAD, PART OF UPTON COURT PARK, & PART OF 36 BLENHEIM ROAD, UPTON COURT ROAD, SLOUGH, BERKSHIRE		
Proposal:	RESIDENTIAL DEVELOPMENT FOR 300 DWELLINGS WITH ACCESS FROM UPTON COURT ROAD; EMERGENCY/PEDESTRIAN/CYCLE ACCESS FROM BLENHEIM ROAD AND ASSOCIATED HIGHWAYS, PUBLIC OPEN SPACE AND LANDSCAPING.		

Recommendation: Delegate to HPPP for Section 106 agreement.



1.0 **SUMMARY OF RECOMMENDATION**

Delegate to HPPP for Section 106 agreement to be completed.

PART A: BACKGROUND

1.1 Background Note – There is an existing detailed permission for 300 homes that is still current. As detailed in para 2.18 Bellway Homes, the purchaser, wish to have their own housing scheme design.

2.0 **Proposal**

2.1 The proposal comprises the mix of homes below in para. 2.2. 30% of homes are to be social rent and 10% shared ownership. The affordable housing mix has been changed since the application was first submitted in response to the Council's Housing Section request. Revised drawings to reflect the associated minor layout changes are expected.

2.2 Mix

SCHEME		PRIVATE	AFFORDABLE		
Type	Total		Social Rented	Shared Ownership	Total Affordable
1 Bed Flat	18	1	13	3	17
2 Bed Flat	47	26	15	7	21
2 Bed House	35	8	18	9	27
3 Bed House	118	76	33	9	42
4 Bed House	58	48	10		10
5 Bed House	24	21	3		3
Total	300	180	92	28	120

2.3 A mixture of detached, semi detached, short terraces and flats are proposed. Houses are 2, 2 and half or 3 storey. The 7 blocks of flats are not higher than 3 storey.

2.4 The access arrangement will be as the permitted scheme comprising a roundabout on Upton Court Rd at the existing junction with Dashwood Close with a traffic calmed road running near the edge of the Park and curving into the housing development site and serving the future school site. A shared foot and cycleway will run next to the access road from the existing one, alongside Upton Court Road, to the proposed school site. The roundabout will have

refuges to assist pedestrians crossing.

- 2.5 The area of Upton Court Park affected by the new access will involve relocation of the vehicle entrance for the sports clubs (south of the Park). Access will be via the new road with a link off it to reach the existing tree lined roadway. The existing unused car park area will be removed and the existing small parking area reformed in a similar location to now. The existing entry to the Park off Upton Court Rd will remain for pedestrian and cycle use. No buildings are proposed on the Park area. Tree planting in this area is proposed and some existing trees will be lost as a result of construction of the access road including one of the big poplar trees.
- 2.6 An emergency, pedestrian and cycleway access is proposed from the site to the end of Blenheim Road involving loss of a garage at 36 Blenheim Rd and loss of some trees within an adjacent band of trees.
- 2.7 The road layout allows for a bus to enter the site and turn if needed in the future. The access road as it enters the development area is sufficient to allow for a school entry and exit point. Adjacent residential streets will be gated to prevent parents using those roads for drop off etc.
- 2.8 Immediately to the rear of existing gardens that abut the development site a 3 metre gap has been left to accommodate a private right of access established by some existing residents after a recent court ruling.
- 2.9 The layout features a tree lined core axis through the site giving a view through to Ditton Park on the far side of the site. On this axis is a ring of buildings overlooking a central open space. An axis to the south provides a view through to trees and open land to the south. Roads of varying width loop off the axis routes with limited use of cul de sac roads. Shared surfaces and changes to alignment are designed to encourage low speeds.
- 2.10 Homes nearer the edge of the site are generally 2 storey and many will overlook the open spaces or planting areas. In general homes are arranged to minimise exposure of rear gardens to public areas to reduce opportunities for crime.
- 2.11 Architecture picks up on some features found in the surrounding suburban housing. In addition there are 3 differing themes in terms of detailing that help differentiate parts of the development. In brief one has predominantly yellow/buff multi brick, grey roofs and white windows etc. Another has red brick, red/brown tiles, gables, feature render or tile hanging, bay windows, chimneys. The third has a greater mixture of brick and tile colour/types and simpler architectural detailing. Window and door styles differ between the 3

themes.

- 2.12 Homes near the boundary of existing homes will be 2 storey or with one exception 2 and half storey all set back from the existing boundary at least 12 metres excepting one flank wall which will be nearer. Typical distances from new to existing windows will be 35 to 45 metres the adjacent existing homes having long rear gardens. .
- 2.13 The 3 main open spaces are a central area acting as feature with a ring of houses around it, an informal southern area abutting the green belt area to the south and overlooked on one side by mainly detached homes and a tree lined buffer area on the eastern edge abutting the green belt and Ditton Park historic garden area. This is also overlooked by adjacent homes. Another 3 small areas provide amenity areas amongst the housing. The 4 largest spaces provide opportunities for children's play in some form but no traditional formal play equipment is proposed. A financial contribution to off site play equipment has been offered.
- 2.14 The existing southern and eastern boundary trees/hedging will be retained. A tree on the north boundary will be retained. Trees lost by the access related works are referred to above.
- 2.15 Regarding sustainability low or zero carbon energy generation is to be incorporated and homes will achieve Code for Sustainable Homes level 3.
- 2.16 A financial contribution towards transport related improvements has been offered for public transport enhancements and off-site highway improvements to benefit pedestrians, cyclists and/or traffic. A Travel Plan to encourage bus, cycle and walking has been submitted. The car parking ratio is 2.3 spaces per home with 70% being allocated to individual homes. Cycle storage is provided for all flats.
- 2.17 The applicant has submitted supporting statements :
Planning Statement
Transport Assessment & Travel Plan
Flood Risk Assessment
Ecology Report
Landscape Proposals and Tree Information
Visual Analysis
Heritage and Archaeology Assessment
Ground Investigation
Statement of Community Engagement
- 2.18 Background note: There is an existing approved detailed housing scheme for the site but Bellway Homes, as prospective purchasers of the field wish to have their own design. However the access road through the Park is substantially the same as that already

approved.

- 2.19 In comparison to the permitted Kelobridge housing scheme of 2009 Bellway's proposal has fewer flats, more traditional housing design, no buildings more than 3 storey, fewer communal parking areas or rear courtyards and a mix of housing that has more 4 and 5 bedroom homes.
- 2.20 The previous application included the school site and the planning permission reserves it for education use. This new application does not cover the school land but the applicants have offered it to the council in connection with this application. The Council already have an option to purchase the school site under a separate property contract. The Council originally expected the land to be used for a primary school but now wish it to be used for a secondary school.

3.0 **Application Site**

- 3.1 The western edge of this 9.67 ha site overlaps the north west corner of Upton Court Park and the bulk of the application site covers a substantial portion of an arable field south of homes in Castleview Rd. The site slopes gently to the south. There are trees along the southern and eastern boundary. The corner of the park contains several mature trees, a small park car park and the tree lined entrance road to sports clubs. The site includes part of the front garden of the last house in Blenheim Road plus a thin strip of land adjacent containing trees and a track. The site does not include that part of the field that is reserved for a school site by the earlier planning permission.
- 3.2 Part of the southern boundary abuts Slough Hockey & Cricket Club sports field with a pavilion and floodlit pitch near to the boundary. Arable land, part of Ditton Park (a grade 2 listed historic park), lies to the east and the northern boundary adjoins rear gardens of homes in Castleview Road and Blenheim Road. Land beyond the west, south and much of the east boundary is open land in the green belt. Upton Court Park is in the Green Belt and is public open space.
- 3.3 The edge of the proposed housing area is 2 km from the High Street, 1.5 km from Sainsbury's and 500/600m from local shops and bus stops at London Road/Upton Court Road junction. Castleview primary school and secondary schools are nearby. A national cycle route runs west – east to the south of the site.

4.0 **Site History**

- 4.1 Outline permission for 300 homes and school, access via Park; refused by Council; approved by Secretary of State March 2006.

(Ref. No. P11425/003).

Master Plan approved 24th October 2007. (P/11425/4).

Reserved matters (details) of housing approved July 2009 (P/11425/005).

Variation of conditions re access road alignment approved February 2010 (P/11425/008).

Variation of Section 106 Agreement April 2010 re education contributions, school land and affordable housing mix. Matters relating to transfer of the school land were removed from the Sec. 106 the Council having made alternative provision as part of a property contract associated with the Council leasing land to the developer for the access road.

Variation of conditions re timing of submission of details re start of minor works to access. Approved 13th Oct 2010 (P/11425/009/ & /010 & /011).

Development commenced 2011 (by way of start of access kerb works) but work has not continued.

4.2 Refused applications :

Applications for access direct from Castlevue Road refused by the Council 2005 & 2008 and refused by Secretary of State 2006. (P/13303/000 & /001, P/11425/006 & 007).

Application for more than 300 homes without school refused 2005 and by Secretary. of State 2006 (P/1425/001).

5.0 **Neighbour Notification**

5.1 Castlevue Road : 2 – 80 even
Blenheim Road : 16-36 even 31 – 37 odd
Dashwood Close : 1 – 8 inclusive plus 4A
Upton Court Road : 84 – 106 even, 100 A 101. 102A
Sports Clubs

5.2 21 letters of objection received. The most raised concerns are :

- Traffic Congestion
- Noise (from activity/road/construction noise)
- Loss of nature/trees
- Loss of Green Belt
- Loss of privacy/over shadowing
- Loss of amenity/park spoilt (parkland loss)
- No amenities/infrastructure to support housing

Other concerns raised :

- Right of Way affected
- Loss of views over field/to Castle
- Breach of Council's Core Strategy policy (loss open space/green belt)
- Pollution
- Covenants protect the land
- Houses out of character with existing
- Crime/security risk
- Irregularities re incorrect information re ownerships/green belt
- Environment Impact Assessment (& SEA) needed
- Safety
- Revised Rugby Club will restrict use.
- Inadequate landscaping/enclosure
- Threat to adjacent fields
- Limited time for consultation /notice of application.

5.3 Responses to the above are summarised in section 12. The report also deals with many of the concerns raised.

6.0 **Consultation**

6.1 Transport - Proposal acceptable subject to the satisfactory outcome of further queries about the traffic modelling and of discussions with the developer to agree the terms of the impact mitigation package to be secured by a Section 106 agreement. See Section 8 for more detail. In addition a parking restriction near the new school should be funded.

6.2 Highways - Various minor requests to be accommodated in revised drawings.

6.3 Drainage- request change to drainage strategy to deal with possible contamination in part of site.

6.4 Environmental Quality – soil investigation report noted; request condition to cover further study and remediation scheme if necessary.

6.5 Housing – seek normal requirement of 30% social rent and 10% shared ownership. Seek more smaller units and fewer big homes due to changes in housing benefit and affordability. Affordable Housing to be provided in accordance with Council's normal provisions. The mix of homes referred to above incorporates Housing Section's request.

- 6.6 Education – seek normal contributions subject to consideration of any viability information received and changes to contributions as a result of a current review.
- 6.7 Parks –Request contribution for formal sports and childrens play for Upton Court Park; comprehensive open space maintenance scheme, option for open space to be transferred to Council with maintenance money. Some concerns about arrangement of altered car park, entrance to park, protection of parkland and connection of housing area to park. In response detail of the design and planting will be covered by conditions; the location of the car park has been accepted by the Council as land owner. The long term protection of areas not taken by the road is in the control of the Council, as land owner, through a lease to the future developer.
- The car park can provide a space for recycling bins (cloths/shoes etc) requested by Environmental Services.
- Consultation – external
- 6.8 Environment Agency – object. Withdrawal of objection expected as no objection raised to permitted scheme nor at pre application stage..
- 6.9 Thames Water – No objection. Request various conditions. Subsequent information from the applicant suggest the conditions are not necessary.
- 6.10 Archaeology – request investigation on the site. To be covered by condition. Some trial trenching has already taken place.
- 6.11 Royal Borough Windsor & Maidenhead – no objection raised.
- 6.12 Thames Valley Police – no comments made.

PART B: PLANNING APPRAISAL

7.0 Policy Background

- 7.1 The site is allocated for residential development in the Local Plan for Slough 2004 as Proposal Site 16 under policy H 2. That policy was 'saved' under a Direction from the Secretary of State in 2007 in connection with the introduction of the Local Development Framework and the proposal site is repeated on the 2010 Proposals Map. The subsequent Core Strategy housing trajectory, as updated in the annual monitoring statement, identifies the site as one that will deliver 300 homes to meet the Core Strategy (policy 3) housing target.

- 7.2 Furthermore planning permission for 300 homes on the site with access from Upton Court Road has already been granted. Outline permission was granted by the Secretary of State in 2006 after a public inquiry which considered the principle of development (housing and school) and detail of the access. Full details of housing development were subsequently approved by the Council as were variations to the permissions referred to in Site History.
- 7.3 The existing planning permission is a material consideration in the determination of this new application. That permission is still current and the housing development can still commence.
- 7.4 The Local Plan proposal specifically includes a single access to the site via Upton Court Park. The previous Green Belt designation for the residential development site was lifted as part of the Local Plan process solely to accommodate residential development to help, in conjunction with brownfield land, meet housing targets. In addition release of the green field site assists provision of family housing and in particular Affordable Housing, not so easily achieved on smaller sites and urban redevelopment sites. These principles are still relevant.
- 7.5 Regarding Government policy controlling development in the Green Belt and the Local Plan public open space designation covering the corner of Upton Court Park the access road through those areas has been approved as part of the Local Plan and by way of the Secretary of State's 2006 grant of outline planning permission. This establishes that a road in this location is acceptable and would not cause demonstrable harm to the Park nor Green Belt.
- 7.7 It is relevant to point out that Government policy on appropriate development in the Green Belt changed last year. National Planning Policy Framework (para 90) states that local transport infrastructure is not inappropriate development in the Green Belt provided it preserves the openness of the Green Belt, does not conflict with the purposes of including land in the Green Belt and can demonstrate a requirement for a Green Belt location.
- 7.8 The road already has permission but consideration of it in relation to the new and more specific Government policy shows that the proposal would not be classed as inappropriate development in the Green Belt. Firstly the access road will retain the openness of this corner of the park and it does not conflict with the purposes of the Green Belt (as outlined in the applicants planning statement). Regarding the requirement criteria referred to above the access will serve a strategic allocated development site released from the green belt and with no other suitable or approved access for a 300 home scheme. Alternative access direct from Castlevue Rd was refused by the Council in 2005, 2008 and by the Secretary of State in 2006. In conclusion there is no requirement to refer the

application to the Secretary of State with regard to the 2009 Direction that outlines what applications need to be referred to him.

- 7.9 The site specific requirements of the Local Plan, which are outlined below in summary form, can be achieved as indicated excepting that the last point is still subject to further negotiation :
- Access only from Upton Court Road – proposed.
 - Replace car park – proposed reformation of car park in same area.
 - Replace play area – this is not affected by the proposal being outside the site. (The Council has already removed it and a new play area has been provided in Upton Court Park.)
 - Replace public open space lost by access road – a greater area is proposed within the site.
 - East boundary landscaping – proposed.
 - Provision for Linear Park to south of site – Linear Park cycleway already provided; remainder of adjacent linking land not in the applicants control. The layout of the development will not prevent a link to the cycleway being made in the future should the owner agree.
 - Appropriate provision for education to meet needs arising from the development – a financial contribution has been offered informally but the amount is still being negotiated. Land for a school outside the site has been offered.
- 7.10 Regarding Core Strategy policy 1 (Spatial Strategy), 2 (Green Belt and open space) the Local Plan site allocation and existing permission preceded these policies but are still current and need to be considered in relation to policy 3 (Housing Distribution) that provides for some dwellings in urban extensions to meet housing need.
- 7.11 The proposal substantially complies with core policy 4 (Type of Housing). The density is above the minimum of 37 dwellings per hectare; the proportion of social rent (30%) and shared ownership (10%) meets the minimum requirement in the Developers Guide. The core policy seeks predominantly family housing. The proposed 78 % of family homes should ideally be higher to fully meet this policy but bearing in mind the greater number of flats in the permitted scheme, which is a material consideration, the proposal is acceptable. Some of the affordable flats proposed have been requested by the Housing Section. Having a greater number of

houses would mean reduced open spaces, planting and gardens.

8.0 **Transport**

8.1 The transport assessment is based upon results of a traffic survey carried out last year. The residential development is expected to generate 168 vehicle trips in the am peak hour (41 arrivals and 127 departures) and 193 vehicle trips in the pm peak hour (123 arrivals and 70 departures). In terms of trip distribution, based on surveys, 33% of am peak traffic is expected to head east from the site and 67% west. In the pm peak 64% east and 36% west. Junction modelling takes account of traffic growth rates.

8.2 The traffic modelling shows that the London Road/Upton Court Road junction will operate overcapacity in the am peak when the development is complete. Mitigation in the form of transport improvements are requested to ensure a 'nil detriment' of impact at the junction. This approach was taken with the scheme that has planning permission. The proposed mitigation package includes a travel plan to encourage non-car modes of travel and financial contributions for :

- Public transport service enhancement
- On site bus stop with shelter and real time passenger information (for potential bus service)
- Highways Works
- Personalised Journey Planning

8.3 The highway works will involve improvements to the London Road/Upton Court Rd junction and associated A4 corridor. Bus service enhancements and the travel plan together with cycleway links can encourage new residents to use alternative modes of travel. The access road cycleway will link to the wider cycleway network at Upton Court Road and, via, the sports club access road, to the linear route that runs west to east south of Slough. The Blenheim Road access will provide a safe route to Castleview primary school. The development will allow for a possible bus service into the site at a future date.

8.4 The roundabout will be sufficient to deal with new residential traffic and, when built, school traffic. The roundabout will help reduce speeding traffic on Upton Court Road. Refuges on the arms of the roundabout will make it easier for pedestrians to cross. Although the school is not part of this proposal the access road has been designed to help deal with possible future difficulties that arise at school opening and closing times. For example adjacent residential roads can be gated; double height kerbs will prevent footway parking, a pedestrian crossing will be incorporated. A parking restriction scheme is also requested.

- 8.5 The relocated access to the sports club access road will allow more convenient access by larger vehicles than the existing gateway off Upton Court Road.
- 8.6 The road layout within the housing area provides a suitable balance between providing access; encouraging low speed and good design. The 2.3 car parking spaces per home and the general arrangement of parking meet the Council's standards for this type of development.
- 8.7 The transport proposals will comply with Core Strategy policy 7 (Transport) and associated Local Plan transport policies subject to further clarification of modelling and any assessment of any associated implications.

9.0 **Design**

- 9.1 The changes to the Park resulting from construction of the access road are acceptable. Planning conditions can cover details of accommodation works. In addition the Council, as land owner, is in control of changes need as part of the lease to allow construction of the access etc. The Council's tree officer notes that trees to be lost are of varying quality and new planting is acceptable mitigation but the habitat lost by removal of two oak pollards is not easy to replace in an urban setting. The type and scale of replacement tree planting and landscaping work will be important to help create new habitat. Landscaping of the old redundant car park area is a benefit.
- 9.2 The overall quality of design is in accordance with Core Strategy policy 8 (environment), policy 12 regarding crime prevention and policy 4 regarding minimum density (its just over the 37 dwellings per hectare minimum) plus associated Local Plan design policies. The scheme has a clear structure, variations of character in different parts of the site and architectural detailing picks up on features in the surrounding area. The overall housing design is better than the existing approved scheme. A satisfactory design is dependent upon receipt of acceptable minor revisions regarding the affordable housing change.
- 9.3 In terms of relationship to adjacent areas the two storey homes adjacent to and separation distance from existing Castlevue and Blenheim Road properties lessens the impact of the development on those homes. Whilst the overall density of development is greater than that adjacent the spacing of buildings limits overlooking of existing homes to a degree that is reasonable for a suburban development. There is also scope for rear garden tree planting to soften the appearance of the new buildings.
- 9.4 The access road will run behind homes on the west side of Castlevue Road. Noise from the road in comparison with the

current parkland will be greater however this issue was dealt with at the 2006 public inquiry which concluded that noise would not be great enough to restrict development. However by condition better rear garden fencing can be erected to help reduce noise.

- 9.5 The retained eastern and southern boundary trees and bushes reinforced with new planting in places will help soften the edge of the built up area from the green belt areas beyond. A small gap in the east boundary planting is proposed. This will provide a glimpse of parkland beyond but the applicant has said it is a result of a contractual obligation by the former land owner on developers to provide a road to the edge of the site. Firstly the current proposal is to ensure this road is covered up and planted. Secondly the road will not be adopted by the Council and, if this application is permitted, there is no intention of it approving access to the green belt land beyond.
- 9.6 The open spaces are well overlooked, rear courtyard parking is minimised or has associated homes overlooking it and rear gardens exposed to public spaces, are in general, minimised all assisting with crime prevention. However the gap between gardens of new and existing homes on the north boundary is a feature that would normally be considered unacceptable because of the risk of crime in terms of easy access to rear gardens.
- 9.7 The gap is the result of some existing residents establishing a private right of access referred to in 2.8. Consequently, the developer is not in a position to remove the gap. Redesigning the layout to integrate the right of access into an open space with new homes facing it and the existing rear gardens is an alternative but that has its own disadvantages as homes would be closer to the existing homes and gardens.
- 9.8 Landscape detail has been submitted and is generally acceptable.
- 9.9 Demolition of the garage at 36 Blenheim Road to construct the emergency and cycle access is part of the existing planning permission. This part of the proposal is still acceptable as is the modest tree loss to construct the path.
- 10.0 **Infrastructure**
- 10.1 Transport is dealt with at section 8. Overall the level of contribution sought by the Council for transport is slightly higher than that agreed in the existing Section 106 agreement taking account of inflation.
- 10.2 Regarding recreation the 10% open space including informal play space and contribution to off site play equipment, in a Section 106 agreement, meets Developers Guide standards. The open space is

likely to be kept in private ownership but with public access. Long term maintenance can be controlled by a Section 106 requirement if it is not transferred to the Council with a maintenance sum.

10.3 The developers have offered a financial contribution towards education facilities. Notwithstanding the existing property contract for the adjacent school land they are offering the adjacent land for a school as part of the Section 106. Negotiations continue regarding the detail of the latter and amount of the contribution. Further information which has just been received is being assessed and it indicates progress is being made.

10.4 The limited capacity at local schools is still a major issue. However the availability of adjacent land for a school and the existing Section 106 need to be taken into account when considering if Bellway's offer is acceptable. The existing agreement specifies 2 financial contributions, both lower than what the Education Section wish for now in connection with this application. One of those sums would not be paid if the Council purchase the school land under the existing property contract referred to in 2.20. The financial contribution offered is more than double the second sum in the existing agreement. An update on negotiations will be provided on the meeting amendment sheet.

11.0 **Other Matters**

11.1 The impact on the adjacent registered historic Park – Ditton Park will be limited. The immediately adjacent part is just a field with the formal gardens further away. The proposed east boundary planting will enhance the setting of Ditton Park. The setting of the listed house at Ditton Park will not be affected it being over 600 metres away and substantially screened by trees. Regarding archaeology the site has already been assessed by excavation on site. Any further work can be covered by planning condition.

11.2 The ecology study found no habitat or species that will restrict development. By condition the recommended pre construction start surveys can be carried out to ensure, at that stage, no protected species will be adversely affected. By condition bat and bird boxes will be requested and planting specified with wildlife in mind.

11.3 The western fringe of the site is within flood zone 2 & 3. No property is proposed in this area. The Environment Agency has raised an objection but its withdrawal is expected soon no fundamental problem having been mentioned by them at the pre application stage. Surface water drainage can be dealt with by condition. Subject to the Agency withdrawing their objection the proposal complies with Core Strategy policy 8.

11.4 The proposed low or zero carbon energy and building to Code for

Sustainable Homes standard (level 3) comply with the Council's policy.

- 11.5 Overall the proposal complies with Core Strategy policy 9 (Natural and built environment) and policy 8 (Sustainability and the environment) subject to receipt of revised layout drawings.

12.0 **Responses to concerns raised by objectors**

- 12.1
- Traffic Congestion – see Section 8
 - Noise (from activity/road/construction noise) – see para 9.4. In addition noise from normal activity associated with a housing development is not a planning matter where the separation distances are typical for a housing development. Noise from construction activity is controlled by environmental health legislation.
 - Loss of nature/trees – See para. 11.2 and 2.5, 2.15
 - Loss of Green Belt – There will be no loss of green belt land. See paras. 7.4.
 - Loss of privacy/over shadowing – see para 2.12, 9.3
 - Loss of amenity/park spoilt (parkland loss) – the principle of the road going through the corner of the Park has been established. Some of the amenities will be affected but there will be no significant loss of parkland or recreation facilities overall. The old cycle training area is not used on a formal basis and the Council as owner has not made arrangements for its replacement.
 - No amenities/infrastructure to support housing – See Section 10 re recreation and education. The development is not large enough to justify a requirement to have shops or health facilities.
- 12.2
- Right of Way affected – the development allows for the private access rights.
 - Loss of views over field/to Castle – the view will change but this is not normally a planning matter, Furthermore the principle of development has been established.
 - Breach of Council's Core Strategy policy (loss open space/green belt) – The allocation of the greenfield sits alongside the Core Strategy i.e it accepts that there will be some loss. No green belt will be lost.
 - Pollution – there is no evidence that pollution will be so great as to warrant restriction of development.
 - Covenants protect the land – this is a property not a planning matter.
 - Houses out of character with existing – whilst the density is greater than the surrounding area it is lower than many modern day suburban developments and it has a suburban characteristics. Some architectural features found in the

- neighbouring areas are used in the proposed scheme.
- Crime/security risk – Greater activity or flow of people affecting the surrounding area will not be so great as to justify restricting the development subject to normal design consideration to limit crime prevention. However it should be noted that the north boundary gap for the right of access is not an ideal feature in terms of crime.
- Irregularities re incorrect information re ownerships/green belt – any issues from the past, whilst they may be noted, should not influence a decision on this planning application. Regarding ownership the applicants have submitted appropriate certificates. No errors have been highlighted.
- Environment Impact Assessment (& SEA) needed – A screening opinion has been issued and application does not need an EIA in accordance with current guidance on interpretation of EIA regulations. SEAS are for wider plans not detailed planning proposals.
- Safety – there are no safety concerns that justify restriction of the development other than those address in the report.
- Revised Rugby Club will restrict use – the altered access is intended to make access by large vehicles easier and safer than turning off Upton Court Rd into the existing Park gateway.
- Inadequate landscaping/enclosure – details of fencing will be covered by condition; planting details is considered adequate.
- Threat to adjacent fields – see para 9.5
- Limited time for consultation /notice of application. The normal publicity has been produced. The time available for objections to be received has been longer than normal.

13.0 **Conclusion**

- 13.1 The principle of developing 300 homes with access through Upton Court Park has been established by way of a Local Plan allocation and existing planning permission. The development permitted by that permission has started and can be continued at any time. The existing permission is a material consideration when determining this new application. The detailed design complies with the National Planning Policy Framework, Core Strategy and Local Plan policy subject to receipt of satisfactory layout revisions. Subject to resolution of outstanding infrastructure and flood risk matters the principle of development complies with the above policies. Flood Risk is expected to comply also but confirmation is awaited from the Environment Agency. The affordable housing element is satisfactory in terms of accommodation proposed.
- 13.2 Although this green field site will be lost and its development raises some issues in terms of its relationship to surroundings and affect on the neighbouring area it will benefit the town as a whole.

Development of the site will help meet Core Strategy housing targets and in particular provide a substantial amount of family homes and affordable housing. Most of the latter will be social rent which is a significant point bearing in mind Government funding for this type of housing is now minimal and not available on this development. Furthermore, the protracted history of the overall site has led to part of it being available as a school and has led to a better quality housing scheme being proposed.

- 13.3 However there are some outstanding matters so the recommendation to approve is on the basis of successful resolution of those matters prior to the Committee meeting. The meeting amendment sheet will provide an update on progress and any change of recommendation should matters not be resolved.
- 13.4 The items to be secured in a Section 106 agreement are : affordable housing (30% social rent 10% shared ownership); contribution to education (financial/land), recreation and transport infrastructure; parking restriction, a travel plan and monitoring fee; sustainable development; open space maintenance; signing of Highway Agreement.
- 13.5 Having considered the relevant policies referred to in this report , the representations received and all other relevant material considerations the following recommendation is made.

PART C: RECOMMENDATION

Recommendation

Delegate a decision to the Head of Planning Policy and Projects

- for the signing of a satisfactory Section 106 Agreement.
- drafting of conditions.
- to agree any minor amendments to the planning application, draft conditions list and Section 106 planning obligation matters.
- withdrawal of Environment Agency objection.
- receipt of revised drawings regarding affordable housing changes.

PART D: LIST OF CONDITIONS.

A full list of draft planning conditions will be on the meeting amendment sheet

- Time limits for implementation – 3 years
- Approved plans list
- Materials - details
- Bin stores for flats - provide
- Cycle stores for flats - provide
- Lighting in unadopted streets and courtyards - details
- Water butts – provide for houses
- Boundary treatment - details
- Fence rear of 1-20 Castlevue Rd.
- Parking & turning areas – provide
- Access - details of construction
- Off site highway works – details & timing of
- Blenheim Road – use for emergency, pedestrians and cyclists only.
- Blenheim Road – provide access
- Upton Court Park accommodation works
- Construction management scheme (contractor parking and space for deliveries)– details
- Public Open Space – details
- Landscape scheme – details (including tree replacement)
- Landscape management - details
- Public space management - details
- Tree protection during construction/Arboricultural Method Statement.
- Bat and bird boxes – details
- Low or zero carbon energy 10% - details
- Removal of certain PD rights (big sheds & big extensions)
- Garages – no conversion to residential accom
- Archaeology - scheme
- Soil remediation scheme - details
- Surface water drainage scheme (including levels)-details
- Environment Agency conditions

Informatives

SLOUGH BOROUGH COUNCIL**REPORT TO: PLANNING COMMITTEE****DATE: 21st February 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	<u>Decision</u>
P/03819/006	136 Lower Cippenham Lane EXTENSION TO EXISTING A3 / A5 RESTAURANT / HOT FOOD TAKEAWAY	Appeal Dismissed 16 th January 2013
P/12898/001	64 Marlborough Road ERECTION OF A FIRST FLOOR SIDE EXTENSION WITH PITCHED ROOF	Appeal Dismissed 21 st January 2013
P/10768/002	Nursery Cottage, High Street, Colnbrook CHANGE OF USE OF BUILDING FROM ITS CURRENT UNAUTHORISED USE AS A HOUSE IN MULTIPLE OCCUPANCY TO 2 NO. 3 BEDROOM DWELLINGS WITH ASSOCIATED PARKING AND COMMUNAL AMENITY SPACE	Appeal Dismissed 22 nd January 2013
P/13134/002	16 Windermere ERECTION OF A TWO STOREY EXTENSION TO FORM 2 NO. BEDROOM DWELLING WITH NEW ACCESS, ASSOCIATED PARKING AND AMENITY SPACE	Appeal Dismissed 22 nd January 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			
Rasib	P	P	P	P	P	P			
Dar	P	P	P	P	P	P			
Hussain	P	P	P	P	P	P			
O'Connor	P	P	Ap	P	P	Ap			
Plenty	P	P	P	P	P	P			
Sharif	P* (from 7pm)	P* (from 7.07pm)	P	P* (From 6.35pm)	P* (from 6.54pm)	P* (from 7.40 pm)			
Smith	P	P	P	P	P	P			
Swindlehurst	P* (from 6.40pm)	Ap	P	P	Ap	P			

P = Present for whole meeting
Ap = Apologies given

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

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