

Date of issue: 9th October, 2013

MEETING	PLANNING COMMITTEE (Councillors Carter (Chair), Dar (Vice-Chair), Hussain, Mittal, Plenty, Rasib, Sandhu, Smith and Swindlehurst)
DATE AND TIME:	THURSDAY, 17TH OCTOBER, 2013 AT 6.30 PM
VENUE:	FLEXI HALL, THE CENTRE, FARNHAM ROAD, SLOUGH, SL1 4UT
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	TERESA CLARK 01753 875018

NOTICE OF MEETING

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



RUTH BAGLEY
Chief Executive

AGENDA

PART 1

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
1.	Apologies for Absence		-

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
CONSTITUTIONAL MATTERS			
2.	Declarations of Interest		-
	<p><i>All Members who believe they have a Disclosable Pecuniary or other Pecuniary or non pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 3 paragraphs 3.25 – 3.27 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 3.28 of the Code.</i></p> <p><i>The Chair will ask Members to confirm that they do not have a declarable interest.</i></p> <p><i>All Members making a declaration will be required to complete a Declaration of Interests at Meetings form detailing the nature of their interest.</i></p>		
3.	Guidance on Predetermination/Predisposition - To Note	1 - 2	-
4.	Minutes of the Last Meeting held on 4th September 2013	3 - 6	All
5.	Human Rights Act Statement - To Note	7 - 8	-

PLANNING APPLICATIONS

(Any changes to recommendations will be reported to the Committee on an amendment sheet)

6.	P/00149/017: Northgate House, 1a, Stoke Road, Slough, SL2 5AH	9 - 30	Central
	<p><i>Officer Recommendation-Delegate to Head of Planning Policy and Projects</i></p>		
7.	P/04551/013: Elvian House, Nixey Close, Slough, SL1 1ND	31 - 60	Upton
	<p><i>Officer Recommendation-Approve</i></p>		
8.	P/04888/016: The Octagon Site, Brunel Way, Slough, SL1 1XW	61 - 96	Central
	<p><i>Officer Recommendation-Delegate to Head of Planning Policy and Projects</i></p>		

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
9.	P/0665/075: Unit 2C & Unit 3 Slough Retail Park, Twinches Lane, Slough, SL1 5AD	97 - 112	Cippenham Meadows
	<i>Officer Recommendation- Approve</i>		
10.	P/02619/003: 177, Farnham Road, Slough, SL1 4XP	113 - 134	Farnham
	<i>Officer Recommendation- Approve</i>		
11.	P/00437/085: Langley Business Centre, 11-49, Station Road, Slough, Berkshire, SL3 8DS	135 - 194	Langley St Mary's
	<i>Officer Recommendation- Refuse</i>		

MATTERS FOR INFORMATION

12.	Planning Appeal Decisions	195 - 202	All
13.	Members Attendance Record	203 - 204	-
14.	Date of Next Meeting- Thursday 28th November, 2013		-

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.

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PREDETERMINATION/PREDISPOSITION - GUIDANCE

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

Predisposition

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

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

Pre-determination / Bias

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

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

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Planning Committee – Meeting held on Wednesday, 4th September, 2013.

Present:- Councillors Carter (Chair), Dar (Vice-Chair), Hussain, Mittal, Plenty, Rasib, Sandhu, Smith and Swindlehurst

(Councillor Sandhu did not participate or vote in the meeting because the required compulsory training had not been completed)

PART I

16. Apologies for Absence

None.

17. Declarations of Interest

Agenda item 6: P/00149/017 – Northgate House, 1a Stoke Road, Slough

Councillor Hussain declared that the application was in her ward but that she did not have a personal or pecuniary interest and would participate and vote on the matter.

Councillor Swindlehurst declared that he had been contacted by John Selwyn Gummer acting on behalf of the applicants. After a brief conversation the enquiry was passed to Planning Officers.

Agenda item 7: P/00437/085 – Langley Business Centre, 11-49 Station Road, Slough

Councillors Carter and Hussain declared that they had received some emails several months ago on the matter, however they had an open mind on the application which would now be considered at a future Committee.

Agenda item 8: P/01913/008 – 9-10 Chapel Street, Slough

Councillors Carter, Dar, Plenty, Rasib and Swindlehurst declared that the applicant was known to them as a member of the Labour Party, however they stated that they retained an open mind and would participate and vote on the application.

18. Guidance on Predetermination/Predisposition

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

19. Minutes of the Last Meeting held on 25th July, 2013

The minutes of the last Meeting of the Planning Committee held on 25th July, 2013 were approved as a correct record.

Planning Committee - 04.09.13

20. Human Rights Act Statement

The Human Rights Act statement was noted.

21. Amendment Sheet

An amendment sheet was tabled, detailing alterations and amendments received to applications since the agenda was circulated. The Committee adjourned between 6.34pm and 6.45pm to allow members the opportunity to read the amendment sheet.

The Head of Planning Policy and Projects drew Members' attention to the information update regarding the application for 'Land at Riding Court Farm' being considered by the Royal Borough of Windsor and Maidenhead. It was noted that Slough Borough Council being consulted on the application was part of the Spheres of Mutual Interest arrangements. Members were informed that due to the timetable for determining the application, Officers acting under delegated powers would make a written response to RBWM. However, if this timetable changed a report would be submitted to the Planning Committee for consideration.

22. P/00149/017 - Northgate House, 1a, Stoke Road, Slough, SL2 5AH

Application	Decision
Demolition of existing building and redevelopment of the site to provide a part four / part five / part seven storey residential building (class C3) comprising 120 dwellings together with associated refuse storage, car parking, cycle parking, pedestrian and vehicular access and external works.	Deferred to consider the results of further negotiations on affordable housing contributions and the Section 106 Agreement.

23. P/00437/085 - Langley Business Centre, 11-49, Station Road, Slough, Berkshire, SL3 8DS

Application	Decision
Demolition of existing building and erection of part single and part two storey 4,567 m ² foodstore and separate petrol filling station with 306 no. associated parking spaces, 2 no. accesses to serve the new retail unit and existing industrial units, boundary treatments and other associated works.	Deferred.

Planning Committee - 04.09.13

24. P/01913/008 - 9-10, Chapel Street, Slough, SL1 1PF

Application	Decision
Erection of a 6 storey building to provide a mixed use development comprising: a) 133m ² of class A2 offices at ground floor. b) 30 no. bedsit flats on five upper levels together with on site cycle and refuse storage (outline application with appearance and landscaping for subsequent approval).	Refused.

25. P/04551/013 - Elvian House, Nixey Close, Slough, SL1 1ND

Application	Decision
Erection of an additional floor on the south western elevation, first floor extension above the existing billiard room, infilling of the basement and conversion of the building into residential accommodation comprising 29 no. x 1 bed, 7 no. x 2 bed, 9 no. x studio and 2 no. x 3 bed flats with associated car parking, refuse areas and amenity space as well as a separate terrace of 4 no. three storey dwellings with rooms in roof space comprising 2 no. x 3 bedroom and 2 no. x 5 bedroom units with associated parking.	Deferred to consider the results of further negotiations on viability, affordable housing contributions, cycle parking, refuse and drainage.

26. P/14515/005 - 234, Bath Road, Slough, SL1 4EE

Application	Decision
Reserved matters (layout, scale, appearance and landscaping) pursuant to condition 3 of Planning Permission P/14515/3, dated 18 June 2012, for the construction of B1(A) offices (Plot OB01) decked and surface level car park (Plot CP01), cycle parking, landscaping and ancillary works.	Approved, with conditions. The Committee considered that the standard of development of the landmark building at the gateway to Leigh Road should set a precedent for the wider regeneration of LRCC2.

27. Local Development Framework: Annual Monitoring Report 2012/13

The Head of Planning Policy & Projects introduced a report setting out the key issues in the ninth Annual Monitoring Report (AMR) and seeking the approval of Members to publish to document on the Council's website.

Members were informed of the key results from the AMR which were summarised as follows:

Planning Committee - 04.09.13

- The rate of house building remained low with 182 net additional dwellings complete in Slough during 2012/13.
- This was mainly attributed to the downturn in the economy and general decline in house building rather than a lack of supply of sites.
- However, it was estimated there would be 450 completions in the current year via major housing sites such as Middlegreen, Castleview and Railway Terrace.
- Completions over the first 5 years of the plan period averaged 400 per year, significantly above the required average of 315 per annum.
- The Housing Trajectory showed that Slough had a five, ten and fifteen year supply of housing land required by the National Planning Policy Framework (NPPF).
- There was a small net loss of employment floor space in 2012/13.
- The retail vacancy survey showed that there had been an improvement in the position regarding the town centre and that overall vacancy rates in Slough were significantly better than regional and national averages.

The Committee considered a number of issues relating to the report, particularly the key housing trends. Members commented that the report provided evidence that the policies adopted by the Council in recent years, such as the promotion of family housing outside of the town centre and concentration of flats within it were working. The Committee thanked officers for the work they had done in shaping the policy framework that was now having a positive impact across the Borough.

Resolved –

- (a) That the Local Development Framework Annual Monitoring Report 2012/13 be approved for publication on the Council's website.
- (b) That the Council should continue to produce and publish future monitoring reports that are focused upon important local issues as well as meeting statutory requirements.
- (c) That the Council monitor the need to review the development plan for Slough through the Annual Monitoring Report.

28. Members Attendance Record

The Members Attendance Record for 2013/14 was noted.

29. Date of Next Meeting

Resolved – That the date of the next Planning Committee be confirmed as Thursday 17th October, 2013.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.12 pm)

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

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

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

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

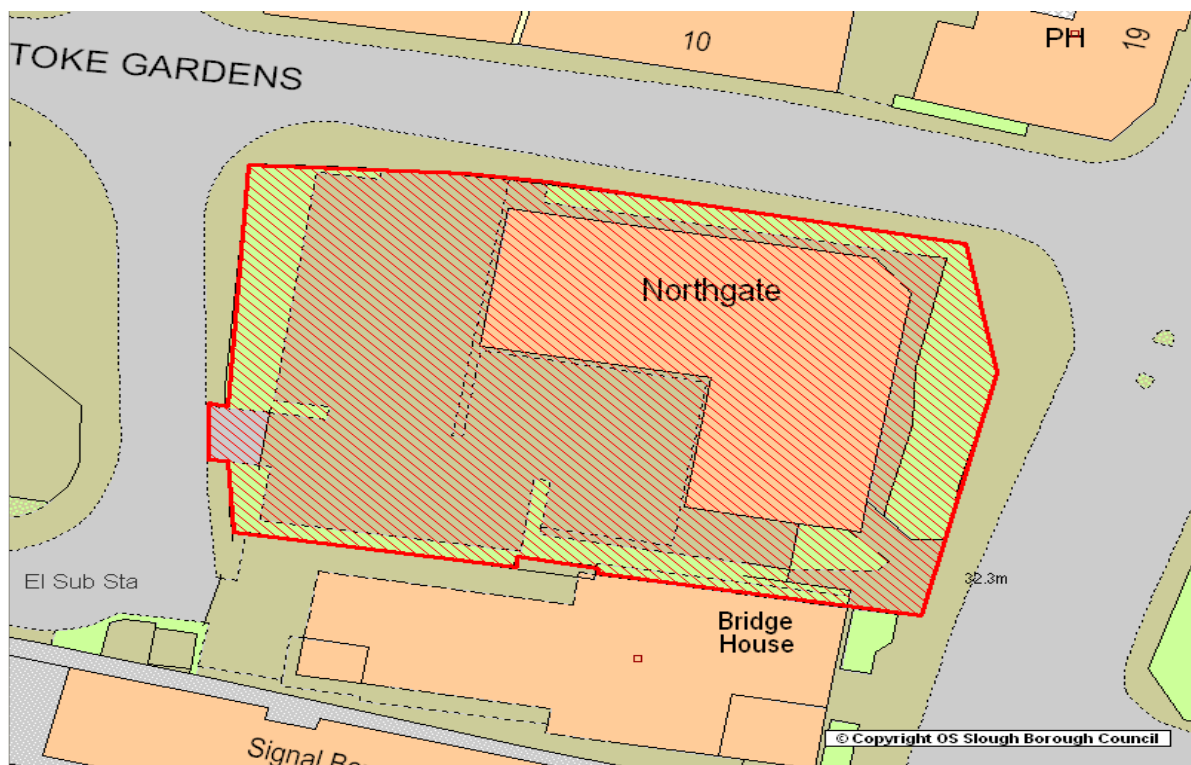
	USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House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

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

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Registration Date:	07-Jun-2013	Applic. No:	P/00149/017
Officer:	Ian Hann	Ward:	Central
		Applic type:	Major
		13 week date:	6 th September 2013
Applicant:	Salmon Harvester Properties Ltd		
Agent:	Miss Emma-Lisa Shiells, Barton Willmore LLP Barton Willmore, 7, Soho Square, London, W1D 3QB		
Location:	Northgate House, 1a, Stoke Road, Slough, SL2 5AH		
Proposal:	DEMOLITION OF EXISTING BUILDING AND REDEVELOPMENT OF THE SITE TO PROVIDE A PART FOUR/ PART FIVE/ PART 7 STOREY RESIDENTIAL BUILDING (CLASS C3) COMPRISING 120 DWELLINGS TOGETHER WITH ASSOCIATED REFUSE STORAGE, CAR PARKING, CYCLE PARKING, PEDESTRIAN AND VEHICULAR ACCESS AND EXTERNAL WORKS.		

Recommendation: Delegate to Head of Planning, Policy and Projects



SUPPLEMENTARY REPORT TO PLANNING COMMITTEE 17TH OCTOBER 2013.

1.0 SUMMARY OF RECOMMENDATION

- 1.1 Delegate back to Head of Planning, Policy and Projects for completion of Section 106 Agreement and finalising conditions.
- 1.2 This application is to be determined by the Planning Committee as it forms a major development.

2.0 PART A: REPORT

- 2.1 At the meeting of the Planning Committee on 4th September 2013 Members decided to defer the decision of the planning application in order to allow the applicant and planning officers to negotiate Section 106 contributions with regards to affordable housing. A copy of the original officer's report to Planning Committee is attached at appendix A for information purposes. At the previous meeting Members reviewed the scheme in light of the principle of development, design and appearance, impact on neighbours and future occupiers and transport / parking leaving negotiations for affordable housing remaining.
- 2.2 Negotiations were undertaken with the applicant's, planning officers and officers from the Council's valuation department and after comprehensive discussions an interim agreement was reached, subject to agreement by Committee that a Section 106 payment be made which is equivalent in value to the provision of 9 No. units being provided on site. This is the equivalent provision of 7.4% for affordable housing rather than the 30% which is normally sort. This is considered to be the maximum level of financial contribution which can be secured without compromising the schemes viability.
- 2.3 Whilst the majority of this money will go towards affordable housing the following items will also have to paid for from the contributions in order to make the development acceptable and produce additional benefits to the area:
- Setting up and formation of a car club
 - Travel Regulation Order in relation the car club
 - Travel Plan Monitoring fee

The fees for these works would be taken from the contribution as negotiated due to the necessity of their works. However these fees would represent a very small amount of the total contributions.

- 2.4 The sum agreed will be paid upon the occupation of the flats. In addition it has been agreed that there will be an overage clause, which would result in additional contributions being made should

the value of the sales of the flats increase above the anticipated levels.

- 2.5 This clause would mean that the Council would be paid additional money should the profit on the Gross Development values rise above 25%. This is capped at a maximum of £1.25million which, if ever achieved, would bring the total amount of money received up to the equivalent of 28% affordable housing. This overage clause will not apply if the development starts within 12 months.
- 2.6 The above agreement is considered to be acceptable considering the fact that the viability report that has been produced for this application, which has been tested by the Council's valuation officers, shows that the scheme is borderline of viability and that any additional contributions over and above this sum would make the scheme unviable so that it would not be built out. In addition to this the scheme will see a car club introduced to Slough that will be for the use of local residents and not restrained to just those occupying the development and provide a high quality development which will help assist with the further regeneration of Slough Town Centre.
- 2.7 It was noted at the previous Committee Meeting that some Members raised some issues with regards to the design of the proposed building where there is a change in building heights. The applicants have stated that the height and density of the scheme has been dictated by its position within the Town Centre boundary and policy encouragement for high density residential schemes of an appropriate height.
- 2.8 Due to the site's position in proximity to a lower density residential area, the bulk and massing of the scheme has sought to strike a balance to achieve an appropriate relationship and an attempt to achieve that has been made by positioning the higher 7-storey elements closest to the Town Centre and Railway line. Those parts of the scheme that are nearer to the residential area (along Stoke Gardens) have been presented at a lower height to ease the transition between the two locations. It is also considered that this adds variety and interest to a scheme that will be viewed from the Railway Station and wider Town Centre.
- 2.9 The difference in height is further managed and softened through the introduction of a set of materials including brick (on the corner between Stoke Gardens and William Street / Stoke Road), different coloured render, timber laminate and metallic finished insulated wall panels. This is supplemented by the detailing around the windows and balconies along Stoke Gardens.

It is therefore considered that the design of the building responds to the local area and will not have a detrimental impact upon the character of the area.

PART B: RECOMMENDATION

- 3.0 Delegate to Head of Planning, Policy and Projects for completion of Section 106 Agreement and finalising conditions.

Appendix A

1.0 SUMMARY OF RECOMMENDATION

- 1.1 Delegate the planning application to Head of Planning Policy and Projects for the consideration of any transport and highways and viability issues, completion of a Section 106 Agreement, finalising conditions and final determination.
- 1.2 This application is to be determined by the Planning Committee as it forms a major development.

PART A: BACKGROUND

2.0 Application Site

- 2.1 The site is located to the south west junction of Stoke Road and Stoke Gardens and is currently occupied with a vacant office block at 2 storeys in height with associated parking which is accessed from Stoke Gardens.
- 2.2 The site is has a vacant commercial building to the south, upon which a planning application has been received for a Community Centre which is still under consideration. To the east and to the west of the site is another commercial development with residential development to the north, some of which is currently being developed.
- 2.3 The site is located within the Town Centre as defined on the Slough Local Development Framework Proposals Map. The site is also allocated in the Slough Local Development Framework, Site Allocations, Development Plan Document as site reference SKL3. The site as allocated in the site allocations document covers a much wider area than the application site with the Stoke Road / Mill Street area forming the allocation. However as the site covers such a wide area in various ownership redevelopment will be on a piecemeal basis. The site has been allocated in the site allocation document as:

“The area needs to be comprehensively planned in order to accommodate the pressure for development in this location close to the railway station. This could be achieved by relaxing the policy for the Existing Business Area which prevents the loss of employment land. Residential or mixed use development may be appropriate as part of the comprehensive regeneration of this area.”

Proposals for development in this area:

- Be comprehensively planned

- Provide for an overall mix of uses within the area
- Rationalise the road and pedestrian network
- Only include small scale ancillary retail uses
- Comply with the principles of the Slough Town Centre Urban Design Framework SPD

3.0 Proposal

3.1 The proposals that are currently being considered involves the demolition of the current building and the erection of a new building of between four to seven stories in height to provide 120 residential units together with refuse storage, car parking for 15 cars, cycle parking for 120 cycles and new accesses. The following mix of units will be provided:

88 X studio flats
 24 X one bedroom flats
 8 X 2 bedroom flats

3.2 The proposed building will provide almost total site coverage in an “H” type layout with a width of 28.3m, depth of between 14m and a height of between 14m and 20.95m. The building will be clad render, brick and coloured and timber panels. Soft landscaping will be provided to the northern and western boundaries of the site and parking and refuse storage to the southern boundary of the site. Private garden space will be provided for five of the units balconies for 11 units and an outdoor terrace for a further 3 units. The building will be accessed from William Street to the first floor for pedestrians and vehicles will access from Bristol Way and access the building from the ground floor.

3.3 The applicant states in the Planning Statement submitted with the application that the following benefits would arise from such an application:

- Removal of a vacant, dated and unsightly office on a key entrance into the Town Centre
- Delivery of a modern, high quality, sustainable residential development
- Provision of residential accommodation suiting the local residential market
- Contribution towards the enhancement and regeneration of the Town Centre creating footfall, activity and interest
- Improvements to the local highway infrastructure
-

3.4 The following documents have been submitted along with this planning application:

- Application Form
- Plans
- Design & Access Statement

- Planning Statement
- Sustainability Statement
- Energy Statement
- Transport Assessment
- Daylight / Sunlight Study
- Air Quality Assessment
- Site Noise Survey and Building Assessment
- Surface & Foul Water Statement
- Environmental Study
- Viability Assessment

4.0 Planning Background

4.1 Planning permission was granted for the current building in February 1985 as 10,000 sq. ft of offices and 5,000 sq. ft of high technology production area (P/00149/013). The change of use of the building was later changed in February 1988 to B1 office use (P/00149/016). There is no other relevant planning history with regards to this site.

4.2 The neighbouring site currently has an ongoing planning application for the change of use of the building from B1 office use to D1 community centre. Discussions are still ongoing with regards to the formation of a Travel Plan and a Section 106 Agreement (P/08557/002). Objections have been raised to the neighbouring application for a community centre by the applicant's citing travel and parking disruption, unsuitable in principle, having an impact upon the proposed development at Northgate House in terms of as well as it failing to be comprehensive redevelopment.

5.0 Consultation

5.1 HIGHWAYS AND TRANSPORT

No response has been received. Members will be updated via the amendment sheet should any response be received.

6.0 Neighbour Notification

6.1 The following neighbours have been consulted with regards to this application:

Stoke Road – 1, 10, 19, 21, 21a, 23, 25, 27, 27a, Abbey House 18-24, London Country Bus Services Ltd,

Stoke Gardens 1-5 Bristol Way, Belmont Works,

Grays Road – 50, 52, 53, 54, 55, 56, 57, 58, 59, 61, 63, 65, 67, 69, 69a, 71, 71a, 73,

Brunel Way - Slough Railway Station

Railway Terrace – Thames Trains Ltd

6.2 No responses have been received from the neighbour consultations.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The application will be assessed against the following policies:

The National Planning Policy Framework (NPPF)

The NPPF states that unless material considerations dictate otherwise development proposals that accord with the development plan should be approved without delay. That planning should not act as an impediment to sustainable growth and should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. It also states that high quality design should be secured and a good standard of amenity for all existing and future occupants of land and buildings. 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.

Local Development Framework, Core Strategy 2006-2026, Development Plan Document

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 4 (Type of Housing)
- Core Policy 5 (Employment)
- Core Policy 6 (Retail, Leisure and Community Facilities)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability & the Environment)
- Core Policy 10 (Infrastructure)

Adopted Local Plan for Slough

- H14 (Amenity Space)
- EN1 (Standard of Design)
- T2 (Parking Restraint)

- 7.2 The main planning considerations are considered to be:
- Principle of development
 - Design and appearance on the character of the area
 - Impact on neighbouring residents
 - Living conditions for future occupiers
 - Transport and parking
 - Financial contributions

8.0 Principle of development

- 8.1 The principle of redevelopment of the site would comply with the National Planning Policy Framework in principle as it is a brownfield site and makes efficient use of an underutilised site and could be supported subject to the acceptance of issues such as scale, bulk, design and environmental impacts that are considered in detail below.
- 8.2 Core Policies 1 and 4 of the Council's Core Strategy states that high density flatted development shall be contained to the Town Centre only. This site within the defined Slough Town Centre and flatted development would be in accordance with these policies. Furthermore the designation of the site within the site allocations document allows for high density residential development following on from the major high density residential development which has been developed to the north of the railway station. The applicant's have stated that they have taken advice from local and national agents regarding the mix and size of the development for first time buyers in economically priced accommodation and this meets the undersupply in the area. Evidence of this has been requested and will be provided to Committee via the amendment sheet.
- 8.3 Although these proposals would see the loss of a building for employment generating use this lose is considered to be acceptable considering the fact that the building has been vacant sine November 2011 and marketed since September 2011 with very little interest and reached the end of its economic life. The provision of residential properties on the site is considered to be an acceptable use considering the surrounding residential uses and the fact that the site is in a sustainable location close to the school, restaurant, retail, medical, transport facilities and green open space within the Town Centre and surrounding area.
- 8.4 Therefore the site is considered suitable for housing. The number of residential units which could be accommodated on the site is dictated by the design and constraints that arise from the site and neighbouring uses.

9.0 Design and appearance on the character of the area

9.1 The National Planning Policy Framework confirms the following:

“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people” (para 56).

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment” (Para61).

“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” (Para 64).

“Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal’s economic, social and environmental benefits.” (Para 65).

9.2 Core Policy 8 of the Core Strategy requires that, in terms of design, all development:

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

9.3 Policy EN1 of the adopted Local Plan states that development proposals are required to reflect a high standard of design and must be compatible with and/ or improve their surroundings in terms of scale, height, massing/ bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees; and relationship to watercourses.

9.4 The proposed building will have a height of between four, five and seven stories compared to the existing building having a height of two stories so that although the building will be occupying a similar footprint it will look bigger and bulkier than the existing building due

to the increased height. The site is within an area with prevailing mixed heights of two to four stories in the immediate vicinity and 10 stories at the railway station a little further afield. Planning permission has also been granted for tall buildings on the former Thames Valley University site south of the railway bridge as part of the Heart of Slough. This helps to demonstrate that the area is one of transition due to its town centre location and the suggested building heights would be in context with the surrounding area. The site is also located on a corner and the provision of a taller building on this corner will help to provide a feature and demarcate the start of the Town Centre while providing a visual landmark. It is therefore considered that the height of the building is considered acceptable and will not impact upon the character of the area.

- 9.5 The design of the proposed building will see a mixture of materials including render, timber, metallic panels and bricks which together with the use of balconies will provide an interesting and varied looking building without having any blank and overbearing features. For instance the Stoke Road frontage has different levels, materials, balconies and accesses which provided a varied and interesting frontage. Light coloured materials will be used that will reflect light and help to again provide a building which is not depressing or overbearing. Furthermore the surrounding area has no prevailing character in terms of design which the proposed building will compete with and will not be an obtrusive or overbearing form of development within the area. The site is also large enough to have its own design and identity.
- 9.6 The proposed car parking area will be positioned at the rear southern part of the site and will not be visible from the street scene and therefore will not have a detrimental impact upon the character of the street scene. The timber clad bin storage area will be positioned so that it is between the car park and Bristol Way and as well as shielding the car park will not have a detrimental impact upon the character of the area. Its finer detailed design can be required via condition to ensure its appearance will not harm the character of the area.
- 9.7 Although the building covers a vast amount of the site the proposals allow for soft landscaping to be provided on the northern, eastern and western boundaries which will help to soften the appearance of the building within the street scene and provide some form of setting for the proposed building helping it blend into the surrounding area.
- 9.8 Materials will need to be of high quality and comparable to the materials used in rest of the Town Centre and this can be secured via a condition to agree materials before the commencement of the works.

9.9 Therefore it is considered that the proposals provide a design which will enhance the appearance of the site and surrounding area and will not have a detrimental impact upon the character and appearance of the surrounding area complying with the relevant policies in this regard.

10.0 Impact on neighbouring residents

10.1 The National Planning Policy Framework outlines the following:

“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are 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 (Para 17).

10.2 Core Policy 8 states “The design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area ... Development shall not give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise”.

10.3 Policy EN1 of the Local Plan requires that “Development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of 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.”

10.4 Policy EMP2 of the Local Plan requires that: “there is no significant loss of amenities for the neighbouring land uses as a result of noise, the level of activity, overlooking, or overbearing appearance of the new building”.

10.5 The proposed building is sited so that it will be approximately 11.5m from the neighbouring property, which is a four storey building that is currently being converted into flats. While the proposed building has a slightly taller elevation facing onto this building (four stories instead of two with a fifth storey being set back) there will not be a detrimental adverse impact upon these properties as the separation gap that is retained compared to the increase in the mass of the

building will minimise any impact. The developments are on opposite sides of the road and form a traditional street scene which is a situation which is not uncommon in urban environments. The sunlight and daylight assessment that has been prepared on behalf of the applicant states that the development will none of the neighbouring properties will experience any adverse impact as a result of the development proposals. The other neighbouring developments are in proposed community use or current light industry / storage uses and would not be affected by these proposals as they would not be protected in terms of loss of light or outlook in the same way as what residential properties are. These proposals would therefore not have a detrimental impact that would warrant the refusal of this application.

10.6 The proposed building is 8m away from the neighbouring site at Bridge House and could impact upon the future development of this property. However any development will have to match such a set back to provide a 16m separation distance which would be acceptable and would not sterilise development of this site. This building has some side facing windows which could provide some overlooking but would be overcome with the addition of bay windows to provide a form of outlook and can be controlled via conditions.

10.7 It is therefore considered that the proposals provide a scheme which will not have any adverse impact the surrounding buildings and complies with the relevant policies.

11.0 Living conditions for future occupiers

11.1 The National Planning Policy Framework states that following with regards to impact upon the amenity of future occupiers:

“Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages;
- moving from a net loss of bio-diversity to achieving net gains for nature;⁶
- replacing poor design with better design;
- improving the conditions in which people live, work, travel and take leisure and
- widening the choice of high quality homes.” (Para 9).

“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people” (para 56).

“Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.” (Para 73).

- 11.2 Core Policy 8 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....
- 11.3 The Daylight and Sunlight Study which has been submitted with the application shows that the proposed design satisfies the requirements set out in the BRE guide “Site Layout Planning for Daylight and Sunlight”, which is seen as the definitive guide for sunlight and day light for such sites, subject to some minor amendments being made with regards to the rooms under the balconies, which can be secured via condition. Therefore the proposed flats will obtain the required amount of sunlight and daylight. .
- 11.4 Any issues with regards to overlooking between flats are overcome with the use of angled bays. The flats that benefit from garden space at the ground floor level will have each garden area fenced to ensure their privacy and this can be secured via condition.
- 11.5 From the details of the internal room layouts of the proposed flats that have been provided they would comply with the Council’s recommended guidelines for room sizes as set out in the approved Guidelines for Flat Conversions save for 17 of the studio flats / bedrooms in the one bedroom flats second bedrooms which are between 0.4m² to 1.86m² short but is not considered sufficient enough to refuse the application on this basis due to the minor nature of the reduction in a limited number of units.
- 11.6 The issues with regards to stacking of habitable rooms above each other is considered separately under building regulations. The noise report that accompanied the application states that subject to appropriate acoustic details being provided for windows and vents then the residents will not be affected by external noise sources and these can be required via condition. The landscaped buffer to Stoke Road, Bristol Way and Stoke Gardens will provide a buffer for the residents of the ground floor flats respecting their amenity.
- 11.7 The rear facing ground floor flats will have their own amenity areas and 23 flats will have balconies providing amenity space. While Core Policy 8 of the Council’s Local Development Framework Core Strategy states that all development will be expected to provide appropriate amenity space as an integral part of the design, it is accepted that the site is within a Town Centre location and close to

other outdoor open spaces so that it is not reasonable to refuse the application on that basis of lack of amenity space.

11.8 The proposals will not see any impact upon flooding or drainage in the site. The development will meet code 3 of the Code for Sustainable Homes and will be in accordance with Secure by Design and Lifetimes Homes criteria.

11.9 It is therefore considered that the scheme provides a suitable standard of amenity for future occupiers due to the nature of the occupation proposed.

12.0 Transport and Parking

12.1 “Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to

- accommodate the efficient delivery of goods and supplies;
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- consider the needs of people with disabilities by all modes of transport.

If setting local parking standards for residential and non-residential development, local planning authorities should take into account:

- the accessibility of the development;
- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and
- an overall need to reduce the use of high-emission vehicles.

12.2 Core Policy 7 (Transport) seeks to ensure that all new developments are sustainable, located in accessible locations and hence reduces the need to travel. It requires that development proposals will, either individually or collectively, have to make appropriate provisions for:

- Reducing the need to travel;
 - Widening travel choices and making travel by sustainable means of transport more attractive than the private car;
 - Improving road safety; and
- Improving air quality and reducing the impact of travel upon the environment, in particular climate change.

- 12.3 Local Plan Policy T2 requires residential development to provide a level of parking appropriate to its location and overcome road safety problems while protecting the amenities of adjoining residents and the visual amenities of the area.
- 12.4 The access and egress will not be maintained off of Bristol Way and the Transport Statement that has been submitted demonstrates that the trip numbers will be reduced as a result of these proposals and that the site can be accessed by service vehicles so that there will be no detrimental impact with regards to highway safety
- 12.5 A total of 16 parking spaces are to be provided in relation to the development (including 2 for electric vehicles) and complies with the Local Plan with no increase in parking spaces within the Town Centre and is considered to be acceptable for such a sustainable location. A robust Travel Plan will be required via a Section 106 Agreement.
- 12.6 Cycle parking is proposed in accordance with the Local Plan
- 12.7 It is therefore considered that the scheme provides a suitable standard of car and cycle parking and will not be detrimental to highway safety and therefore meets the set requirements in this regard.

13.0 Contributions

- 13.1 A development of this size would require contributions towards affordable housing and education as per the Developers Guide. A viability statement has been submitted showing that although the development is only just viable a sum will be available for the following issues:
- Provision of off-site transport infrastructure projects
 - Control on the release of on-street residential parking permits
 - Financial contribution towards off-site recreation and amenity provision
 - Financial contribution towards education provision
 - Financial contribution towards off-site affordable housing provision

This is currently being negotiated with the Council's Asset Management advisors.

PART C: RECOMMENDATION

14.0 Recommendation

- 14.1 Delegate the planning application to Head of Planning Policy and Projects for the consideration of any transport and highways and viability issues, completion of a Section 106 Agreement, finalising conditions and final determination.

15.0 PART D: CONDITIONS AND INFORMATIVES

15.1

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 Number: SN001 100 B, Dated: 19/04/2013, Received: 07/06/2013

(b) Drawing Number: SN001 101 E, Dated: 22/03/2013, Received: 07/06/2013

(c) Drawing Number: SN001 102 D, Dated: 22/03/2013, Received: 07/06/2013

(d) Drawing Number: SN001 103 D, Dated: 22/03/2013, Received: 07/06/2013

(e) Drawing Number: SN001 104 D, Dated: 22/03/2013, Received: 07/06/2013

(f) Drawing Number: SN001 105 E, Dated: 22/03/2013, Received: 07/06/2013

(g) Drawing Number: SN001 106 D, Dated: 22/03/2013, Received: 07/06/2013

(h) Drawing Number: SN001 107 D, Dated: 22/03/2013, Received: 07/06/2013

(i) Drawing Number: SN001 110 E, Dated: 22/03/2013, Received: 07/06/2013

(j) Drawing Number: SN001 111 E, Dated: 22/03/2013, Received: 07/06/2013

(k) Drawing Number: SN001 112 D, Dated: 22/03/2013, Received: 07/06/2013

(l) Drawing Number: SN001 1113 C Dated: 22/03/2013, Received: 07/06/2013

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

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

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

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

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

REASON In the interests of amenity of nearby residents and so as not to prejudice the free flow of traffic along the neighbouring highway or in surrounding residential streets.

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

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

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

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off

- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations
- (vi) construction and demolition working hours, during the construction and demolition phase, when delivery vehicles taking materials are allowed to enter or leave the site.

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

REASON In the interests of the amenities of the area.

8. 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, December 2008.

9. 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.

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

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

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

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

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

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

12. All development shall occur in accordance with the following reports
- (a) Environmental Study by RSK, May 2013
 - (b) Air Quality Assessment by RSK, May 2013
 - (c) Surface and Foul Water Statement by Mason Navarro Pledge, May 2013
 - (d) Energy Statement by Cudd Bentley Consulting, 21/05/2013
 - (e) Sustainability Statement by Cudd Bentley Consulting, 21/05/2013
 - (f) Sound Survey and Building Assessment by Applied Acoustic Design, 15/05/2013
 - (g) Design, 15/05/2013
 - (h) Daylight and sunlight Study by Delva Patman Redler, May 2013

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

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

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

14. No development shall commence until details of the screening

between terraces, balconies and gardens (to include siting, design and external materials) have been submitted to and approved in writing by the Local Planning Authority. The approved screens shall be completed prior to first occupation of the development and retained at all times.

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

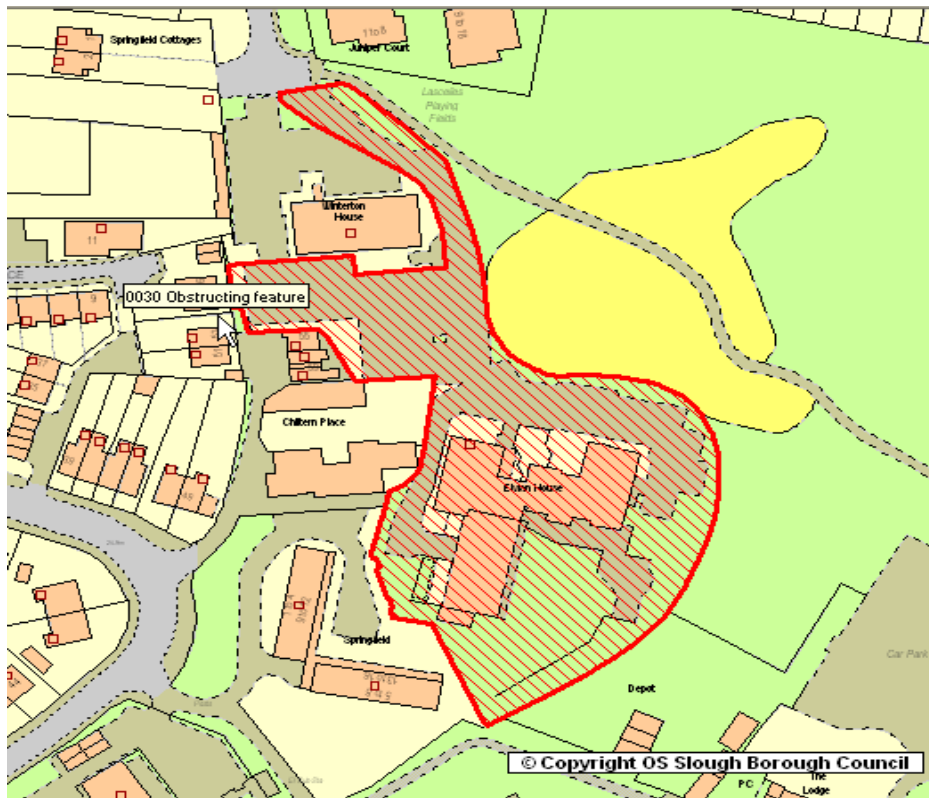
INFORMATIVE(S):

1. 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.

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Registration Date:	10-Jul-2013	Applic. No:	P/04551/013
Officer:	Ian Hann	Ward:	Upton
		Applic type:	Major
		13 week date:	9th October 2013
Applicant:	Beachcroft SA		
Agent:	Mr. David Mercer, DVM Architects 4A, Murray Street, London, NW1 9RE		
Location:	Elvian House, Nixey Close, Slough, SL1 1ND		
Proposal:	<p>ERECTION OF AN ADDITIONAL FLOOR ON THE SOUTH WESTERN ELEVATION, FIRST FLOOR EXTENSION ABOVE THE EXISTING BILLIARD ROOM, INFILLING OF THE BASEMENT AND CONVERSION OF THE BUILDING INTO RESIDENTIAL ACCOMMODATION COMPRISING 29NO. X 1 BED, 7NO. X 2 BED, 9NO. X STUDIO AND 2NO. X 3 BED FLATS WITH ASSOCIATED CAR PARKING REFUSE AREAS AND AMENITY SPACE AS WELL AS A SEPARATE TERRACE OF 4NO. 3 BEDROOM THREE STOREY DWELLINGS WITH ROOMS IN ROOF SPACE COMPRISING 2NO. X 3 BEDROOM AND 2NO. X 5 BEDROOM UNITS WITH ASSOCIATED PARKING.</p>		

Recommendation: Approve



SUPPLEMENTARY REPORT TO PLANNING COMMITTEE 17TH OCTOBER 2013.

1.0 SUMMARY OF RECOMMENDATION

- 1.1 Approve subject to conditions.
- 1.2 This application is to be determined by the Planning Committee as it forms a major development.

2.0 PART A: REPORT

- 2.1 At the meeting of the Planning Committee on 4th September 2013 Members decided to defer the decision of the planning application in order to allow the applicant and planning officers to negotiate Section 106 contributions as well as to discuss issues with regards to cycle and refuse storage and drainage with the applicant's. A copy of the original officer's report to Planning Committee is attached at appendix A for information purposes. At the previous meeting Members reviewed the scheme in light of the principle of development, design and appearance, impact on neighbours and future occupiers and transport / parking leaving negotiations for contributions, cycle storage, refuse storage and drainage.
- 2.2 With regards to viability and planning contributions the applicant has provided a viability statement that states that despite efforts to reduce build costs the scheme shows a negative 'profit' of approximately 30%. Therefore the applicant's consider that any payment made to the Council will only exacerbate this situation and make it less likely that the project will proceed. If planning permission is granted the applicant's have stated that the scheme will be built out despite the fact that it shows a negative profit. The applicant bought the property as a commercial investment at the height of the market in 2007. Within 6 months of the purchase the then tenant had given notice and the applicant has been unable to find a tenant since. Planning permission had previously been granted for educational use in February 2012 (P/04551/011). An educational user had been found only to withdraw after the change in government policy on overseas students. In addition to this there was a fire in the annex block which resulted in that part of the building being unusable. This has placed a considerable financial burden on the applicant who is now seeking a suitable exit strategy for the site. If planning permission is granted for residential use on the current scheme, the applicant has stated that they will at least be able to cap his loss on the purchase value and put a stop to the continual costs of maintaining and securing an empty building.
- 2.3 The Council has not sought to verify the Viability Study submitted by the applicant but accepts the general point that, because of the particular circumstances of the site, the proposal will be of marginal

viability.

- 2.4 It is considered that the best way to determine the extent to which section 106 contributions should be made is to consider what the fall back position would be if planning permission were not to be granted.
- 2.5 As a result of the Government's changes to the General Permitted Development Order, it would be possible to carry out the change of use of all of the existing office floorspace to residential under the prior approval process. This means that it would not be possible to secure affordable housing, education and/or open space contributions for any of the units created by a change of use.
- 2.6 In this case, although the applicant has applied for planning permission for 53 units, 39 of them are being created by a change of use. The other part of the permission is for the creation of 10 new flats on the roof of the main building and a terrace of 4 new houses. If they were applied for separately these 14 units would be below our threshold whereby contributions would normally be sought for affordable housing education or open space.
- 2.7 As a result given the marginal viability of the proposal and the fact that it could go ahead without any requirements to make section 106 contributions it is considered that a relaxation to planning policy can be made in this case and no affordable housing sought from the scheme.
- 2.8 Furthermore the scheme is considered to be important in order to retain an existing building of significant character within the Conservation Area where there is danger that if the current situation remains and it is not brought back into life then it will continue to fall into further disrepair to the point where it will degenerate into an unusable condition and could eventually be demolished. The retention of the building and bringing it back into life is an important issue and should be taken into consideration when determining the planning application.
- 2.9 The issues with regards to the proposed bin stores and cycle parking are being discussed with the Council's Transport Advisor and steps have been made in finding a suitable location for these facilities and further details can be covered via conditions.
- 2.10 A drainage strategy has been submitted and is considered to be acceptable to overcome the points previously raised by the Drainage Engineer and its implementation can be secured via condition.

3.0 PART B: RECOMMENDATION

3.1 Approve Subject to conditions.

4.0 PART C: CONDITIONS AND INFORMATIVES

4.1 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 Number: 1825-14, Dated: 04/07/2013, Received: 10/07/2013

(b) Drawing Number: 1825-29, Dated: 04/07/2013, Received: 10/07/2013

(c) Drawing Number: 1825-15, Dated: 04/07/2013, Received: 10/07/2013

(d) Drawing Number: 1825-14, Dated: 04/07/2013, Received: 10/07/2013

(e) Drawing Number: 1825-16, Dated: 04/07/2013, Received: 10/07/2013

(f) Drawing Number: 1825-27, Dated: 04/07/2013, Received: 10/07/2013

(g) Drawing Number: 1825-17, Dated: 04/07/2013, Received: 10/07/2013

(h) Drawing Number: 1825-18, Dated: 04/07/2013, Received: 10/07/2013

(i) Drawing Number: 1825-19, Dated: 04/07/2013, Received: 10/07/2013

(j) Drawing Number: 1825-20, Dated: 04/07/2013, Received: 10/07/2013

(k) Drawing Number: 1825-21, Dated: 04/07/2013, Received: 10/07/2013

(l) Drawing Number: 1825-22, Dated: 04/07/2013, Received: 10/07/2013

(m) Drawing Number: 1825-23, Dated: 04/07/2013, Received: 10/07/2013

(n) Drawing Number: 1825-25, Dated: 04/07/2013, Received: 10/07/2013

(o) Drawing Number: 1825-28, Dated: 04/07/2013, Received: 10/07/2013

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

site. The development shall be implemented in accordance with the approved details.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

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

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

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

REASON In the interests of amenity of nearby residents and so as not to prejudice the free flow of traffic along the neighbouring highway or in surrounding residential streets.

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

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

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

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off
- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations
- (vi) construction and demolition working hours, during the

construction and demolition phase, when delivery vehicles taking materials are allowed to enter or leave the site.

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

REASON In the interests of the amenities of the area.

8. 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, December 2008.

9. 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.

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

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

10. No development shall commence on site until details of the

proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved by the Local Planning Authority. Before the development hereby permitted is occupied, a suitable means of his boundary treatment shall be implemented on site prior to the first occupation of the development and retained at all time on the future.

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

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

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

12. All development shall occur in accordance with the Arboricultural Report by Keith Macgregor dated 25/06/2013, reference 13 650 the Daylight and Sunlight Study by Right of Light Consulting dated 04/07/2013 and Drainage Design by Malachy Walsy and Partners dated September 2013.

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

12. Details of all replacement windows, including the provision of measures to reduce overlooking shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site. The development shall be implement in accordance with the approved details.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

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

REASON The scale of development as approved on the site is

considered to be the maximum acceptable on this site, given the character and appearance of the surrounding area in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policies H13, H14 and EN1 of the Slough Adopted Local Plan 2004

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

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

14. The parking spaces and turning area shown on the approved plan shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles on a communal basis and not reserved for any users.

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

15. Prior to the commencement of works a detailed schedule of works, including materials to be used, method of repair / refurbishment and examples of any materials, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that development does not have an adverse impact upon the character and appearance of the Conservation Area.

16. No development shall commence until details of the measures to be incorporated into the development to demonstrate how compliance with Secured by Design Part 2 (physical security) will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until the Council has acknowledged in writing that it has received writing confirmation of the Secured by Design Part 2 (physical security) being awarded.

Reason: In the interests of the safety, crime prevention and amenity of future occupiers of the development.

17. No access gates shall be installed without getting written permission from the Local Planning Authority.

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 Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document.

INFORMATIVE(S):

1. 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.

1.0 SUMMARY OF RECOMMENDATION

- 1.1 Delegate the planning application to Head of Planning, Policy and Projects for the consideration of outstanding consultations with statutory consultees, completion of a Section 106 Agreement, finalising layout and conditions and final determination. In the event that the section 106 agreement can not be completed within the 13 week target date, or any other date as so agreed with the developers, that the Head of Planning, Policy and Projects reserves the right to refuse planning permission.
- 1.2 This application is to be determined by the Planning Committee as it forms a major development.

PART A: BACKGROUND

2.0 Application Site

- 2.1 The site is located to the south of Nixey Close and is currently occupied with a vacant office block at 3 storeys in height with associated parking which is accessed from the end of Nixey Close. The building itself is a mid Victorian brick and stone building with modern extensions to the south and west. The site is located within a Conservation Area and the building is an important building in the Conservation Area as defined in the Conservation Area Appraisal. The building is currently in a run down state as it has been vacant for approximately five years and made worse by a fire that in the annex block making that part of the building unusable.
- 2.2 The site has a commercial building to the north and a former commercial building which is being converted into residential accommodation to the west and further residential accommodation to the south while open park land is to the east and north east.

3.0 Proposal

- 3.1 The proposals that are currently being considered involve the refurbishment of the current building to provide 47 residential units together with a new terrace of 4 residential houses. There will also be 54 parking spaces provided for the flats and 11 for the dwellings.
- 3.2 The refurbishment of the existing building will see a total of 47 units provided with the following mix:
9 X studio flats
29 X one bedroom flats
7 X 2 bedroom flats
2 X 3 bedroom flats

- 3.3 In order to facilitate the conversion of the building it is proposed to add three extensions to the building. The first will see the infilling of the current undercroft car park. The second will see an addition of an additional floor above the billiard room of the original building, which is itself a single story addition to the existing building. It will be set back to line up with the front of the original building and have a parapet design to match the existing building. The final extension will see an additional floor on the south western elevation of the modern annex which would be set back from the front elevation and be no higher than the existing air conditioning plant and housing at that level.
- 3.4 Parking would be provided at the north of the site with some additional parking to the south west and eastern corner. Private landscaped gardens will be provided for the occupiers of the flats to the south of the building.
- 3.5 The terrace of dwelling houses will be positioned to the west of the site on a piece of land that juts out from the access road to the main building. The terrace will contain a total of 2 X 3 bedroom and 2 X 5 bedroom houses with rooms in the roof space. The terrace will have a total length of 26.6m, depth of 9.2m and a height of 8.3m.
- 3.6 The terrace will have an arch within to allow access to the rear where the car parking will be provided.
- 3.7 The following documents have been submitted along with this planning application:
- Application Form
 - Plans
 - Design & Access Statement
 - Transport Statement
 - Daylight / Sunlight Study
 - Arboricultural Report

4.0 Planning Background

- 4.1 Planning permission was granted for the change of use of the existing nursing home into a headquarters building for a National Governing Body for Sport with offices, storage, residential accommodation and gym in June 1977 (P/04551/000). A further conversion of the premises to office accommodation together with extensions to the building was granted in July 1980 (P/04551/002). A further permission to extend the building, add an underground car park and change the rest of the building into office use was granted in November 1980 (P/04551/004). Various applications were received with regards to changes to the building with the last significant application being approved in February 2012 for the use

of the building as offices or non residential education uses but was not implemented due the fire at the building rendering it unusable (P/04551/011).

5.0 Consultation

5.1 HIGHWAYS AND TRANSPORT

No response to date. Members will be updated via the amendment sheet.

5.2 HERITAGE ADVISOR

No response to date. Members will be updated via the amendment sheet. However the Council's Heritage Advisor has been involved at the pre application stage and has been generally supportive of the scheme.

5.3 POLICE ARCHITECTURAL LIAISON

There are no police objections to this applications but there are some concerns as below:

Rear Landscaped Gardens – There is a lack of detail in the plans but they appear to show that there is no separation between the rear gardens of the block and the front parking areas. There should be a clear distinction between private and public space to stop casual intrusion around the block. Encouraging residents and users of places to feel a sense of ownership and responsibility for their surroundings can make an important contribution to crime prevention and community safety. Clarity as to where public space ends and where communal, semi-private or private space begins is necessary to achieve this. It is very important that casual access around the block is prevented. Without controls this area in effect becomes semi public space and residents will not challenge strangers and suspicious behaviour, let alone take control of the area. The addition of a suitable side boundary treatment in the area of both cycle stores, supported with planting and lockable gates, will empower residents to take control of this communal area. This will increase the security of the block and greatly enhance their quality of life by providing a reasonably safe and secure communal amenity area. The perimeter backs onto the park and the railings appear to be in good order and mostly supported with mature hedging. I couldn't gain access to the site to check this from the inside but if any part of this fencing or hedging is damaged this should be replaced as this is an obvious vulnerable area.

Communal Entrances - The communal entrances to blocks of flats should form a line of defence acting as a physical barrier to access for outsiders and in this case should be fitted with an access control system with an electronic lock release with entry phone and visual verification linked to the flats. Communal door entry systems prevent casual intrusion by offenders into the block, where they can break into unoccupied flats

during the day without being seen and they also act as a line of defence against bogus callers.

The method of mail delivery must be designed in from the start.

Tradesman buttons are no longer acceptable and must not be used. Mail boxes can be either positioned through the wall on the main entrance or be situated in the main lobby and a fob be given to the local Royal Mail sorting office for access.

Physical Security – This location is on the edge of the town centre where crime levels are raised. Town centers attract a greater number of people and coupled with the night time economy increase the potential for crime. This can spill over into the surrounding residential roads as can be seen by the crime figures for Sussex Place. From the 1/1/2013 to 9/8/2013 there have been 47 crimes and crime related incidents recorded for Sussex Place and these include 8 burglaries. To reduce this crime risk all exterior doors, individual front entrance doors and ground floor and easily accessible windows should be tested to BSPAS 24 and glazing should include a laminate pane.

Cycle Stores – There is little detail regarding these stores and the security measures incorporated will make the difference between the stores being used or abandoned as to risky to store cycles by the residents. The key point will be the entrance doors which should be robust, preferably tested to BSPAS 24 and fitted with an appropriate secure lock. The stands should be of a type that allows both wheels and the crossbar to be secured

Secured by Design – As previously stated above physical security measures will be key in ensuring this is a safe development. If built to at least Secured by Design Part 2 (physical Security) standards then most of the above points would be covered. If this proposal is permitted on this site then I would request that a condition is imposed on the applicant to ensure that it is built to the Secured by Design physical standards. Continuing national research shows that Secured by Design housing developments suffer at least 50% less burglary, 25% less vehicle crime and 25% less criminal damage. The following condition has previously been tested and approved by the Planning Inspector at appeal and is suggested as a template for this application:

Condition

No development shall commence until details of the measures to be incorporated into the development to demonstrate how compliance with Secured by Design Part 2 (physical security) will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until the Council has acknowledged in writing that it has received writing confirmation of the Secured by Design Part 2 (physical security) being awarded.

Reason

In the interests of the safety, crime prevention and amenity of future occupiers of the development.

5.4 ENVIRONMENTAL PROTECTION

No response to date. Members will be updated via the amendment sheet.

5.5 TREE MANAGEMENT OFFICER

No response to date. Members will be updated via the amendment sheet.

6.0 Neighbour Notification

6.1 The following neighbours have been consulted with regards to this application:

Upton Road – 51, 53, 55, 57, 1-16 Springfield, Chiltern House
Harewood Place – 9, 10
Nixey Close – 1-8 Juniper Court, Winterton House, Autum End, 1-2
Springfield Cottages
Yew Tree Road – 3B, 11 Flats 1-5 15, 17,

6.2 No responses have been received from the neighbour consultations.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The application will be assessed against the following policies:

The National Planning Policy Framework (NPPF)

The NPPF states that unless material considerations dictate otherwise development proposals that accord with the development plan should be approved without delay. That planning should not act as an impediment to sustainable growth and should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. It also states that high quality design should be secured and a good standard of amenity for all existing and future occupants of land and buildings. 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.

**Local Development Framework, Core Strategy 2006-2026,
Development Plan Document**

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 4 (Type of Housing)
- Core Policy 5 (Employment)
- Core Policy 6 (Retail, Leisure and Community Facilities)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability & the Environment)
- Core Policy 10 (Infrastructure)

Adopted Local Plan for Slough

- H14 (Amenity Space)
- EN1 (Standard of Design)
- T2 (Parking Restraint)

- 7.2 The main planning considerations are considered to be:
- Principle of development
 - Design and appearance on the character of the area
 - Impact on neighbouring residents
 - Living conditions for future occupiers
 - Transport and parking
 - Financial contributions

8.0 Principle of development

8.1 The principle of redevelopment of the site would comply with the National Planning Policy Framework in principle as it is a brownfield site and makes efficient use of an underutilised site and could be supported subject to the acceptance of issues such as scale, bulk, design and environmental impacts that are considered in detail below.

8.2 Core Policies 1 and 4 of the Council's Core Strategy states that high density flatted development shall be contained to the Town Centre only. As this site is outside of the Town Centre flatted development would not be in accordance to these policies. However as the building is an important building within the Conservation Area and is in need of being refitted and brought back into use before further and irreparable harm is caused to it is considered to be acceptable to allow the conversion of the building into flats to ensure its survival and to bring it back into use. Given that there are no other viable alternative uses for the existing building or site it is considered acceptable in principle to see the site used for residential purposes.

- 8.3 The provision of family houses although small in number is also considered acceptable in this out of town centre location within a predominantly residential location.
- 8.4 Therefore the site is considered suitable for residential use due to the need to preserve the building and the fact that surrounding buildings are residential and domestic in character. The number of residential units which could be accommodated on the site is dictated by the design and constraints that arise from the site and neighbouring uses.

9.0 Design and appearance on the character of the conservation area

- 9.1 The National Planning Policy Framework confirms the following:

“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people” (para 56).

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment” (Para61).

“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” (Para 64).

“Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal’s economic, social and environmental benefits.” (Para 65).

“In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
- and
- the desirability of new development making a positive contribution

to local character and distinctiveness.” (Para 131)

9.2 Core Policy 8 of the Core Strategy requires that, in terms of design, all development:

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

Core Policy 9 states that development will not be permitted unless:

- Enhances and protects the historic environment;
- Respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations;
- Protects and enhances the water environment and its margins;
- Enhances and preserves natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.

9.3 Policy EN1 of the adopted Local Plan states that development proposals are required to reflect a high standard of design and must be compatible with and/ or improve their surroundings in terms of scale, height, massing/ bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees; and relationship to watercourses.

9.4 The design of the building itself will not be unduly affected by these proposals and that the important features and appearance of the building will be retained. The additional storey to the 1980s block at right angles to the Victorian building is of no particular concern as it rises no higher than the water tank/lift housing element and will not impact upon the design or appearance of the existing building. This raising would not be visible from the north on the approach to Elvian House and will impact upon the character of the area.

9.5 Building above the single storey wing of the house, known as the billiard room is in keeping with the existing building through the use of a matching parapet roof design. This extension is also a relatively minor extension compared to the host building and will not impact upon the design and appearance of the existing building and will be set back so that it will not be visible thereby having negligible impact upon the character of the area.

9.6 The infilling of the basement will not have any material impact upon the character and appearance of the building as it simply infilling the existing parking area and will not be very visible within the

publically accessible areas.

- 9.7 The proposed terrace of dwellings is considered to be of an appropriate design forming a street frontage along the access road to Elvian House and in a subtle design that will not compete with the setting of the more impressive building beyond it although a need to reconfigure the layout is set out below. The terrace will be built within an area of land which is currently being used as a parking area and will not impact upon the character or appearance of the area.
- 9.8 Because of the sensitive design of the terrace of building as well as the sensitive and minor work the Elvian House the proposal will not impact upon the character and appearance of the Conservation Area and indeed with the existing property being brought back into use and therefore losing its current derelict use will act as a positive action for the appearance of the Conservation Area.
- 9.9 Materials will need to be of high quality and comparable to the materials used in rest of the site and this can be secured via condition to agree materials before the commencement of the works.
- 9.10 The Council's Heritage Advisor is generally supportive of the scheme in Conservation Area Impact Terms and it is considered that brining back an important building into use will have a positive impact on an important Heritage Asset and meets the test of the National Planning Policy Framework and Core Policy 9 of the Local Development Framework.
- 9.11 Therefore it is considered that the proposals provide a design which is representative to the surrounding area and will not have a detrimental impact upon the character and appearance of the surrounding area and Conservation Area and complies with the relevant policies with this regard.

10.0 Impact on neighbouring residents

- 10.1 The National Planning Policy Framework outlines the following:
- “Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are 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 (Para 17).
- 10.2 Core Policy 8 states “The design of all development within the existing residential areas should respect the amenities of adjoining

occupiers and reflect the street scene and the local distinctiveness of the area ... Development shall not give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise”.

- 10.3 Policy EN1 of the Local Plan requires that “Development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of 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.”
- 10.4 Policy EMP2 of the Local Plan requires that: “there is no significant loss of amenities for the neighbouring land uses as a result of noise, the level of activity, overlooking, or overbearing appearance of the new building”.
- 10.5 The proposed changes to Elvian House will not have any detrimental impact upon neighbouring properties as the changes to the building do not add on any fundamental additional mass and bulk that may impact upon neighbouring properties in terms of loss of light or being overbearing. Windows will be inserted in elevations where there are existing windows and therefore not result in any additional overlooking.
- 10.6 The proposed terrace is sited in close proximity to neighbouring properties in Upton Park to the west (between 13-18m and falling short of the recommended distance of 22m). The main element of any overlooking or overbearing impact will be shielded by an existing tree that can be protected via condition to lessen any impact on these properties. However there is scope to redesign the terrace and parking area to ensure that any issues of overlooking are minimised. This is currently being discussed with officers and any changes will be reported to the Committee. There will be no increase in overshadowing or loss of sunlight due to the orientation of the properties. The neighbouring office development at Winterton House would not be affected by these proposals as being an office development is not protected in terms of loss of light or outlook. The offices would however overlook the gardens of the proposed houses which leads to another reason to consider a redesign of this area. These proposals would therefore not have a detrimental impact that would warrant the refusal of this application.
- 10.7 It is therefore considered that the proposals provide a scheme

which will not have any adverse impact the surrounding buildings and complies with the relevant policies.

11.0 Living conditions for future occupiers

11.1 The National Planning Policy Framework states that following with regards to impact upon the amenity of future occupiers:

“Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages;
- moving from a net loss of bio-diversity to achieving net gains for nature;⁶
- replacing poor design with better design;
- improving the conditions in which people live, work, travel and take leisure and
- widening the choice of high quality homes.” (Para 9).

“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people” (para 56).

“Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.” (Para 73).

11.2 Core Policy 8 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....

11.3 The Daylight and Sunlight Study which has been submitted with the application shows that the proposed design satisfies all of the requirements set out in the BRE guide “Site Layout Planning for Daylight and Sunlight”, which is seen as the definitive guide for sunlight and day light for such sites. Therefore the proposed flats will obtain the required amount of sunlight and daylight. There are some possible issues with regards to overlooking where, due to the angle of the walls being at 90 degrees there may be some overlooking from one flat to the next. This can be overcome with the use of inset windows. This issue is currently being discussed with the applicants to ensure that it will not impact upon the daylight and sunlight entering the room and any changes will be reported to Committee. There are no issues with regards to sunlight / day

light to the separate terrace.

- 11.4 From the details of the internal room layouts of the proposed flats that have been provided they would comply with the Council's recommended guidelines for room sizes as set out in the approved Guidelines for Flat Conversions save for some of the studio flats and bedrooms in the one bedroom flats second bedrooms which are between 0.3m² to 1.9m² short but is not considered sufficient enough to refuse the application on this basis. The internal lay out for the separate dwelling houses are considered to be acceptable.
- 11.5 The existing floors in Elvian House are made of reinforced concrete so that there is no issue with regards to stacking of the proposed flats with living accommodation on top of each other and any issues of noise transition will be dealt with at the building regulations stage of the development. Sound separation between dwellings and between dwellings and common parts for both the flats and houses will be covered under Building Regulations.
- 11.6 The proposed flats would have an amenity area to the south east of the site totalling approximately 1,350m² which when considered with the fact that the site is adjacent to Lascelles Park it is considered that the future occupiers of the flats would have the benefit of sufficient amenity areas and the proposal is therefore considered to comply with Core Policy 8 of the Council's Local Development Framework Core Strategy, which states that all development will be expected to provide appropriate amenity space as an integral part of the design, Policy H14 of the Adopted Local Plan for Slough, 2004 and the Council's guidelines for Amenity Space around Residential Properties, 1990. Furthermore as the units will be 1 bedroom or studio apartments the need for amenity space is reduced. The houses will have gardens with an area of 69m² which although falling below the required standard of 100m² for the five bedroom houses still provides useable amenity space and with its very close proximity to Lascelles Park would comply with the above mentioned policy and provide sufficient amenity space for future residents.
- 11.7 It is therefore considered that the scheme provides a suitable standard of amenity for future occupiers due to the nature of the occupation proposed.

12.0 Transport and Parking

- 12.1 "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to

- accommodate the efficient delivery of goods and supplies;
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- consider the needs of people with disabilities by all modes of transport.

If setting local parking standards for residential and non-residential development, local planning authorities should take into account:

- the accessibility of the development;
- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and
- an overall need to reduce the use of high-emission vehicles.

12.2 Core Policy 7 (Transport) seeks to ensure that all new developments are sustainable, located in accessible locations and hence reduces the need to travel. It requires that development proposals will, either individually or collectively, have to make appropriate provisions for:

- Reducing the need to travel;
- Widening travel choices and making travel by sustainable means of transport more attractive than the private car;
- Improving road safety; and
- Improving air quality and reducing the impact of travel upon the environment, in particular climate change.

12.3 Local Plan Policy T2 requires residential development to provide a level of parking appropriate to its location and overcome road safety problems while protecting the amenities of adjoining residents and the visual amenities of the area.

12.4 The access and egress will not be changed under these proposals and the Transport Statement that has been submitted demonstrates that the trip numbers will be reduced as a result of these proposals and that the site can be accessed by service vehicles so that there will be no detrimental impact with regards to highway safety

12.5 A total of 54 parking spaces are to be provided in relation to the development at Elvian House (47 for residents and 7 for visitors). And 11 for the dwellings (8 for residents and 3 for visitors). While the parking provision would fall short of that required under the Local Plan which would see a total of 63 for the flats and 10 for the houses it is considered that as the site is on the edge of the town centre and in a sustainable location the reduction of the parking spaces is considered to be acceptable. In a number of instances

and particularly on town centre fringe sites the Local Planning Authority has also accepted 1 car parking space for a 1 bedroom / studio flat and 1.5 spaces for a 2/3 bedroom making a total of 43 spaces which have been provided on site. The existing parking level is 86 spaces and the proposals would result in a reduction of spaces which is one of the aims of the Integrated Transport Strategy. Further more the provision of any additional parking will see more hardstanding in the area around the building and detract from the setting of this important building within the Conservation Area.

12.6 Cycle parking is proposed in accordance with the Local Plan

12.7 It is therefore considered that the scheme provides a suitable standard of car and cycle parking and will not be detrimental to highway safety and therefore meets the set requirements in this regard.

13.0 Contributions

13.1 A development of this size would require contributions towards affordable housing and education as per the Developers Guide. A development of this type would require on site affordable housing to be provided with 30% of dwellings in the development to be social housing. With regards to education contributions the total would come to £97,078 and negotiations are ongoing with regards to these issues to secure an appropriate Section 106 Agreement. Discussions are ongoing with the housing division to determine the best mix or package of housing. No viability assessment has been supplied as part of the application so there is no indication at this stage that the applicant is not amenable to providing these benefits.

PART C: RECOMMENDATION

14.0 Recommendation

14.1 Delegate the planning application to of Planning Policy and Projects for the consideration of outstanding consultations with statutory consults, completion of a Section 106 Agreement, finalising layout and conditions and final determination. In the event that the section 106 agreement can not be completed within the 13 week target date, or any other date as so agreed with the developers, that the head of Planning, Policy and Special Projects reserves the right to refuse planning permission.

15.0 PART D: CONDITIONS AND INFORMATIVES

15.1

CONDITIONS:

13. 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.

14. 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 Number: 1825-14, Dated: 04/07/2013, Received: 10/07/2013

(b) Drawing Number: 1825-29, Dated: 04/07/2013, Received: 10/07/2013

(c) Drawing Number: 1825-15, Dated: 04/07/2013, Received: 10/07/2013

(d) Drawing Number: 1825-14, Dated: 04/07/2013, Received: 10/07/2013

(e) Drawing Number: 1825-16, Dated: 04/07/2013, Received: 10/07/2013

(f) Drawing Number: 1825-27, Dated: 04/07/2013, Received: 10/07/2013

(g) Drawing Number: 1825-17, Dated: 04/07/2013, Received: 10/07/2013

(h) Drawing Number: 1825-18, Dated: 04/07/2013, Received: 10/07/2013

(i) Drawing Number: 1825-19, Dated: 04/07/2013, Received: 10/07/2013

(j) Drawing Number: 1825-20, Dated: 04/07/2013, Received: 10/07/2013

(k) Drawing Number: 1825-21, Dated: 04/07/2013, Received: 10/07/2013

(l) Drawing Number: 1825-22, Dated: 04/07/2013, Received: 10/07/2013

(m) Drawing Number: 1825-23, Dated: 04/07/2013, Received: 10/07/2013

(n) Drawing Number: 1825-25, Dated: 04/07/2013, Received: 10/07/2013

(o) Drawing Number: 1825-28, Dated: 04/07/2013, Received: 10/07/2013

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

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

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

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

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

REASON In the interests of amenity of nearby residents and so as not to prejudice the free flow of traffic along the neighbouring highway or in surrounding residential streets.

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

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

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

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

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

REASON In the interests of the amenities of the area.

20. 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, December 2008.

21. 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.

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

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

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

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

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

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

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

12. All development shall occur in accordance with the Arboricultural Report by Keith Macgregor dated 25/06/2013, reference 13 650 and the Daylight and Sunlight Study by Right of Light Consulting dated 04/07/2013.

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

24. Details of all replacement windows, including the provision of measures to reduce overlooking shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site. The development shall be implement in accordance with the approved details.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

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

REASON The scale of development as approved on the site is considered to be the maximum acceptable on this site, given the character and appearance of the surrounding area in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policies H13, H14 and EN1 of the Slough

Adopted Local Plan 2004

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

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

14. The parking spaces and turning area shown on the approved plan shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles on a communal basis and not reserved for any users.

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

15. Prior to the commencement of works a detailed schedule of works, including materials to be used, method of repair / refurbishment and examples of any materials, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that development does not have an adverse impact upon the character and appearance of the Conservation Area.

16. No development shall commence until details of the measures to be incorporated into the development to demonstrate how compliance with Secured by Design Part 2 (physical security) will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until the Council has acknowledged in writing that it has received writing confirmation of the Secured by Design Part 2 (physical security) being awarded.

Reason: In the interests of the safety, crime prevention and amenity of future occupiers of the development.

17. No access gates shall be installed without getting written permission from the Local Planning Authority.

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 Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document.

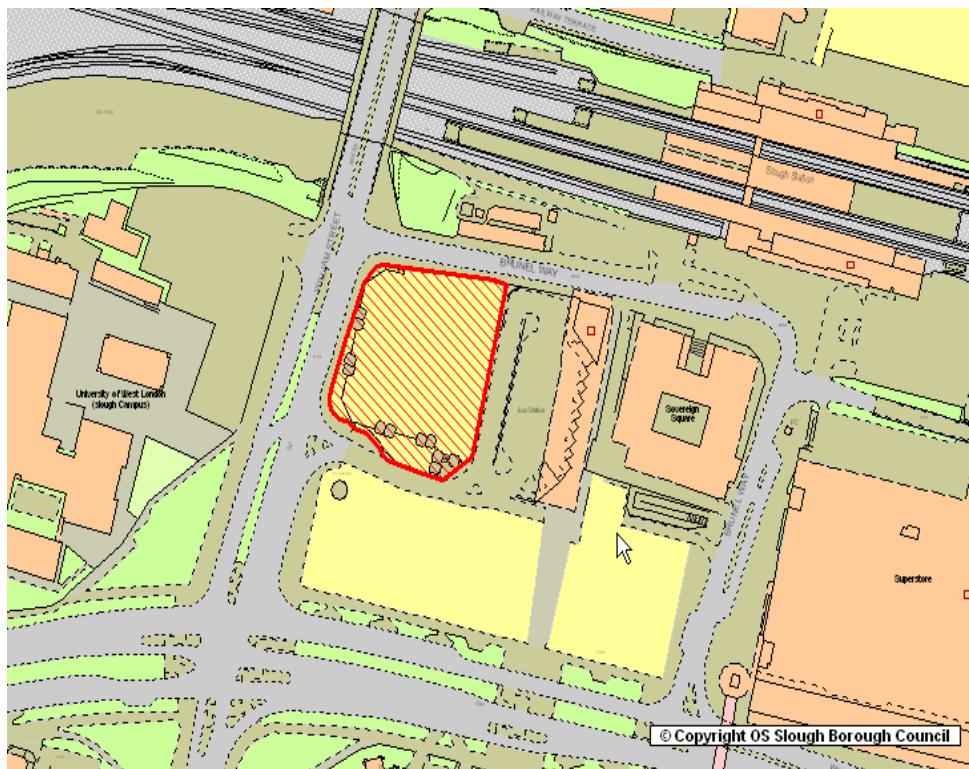
INFORMATIVE(S):

2. 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.

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Registration Date:	08-Aug-2013	Applic. No:	P/04888/016
Officer:	Ian Hann	Ward:	Central
		Applic type:	Major
		13 week	7th November 2013
		date:	
Applicant:	Scottish Widows Fund And Life Assurance		
Agent:	Mr. Marco Tomasi, Fomation Architects The Royle Studies, 41, Wenlock Road, London, N1 7SG		
Location:	The Octagon Site, Brunel Way, Slough, SL1 1XW		
Proposal:	ERECTION OF 2NO. LINKED OFFICE BUILDINGS (10NO. FLOORS AND 8NO. FLOORS) COMPRISING, 27,000 SQM OF INTERNAL OFFICE FLOOR SPACE (CLASS B1A) WITH ACCESS, PARKING AND SERVICING.		

Recommendation: Delegate to Head of Planning Policy and Projects



1.0 SUMMARY OF RECOMMENDATION

- 1.1 Delegate the planning application to Head of Planning Policy and Projects for the consideration of any transport and highways issues, completion of a Section 106 Agreement, finalising conditions and final determination.
- 1.2 This application is to be determined by the Planning Committee as it forms a major development.

PART A: BACKGROUND

2.0 Application Site

- 2.1 The site is bounded by Brunel Way to the north and William Street to the west, with the Wellington Street / William Street junction to the south and slough bus station and a 5 storey office building beyond to the east. Single storey sheds occupy the land between Brunel Way and the railway. The expanse of the William Street / Wellington Street junction to the south dominates the area, with the Church of Our Lady Immaculate & Saint Ethelbert to the south of Wellington Street, with Queensmere shopping centre to the east of the church. The former Thames Valley University site to the west has been cleared but formally contained a range of two to four storey buildings.
- 2.2 The site contained an existing office building, known as the “octagon” building, arising from its rather unusual octagonal design. Although being a visually interesting building it become rather tired and dated in appearance leading to its demolition. The site is now currently being used as a surface car park.
- 2.3 The site occupies a key position in the redevelopment of the centre of Slough although not within the boundaries of the Heart of Slough but share mutual benefits with it.

3.0 Proposal

- 3.1 This application is submitted for the demolition of existing building and erection of 2no linked office buildings (10no floors and 8 no floors) comprising 27,000 square metres of gross external office floorspace (Class B1a) together with access, parking and servicing. This application is similar to the previous planning consent that was approved in June 2008 but has now expired prior to the commencement of the scheme, hence the need for the current application.
- 3.2 Block A is the frontage block with its principle elevation facing onto

William Street. It is 10 storeys high with an overall height of 45 metres, but which includes plant room and main stair core, both of which protrude a further 3 – 4 metres above the office accommodation. Block B is the rear block which is 8 storeys high with an overall height of 38 metres also including a plant room and main stair core, which protrude a further 3 – 4 metres above the office accommodation.

- 3.3 Block A has a typical office floorplate of 56m X 19m and Block B is 60m X 19m. Above first floor level the width of each office floorplate increases above a double height entrance core. Blocks A and B can be occupied independently or linked to form one office scheme. Both floorplates have a north/south orientation.
- 3.4 The floor plates are orientated north/south to take advantage of east/west/natural daylighting. The western block is rotated to align with William Street to strengthen the street edge. Both blocks are rounded to fit the site and soften the building form. The central cores connect both buildings, but can also function independently.
- 3.5 The ground floor level is set 200mm above the William Street pavement level, which due to a fall of 2m across the site allows for the creation of a stepped entrance from Brunel Way. The façade of Block A is curved back further to reveal the entrance to the main pedestrian flow from the station. A set of glazed canopies are located over the steps to further define the entrance. The rear courtyard provides an amenity space for the office occupiers and provides an opportunity for a secondary pedestrian entrance.
- 3.6 Pedestrian access is gained from Brunel Way. Main reception is set back from Brunel Way via a landscaped podium which is accessed via steps or a ramp from Brunel Way. Pedestrian access is also available on the south side via the main central stair cores.
- 3.7 One level of basement car parking are proposed providing a total of 86 no. car parking spaces, this represents no overall increase in the number of existing car parking spaces on site and equates to a floorspace to car parking ratio of 1 no. car parking space per 342 sq,. metres. Vehicular access to the car park is via a ramped access from William Street with the service area above this.
- 3.8 A lay-by is proposed in Brunel Way which will provide a picking up/dropping off point for visitors to the offices. The lay-by will be retained as public highway and a change to the existing road traffic order will be required to allow its use. Brunel Way itself is to be widened to 3 lanes.
- 3.9 The following changes are proposed from the previously approved scheme:

Ground floor level

- The access to the vehicular ramp is moved from Brunel Way to the south side of the site allowing for an uninterrupted pavement to the front of the site helping improve pedestrian safety.
- In place of the ramp will be the entrance to the underground cycle storage integrated into the soft landscaping along this boundary.
- The steps to the main lobby have been redesigned along with the disabled ramp.
- The area to the south is re-configured to provide space for service and delivery vehicles and accommodate a new ramp access.
- The landscaping at the rear of the site has been modified.

Typical floor level

- Central cores have been rationalised, escape stairs repositioned and ancillary areas redesigned.
- The two cores are now of the same width.
- Block B has been slightly shortened on the south side.

Basement

- The loading bay is now at ground level.
- Second basement omitted.
- Ramp direction flipped.
- 26no. car parking spaces provided in double car stackers.

There are no changes to the external appearance of the building.

3.10 The following documents have been submitted along with this planning application:

- Application Form
- Plans
- Design & Access Statement
- Technical Transport Note
- Air Quality Assessment

4.0 Planning Background

4.1 Planning permission was granted for the erection of 2no. linked office buildings comprising 29,417 sqm of office space together with access, parking and servicing (P/04888/012). However this scheme was never commenced and the permission has now expired requiring the need for this current application in order to resurrect the scheme.

4.2 The site is currently being used as a surface car park following the

demolition of the existing building and was granted planning permission by the Planning Inspectorate in November 2012 for a temporary time until 19th October 2014.

5.0 Consultation

5.1 HIGHWAYS AND TRANSPORT

Trip Generation

This site was previously developed as a B1 office (Octagon), in 2007 it received planning consent for a new B1 office of a significantly greater size, and subsequently the original office building (Octagon) was demolished. In terms of floor area for office use i.e. excluding the basement floor area for parking and servicing, there is no material difference in floor area between 2007 consent and the proposed application. The reduction in floor area between the proposed scheme and that consented in 2007 is a result of the removal of the second basement where the building servicing was to take place. Therefore in terms of trip generation I would expect it to be very similar to that which received consent in 2007.

Consent was granted at appeal for the use of the site as a car park, but it is not appropriate to compare the car park use to the proposed use as it only as a temporary consent.

A multi-modal trip generation assessment has been undertaken for this site using trip rates derived from the TRICS database. I have reviewed criteria that the consultant has used and disagree with some of their assumptions made by the consultant. Firstly only sites in Greater London have used, but Slough is not in Greater London and does not benefit from the public transport accessibility that London offers. Slough therefore shares similar characteristics to other British towns and cities and therefore I am not clear why sites in Liverpool, Birmingham and Glasgow have been excluded. These sites have a higher vehicle trip generation and other differences to that of the London sites, which would suggest that the impact of the site could be higher than could be alluded from the trip rates.

Access

The site will be accessed from the bus station access road, via a left in left out manoeuvre into the access road. There is an existing right turn bus lane into the bus station access but development traffic will not be allowed to use the bus lane. In my pre-application advice to the developer I requested that the developer fund an enforcement camera and associated costs to cover the bus lane and enable the Council to enforce vehicles illegally using the bus lane to access the site. An obligation covering this provision should be included within the S106 agreement.

Car Park Access

The car park access is to be taken from the bus station access road via a ramped access down to the basement level. Traffic egressing the car park will give way to buses exiting the bus station. Entry /Exit barriers will be located on the access ramp and I would request that a car park management plan should be prepared by the developer setting out how the car park will be managed particularly ensuring that queuing from the entry barrier does not obstruct the free flow of buses on the bus station access road.

Visibility splays from the car park access will need to be provided based on a design speed of 20mph for the bus station access road and the 'x' distance should a minimum of 2.4m. These will need to be shown on a drawing and submitted prior to determination. No obstruction greater than 600mm should fall within the visibility splay

Relocation of vehicular access from Brunel Way to the Bus station access road has provided a major benefit to both the applicant and to highway safety and the public realm. The previous scheme had car park traffic service vehicles using an access on Brunel Way which would create a conflict with the much increased pedestrian movements on Brunel Way following the station forecourt and Heart if Slough highway works. This conflict has been removed and enabled an improved public realm along the frontage to be achieved. For the developer this will save significant costs as this has enabled them to delete the second basement level from their development.

Service Vehicle

Rigid services vehicle and refuse trucks will service the buildings from the service area which is also accessed from the bus station access road. Tracking has been provided illustrating that this can be achieved within the confines of the service area.

A right of access must be secured across the land outside of the developers control to access the service area.

Pedestrian Access

Pedestrian access to the reception will be achieved through the implementation of steps and a disabled ramp.

Footways

In the previous consent for this site the developer agreed to dedicate land to be maintainable as public highway free of charge to enlarge the carriageway to increase capacity Brunel Way/William Street junction. It has been agreed that this is no longer required. However enlarged footways are being provided around the building to facilitate a more attractive pedestrian environment. The submitted drawings show the adopted footway widths being a

minimum of 4.8m wide on the corner of William Street/Brunel Way, of being between 5m and 5.4m along the frontage of Brunel Way and being approximately 4.2m along William Street. The submitted list of drawings does not include a site layout plan which is required as it would include key dimensions, indicative location of visitor cycle parking, vehicle visibility splays from car park access, the length of the dropped kerb for the service area etc should be marked on the drawing. I would be grateful if this could be supplied prior to determination as this drawing would need to be referred to in any planning consent. The developer will need to enter into a S278 agreement for the footway works.

Materials

Natural stone granite paving has been implemented on the footways that form part of the Heart of Slough public realm scheme. However the footways around this site have been implemented in ASP for the reason that the Council knew this development site would be coming forward at a later date and there would be changes to the footway alignment which would damage the granite paving. Therefore I would request that as part of the S106 agreement there is an obligation that requires the developer to provide matching granite paving as per the Council's standard detail specification on the footways along Brunel Way and William Street to replace the existing ASP. I understand that a material specification has been agreed for the bus station access road and adjoining service areas and this will need to be discussed further with SBC Highways as part of the S278 agreement.

Land Adjacent the Bus Station

In the pre-application discussions the developer was asked whether they would be willing to transfer a small strip of land (measuring circa 1.4m x 17m) along the north western boundary of the bus station in order to enable disabled passengers from this bus stop within the bus station. The submitted plans have made an allowance for this request and this is welcomed. It is not clear from this application when this development will be taken forward and as this land is needed now I would respectfully request that this piece of land is made available at the earliest possible opportunity, perhaps initially it could be made available on a peppercorn rent basis, until the site becomes occupational.

Loading Bay

The developer has also requested the provision of a loading bay at the front of the building which will be used by small delivery vans and for some dropping off. This is considered acceptable as long as it is covered by a traffic regulation order and used for loading purposes only. The costs of the traffic regulation order should be secured as part of the S106 agreement.

Car Parking

86 car parking spaces are being provided which is considered acceptable and is consistent with the Slough Local Plan parking standards. 26 car parking spaces are provided in double car stackers.

Cycle Parking

Cycle parking is to be located in the basement and accessed by way of a separate ramp from Brunel Way. The ramp solution is welcomed and provides high quality facility for cyclists. There is a gate to the ramp which will open over the highway, which will need to be changed so that it does not open over the highway.

I am not clear what type of racks are being used in the basement parking area but only a space of 1.1 x 0.25 metres has been allowed for each cycle this is totally insufficient and will not work. Therefore I would be grateful if further plans can be submitted at this stage showing the layout of the cycle parking as by my calculations as few as 50-60 spaces may only be achieved within this space.

The 20 visitor cycle parking racks are located at the front and rear of the building. I do not see any value in the 8 racks to the rear of office block A because it would be an unnecessary long walk distance for visitors to the reception from the racks and therefore I recommend that these racks should be deleted and replaced with soft landscaping. The Design and Access Statement refers to more 4 visitor parking racks close to the cycle ramp on Brunel Way, locating the racks at the front of the building is more practical, although I would prefer them to being in direct sight of the lobby area. However the specific sighting of the racks and their specification in terms of materials and design can be covered by a planning condition and addressed at a later date.

Travel Plan

A Travel Plan will need to be prepared for this development and should include travel monitoring inline with the TRICS based SAM methodology. Currently a travel plan does not appear to have been written, and as this is a speculative development I would suggest that the key components of the Travel Plan are agreed in the S106 agreement and a framework/interim Travel Plan submitted at a later date.

I would be grateful if some clarification could be provided in the location of the shower and changing facilities. On page 18 of the Design and Access Statement it refers to the shower and locker provision within the storage area, however I see no evidence of this on the submitted plans. Showers and changing facilities would be better provided on each of the floors attached to the toilet blocks as

this will be much safer for users. Storage lockers for cyclists' equipment could be provided in the cycle store area, although this does not assist the storage of clothes. Consideration should be given to drying facilities being provided adjacent to the shower facilities.

Summary

This application is very similar to the previous consent on this site for a large office development, the main change being that the access to the site for vehicles is taken from the rear service road leading to the bus station and that is enabled servicing to be undertaken from the rear at ground floor level and therefore the omission of the second basement. This has benefits for both the developer in terms of cost savings and for all users of Brunel Way as this will enhance of the safety and attractiveness of the footway and reduce delays to traffic through a reduction in turning movements. Trip rates for the development have been derived from the TRICS database and I am not in agreement that using sites in Greater London is necessarily reflective of what will happen at this site. However if the developer is willing to agree to the proposed package as discussed above and set out below then I would suggest no further work is required on the trip rates.

Recommendation

Further discussions need to be undertaken in regard to the

- S106 obligations (Transport and Highways schedules);
- clarity provided on the shower, changing and drying facilities;
- detailed layout plan of the basement cycle parking demonstrating the number of cycle parking spaces can be achieved;
- drawing needs to be submitted showing key dimensions of footway, dropped crossing for the service area, visibility splays etc.

Subject to achieving a satisfactory conclusion on these matters I see no reason for a highway objection.

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

The highways schedule includes:

- Temporary access point,
- Installation of crossover / junction;
- Reconstruct the footway on all necessary sides of the application site using agreed materials (natural stone granite to replace ASP);
- Reinstatement of redundant access points to standard to footway construction
- Installation of street lighting modifications;

- Drainage connections;
- Construction of the servicing area and section of car park access ramp adjoining the bus station access road using agreed palette of materials to be consistent with those materials used by the Heart of Slough public realm scheme;
- Construction and dedication as highway maintainable at the public expense, free of charge, the footways on Brunel Way/William Street/Bus Station Access Road around the site as shown on Drawing No.
- Ideally the applicant should prepare a s278 Adoption Layout (Slough Borough Council Drawing Number 8/27/**P1) to show the works required. This plan should be appended to the s106 and correspond to the Highway Works Schedule.

Transport Schedule

- contribution to Station Forecourt works and enhancements to pedestrian /cycle facilities leading to and within the town centre (uplift of previously agreed financial contribution of £550k with rti);
- fund the implementation of bus lane enforcement camera and associated costs to link to CCTV centre/ SBC parking office as appropriate;
- transfer of strip of land measuring circa 1.4m x 17m along eastern boundary of site adjoining the bus station to allow disabled access to stopping buses;
- Traffic Regulation Order advertisement costs and sign and lining costs for loading bay of £6k;
- Travel Plan obligations covering content and monitoring specifications; and
- Travel Plan Monitoring Contribution of £6k.

The Highways and Transport Engineers recommended several conditions.

Drainage Comments

The developer should provide a detailed design for an attenuated surface water drainage system with a maximum discharge rate of 20 litres/second/hectare to the public SW sewer. Where practical volumetric reduction measures should be provided eg. Green roofs, planters or reuse. Thames Water should be consulted regarding foul sewage discharges.

5.2 NEIGHBOURHOOD ENFORCEMENT

The Neighbourhood Enforcement Team have identified the following issues and recommended the following conditions:

Issue 1 - Demolition/Construction Phase

Noise, dust and vibration from the demolition and construction

phase may affect occupiers of nearby residential premises. I suggest the following planning condition is attached to any planning permission granted:

Condition - Control of environmental effects: major redevelopment

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

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

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

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

Issue 2 – Noise

I suggest that the following planning condition is attached to any planning permission granted:

Condition - Hours of demolition and construction

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

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

Issue 3 – Waste during demolition/construction

The demolition / construction phase can have an affect on the residents particularly smoke from bonfires. I suggest that the following planning condition is attached to any planning permission granted:

Condition - Control of waste during demolition/construction phase

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

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

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

Issue 4 – On-site Refuse Storage

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

Condition - On-site refuse storage

No development shall take place until details of on-site storage (including any open air storage facilities) for waste material awaiting disposal 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.

5.3 **ENVIRONMENT AGENCY**

No objection to the planning application as submitted, subject to the inclusion of four planning conditions, detailed under the headings below, to any subsequent planning permission granted. Without the inclusion of these conditions we consider the development to pose an unacceptable risk to the environment.

1. Condition No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at

the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. Cont/d.. 2

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reasons

This site is underlain by the Langley Silt (Unproductive Stratum) over the Taplow Gravel Formation (Principal Aquifer) over the Lambeth Group (Secondary A Aquifer) over the Chalk (Principal Aquifer). The site is located within an Outer Source Protection Zone (SPZ2) for a potable water supply that abstracts from the gravels. The development proposed is an 8-10 story building, likely to require the use of piling. We therefore need to protect the aquifers under the site from any vertical mobilisation of contamination formed by piling.

We need to know the full history of the site and surrounding land. For instance the development site is located very close to the Bus Station and we need to know if there was storage of fuels on this adjacent site. We need assurances that the soils and made ground under this site are uncontaminated before we could agree to the use of piling.

The application form shows that a basement is planned for this site. Whilst this may remove contamination within soils, the construction of a basement within the Taplow Gravels may cause groundwater impedance. This needs to be addressed in a hydro-geological risk assessment.

2. Condition

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation

criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason

This site is underlain by the Langley Silt (Unproductive Stratum) over the Taplow Gravel Formation (Principal Aquifer) over the Lambeth Group (Secondary A Aquifer) over the Chalk (Principal Aquifer). We need to protect these aquifers from any contamination that could be mobilised during development.

3. Condition

The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water that ensures that soakaways are not constructed into contaminated land has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason

We need to protect the Principal aquifer in the Taplow Gravels from any historic contamination that could be mobilised through the use of soakaways.

4. Condition

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason

We need to ensure that foundation design does not form pathways for contamination to migrate into the Taplow Gravel Formation (Principal Aquifer) or indeed deeper into the Lambeth Group. Piling that connects the surface of the site with the underlying strata may not be suitable unless the site investigation demonstrates that the soils and made ground are uncontaminated or that the basement excavation has removed all contamination.

5.4

THAMES WATER

Waste Comments

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. “Development shall

not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

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

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

No impact piling shall take place until a piling method statement

(detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

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

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

Water Comments

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

Thames Water recommend the following informative be attached to

any planning permission: There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.

5.5 **THE CIVIC SOCIETY**

No response has been received. Members will be updated via the amendment sheet should any response be received. It should be noted however that no comments were received with regards to the previous application.

5.6 **BRITISH AIRPORTS AUTHORITY**

No response has been received however the following comments were made with regards to the previous application.

No objections subject to the following condition:

The flat/shallow pitched roofs shall be constructed to allow access to all areas by foot using permanent fixed access stairs, ladders or similar. The owner/occupier shall not allow hazardous birds, in particular gulls, to nest on the building.

REASON: To avoid endangering the safe operation of aircraft through the attraction of birds

5.7 **DEPARTMENT OF CULTURE MEDIA AND SPORT**

No response has been received. Members will be updated via the amendment sheet should any response be received. It should be noted however that no comments were received with regards to the previous application.

5.8 **TOWN CENTRE BUSSINESS INITITIVE**

No response has been received. Members will be updated via the amendment sheet should any response be received. It should be noted however that no comments were received with regards to the previous application.

5.9 **SLOUGH RETAILERS GROUP**

No response has been received. Members will be updated via the amendment sheet should any response be received. It should be noted however that no comments were received with regards to the

previous application.

6.0 Neighbour Notification

6.1 The following neighbours have been consulted with regards to this application:

O2, Brunel Bus Station (First Bus) , Thames Trains Slough Railway Station, Thames Trains station café, Brunel Way.

Concurrent Computer Corporation, Concurrent House, Railway Terrace.

Thames Valley University, St Ethelbert's Catholic Church, Wellington Street

AEG Domestic Appliances, 55 – 57, Royal Bank of Scotland (Cornwall House) 67, Slough central Library 85, High Street
Tesco Stores, Brunel Way

Home Saver Internet Shop, Seal Car & van Hire, Buz's Coffee, I Signs & Graphics, Brunel Way

6.2 No responses have been received from the neighbour consultations.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The application will be assessed against the following policies:

The National Planning Policy Framework (NPPF)

The NPPF states that unless material considerations dictate otherwise development proposals that accord with the development plan should be approved without delay. That planning should not act as an impediment to sustainable growth and should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. It also states that high quality design should be secured and a good standard of amenity for all existing and future occupants of land and buildings. 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.

**Local Development Framework, Core Strategy 2006-2026,
Development Plan Document**

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 5 (Employment)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability & the Environment)
- Core Policy 10 (Infrastructure)
- Core Policy 12 (Community Safety)

Adopted Local Plan for Slough

- EMP2 (Criteria for Business Developments)
- EN1 (Standard of Design)
- EN3 (Landscaping Requirements)
- EN5 (Design and Crime Prevention)
- T2 (Parking Restraint)

- 7.2 The main planning considerations are considered to be:
- Principle of development
 - Design and appearance on the character of the area
 - Impact on neighbouring uses
 - Transport and parking
 - Financial contributions

8.0 Principle of development

- 8.1 The principle of redevelopment of the site would comply with the National Planning Policy Framework in principle as it is a brownfield site and makes efficient use of an underutilised site and could be supported subject to the acceptance of issues such as scale, bulk, design and environmental impacts that are considered in detail below.
- 8.2 As the proposed site is a previously developed site proving offices in the Town Centre, helping the regeneration of the Town Centre it is considered to be acceptable in accordance with Core Policy 1 (Spatial Strategy)
- 8.3 The proposal complies with the criteria listed in policy EMP2 (Criteria for Business Developments) in that:
- a) The proposed building is considered to be of a high quality design, which is considered appropriate in the site location, being within the town centre commercial core.
 - b) Although the height bulk scale massing and design would not reflect the immediate locality at the present time, however, in

the absence of any prescriptive design guidance and given the wider picture of the Heart of Slough proposals, the current scheme would tie in with the broader concepts and the wider anticipated changes for this part of Slough.

- c) It would not detract from the residential amenity of adjoining occupiers by reason of noise, disturbance, overlooking or loss of privacy.
- d) The traffic engineers have not indicated that there would be any significant highway or road safety issues arising from the proposed development.
- e) Adequate servicing is provided for the site.
- f) A transportation financial contribution will be required by Planning Agreement
- g) The proposal would not result in the loss of residential accommodation.

8.4 Given the town centre location and the close proximity to the Town Centre and the previous acceptance of the proposed use at the site this use is considered to be acceptable.

9.0 Design and appearance on the character of the area

9.1 The National Planning Policy Framework confirms the following:

“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people” (para 56).

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment” (Para 61).

“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” (Para 64).

“Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal’s economic, social and environmental benefits.” (Para 65).

Core Policy 8 of the Core Strategy requires that, in terms of design,

- 9.2 all development:
- a) Be of high quality design that is practical, attractive, safe, accessible and adaptable;
 - b) Respect its location and surroundings;
 - c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and
 - d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.
- 9.3 Policy EN1 of the adopted Local Plan states that development proposals are required to reflect a high standard of design and must be compatible with and/ or improve their surroundings in terms of scale, height, massing/ bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees; and relationship to watercourses.
- 9.4 The development comprises of two oval shaped buildings with a linking central core and has the same appearance as that which has already been approved. The differences in size and colour gives each of the component building's its own identity. The façade to the main elements of the office are developed as horizontal bands. The horizontal bands are articulated with differently coloured fins. A combination of these features strikes a reasonable balance between the horizontal and vertical emphasis creating a balanced appearance to the development.
- 9.5 The central core is rectangular in shape contrasting with the more dynamic oval shape of the two main office towers. The main entrance although recessed is accessed via a podium and is emphasised by an elaborate array of 5 tree like glass canopies, which has the effect of bringing the entrance closer to Brunel Way. The random asymmetry of the canopies is set against the formal pattern of the offices and creates a feature of particular interest. A rear courtyard is proposed, with direct pedestrian access from the offices. The courtyard is shown planted with trees.
- 9.6 The correct choice of external materials is key to a successful development. The materials being proposed include:
- Coloured opaque glass panels
 - Graphite coloured window frames
 - Light grey panels
 - Graphite coloured louvers
 - Anodised aluminium cladding
 - Graphite coloured curtain walling frame
- 9.7 Although the proposed development may not directly link with the site's immediate context, in terms of its heights and relationship to other neighbouring developments, a view has been taken that it should be considered in the wider context of the Heart of Slough

proposals. If the Heart of Slough proposals come to fruition then this will dramatically change the site's existing context. To the south of the site, on the former Brunel bus station/multi storey car park site, it is proposed to erect 3 commercial buildings at varying heights of 6 – 10 storeys and the proposed development would be in context with this building and provide an area of new modern office development. The proposal is considered to be of a high quality design and whilst its height, scale bulk and mass would not at the present time reflect its immediate surroundings, it will nonetheless happily tie in with and compliment the wider proposals for the Heart of Slough, which will, as part of a comprehensive redevelopment in this part of the town centre dramatically alter the sky line and help uplift the image of Slough as an important shopping and employment centre.

9.8 However, notwithstanding the wider Heart of Slough proposals, the development also has to be considered on the basis of it being a “stand alone” development, in the event that the wider proposals do not come to fruition. In the absence of there being an approved strategy for tall buildings in Slough Town Centre, each proposal has to be considered on its individual merits. There are some tall buildings on the northern side of the railway lines with the ongoing residential and hotel development and it is considered that this application site can sustain tall buildings in some form of context with these buildings as the site is large enough area for such buildings in a stand alone design to make them feature type buildings. Therefore notwithstanding the future implementation of the wider Heart of Slough proposals, the proposal must be capable of “standing alone” in terms of its design and impact and it has been assessed very much on this basis.

9.9 The proposed development would impact directly on the setting of the listed railway station at Slough. Nor will it further restrict views through to the station from William Street given the siting of the existing building. However, it will assist in the gradual renewal and regeneration of this part of Slough.

9.11 Therefore it is considered that the proposals provide a design which will enhance the appearance of the site and surrounding area and will not have a detrimental impact upon the character and appearance of the surrounding area complying with the relevant policies in this regard.

10.0 Impact on neighbouring uses

10.1 The National Planning Policy Framework outlines the following:

“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin

both plan-making and decision-taking. These 12 principles are 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 (Para 17).

- 10.2 Core Policy 8 states “The design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area ... Development shall not give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise”.
- 10.3 Policy EN1 of the Local Plan requires that “Development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of 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.”
- 10.4 Policy EMP2 of the Local Plan requires that: “there is no significant loss of amenities for the neighbouring land uses as a result of noise, the level of activity, overlooking, or overbearing appearance of the new building”.
- 10.5 The proposed building is sited so that it will be approximately 36m from the new bus station to the west and will not have any detrimental impact to this building or the office building beyond. The other surrounding or proposed uses to the north and south are commercial uses and therefore any impact is not considered to be detrimental to these uses. Although the former Thames Valley University site to the west of the site has been allocated for residential uses, some of which will be provided through tall buildings, no layout has been agreed and therefore the site can be developed.
- 10.6 It is therefore considered that the proposals provide a scheme which will not have any adverse impact the surrounding buildings and complies with the relevant policies.

11.0 Transport and Parking

- 11.1 “Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where

practical to

- accommodate the efficient delivery of goods and supplies;
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- consider the needs of people with disabilities by all modes of transport.

If setting local parking standards for residential and non-residential development, local planning authorities should take into account:

- the accessibility of the development;
- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and
- an overall need to reduce the use of high-emission vehicles.

- 11.2 Core Policy 7 (Transport) seeks to ensure that all new developments are sustainable, located in accessible locations and hence reduces the need to travel. It requires that development proposals will, either individually or collectively, have to make appropriate provisions for:
- Reducing the need to travel;
 - Widening travel choices and making travel by sustainable means of transport more attractive than the private car;
 - Improving road safety; and
 - Improving air quality and reducing the impact of travel upon the environment, in particular climate change.
- 11.3 Local Plan Policy T2 requires residential development to provide a level of parking appropriate to its location and overcome road safety problems while protecting the amenities of adjoining residents and the visual amenities of the area.
- 11.4 The site is located adjacent to both the bus station and is also sited within easy and safe walking distance of the rail station. Notwithstanding the significant increase in office floorspace being proposed, there will be no increase in the overall levels of car parking on site. Secure bicycle parking is provided to serve the offices uses, although the final lay out is to be agreed and showers/changing facilities are incorporated into the designs. The applicant will be required to pay a transportation financial contribution towards local highway, transport and road safety schemes commensurate with the additional travel demand generated.
- 11.5 The access and egress ramp has been relocated to the rear of the

building closest to the new Slough Bus Station as requested by the Transport Consultants at the pre application stage. This will reduce conflict with the vehicles using the ramp and pedestrians using the footpath, which can also be improved. The Travel Statement that has been submitted demonstrates that the trip numbers and service vehicle access will not have any detrimental impact with regards to highway safety

11.6 It is therefore considered that the scheme provides a suitable standard of car and cycle parking and will not be detrimental to highway safety and therefore meets the set requirements in this regard.

12.0 Contributions

12.1

The applicant will be required to enter into a Section 106 Planning Obligation Agreement, the Heads of Terms for which are as follows:

A) Prior to commencement of development, the applicant to enter into a Section 278 Agreement of the Highways Act 1980 with Slough Borough Council for the following works-

:

- Temporary access point,
- Installation of crossover / junction;
- Reconstruct the footway on all necessary sides of the application site using agreed materials (natural stone granite to replace ASP);
- Reinstatement of redundant access points to standard to footway construction
- Installation of street lighting modifications;
- Drainage connections;
- Construction of the servicing area and section of car park access ramp adjoining the bus station access road using agreed palette of materials to be consistent with those materials used by the Heart of Slough public realm scheme;
- Construction and dedication as highway maintainable at the public expense, free of charge, the footways on Brunel Way/William Street/Bus Station Access Road around the site as shown on Drawing No.
- Ideally the applicant should prepare a s278 Adoption Layout (Slough Borough Council Drawing Number 8/27/**P1) to show the works required. This plan should be appended to the s106 and correspond to the Highway Works Schedule.

B) Contribution to Station Forecourt works and enhancements to pedestrian /cycle facilities leading to and within the town centre (uplift of previously agreed financial contribution of £550k with rti);

- C) Fund the implementation of bus lane enforcement camera and associated costs to link to CCTV centre/ SBC parking office as appropriate;
- D) Transfer of strip of land measuring circa 1.4m x 17m along eastern boundary of site adjoining the bus station to allow disabled access to stopping buses;
- E) Traffic Regulation Order advertisement costs and sign and lining costs for loading bay of £6k;
- F) Travel Plan obligations covering content and monitoring specifications;
- G) Travel Plan Monitoring Contribution of £6k.

PART C: RECOMMENDATION

13.0 Recommendation

- 13.1 Delegate the planning application to Head of Planning Policy and Projects for the consideration of any transport and highways issues, completion of a Section 106 Agreement, finalising conditions and final determination.

14.0 PART D: CONDITIONS AND INFORMATIVES

14.1

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 Number: 6340 D5000 00, Dated: 17/06/2013, Received: 06/08/2013

(b) Drawing Number: 6340 D5100 00, Dated: 13/06/2013, Received: 06/08/2013

(c) Drawing Number: 6340 D5101 00, Dated: 13/06/2013,

Received: 06/08/2013
(e) Drawing Number: 6340 D5102 00, Dated: 13/06/2013,
Received: 06/08/2013
(f) Drawing Number: 6340 D5108 00, Dated: 13/06/2013,
Received: 06/08/2013
(g) Drawing Number: 6340 D5109 00, Dated: 13/06/2013,
Received: 06/08/2013
(h) Drawing Number: 6340 D5110 00, Dated: 13/06/2013,
Received: 06/08/2013
(i) Drawing Number: 6340 D5199 00, Dated: 13/06/2013,
Received: 06/08/2013
(j) Drawing Number: 6340 D5111 00, Dated: 13/06/2013,
Received: 06/08/2013
(k) Drawing Number: 6340 D5700 00, Dated: 13/06/2013,
Received: 06/08/2013
(l) Drawing Number: 6340 D5701 00, Dated: 13/06/2013,
Received: 06/08/2013
(m) Drawing Number: 6340 D5702 00, Dated: 13/06/2013,
Received: 06/08/2013
(n) Drawing Number: 6340 D5703 00, Dated: 13/06/2013,
Received: 06/08/2013
(o) Drawing Number: 6340 D5800 00, Dated: 13/06/2013,
Received: 06/08/2013
(p) Drawing Number: 6340 D5500 00, Dated: 13/06/2013,
Received: 06/08/2013
(q) Drawing Number: 6340 D5501 00, Dated: 13/06/2013,
Received: 06/08/2013
(r) Drawing Number: 6340 D5502 00, Dated: 13/06/2013,
Received: 06/08/2013

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

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

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

4. Samples of external materials to be used in the construction of the access road, pathways and communal areas within the

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

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

5. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

REASON This site is underlain by the Langley Silt (Unproductive Stratum) over the Taplow Gravel Formation (Principal Aquifer) over the Lambeth Group (Secondary A

Aquifer) over the Chalk (Principal Aquifer). The site is located within an Outer Source Protection Zone (SPZ2) for a potable water supply that abstracts from the gravels. The development proposed is an 8-10 story building, likely to require the use of piling. We therefore need to protect the aquifers under the site from any vertical mobilisation of contamination formed by piling.

We need to know the full history of the site and surrounding land. For instance the development site is located very close to the Bus Station and we need to know if there was storage of fuels on this adjacent site. We need assurances that the soils and made ground under this site are uncontaminated before we could agree to the use of piling.

The application form shows that a basement is planned for this site. Whilst this may remove contamination within soils, the construction of a basement within the Taplow Gravels may cause groundwater impedance. This needs to be addressed in a hydro-geological risk assessment.

6. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: This site is underlain by the Langley Silt (Unproductive Stratum) over the Taplow Gravel Formation (Principal Aquifer) over the Lambeth Group (Secondary A Aquifer) over the Chalk (Principal Aquifer). We need to protect these aquifers from any contamination that could be mobilised during development.

7. The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water that ensures that soakaways are not constructed into contaminated land has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

REASON We need to protect the Principal aquifer in the

Taplow Gravels from any historic contamination that could be mobilised through the use of soakaways.

8. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

REASON We need to ensure that foundation design does not form pathways for contamination to migrate into the Taplow Gravel Formation (Principal Aquifer) or indeed deeper into the Lambeth Group. Piling that connects the surface of the site with the underlying strata may not be suitable unless the site investigation demonstrates that the soils and made ground are uncontaminated or that the basement excavation has removed all contamination.

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

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

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

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

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

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

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

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

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

12. No development shall take place until details of on-site storage (including any open air storage facilities) for waste material awaiting disposal 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.

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

REASON In the interests of amenity of nearby residents and so as not to prejudice the free flow of traffic along the neighbouring highway or in surrounding residential streets.

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

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

15. 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, December 2008.

16. 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.

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

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

18. All air conditioning or other ventilation plant shall be designed to ensure that external noise generated by the plant or equipment shall not at any time exceed the ambient sound level as measured at the site boundary when the equipment is not in operation. This shall be implemented prior to first occupation of the development and retained at all times in the future.

REASON To minimise the impact of the noise generated by the equipment on the amenities of the local residents in accordance with Policy EN26 of The Local Plan for Slough 2004.

19. The air extraction and air conditioning system shall not be installed until a scheme has been submitted to and approved in writing by the Local Planning Authority for the control of noise emanating from the associated plant and equipment. The measures to be included in the approved scheme shall be implemented prior to the first occupation of the building that they relate to and thereafter the measures shall be operated in accordance with the approved building scheme unless otherwise agreed in writing by the Local Planning Authority.

REASON In the interests of the amenities of the occupiers of nearby premises.

20. The premises shall be used for B1(a) offices and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, and in any provision equivalent to the Class in any statutory instrument revoking or re-enacting that order.

REASON : In order protect the amenities of the area and to comply with Policy EMP2 of The Local Plan for Slough 2004

21. Notwithstanding the provisions of the Town & Country Planning General Development Order 1988 the total gross floorspace of the building hereby permitted shall not exceed 27,000 sq m and no extension or alteration either external or internal, involving an increase in floorspace including a mezzanine floor, shall be carried out without the prior permission of the Local Planning Authority

REASON To retain control over the intensification of the use of the site, particularly having regard to the provision of on-site parking.

22. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed”.

REASON The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

23. No development shall commence until details of the new

means of access are submitted to and approved in writing by the Local Planning Authority and the access shall be formed, laid out and constructed in accordance with the details approved prior to occupation of the development.

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

24. No part of the development shall be occupied until the visibility splays shown on the approved drawings (still to be submitted) have been provided on both sides of the car park access and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

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

25. No part of the development shall be occupied until the visibility splays shown on the approved drawings (still to be submitted) have been provided on both sides of the service vehicle access and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

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

26. The scheme for parking, manoeuvring and the loading and unloading of vehicles shown on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

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

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

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

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

Reason: To minimise danger and inconvenience to highway users.

29. No part of the development shall be occupied until such time that a Car Park Management and Servicing Plan has been submitted to and approved in writing by the Local Planning Authority. Once agreed, the development shall operate in accordance with the agreed Car Park Management and Servicing Plan. The Car Park Management and Servicing Plan shall ensure that queuing on the car park entry ramp does not occur causing a delay to buses using the bus station access road; vehicles using the servicing area do not cause delay to buses using the bus station access road; and but not limited to vehicles accessing the development do not use the William Street bus lane. It shall specify a monitoring mechanism to ensure compliance with these requirements. Should the requirements within the Plan not be met, the operator should undertake whatsoever measures, as may first have been agreed in writing by the Local Planning Authority, as are necessary to meet the requirements. The Local Planning Authority will retain the right to require the operator to review the operation of the Car Park Management and Servicing Plan if it is made aware of concerns with its implementation. The Car Park Management and Servicing Plan shall be maintained in perpetuity during the operation of the development.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and bus station access road

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

Reason: To ensure a satisfactory appearance of the

development so as not to prejudice the visual amenity of the locality in accordance with Policy EN1 of The Local Plan for Slough 2004.

31. No gates or access barriers to open over the highway

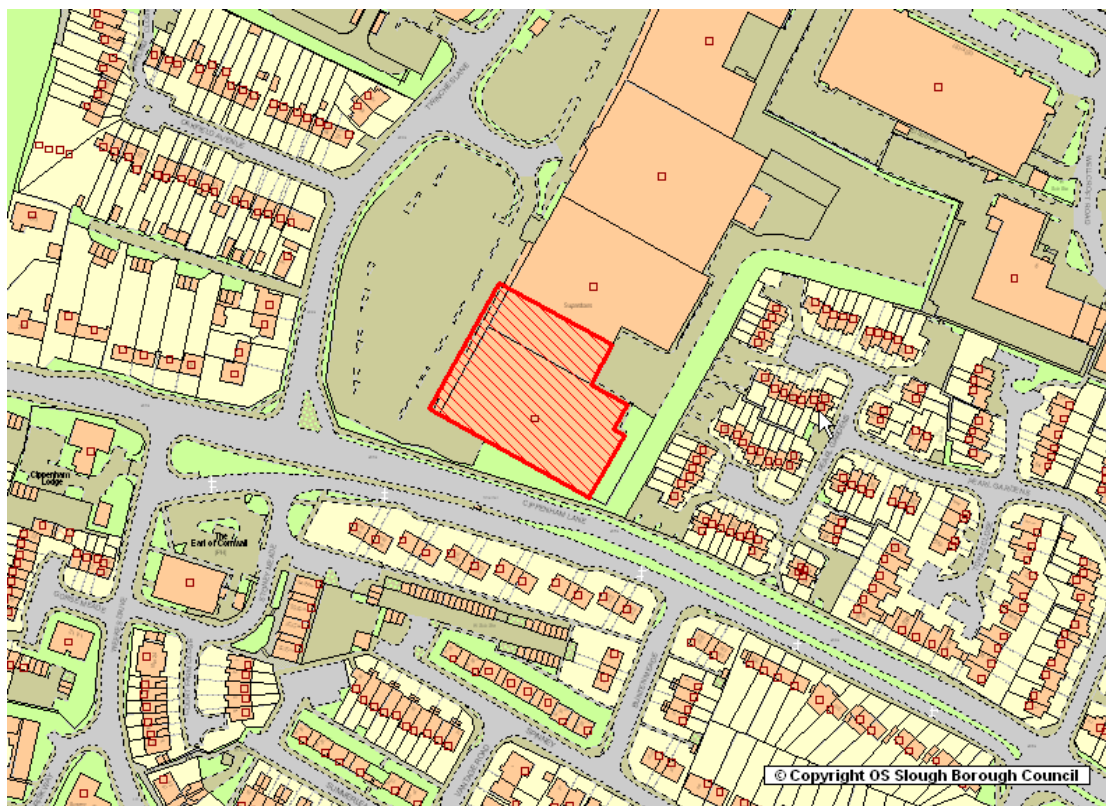
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

INFORMATIVE(S):

1. There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.
2. 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.
3. 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.
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.

Registration Date:	16-Jul-2013	Applic. No:	P/06651/075
Officer:	Mr. J. Dymond	Ward:	Cippenham Meadows
		Applic type:	15th October 2013
		13 week date:	
Applicant:	Threadneedle Property Investments Ltd		
Agent:	Mr. Aaron Peate, Indigo Planning Ltd Swan Court, Worple Road, London, SW19 4JS		
Location:	Unit 2C & Unit 3 Slough Retail Park, Twinches Lane, Slough, SL1 5AD		
Proposal:	SUBDIVISION OF UNIT 3 TO FORM UNITS 3A AND 3B; THE INSERTION OF A MEZZANINE FLOOR OF 743M2 WITHIN UNIT 3A TO BE USED FOR SALES; THE INSERTION OF A MEZZANINE FLOOR OF 465M2 WITHIN UNIT 3B TO BE USED FOR STORAGE, REPLACEMENT OF EXISTING SHOPFRONTS TO UNIT 2C, UNIT 3A AND UNIT 3B, ALTERATIONS TO ELEVATIONS, REPOSITIONING OF ROLLER SHUTTER AND ADDITION OF ROLLER SHUTTER ON EAST ELEVATION, NEW PAVING TO FRONT.		

Recommendation: Approve



1.0 SUMMARY OF RECOMMENDATION

- 1.1 This application has been referred to the Planning Committee for consideration as the application is for a major development.
- 1.2 Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations, it is recommended that the application be approved subject to conditions.

PART A: BACKGROUND

2.0 Proposal

- 2.1 The proposal is for the sub-division of Unit 3 forming Units 3a and 3b, the installation of mezzanines within the sub-divided units and the replacement of shop fronts. The detail of the proposal has been described as follows:

2.2 Unit 2C

A new shop front of a similar appearance to the one currently being installed at Unit 2a for CSL.

2.3 Unit 3a

Following the subdivision of the Unit, a mezzanine of 743 square metres is proposed which would be used for the display of furniture items to facilitate the occupation by a national furniture retailer to create a unit of 2,175 square metres. It is submitted that the proposed occupier of the unit would be bulky goods in nature. A new shop front of a similar appearance to the one currently being installed at Unit 2a for CSL is also proposed.

2.4 Unit 3b

Following the subdivision of the Unit, a proposed mezzanine of 465 square metres which would be used for storage purposes would be constructed to facilitate occupation by a national toy retailer to provide a total gross internal area of 1,959 square metres.

Whilst it is submitted that the proposed operator is not strictly a bulky goods retailer, reference has been made to a previously granted Certificate of Lawfulness in relation to the sale of goods from the Unit. It is submitted that the proposed operator can occupy the unit without varying existing goods controls. A new shop front of a similar appearance to the one currently being installed at Unit 2a for CSL is also proposed.

- 2.5 The new floor space proposed which will be for storage and showroom only and not used for sales would total 1,199 square metres.
- 2.6 In addition, changes to the elevations of the building are proposed with respect to the removal of doors and the cladding of elevations, the repositioning of a roller shutter and the addition of roller shutter on east elevation, and new paving to the front.
- 2.7 The proposal has been the subject of pre-application advice with officers.

3.0 Application Site

- 3.1 Unit 3 is a retail premises on Slough Retail Park, Twinches Lane. It is understood to have been vacant for a number of years and was previously occupied by Wickes.
- 3.2 Unit 3 was constructed under Phase 1 in the late 1980s. Phase 2 was constructed in the 1990s. The Retail Park comprises seven separate retail units.
- 3.3 The Retail Park is bounded to the north by Bath Road. The Retail Park is accessed off Twinches Lane to the west and Cippenham Lane is to the South.
- 3.4 The site is surrounded by residential properties and commercial uses. The nearest residential properties are situated to the east.
- 3.5 The location of the site is considered to constitute an out of centre location, in accordance with the definition of out of centre contained within the National Planning Policy Framework.
- 3.6 The site is located within an existing business area as shown on the Slough Local Development Framework Proposals Map.

4.0 Site History

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

Permission for the erection of 3 retail warehouses with ancillary parking and service vehicle facilities was granted in March 1988.

P/06651/011 ERECTION OF 3 RETAIL WAREHOUSES WITH ANCILLARY PARKING AND SERVICE VEHICLE FACILITIES (AMENDED PLANS RECEIVED 06/01/88 AND 13/01/88).

Approved with Conditions 29-Mar-1988

A Lawful Development Certificate was granted in May 2007. This confirmed that the Local Planning Authority was satisfied to allow 55% of the floor space of Phase 1 of the Slough Retail Park be used for the sale of non-food items, which by virtue of their nature and/or size require the removal from the premises by motor vehicles and for a maximum of 45% of any other non food retail items is indeed lawful, in accordance with Condition 15 of Planning Permission P/06651/011, dated 29/05/1988.

P/06651/065 CERTIFICATE OF LAWFULNESS OF PROPOSED DEVELOPMENT TO ALLOW A MINIMUM OF 55% OF THE FLOOR SPACE OF PHASE 1 OF THE SLOUGH RETAIL PARK TO BE USED FOR THE SALE OF NON FLOOD ITEMS WHICH BY VIRTUE OF THEIR BATURE AND/OR SIZE REQUIRE THE REMOVAL FROM THE PREMISES BY MOTOR VEHICLES AND FOR A MAXIMUM OF 45% OF ANY OTHER NON FOOD RETAIL ITEMS.

Approved Grant CLU/D 23-May-2007

Other recent applications of relevance relating to the Retail Park and the proposed development are considered to be as follows:

P/06651/073 ADVERTISEMENT CONSENT FOR DISPLAY OF 1 NO. INTERNALLY ILLUMINATED FLEX FACE SIGN.

Approved with Conditions; Informatives 30-May-2013

P/06651/072 SUBMISSION OF DETAILS PURSUANT TO CONDITION 3 (SAMPLES OF MATERIALS OF PLANNING PERMISSION P/06651/070 DATED 18/02/2013 FOR REPLACEMENT OF EXISTING SHOPFRONT INCORPORATING ADDITION OF GLAZING AND ASSOCIATED WORKS TO HARD LANDSCAPING.

Conditions Complied With; Informatives 08-Apr-2013

P/06651/071 REPLACEMENT OF EXISTING LANDSCAPING WITH PAVING.

Approved with Conditions; Informatives 19-Feb-2013

P/06651/070 REPLACEMENT OF EXISTING SHOP FRONT INCORPORATING ADDITION OF GLAZING AND ASSOCIATED WORKS TO HARD LANDSCAPING.

Approved with Conditions; Informatives 18-Feb-2013

P/06651/069 INSTALLATION OF MEZZANINE FLOOR (875 SQUARE METRES GROSS/ 857 SQUARE METRES NET SALES) WITHIN UNIT 2B

Approved with Conditions; Informatives 12-Jul-2012

P/06651/068 PROPOSED MEZZANINE, NEW SHOP FRONT AND MINOR EXTERNAL ALTERATIONS TO REAR ELEVATION

Approved with Conditions; Informatives 16-Dec-2011

P/06651/067 VARIATION OF CONDITION 12 OF PLANNING PERMISSION P/06651/011 TO ALLOW INSERTION OF MEZZANINE FLOOR UPTO 200m2

Approved with Conditions; Informatives 15-Dec-2009

P/06651/066 VARIATION OF CONDITION 12 OF PLANNING PERMISSION P/06651/011 TO ALLOW INSERTION OF MEZZANINE FLOOR UP TO 200M2

Withdrawn by Applicant 06-Aug-2009

P/06651/064 DEMOLITION OF EXISTING ENTRANCE AND LOBBY, ERECTION OF NEW CANOPY AND SIGNAGE, NEW ENTRANCE POINTS, RELOCATION OF DISABLED PARKING SPACES AND INSTALLATION OF RETAIL FLOOR SPACE AT MEZZANINE LEVEL

Approved with Conditions; Informatives 27-Mar-2007

P/06651/063 DEMOLITION OF EXISTING ENTRANCE AND LOBBY, ERECTION OF NEW CANOPY AND SIGNAGE, NEW ENTRANCE POINTS RELOCATION OF DISABLED PARKING SPACES AND INSTALLATION OF RETAIL FLOORSPACE AT MEZZANINE LEVEL.

Approved with Conditions; Informatives 27-Mar-2007

P/06651/058 VARIATION OF CONDITION NO.12 OF PLANNING CONSENT P/06651/011 TO INSERT A MEZZANINE FLOOR

Approved with Conditions; Informatives 11-Jan-2005

P/06651/055 VARIATION OF CONDITION 12NO. OF PLANNING PERMISSION P/06651/011 DATED 29/03/88 TO ALLOW INSTALLATION OF MEZZANINE FLOOR

Approved with Conditions; Informatives 30-Sep-2003

P/10563/001 INSTALLATION OF MEZZANINE FLOOR (651 SQ.M.) IN RETAIL BUILDING

Approved with Conditions; Informatives 21-May-2003

P/06651/054 ALTERATIONS TO EXTERNAL ELEVATIONS AND NEW SIGNAGE GANTRY

Approved with Conditions; Informatives 01-Apr-2003

P/06651/053 ALTERATIONS TO EXTERNAL ELEVATIONS INCLUDING NEW ENTRANCES AND SIGNAGE GANTRY

Approved with Conditions; Informatives 16-Dec-2002

P/06651/052 THE INSTALLATION OF A 5.9M X 3.9M ILLUMINATED FASCIA SIGN (AMENDED PLAN 25/03/02)

Approved with Conditions 10-Apr-2002

5.0 Neighbour Notification

- 5.1 73, Pearl Gardens, Slough, SL1 2YX, 270, Cippenham Lane, Slough, SL1 2XN, 274, Cippenham Lane, Slough, SL1 2XN, 260, Cippenham Lane, Slough, SL1 2XN, 264, Cippenham Lane, Slough, SL1 2XN, 250, Cippenham Lane, Slough, SL1 2XN, 246, Cippenham Lane, Slough, SL1 2XN, 288, Cippenham Lane, Slough, SL1 2XN, 284, Cippenham Lane, Slough, SL1 2XN, 75, Pearl Gardens, Slough, SL1 2YX, 5, Twinches Lane, Slough, SL1 5AD, 7, Twinches Lane, Slough, SL1 5AD, 85, Pearl Gardens, Slough, SL1 2YX, 1, Twinches Lane, Slough, SL1 5AD, 268, Cippenham Lane, Slough, SL1 2XN, 272, Cippenham Lane, Slough, SL1 2XN, 254, Cippenham Lane, Slough, SL1 2XN, 258, Cippenham Lane, Slough, SL1 2XN, 77, Pearl Gardens, Slough, SL1 2YX, 278, Cippenham Lane, Slough, SL1 2XN, 282, Cippenham Lane, Slough, SL1 2XN, 248, Cippenham Lane, Slough, SL1 2XN, 244, Cippenham Lane, Slough, SL1 2XN, 3, Twinches Lane, Slough, SL1 5AD, 81, Pearl Gardens, Slough, SL1 2YX, 290, Cippenham Lane, Slough, SL1 2XN, 286, Cippenham Lane, Slough, SL1 2XN, 83, Pearl Gardens, Slough, SL1 2YX, 9, Twinches Lane, Slough, SL1 5AD, 252, Cippenham Lane, Slough,

SL1 2XN, 256, Cippenham Lane, Slough, SL1 2XN, 79, Pearl Gardens, Slough, SL1 2YX, 1, Oakfield Avenue, Slough, SL1 5AE, 276, Cippenham Lane, Slough, SL1 2XN, 280, Cippenham Lane, Slough, SL1 2XN

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

5.2 No representations received.

6.0 Consultation

6.1 Transport and Highways

Increase in sales floor area would result in an increase in trips. Mitigation recommended.

6.2 Planning Policy

- **Proposal would conflict with Slough planning policies;**
- Sequential test and impact test is required;
- Non-bulky goods retailers will not be supported.

6.3 Environmental Protection

No comments received.

PART B: PLANNING APPRAISAL

7.0 Policy Background

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

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 5 – Employment

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 12 – Community Safety

The Local Plan for Slough, Adopted March 2004

Policy EN1 – Standard of Design

Policy EN5 – Design and Crime Prevention

Policy T2 – Parking Restraint
Policy T8 – Cycling Network and Facilities

Composite Local Plan – Slough Local Development Plan and the
NPPF - PAS Self Assessment Checklist

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 advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Local Planning Authority has published a self assessment of the Consistency of the Slough Local Development Plan with the National Planning Policy Framework using the PAS NPPF Checklist.

The detailed Self Assessment undertaken identifies that the above policies are generally in conformity with the National Planning Policy Framework. The policies that form the Slough Local Development Plan are to be applied in conjunction with a statement of intent with regard to the presumption in favour of sustainable development.

It was agreed at Planning Committee in October 2012 that it was not necessary to carry out a full scale review of Slough's Development Plan at present, and that instead the parts of the current adopted Development Plan or Slough should all be republished in a single 'Composite Development Plan' for Slough. The Planning Committee endorsed the use of this Composite Local Plan for Slough in July 2013.

Other relevant documents

Slough Retail Assessment, Colliers CRE, February 2007
Planning for Town Centres - Practice guidance on need, impact and sequential approach, CLG, 2009

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) Parking and highway safety;
- 5) Other issues.

8.0 Principle of Development

- 8.1 The site is considered to be an out of centre location. An out of centre location is defined in the National Planning Policy Framework as a location “which is not in or on the edge of a centre but not necessarily outside the urban area.”
- 8.2 The National Planning Policy Framework requires that local planning authorities apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Local Planning Authorities should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.
- 8.3 Policies contained within the Local Plan and Core Strategy generally seek to promote and strengthen Slough town centre’s role as a shopping, leisure and employment centre by focusing new retail development within existing centres in the Borough. Core Policy 6 of the Core Strategy relates to proposals for retail, leisure and community facilities.
- 8.4 The proposal development would involve the creation of additional retail floor space in an out of centre retail park location. This would conflict with the text of paragraph 7.120 of the Core Strategy, which states: “There should be no further expansion or intensification of the out of town centre retail parks”.
- 8.5 On this basis, a proposal for new retail sales floorspace would likely be considered to be unacceptable in principle. However, the proposal is to provide storage and showroom space within the existing unit to be subdivided and the applicant has carried out and submitted a sequential test, which demonstrates that there are no sequentially preferable sites.
- 8.6 In addition, the potential impact of the proposal on the vitality and viability of existing centres has been considered. The National Planning Policy Framework requires development of 2,500 square metres or greater to undertake an assessment of retail impact on existing, committed and planned investment in the retail catchment.
- 8.7 The new floor space proposed which will be for storage and showroom only and not used for sales would total 1,199 square metres across units 3a and 3b. This falls below the impact test threshold as set out in the National Planning Policy Framework. However, given that there is no locally set threshold, the applicant has submitted information relating to the potential impacts in support of their application. This information demonstrates that the potential impacts on the vitality and viability of existing centres

would not be unduly significant and would be acceptable in planning terms. It is important to note that the use of the proposed mezzanine floors would be for storage and showroom/display only as opposed to traditional retail sales.

- 8.8 Given that there are no sequentially preferable sites and the proposal would not have the potential to give rise to significant adverse impact on the town centre and other existing centres, it is considered that the proposal would be acceptable in principle.
- 8.9 The potential opportunities for bringing a vacant unit back into use and providing employment are also considered to weigh in favour of the scheme being considered acceptable.
- 8.10 The proposal is considered to comply with Core Policy 6 of the Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document and the National Planning Policy Framework.

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 development should be of a high standard of design and should reflect the character and appearance of the surrounding area.
- 9.2 New entrance features are proposed to the front of Units 2c, 3a and 3b. The proposed entrance features would be timber and would be of a similar appearance to the previously approved feature to the front of Unit 2a under planning application P/06651/070 dated 18/02/2013.
- 9.3 Whilst the proposed entrance features would appear slightly higher than the previously approved entrance feature to the front of Unit 2a, it is considered that the height and prominence of the proposal would be inkeeping with the appearance of the existing units and the character and appearance of the surrounding area.
- 9.4 It is considered that the other alterations to the building would be acceptable in design terms and compliant with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN1 of The Adopted Local Plan for Slough 2004.

10.0 Potential Impact on Neighbouring Properties

- 10.1 The main potential impacts with respect to neighbour impact are considered to be as a result of the proposed the repositioning of a roller shutter and the addition of roller shutter on east (rear) elevation. The rear elevation of the building faces the rear elevation

of 73-83 Pearl Gardens (odds). The separation distance between the rear elevation of the retail units and the rear elevation of these properties is around 28 metres at the closest point between these elevations.

- 10.2 It is not considered that the formation of a new opening to rear of Unit 3a and the addition of new roller shutters would have an unacceptable adverse impact on the amenities of neighbouring residents. It is noted that the original permission P/06651/011, dated 29/05/1988, included a condition regarding hours of opening and hours of deliveries and it is considered that similar conditions could be imposed in this instance. The addition of a new roller shutter would not have the potential to give rise to a significant undue adverse impact.
- 10.3 Similarly, the repositioning of the existing roller shutter on the rear elevation is not considered to have the potential to give rise to undue detriment.
- 10.4 The additional floor area proposed is not considered to have the potential to have an adverse impact on neighbour amenity and the proposal is thus considered to be acceptable in amenity terms and compliant with Core Policy 8 of the Core Strategy.

11.0 Parking and Highway Safety

- 11.1 Core Policy 7 of the Core Strategy 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.
- 11.2 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.
- 11.3 The Council's Transport consultant has been consulted. The potential trip generation of an increase in sales floor area has been considered – the area which would be used for storage has been excluded from this calculation. Having regard to the TRICS database trips for an A1 non food retail store have been assessed and it is considered that the proposal would likely result in an increase in trips to the site which could impact on local junctions.
- 11.4 However, it should be noted that the use of the proposed mezzanine would be for display and as a showroom only. On this basis, it is not considered that the impact of this would be as significant as if the proposal were for a traditional A1 non food retail store as the nature of the goods to be displayed would be furniture items and showroom sets which are not typically densely displayed

and generally involve orders being placed and would otherwise require removal from the premises by motor vehicle.

- 11.5 On this basis, subject to a condition being imposed regarding the use of the proposed mezzanine floors, it is considered that a contribution would not be justified. The Local Planning Authority has previously accepted that in such cases, there would likely only be a nominal increase in trips and a contribution would not be required. It is therefore considered that the proposal would comply with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

12.0 Other Issues

- 12.1 The applicant has been forthcoming in identifying one of the future occupiers of the unit to be subdivided as a toy retailer. Whilst this application does not seek to vary the existing condition regarding the nature of the goods to be sold from the unit, concerns have been raised that the introduction of a non-bulky goods retailer would not be supported.
- 12.2 Reference has been made to the Lawful Development Certificate which was granted in May 2007 (P/06651/065) which confirmed that the Local Planning Authority was satisfied to allow 55% of the floor space of Phase 1 of the Slough Retail Park be used for the sale of non-food items, which by virtue of their nature and/or size require the removal from the premises by motor vehicles and for a maximum of 45% of any other non food retail items is indeed lawful, in accordance with Condition 15 of Planning Permission P/06651/011, dated 29/05/1988.
- 12.3 However, it is important to note that this Lawful Development Certificate relates to the evidence submitted in support of that application and the Certificate issued by the Local Planning Authority should therefore be seen as merely providing confirmation of what would have been lawful for planning purposes based on a particular interpretation of the condition on that particular date.
- 12.4 Given that it is considered necessary to re-apply the original conditions of relevance in this case and the situation at the Retail Park has changed over time, an application for a new Lawful Development Certificate could be made if formal confirmation is required as to the lawfulness of the nature of the uses to be carried out. It would be open to the Local Planning Authority to consider enforcement action if a breach of planning control were to occur.
- 12.5 The applicant has requested that the wording of the 'showroom' condition is amended to read "... the mezzanine hereby approved

shall be used primarily as room sets/showrooms for the display of items” to allow for a service desk to be provided, it is considered that the effect of this wording, notably the inclusion of the word ‘primarily’ and omission of ‘no retail sales’, would be to potentially allow for a traditional till and checkout type arrangement to be provided which is considered to be more characteristic of a non-bulky goods retailer. It is therefore considered that this would not be acceptable. It is considered that the condition as recommended would allow for members of staff to assist customers with the items on showroom display.

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. Pre-application advice has been provided and the applicant has taken account of this advice. 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 approved subject to conditions.

PART C: RECOMMENDATION

15.0 Recommendation

15.1 Approve subject to conditions.

PART D: 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. PL.0101 Rev A, Dated June 2013, Recd On 10/09/2013
- (b) Drawing No. PL.0102 Rev A, Dated June 2013, Recd On 10/09/2013
- (c) Drawing No. PL.0103 Rev A, Dated June 2013, Recd On 10/09/2013
- (d) Drawing No. PL.0104 Rev A, Dated June 2013, Recd On 10/09/2013
- (e) Drawing No. PL.0105, Dated June 2013, Recd On 05/07/2013
- (f) Drawing No. PL.0106 Rev A, Dated June 2013, Recd On 10/09/2013
- (g) Drawing No. PL.0107 Rev A, Dated June 2013, Recd On 10/09/2013
- (h) Drawing No. PL.0108 Rev A, Dated June 2013, Recd On 10/09/2013
- (i) Drawing No. PL.0109 Rev A, Dated June 2013, Recd On 10/09/2013
- (j) Drawing No. PL.0110 Rev A, Dated June 2013, Recd On 10/09/2013
- (k) Drawing No. PL.0111, Dated June 2013, Recd On 05/07/2013
- (l) Drawing No. PL.0112 Rev B, Dated June 2013, Recd On 10/09/2013

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

3. 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. The entrance features hereby approved shall be carried out in materials that match as closely as possible the colour, texture and design of the existing entrance feature to the front of Unit 2a Twinches Lane Retail Park.

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. The new paving shall be carried out in materials that match as closely as possible the colour, texture and design of the existing adjacent paving 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.

5. No increase in floorspace created by internal sub-division, mezzanine floor, or external extension other than that hereby permitted shall take place without the prior written approval of the Local Planning Authority.

REASON To protect the vitality and viability of existing shopping centres within the borough and to comply with Core Policy 6 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

6. No goods, materials or plant shall be deposited or stored outside of the buildings.

REASON To safeguard the visual amenities of the locality, and the privacy and amenities of the adjoining properties in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

7. The site shall be used predominantly for the retail of items which by virtue of their nature and / or size require removal from the premises by vehicle. There shall be no retail sales of food or food products at the site, other than consumption of food by customers on the premises.

REASON To safeguard the future viability and vitality of the central shopping area within Slough and the surrounding district centres in accordance with Policy S1 of The Adopted Local Plan for Slough 2004 and Core Policy 6 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and to ensure the provision of adequate parking spaces within the site in the interests of road safety and the free flow of traffic along the neighbouring highway in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

8. The premises shall not be open to members of the public / customers outside the hours of 08:00 hours to 20:00 hours on Mondays-Saturdays, 10:00 hours to 16:00 hours on Sundays and Bank/Public Holidays.

REASON To ensure that the use of the premises does not prejudice the quiet enjoyment by neighbouring occupiers of their dwellings by reason of noise or general disturbance 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.

9. There shall be no commercial deliveries visiting the site outside the hours of 08:00 hours to 18:00 hours on Mondays - Fridays. There shall be no deliveries on Saturdays, Sundays and Bank Holidays.

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

10. The floor space of the mezzanine within Unit 3a hereby approved shall be used as room sets/showrooms solely for the display of items with no retail sales or for the storage of goods and for no other purposes.

REASON To protect the vitality and viability of existing shopping centres within the Borough and to comply with Core Policy 6 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

11. The floor space of the mezzanine within Unit 3b hereby approved shall be used for the storage of goods and for no other purposes.

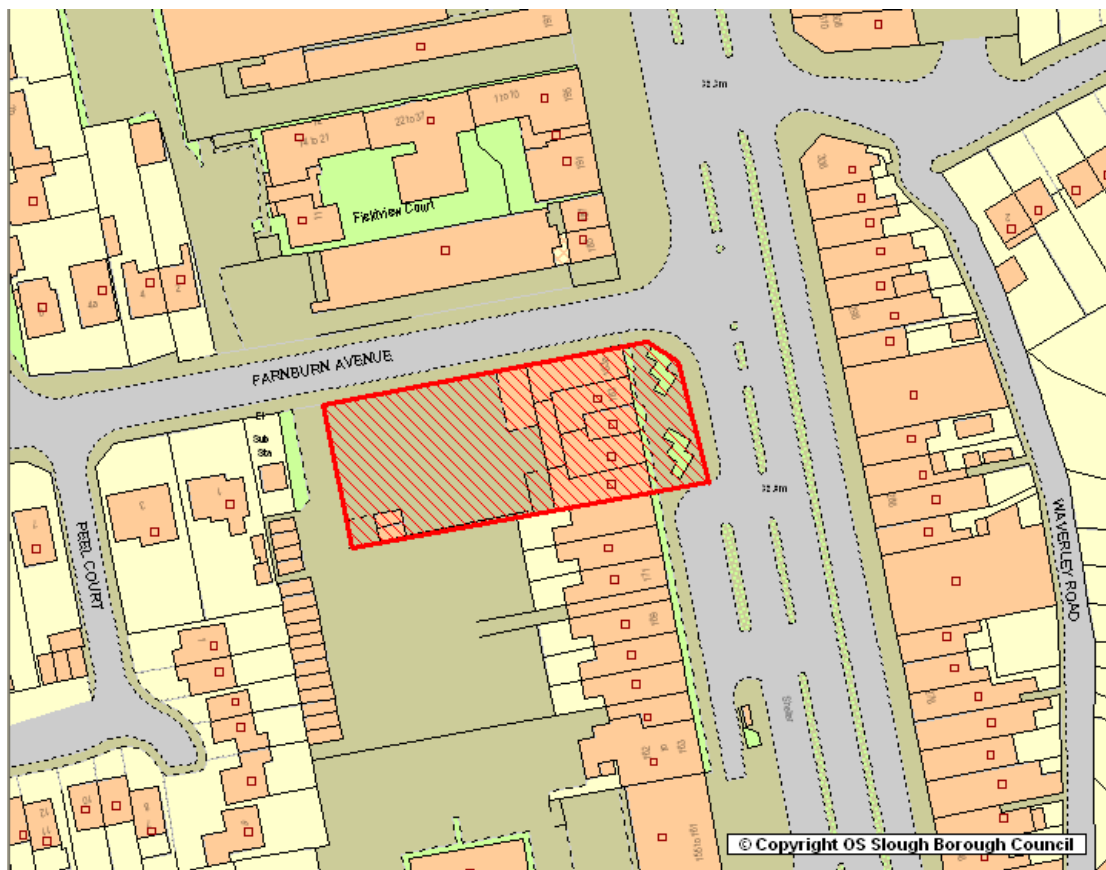
REASON To protect the vitality and viability of existing shopping centres within the Borough and to comply with Core Policy 6 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

INFORMATIVE:

1. 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:	01-Aug-2013	Applic. No:	P/02619/003
Officer:	Mr. J. Dymond	Ward:	Farnham
		Applic type:	Major
		13 week date:	31st
Applicant:	Euroreach Ltd		
Agent:	Mr. Eralp Semi, Direct Planning Limited 95-97, Riverbank House, High Street, Orpington, Kent, BR5 3NH		
Location:	177, Farnham Road, Slough, SL1 4XP		
Proposal:	ERECTION OF A THREE STOREY BUILDING WITH PITCHED ROOF ON PART OF EXISTING CAR PARK TO PROVIDE 4NO. ONE BEDROOM FLATS AND 6NO. TWO BEDROOM FLATS (CLASS C3) WITH CAR PARKING CYCLE STORAGE AND BIN STORAGE.		

Recommendation: Approve



1.0 SUMMARY OF RECOMMENDATION

- 1.1 This application has been referred to the Planning Committee for consideration as the application is for a major development.
- 1.2 Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations, it is recommended that the application be approved subject to conditions.

PART A: BACKGROUND

2.0 Proposal

- 2.1 This is a full planning application for the proposed erection of a mixed use three storey building on part of the existing car park to the rear of 177-183A Farnham Road. This building is known as Ambassador House. The proposed building would front Farnburn Avenue. The proposed development would provide ten flats (4 no. one bedroom flats and 6 no. two bedroom flats) (Class C3).
- 2.2 Associated car parking provision would be provided at ground floor level, underneath and around the building.

3.0 Application Site

- 3.1 The site of the proposed development comprises an existing car park, currently understood to be utilised in association with Ambassador House.
- 3.2 To the north of the site is Farnburn Avenue. On the opposite side of Farnburn Avenue there is a supermarket occupied by Iceland. It should be noted that planning permission has been granted under planning application P/00419/015 dated 17th March 2009 for the proposed demolition of existing retail unit and construction of three storey building, with retail at ground floor and two residential floors above, consisting of 4 no. one bedroom and 4 no. two bedroom flats with 12 no. parking spaces.
- 3.3 To the north of the supermarket, there is a residential development comprising flats known as Fieldview Court.
- 3.4 To the south of the site, a development has recently been constructed on land which was understood to be formerly in use as a car park in association with 165-175 Farnham Road. Planning permission was granted for the erection of 3 no. two bed, 1 no. three bed and 4 no. four bed houses plus parking, landscaping and access road under planning application P/07851/004 dated 26th March 2012.

- 3.5 It should also be noted that planning permission has been granted for the change of use of the existing offices at first and second floor level to class C3 flats at 165-175 Farnham Road to the south east under planning application P/07851/005 dated 23rd May 2012 and planning application P/07851/006 dated 23rd May 2012 respectively. It is understood that works associated with this development have commenced.
- 3.6 To the east of the site, the existing three storey building known as Ambassador House is understood to be in use for mixed commercial and residential uses. Planning permission has been granted for the proposed change of use of second floor from B1 offices to 6 no. flats (4 no. one bedroom, 2 no. two bedroom) under planning application P/01014/014 dated 3rd October 2012.
- 3.7 A prior approval application has also recently been made in order to utilise the new permitted development rights relating to the change of use of Class B1(a) offices to Class C3 dwellings. A determination has been made that the prior approval of the Local Planning Authority is not required and the applicant is therefore able to proceed with the proposed change of use without having to apply for planning permission.
- 3.8 There are two existing flats situated in the two storey rear projection. An inspection of the plans approved with the original application for the proposed erection of the building shows that these flats comprise two bedrooms respectively.
- 3.9 To the west of the site, there is an access which leads to the residential development to the south. Beyond this access, there are two storey dwellinghouses fronting Farnburn Avenue.
- 3.10 The surrounding area is therefore considered to comprise a mix of commercial and residential uses and the site is considered to be situated at what could be considered the interface between the district centre and the residential area.

4.0 Site History

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

P/01014/018 SUBDIVISION OF TWO FLATS (FLATS A AND B) AT SECOND FLOOR LEVEL TO CREATE 2 NO. STUDIO FLATS AND 2 NO. ONE BEDROOM FLATS (CLASS C3)

Under consideration.

F/01014/017 PRIOR APPROVAL FOR CHANGE OF USE OF FIRST FLOOR FROM CLASS B1(A) OFFICES TO

CLASS C3 RESIDENTIAL COMPRISING 5 NO. STUDIO FLATS AND 3 NO. ONE BED FLATS (8 NO. UNITS IN TOTAL).

Prior Approval Not Required.

P/01014/016 SUBMISSION OF DETAILS PURSUANT TO CONDITIONS 4 (CYCLE PARKING) AND 5 (BIN STORAGE) OF PLANNING PERMISSION P/01014/014 DATED 03/10/2012 FOR THE CHANGE OF USE OF THE SECOND FLOOR FROM B1(A) OFFICES TO 6 NO. FLATS (4 NO. ONE BEDROOM, 2 NO. TWO BEDROOM).

Under consideration.

P/01014/015 ERECTION OF A PART THREE STOREY/PART FOUR STOREY BUILDING ON EXISTING CAR PARK TO PROVIDE 3. NO. RETAIL UNITS (CLASS A1) AT GROUND FLOOR LEVEL FRONTING FARNBURN AVENUE AND UNDERCROFT VEHICULAR ACCESS WITH 10 NO. ONE BEDROOM AND 5 NO. TWO BEDROOM FLATS (CLASS C3) ABOVE, WITH CAR PARKING, CYCLE STORAGE AND BIN STORAGE AT GROUND FLOOR LEVEL TO REAR

Withdrawn

P/01014/014 CHANGE OF USE OF SECOND FLOOR FROM B1(A) OFFICES TO 6 NO. FLATS (4 NO. ONE BEDROOM, 2 NO. TWO BEDROOM)

Approved with Conditions; Informatives 03-Oct-2012

P/01014/013 INSTALLATION OF A DOUBLE SIDED PROJECTING BOX SIGN

Approved with Conditions 26-Feb-1988

P/01014/012 CHANGE OF USE FROM SHOP TO INSURANCE BROKERS.

Approved with Conditions 23-Jun-1987

P/01014/011 INSTALLATION OF NEW SHOPFRONT.

Approved with Conditions 16-May-1985

P/01014/010 INSTALLATION OF ILLUMINATED FASCIA SIGN.

11-Aug-1986

P/01014/009 INSTALLATION OF NEW SHOPFRONT.

11-Aug-1986

P/01014/008 INSTALLATION OF ILLUMINATED FASCIA &
PROJECTING BOX SIGN

Approved with Conditions 16-Nov-1984

P/01014/007 INSTALLATION OF NEW SHOP FRONT

Approved with Conditions 16-Nov-1984

P/01014/006 ERECTION OF TEMPORARY SHOP UNITS

Refused 29-Nov-1982

P/01014/005 ERECTION OF 4 SHOPS 4 SUITES OF OFFICES
EACH 230 M2 AND 2 SERVICE FLATS AND
FORMATION OF ANCILLARY PARKING AND
SERVICING AREA

Refused 29-Nov-1982

The following applications are also considered to be of relevance:

Car park at the rear of, 165-175, Farnham Road, Slough, Berkshire,
SL1 4XP

P/07851/011 - SUBMISSION OF DETAILS PURSUANT TO
CONDITIONS 5 (SURFACE WATER DRAINAGE) AND 10 (SITE
INVESTIGATION OF PLANNING PERMISSION P/07851/004
DATED 27/10/2011 FOR THE ERECTION OF 3 NO. TWO
BEDROOM, 1 NO. THREE BEDROOM AND 4 NO. FOUR
BEDROOM HOUSES PLUS PARKING, LANDSCAPING AND
ACCESS ROAD. - Approved 22-Nov-2012

P/07851/008 - SUBMISSION OF DETAILS PURSUANT TO
CONDITIONS 6 (SAMPLES OF EXTERNAL MATERIALS), 9
(LANDSCAPING AND TREE PLANTING SCHEME), 11 (BIN
STORE), 12 (CYCLE PARKING) AND 14 (SAMPLES OF
EXTERNAL MATERIALS) OF PLANNING PERMISSION
P/07851/004 DATED 27/10/2011 FOR ERECTION OF 3 NO. TWO
BEDROOM, 1 NO. THREE BEDROOM AND 4 NO. FOUR
BEDROOM HOUSES PLUS PARKING, LANDSCAPING AND
ACCESS ROAD. - Approved 05-Oct-2012

P/07851/007 - SUBMISSION OF DETAILS PURSUANT TO CONDITIONS 6 (SAMPLES OF EXTERNAL MATERIALS), 9 (LANDSCAPING AND TREE PLANTING SCHEME), 11 (BIN STORE), 12 (CYCLE PARKING) AND 14 (SAMPLES OF EXTERNAL MATERIALS) OF PLANNING PERMISSION P/07851/004 DATED 27/10/2011 FOR ERECTION OF 3 NO. TWO BED, 1 NO. THREE BED AND 4 NO. FOUR BED HOUSES PLUS PARKING, LANDSCAPING AND ACCESS ROAD. - Approved 05-Oct-2012

P/07851/004 - ERECTION OF 3 NO. TWO BED, 1 NO. THREE BED AND 4 NO. FOUR BED HOUSES PLUS PARKING, LANDSCAPING AND ACCESS ROAD. - Approved with Conditions 26-Mar-2012

Stirling House, 165-175, Farnham Road, Slough, Berkshire

P/07851/010 - SUBMISSION OF DETAILS PURSUANT TO CONDITIONS 4 (CYCLE PARKING), 5 (BIN STORE), 6 (SOUND INSULATION), 7 (SITE LIGHTING), 10 (WORKING METHOD STATEMENT), 11 (WASTE), 13 (ACOUSTIC REPORT), 14 (WASTE DISPOSAL) OF PLANNING PERMISSION P/07851/006 DATED 23/05/2012 FOR CHANGE OF USE OF EXISTING SECOND FLOOR OFFICES INTO 6 X TWO BEDROOM FLATS. - Approved 24-Oct-2012

P/07851/009 - SUBMISSION OF DETAILS PURSUANT TO CONDITIONS 4 (CYCLE PARKING), 5 (BIN STORE), 6 (SOUND INSULATION), 7 (SITE LIGHTING), 11 (WORKING METHOD STATEMENT), 12 (WASTE), 14 (ACOUSTIC REPORT), 15 (WASTE DISPOSAL) OF PLANNING PERMISSION P/07851/005 DATED 23/05/2012 FOR CONVERT EXISTING B1 FIRST FLOOR OFFICES INTO 6 NO. TWO BEDROOM SELF CONTAINED FLATS. - Approved 24-Oct-2012

P/07851/006 - CHANGE OF USE OF EXISTING SECOND FLOOR OFFICES INTO 6 X TWO BEDROOM FLATS - Approved with Conditions 23-May-2012

P/07851/005 - CONVERT EXISTING B1 FIRST FLOOR OFFICES INTO 6 NO. TWO BEDROOM SELF CONTAINED FLATS - Approved with Conditions 23-May-2012

Land opposite & at Iceland Site, Farnburn Avenue, Off Farnham Road, Slough, Berks

P/00419/015 - DEMOLITION OF EXISTING RETAIL UNIT AND CONSTRUCTION OF THREE STOREY BUILDING, WITH RETAIL AT GROUND FLOOR AND TWO RESIDENTIAL FLOORS ABOVE, CONSISTING OF 4 NO. ONE BEDROOM AND 4 NO. TWO

BEDROOM FLATS WITH 12 NO. PARKING SPACES - Approved
with Conditions 17-Mar-2009

5.0 Neighbour Notification

- 5.1 175, FARNHAM ROAD, SLOUGH, Iceland Foods Plc, Farnburn Avenue, Slough, SL1 4XT, Flat, 185, Farnham Road, Slough, SL1 4XS, 185a, Farnham Road, Slough, SL1 4XS, 185, Farnham Road, Slough, SL1 4XS, 1a, Farnburn Avenue, Slough, SL1 4XU, 1b, Farnburn Avenue, Slough, SL1 4XU, 1, Farnburn Avenue, Slough, SL1 4XU, Sava Centre, 183, Farnham Road, Slough, SL1 4XP, Golden Globe Phone Clinic, 177, Farnham Road, Slough, SL1 4XP, Salvation Army Care & Share Shop, 179, Farnham Road, Slough, SL1 4XP, Haines Watts, Ambassador House, 181, Farnham Road, Slough, SL1 4XP, F M C Measurement Solutions, Ambassador House, 181, Farnham Road, Slough, SL1 4XP, Upper Floor, Unit, 1, Elystan Business Centre, Springfield Road, Hayes, Middlesex, UB4 0UP, Grooms, 183, Farnham Road, Slough, SL1 4XP, Contract Cleaning Services, 183, Farnham Road, Slough, SL1 4XP, Heycrest Ltd, 183, Farnham Road, Slough, SL1 4XP, Britvic Ltd, Ambassador House, 181, Farnham Road, Slough, SL1 4XP, Ikonnect Accessories, 177, Farnham Road, Slough, SL1 4XP

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

- 5.2 No representations received.

6.0 Consultation

- 6.1 Transport and Highways

Concerns regarding number of car parking spaces.

- 6.2 Drainage Engineer

Comments provided regarding drainage design.

- 6.3 Environmental Protection

No comments received.

- 6.4 Planning Policy

No objections received.

- 6.5 Thames Water

Comments provided and informative recommended.

6.6 Crime Prevention Design Advisor

Comments provided with regard to crime prevention and community safety implications.

6.7 Environmental Quality

Condition recommended regarding contaminated land.

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 12 – Community Safety

The Local Plan for Slough, Adopted March 2004

Policy H10 – Minimum Density

Policy H14 – Amenity Space

Policy EN1 – Standard of Design

Policy EN5 – Design and Crime Prevention

Policy T2 – Parking Restraint

Policy T8 – Cycling Network and Facilities

Composite Local Plan – Slough Local Development Plan and the NPPF - PAS Self Assessment Checklist

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 advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater

the weight that may be given).

The Local Planning Authority has published a self assessment of the Consistency of the Slough Local Development Plan with the National Planning Policy Framework using the PAS NPPF Checklist.

The detailed Self Assessment undertaken identifies that the above policies are generally in conformity with the National Planning Policy Framework. The policies that form the Slough Local Development Plan are to be applied in conjunction with a statement of intent with regard to the presumption in favour of sustainable development.

It was agreed at Planning Committee in October 2012 that it was not necessary to carry out a full scale review of Slough's Development Plan at present, and that instead the parts of the current adopted Development Plan or Slough should all be republished in a single 'Composite Development Plan' for Slough. The Planning Committee endorsed the use of this Composite Local Plan for Slough in July 2013.

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)

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) Relationship with and potential impact on neighbouring properties;
- 4) Amenity space for residents;
- 5) Parking and highway safety.

8.0 Principle of Development

8.1 The proposed development would be carried out on land which has been utilised as a car park in connection with Ambassador House. This building is located within a shopping area as shown on the Proposals Map, however the site of the proposed building under consideration falls outside of the shopping area and is thus considered to be situated within a residential area.

8.2 Whilst the parking and highway impact of the loss of the existing car

parking is assessed below having regard to relevant parking standards, there is considered to be no in principle objection to the proposed development being carried out on this land.

- 8.3 Core Policy 1 of the Core Strategy sets out the overarching spatial strategy for development within the Borough. 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.
- 8.4 Whilst the site is located outside of the town centre, it is situated immediately adjacent to buildings occupying a primary frontage within the Farnham Road district centre.
- 8.5 To the north and east of the site, surrounding developments mainly comprise a mixture of retail/office uses and flats. A backland residential development to provide family housing has recently been constructed to the south of the site. To the west, properties on Farnburn Avenue mainly consist of family housing.
- 8.6 Given the close proximity of the site to Farnham Road and the district centre, the site is considered to be a sustainable location for a development providing flats. It would be of a scale commensurate with its surroundings and would be at a density related to the character of the surrounding area, the accessibility of the location, and the availability of existing and proposed local services, facilities and infrastructure. The proposal would not result in the loss of existing family housing.
- 8.7 The proposed flats would be acceptable in principle and would comply with Core Policies 1, 3 and 4 of the Core Strategy.

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 proposed building would be three storeys in height. It would be constructed of facing bricks, rendered and painted walls and timber cladding. Recessed balconies are proposed to the front and rear. It is considered that the materials proposed would be inkeeping with the materials found in the locality.
- 9.3 The proposed building would front Farnburn Avenue and would be

sited with the front elevation of the building facing the footway. The entrance to the building would be via a communal entrance. It is considered that this would provide an acceptable access arrangement.

- 9.4 Turning to noise matters, it is considered that the rooms within the proposed flats would be satisfactorily stacked to limit the potential for noise disturbance. Details of noise insulation could be covered by condition.
- 9.5 With regard to light provision, the windows serving habitable rooms are considered to be of an acceptable size and appropriately positioned.
- 9.6 The proposal would respect building lines and would be of a high quality design and appearance. The proposed development 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.

10.0 Relationship With and 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 separation distances between neighbouring developments and resultant overlooking, overshadowing and overdominance.
- 10.2 Core Policy 8 of The Core Strategy states that all development will be of a high quality and respect its location and surroundings. This policy also states that the design of all development within the existing residential areas should respect the amenities of adjoining occupiers.
- 10.3 The main areas of concern regarding the potential impact of the proposed development on adjoining occupiers are with respect to the relationship of the proposed development with the neighbouring residential development to the south, to the rear of 165-175 Farnham Road; and the relationship of the proposed development with the flats to the rear of 177-183A Farnham Road to the east.
- 10.4 The guidelines set out in The Slough Local Development Framework Residential Extensions Guidelines Supplementary Planning Document regarding generally acceptable separation distances within a residential context are considered to be of relevance. Whilst the Guidelines relate principally to extensions to residential properties, the additional guidance contained within the supplementary planning document informs the interpretation and

implementation of relevant development plan policies for developments in residential areas.

- 10.5 The guidelines require that a minimum separation distance of 15 metres is maintained in the case of a flank wall/primary elevation and 21 metres in the case of a primary elevation/primary elevation relationship. Guidelines relating to the application of the 45 degree vertical plane are also considered to be of relevance.
- 10.6 Relationship with development to the rear of 165-175 Farnham Road
- 10.7 The submitted plans show that the proposed development would maintain a 20.3 metre gap between the rear elevation of the building and the front elevation of the neighbouring dwellings opposite. Applying the standards contained within The Slough Local Development Framework Residential Extensions Guidelines Supplementary Planning Document, a separation distance of 21 metres between opposing primary elevations should normally be maintained.
- 10.8 Whilst the proposed development would therefore fail to achieve the minimum separation distance required, the 70cm shortfall would be of marginal significance and this would not result in unacceptable detriment and planning permission should therefore not be refused on these grounds as an acceptable relationship would be provided.
- 10.9 The proposed development would be acceptable having regard to the relationship of the proposal with the properties recently constructed to the rear of 165-175 Farnham Road. The proposed development would comply with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.
- 10.10 Relationship with flats to the rear of 177-183A Farnham Road
- 10.11 The submitted plans show that the separation distance between the flank wall of the proposed development and the rear wall of the two storey rear projection of the existing building accommodating the two existing flats would be 11.4 metres. The separation distance between the flank wall of the proposed development and the main flank wall of Ambassador House would be 16.8 metres.
- 10.12 Windows in the flank wall elevation of proposed development facing the rear of Ambassador House would serve open plan kitchen and living room areas, and bedrooms.
- 10.13 Having regard to the standards contained within The Slough Local Development Framework Residential Extensions Guidelines

Supplementary Planning Document, a separation distance of 15 metres should be maintained between opposing flank wall and primary elevations should normally be maintained.

- 10.14 Whilst the proposed development would result in separation distance of 11.4 metres between the flank wall of the proposed building and the rear wall of the two storey rear projection of the existing building accommodating the two existing flats, it is considered that adequate light provision and outlook would be maintained for these occupiers.
- 10.15 The previously withdrawn scheme proposed a building in closer proximity to the rear of Ambassador House than the scheme under consideration would provide and it is considered that this would now be sufficient to prevent detriment arising through overlooking and overshadowing. The 16 metre separation distance between the flank wall of the proposed building and the main rear wall of Ambassador House would exceed the 15 metre distance normally required.
- 10.16 It is considered that the proposed development would be acceptable and would comply with Core Policy 8 of the Core Strategy and the National Planning Policy Framework.

11.0 Amenity Space for Residents

- 11.1 Balconies would be provided to the rear for use by future occupiers of some of the units.
- 11.2 The design of the proposed balconies is such that they would provide a usable outside seating area and the level of provision is considered to be acceptable given the location of the site.
- 11.3 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 Parking and Highway Safety

- 12.1 Core Policy 7 of the Core Strategy 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 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.
- 12.3 The existing building is located within a shopping area as shown on

the Proposals Map, however the site of the proposed building under consideration falls outside of the shopping area and is thus considered to be situated within a residential area.

- 12.4 Parking standards relevant to the proposed development, which is located within a residential area, as set out in the Adopted Local Plan for Slough are as follows:
- 12.5
- 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
- 12.6 The Council's Highway consultee has stated that the minimum parking for the new flats which would be accepted would be 14 no. unallocated spaces.
- 12.7 The existing building is located within a shopping area. The relevant parking standards are for nil spaces to be provided in the case of the flats at first and second floor level. Nil parking spaces are required for the retail units, unless there is a shortfall.
- 12.8 The applicant has submitted a parking layout for a total of 28 no. spaces. This layout would include parking spaces for the retail units, however having regard to relevant standards which would be for nil spaces to be provided unless there is a shortfall, if these spaces were not provided then it is not considered that an objection could be raised on parking grounds. This would include the provision of a car lift system. The Council's highway consultee has raised no problems in principle with a car lift system; however concerns have been raised regarding drainage issues.
- 12.9 Notwithstanding the parking layout that has been submitted, it is considered, given the sustainable location of the site where travel by means other than the private car should be encouraged and supported, the proximity of the site to the district shopping centre, and the available space around the proposed building that a satisfactory parking arrangement could be secured and conditions are recommended regarding this.

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 concerns arising in connection with the previously withdrawn scheme were discussed with the applicant and changes have been made. 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 approved subject to conditions.

PART C: RECOMMENDATION

15.0 Recommendation

15.1 Approve subject to conditions.

PART D: 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. DP/1830/RG - 1, Dated June 2013, Recd On 18/07/2013

(b) Drawing No. DP/1830/RG - 2, Dated June 2013, Recd On 18/07/2013

(c) Drawing No. DP/1830/RG - 3, Dated June 2013, Recd On 18/07/2013

(d) Drawing No. DP/1830/RG - 4, Dated June 2013, Recd On 18/07/2013

(e) Drawing No. DP/1830/RG - 5, Dated June 2013, Recd On 18/07/2013

(f) Drawing No. DP/1830/RG - 6, Dated June 2013, Recd On 18/07/2013

(g) Drawing No. DP/1830/RG - 7, Dated June 2013, Recd On 10/09/2013

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

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

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

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

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

7. 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.

8. It is suspected that this site and/or nearby land and water may be contaminated as a result of former industrial use(s) or otherwise. Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice, such as CLR11, BS10175, BS5930 and CIRIA 665. Each phase shall be submitted in writing and approved by the LPA.

Phase 1 shall incorporate a desk study and site walkover to identify all potential contaminative uses on site, and to inform the conceptual site model. If the potential for contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.

Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform any remediation strategy proposal. If significant contamination is found by undertaking the Phase 2 investigation then Phase 3 shall be undertaken.

Phase 3 shall include a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use. This shall be submitted and approved in writing by the LPA prior to commencement. The remediation shall be carried out in accordance with the approved scheme and the applicant shall provide written verification to that effect.

The development shall not be occupied until any approved

remedial works, have been carried out and a full validation report has been submitted and approved to the satisfaction of LPA. In the event that gas protection is required, all such measures shall be implemented in full and confirmation of satisfactory installation obtained in writing from a Building Control Regulator.

REASON To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with 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 details of on and off site drainage works have been submitted to and approved in writing by The Local Planning Authority. No works which result in the discharge of ground or surface water from the site shall be commenced until the off-site drainage works detailed in the approved scheme have been completed

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

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

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

11. No development shall commence until details of wall and floor sound insulation for the flats hereby approved has been submitted to the Local Planning Authority and approved in writing. Once approved, the approved details shall be implemented prior to the first occupation of the flats, and retained in that form thereafter unless otherwise agreed in writing with the Local Planning Authority.

REASON To protect the occupiers of the flats from internal noise transmission in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

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

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

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

REASON In the interests of visual amenity of the site in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

14. 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.

15. Notwithstanding the parking layout shown on the submitted plans, no development shall commence until a plan to show parking and vehicular access arrangements has been submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be provided on site in accordance with the approved details prior to occupation of the development and retained at all times in the future for the parking of motor vehicles.

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities of the area in accordance with Core Policy 7 of The Slough

Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy T2 of The Adopted Local Plan for Slough 2004.

16. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007)). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing to the Local Planning Authority prior to commencement of the development hereby permitted. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON In order to comply with the requirements of Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document.

17. Following practical completion of the building hereby permitted, the building shall not be occupied until details of compliance with the Building Research Establishment BREEAM (or subsequent equivalent quality assured scheme) overall 'Very Good' has been achieved.

REASON In order to comply with the requirements of Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

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

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

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

19. 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.

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

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

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

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

21. 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.

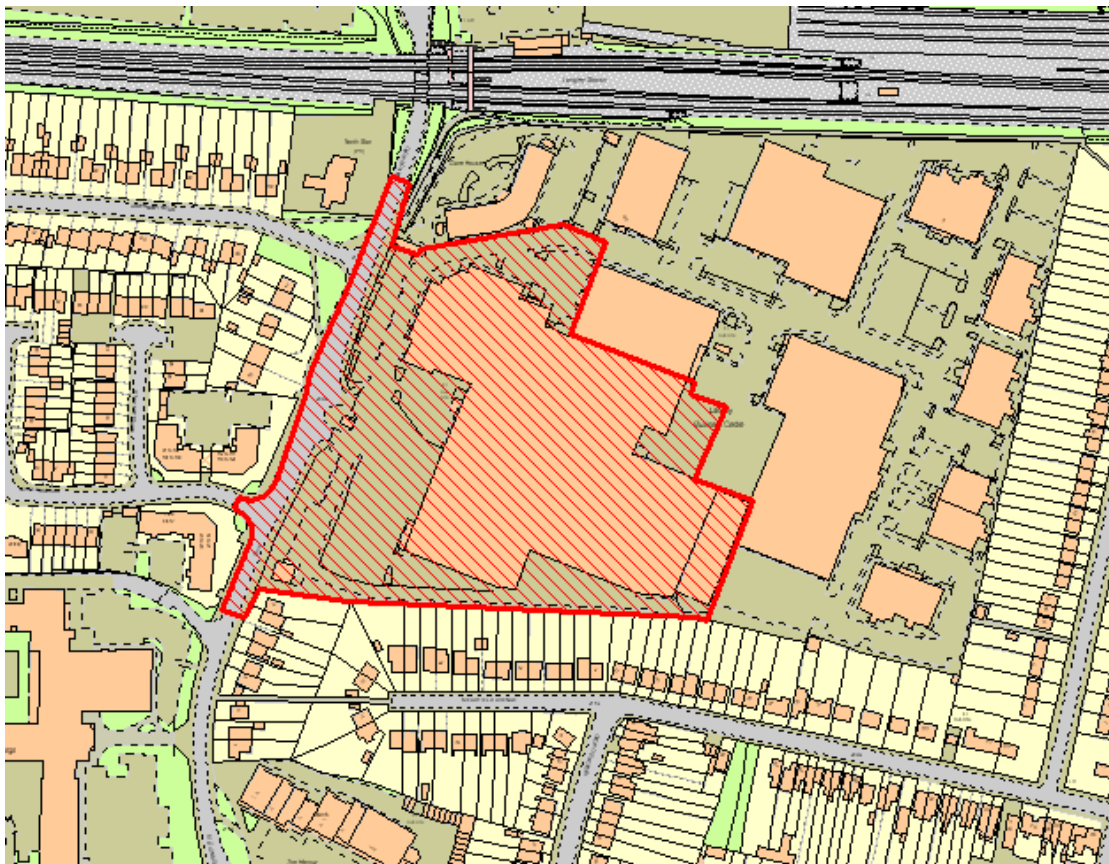
REASON In the interests of the amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and the National Planning Policy Framework.

INFORMATIVES:

1. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.
2. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.
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 permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
5. 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.
6. The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.
7. The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.
8. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.
9. Prior to commencing works the applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 / Minor Highway Works Agreement with Slough Borough Council for the implementation of the works in the highway works schedule.

Registration Date:	12-Jul-2013	Applic. No:	P/00437/085
Officer:	Ian Hann	Ward:	Langley St. Marys
		Applic type:	Major
		13 week date:	11th October 2013
Applicant:	Optimisation Developments Ltd		
Agent:	Mr. Ed Kemsley, Peacock & Smith Ltd 1, Naoroji Street, London, WC1X 0GB		
Location:	Langley Business Centre, 11-49, Station Road, Slough, Berkshire, SL3 8DS		
Proposal:	DEMOLITION OF EXISTING BUILDING AND ERECTION OF PART SINGLE AND PART TWO STOREY 4,567 M ² FOODSTORE AND SEPARATE PETROL FILLING STATION WITH 306 NO. ASSOCIATED PARKING SPACES, 2 NO. ACCESSES TO SERVE THE NEW RETAIL UNIT AND EXISTING INDUSTRIAL UNITS, BOUNDARY TREATMENTS AND OTHER ASSOCIATED WORKS.		

Recommendation: Refuse



ADDITIONAL REPORT TO PLANNING COMMITTEE 17TH OCTOBER 2013

1.0 SUMMARY OF RECOMMENDATION

- 1.1 Having considered the relevant policies below and the information provided by the applicant, officers are of the view that the development fails to comply with the requirements of the Development Plan, would have an adverse effect upon the street scene and create and travel and transport problems. Therefore planning permission should be refused, for the reasons set out at the end of this report.
- 1.2 This application is to be determined by the Planning Committee as it forms a major development.

2.0 PART A: REPORT

- 2.1 This application was originally included on the agenda for the planning Committee on 4th September 2013. However the matter was deferred to allow for the consideration of outstanding consultation responses. A copy of the original officer's report to Planning Committee is attached as **Appendix A** for consideration.
- 2.2 This Additional Report deals with the information that has been obtained since the previous report was written and sets out revised reasons for refusal which take this into account.
- 2.3 Details of the site, the proposed development and planning background are set in sections 2, 3 and 4 of the original report.
- 2.4 Details of consultation responses are set out in section 5. Additional comments have now been received from the Council's Tree Officer, The Environment Agency and the Council's Transport and Highways Advisor. These comments are set out in full in **Appendix B**.
- 2.5 The comments from the Council's Tree Officer can be summarised as stating that the removal of all of the mature trees on Station Road is unacceptable, unless substantial replacement planting is secured, which will replace the visual amenity of the existing trees. This has been incorporated into reason for refusal No. 2, which deals with the impact of the proposed development on the street scene.
- 2.6 The Environment Agency has stated that it has no objection to the planning application as submitted, subject to the inclusion of six planning conditions to any subsequent planning permission granted. Without the inclusion of these conditions it considers the development could pose an unacceptable risk to the environment.

- 2.7 The Council's Transport and Highways Advisor has raised a number of issues with regards to the proposal. These include pedestrian and cycle accessibility, road safety, parking, the design of the new access, the internal layout of the site, the traffic modelling and the lack of a legal agreement.
- 2.8 The Council's Transport and Highways Advisor has recommended that the application should be refused on grounds of the over provision of car parking on the site, the lack of a suitable pedestrian links, the substandard design of the new junction, road safety concerns, an unacceptable internal road layout, failure to demonstrate that the adjoining highway network has sufficient operational capacity to accommodate the additional traffic and the lack of a Section 106 agreement.
- 2.9 Many of these issues were included in section 10 of the original Committee report. The reasons for refusal have however now been amplified to take these detailed comments into account.
- 2.10 It should be noted that Government has recently published new draft National Planning Practice Guidance on Town Centres and Parking which states that Local Authorities should look to improve the quality and, where necessary to ensure vitality, the quantity of parking in town centres and that in terms of design town centre parking should be "convenient, safe and secure". Although this site is not within a Town Centre location it is still considered appropriate to consider this guidance.
- 2.11 Whilst this reinforces the need for the proposed car parking to be provided in the most convenient way for all shoppers, it is not considered that this alters the need to restrict the overall amount of parking that is provided on site, with some relaxation of the maximum standards being allowed to facilitate joint trips to the Harrow Centre.
- 2.12 An additional two letters of objection have been received outlining the same reasons for objection as set out in the previous Committee report. In addition to this a petition was received but not previously report which was signed by 228 signatories with the following statement:
- "I the undersigned support shops such as a DIY store on the Tefal site on Station Road but oppose Morrisons Supermarket as it will force closure of all independent shops in the Harrow Market and surrounding area"
- 2.13 The issues concerning the principle of development and impact upon the Harrow market have been considered in the original Committee report.

- 2.14 Further discussions have taken place with the applicant and their legal advisors about the need to maintain an Emergency Vehicular Access as specified in the leases of some of the remaining tenants on the Business Park.
- 2.15 This is important because both Morrisons and the Council agree that the “preferred” road layout would consist of a single access point onto Station Road at the north of the site which would serve the new store and the remainder of the Business Centre. A “Shared Access” layout was drawn up ready for submission as a planning application but this did not happen for the reasons explained in 3.5 of the Design and Access Statement. This states:
- “Prior to lodging the planning application for the ‘shared access’ scheme, it became apparent that many of the tenants within the retained business centre have legal rights regarding the emergency vehicle access (EVA) to be removed. The owners of the business park could therefore not support the ‘shared access’ scheme instead the legal agreements over the site could only be finalised based on the ‘dual access’ scenario which retained the EVA.”
- 2.16 The Council is happy for the Emergency Vehicle Access to be retained with a slight modification to create a new access point onto Station Road.
- 2.17 The leases allow the landlord the right to “stop up”, “divert any roads” or “provide such alternative routes...as may from time to time be reasonable.” This right is only qualified by the proviso that it cannot provide access that is less convenient or accessible. Since the EVA shown on the ‘shared access’ scheme is more direct than the existing one it is hard to see how that this is “less convenient or accessible”. Whilst it may be good practice to get the tenants to vary their leases to reflect the new EVA, there is not a requirement to do this. All the landlord has to do is serve notice upon them. The variation of the leases is not therefore a pre-condition of varying the access route.
- 2.18 As a result there does not appear to be any impediment to the implementation of the ‘shared access’ scheme since the landlord has the right to vary the EVA without varying the tenant’s leases. This means that there is no reason why a single access point scheme, which is the preferred road layout of both parties, cannot be progressed.
- 2.19 The advantages of this were clearly expressed by Bedford Park Developments (who were then acting for Morrisons) in the letter of 4th May 2012 which stated.
- “The revised site layout now provides a single access point to both

the Langley Business Centre and the food retail store, which hopefully fully address comments raised by highway officers of Slough Borough Council. The proposed design offers the benefit of facilitating direct access to the site for all modes of vehicular traffic, whilst providing a direct and segregated pedestrian route between the store and Langley District Centre; this has not been straightforward to achieve and has required extensive negotiations with the current owners of the wider business park.

Further, the design safeguards existing cycle lanes on Station Road and provides advanced facilities for cyclists at the proposed signal controlled access junction. This will enhance safety benefits offered to cyclists on the local highway network and encourage sustainable travel to/from the development.....

.....The reorganisation of the site now permits greater linkage with the existing district centre. Further, pedestrian links are increased and now follow the existing boundary that will increase pedestrian safety.”

2.20 As a result it is difficult to see why Morrisons are not progressing with the preferred single access road layout which had been agreed by all parties including the landowner.

2.21 No further progress has been made with producing a Section 106 agreement which is reflected in the holding objection set out in reason for refusal No 6.

3.0 CONCLUSIONS

3.1 As explained above, this additional report has to be read in conjunction with the original report that was on the previous Committee agenda, which is attached as **Appendix A**.

Revised reasons for refusal are set out below which take account of the additional information that is now available.

3.2 The overall conclusions on the application can be summarised as follows:

3.2.1 The principle of the proposed development, including the need for additional convenience floorspace and the impact upon the Harrow Market shopping centre has been established in the Site Allocations DPD, subject to meeting the site planning requirements.

3.2.2 The proposed store complies with the maximum sales floor limit, but fails to comply with other key site planning requirements. These include the need to provide parking which will encourage linked trips to the Harrow market, the improvement of the footway between the site and the Harrow Market and having a design that is attractive for pedestrians and cyclists to use.

- 3.2.3 The proposed scheme includes a petrol filling station which is not one of the uses specified in the Site Allocations DPD. The location of the petrol filling station at the front of the site, combined with the new roundabout, is considered to have an unacceptable impact upon the street scene.
- 3.2.4 The proposed supermarket was allocated in the Sites DPD on the basis that it would act as an anchor store for the Harrow Market District Centre. As a result it is important that it is physically and visually linked to the centre as much as possible in order to encourage linked trips. The current design and layout fails to do this. It has also failed to demonstrate that traffic generated from the store can be accommodated on the existing road network.

4.0 PART B: RECOMMENDATION

- 4.1 The application be refused for the following reasons
1. The developer has failed to demonstrate that the scheme layout can provide an opportunity for the provision of shared pedestrian links / shared shopping trips between the proposed supermarket and Harrow Market District Shopping Centre essential to the future viability and vitality of the centre and would also be contrary to the National Planning Policy Framework, Core Policy 6 of the Slough Local Development Framework, Core Strategy 2006-2026, and Policy S6 of the Local Plan for Slough 2004 (incorporated in the Composite Local Plan for Slough 2013). The proposal is contrary to the site planning requirements in the Slough Local Development Framework Site Allocations DPD SSA23 in that it fails to ensure that the car parking provided is accessible to users of the supermarket and the Langley shopping centre by locating some parking close to the Station Road frontage; it fails to enhance the quality and attractiveness of the footway between the supermarket site and the Harrow Market and it fails to provide a design and layout that is attractive and accessible to pedestrians and cyclists.
 2. The proposed layout of the development, with the new roundabout and petrol filling station at the front of the site, combined with the lack of the creation of a high quality urban realm or landscaping, fails to create a street frontage appropriate for this location adjacent to the District Centre. The petrol filling station will be a dominant alien overbearing feature in the street scene which is out of character with the area. This poor layout and design is contrary to the National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006-2026,

Development Plan Document site planning requirements of SSA23 Site Allocations Development Plan Document 2010 and policy EN1 of the Local Plan for Slough 2004 (incorporated in the Composite Local Plan for Slough 2013).

3. The total number of car parking spaces exceeds the maximum set out in Appendix 2 of the Local Plan for Slough and the number additional spaces that are needed to encourage linked trips with the Harrow Shopping centre. If permitted this is likely to lead to additional and excessive journeys on the highways and fail to encourage other non car forms of transport such as walking, cycling and use of public transport and is contrary to Policy T2 of The Local Plan for Slough Borough, March 2004 and Core Policy 7 of the Core Strategy 2006-2026 (incorporated in the Composite Local Plan for Slough 2013).
4. The proposed alignment of the new junction with Alderbury Road is inadequate to serve the proposed development with safety and convenience contrary to Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026 Development Plan Document 2008 (incorporated in the Composite Local Plan for Slough 2013).
5. The applicant has failed to demonstrate that the proposals will not be detrimental to the safe operation of the adjacent and wider highway network applicant or that the adjoining highway network has sufficient operational capacity to accommodate the additional traffic generated by the proposed development contrary to Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026 Development Plan Document 2008 (incorporated in the Composite Local Plan for Slough 2013).
6. A holding objection is raised on the grounds that the applicant has failed to enter into a S106 Planning Obligation Agreement to provide limited stay free parking for non store users, for the carrying out of off site highway works to include improvements to pedestrian links between the site and Harrow Market and the payment of a financial contribution for local transport improvements, contrary to Core Policy 7 of the Core Strategy 2006-2026 (incorporated in the Composite Local Plan for Slough 2013).

1.0 SUMMARY OF RECOMMENDATION

- 1.1 Having considered the relevant policies below and the information provided by the applicant, officers are of the view that the development is considered to have an adverse affect on the character of the area, amenity of neighbour residents and travel and transport issues. Therefore planning permission should be refused for the reasons set out at the end of this report.
- 1.2 This application is to be determined by the Planning Committee as it forms a major development.

PART A: BACKGROUND

2.0 Application Site

- 2.1 The site is located at the eastern side of Station Road, Langley and is part of Langley Business Centre currently occupied by a 2 storey industrial building with associated parking, and service area, which is accessed from a service road along the southern boundary of the site. The site is approximately 2.9 hectares. There is an existing tree belt separating the service road from the rear gardens of 2 – 30 & 27 – 35 Meadfield Road. The service road runs north- south within the site and also serves the remainder of the existing business park to the north. An open frontage is maintained to Station Road with some grass and hedging, where green frontages are a character of Station Road. There are also some mature trees interspersed along the frontage
- 2.2 The site has residential dwellings opposite, to the west, and to the south, beyond the existing service road. Harrow Market, a district shopping centre lies approximately 200m further to the south west with the East Berkshire College opposite the Harrow Market. To the north and east of the site are industrial and office buildings that form part of Langley Business Park, with Langley Railway Station further to the north.
- 2.3 The site forms part of the Slough Local Development Framework Site Allocations Development Plan Document and is allocated for a supermarket as site reference SSA23.

3.0 Proposal

- 3.1 The proposals that are currently being considered involves the redevelopment of the site to provide a 4,471 sq m supermarket with 2,338 sq m of net sales space and a petrol filling station with kiosk, and car wash facilities. The proposals also include 306 car parking spaces within the site as well as remodelling to the car parking

areas adjacent to the site within the Langley Business Park, service areas and a new entrance to the site via a roundabout at the southern end of the site and a new entrance to the Langley Business Park via a priority junction just beyond the northern part of the site. It is currently proposed to use the existing service road which runs along the southern boundary of the site and the existing service yard to serve the supermarket. The existing landscaping strip between the existing service road and the rear gardens of properties in Meadfield Road is to be retained. The current proposals will see the supermarket at the rear northeast corner of the site with the petrol filling station situated towards the front western boundary on Station Road. It is considered that the proposal will create 200 jobs, not including those employed during the construction phase.

3.2 The building is proposed to be double height with offices over the main store entrance. In addition visualisations have been produced confirming the main building to be two storeys facing into the car park with a more prominent feature on the corner of the building where the main entrance will be situated. The building will be finished with insulated cladding panels and curtain wall glazing giving the building a light appearance. The building will measure a total of 59m by 60m (with an additional 10m for the warehouse and plant areas) and will have a height of between 10.36m and 12m. The petrol filling station will have a kiosk building measuring 8.5m by 14m with a height of 3.8m with an adjoining canopy measuring a maximum of 15m by 6m with a height of 4.8m and will contain 5 pump islands and jet wash facilities. The kiosk building will be finished with smooth facing brick in a buff colour and the canopy will have dark green fascia panels with branding attached.

3.3 During the pre application discussions that have taken place to date the following preferences have emerged from the proposed store owner:

- A single point of access to serve the store (customer parking) petrol filling station and servicing area.
- A separate access to serve the remaining business area, avoiding a mix of commercial and customer traffic and which keeps the sites totally independent.
- The petrol filling station has a visually strong street presence, but which the operator has suggested could be toned down through restrictions on signage lighting and boundary landscaping and by designing an unimposing canopy
- The siting of the store ensures that none of the

car parking is sited behind the store, which would otherwise require both front and rear entrances to be provided which is more difficult to manage.

- The proposed layout also maximises on site car parking.
- Sufficient separation between the petrol filling station and the store necessary to reduce the risk of fire spread.
- Utilises an existing service road and service yard, with ease of access into and out of the site. The boundary separating the service road and residential properties is already heavily landscaped and considerations can be given to acoustic fencing if a need is demonstrated through an acoustic study.
- The siting of the building together with a reduction in height will be less visually intrusive than the existing building for the occupiers of the neighbouring residential properties.

While these points may be what is required by the developer, pre application advice made it clear that the proposals must also meet appropriate planning guidance and not have a detrimental impact upon the character of the area, impact neighbouring amenity, highways safety / traffic movement and help maintain the vitality of the existing shopping area.

3.4 The following documents have been submitted along with this planning application:

- Application Form
- Plans
- Design & Access Statement
- Planning Statement
- Travel Plan
- Transport Assessment
- Lighting Details
- Tree Report
- Archaeological Heritage Statement
- Statement of Community Engagement
- BREEAM Pre-Assessment
- Acoustic Impact Assessment
- Flood Risk and Drainage Assessment

4.0 **Planning Background**

4.1 Planning permission has been granted since the mid 1960's for various warehouse type buildings around the site with numerous

extensions, additional buildings, some of which have been temporary and change of uses to office uses since then. The most recent larger scale development includes the building of a four storey office block in July 1981 (P/00437/036), new industrial buildings and extensions in July 1982 (P/00437/041), New industrial units in March 1985 (P/00437/050), ten business units in March 1988 (P/00437/066) and 3 business units and multi storey car park in February 1990 (p/00437/075). Since 2000 all planning applications have been related to advertisement consent only. There is no relevant history belonging to the application building.

4.2 In order to inform the Slough Local Development Framework, Site Allocations, Development Plan Document which was adopted in November 2010, the Council commissioned a Supermarket Capacity Analysis from CACI in June 2009. The Langley Supermarket Capacity Analysis Report specifically considers whether in quantitative terms the need exists for a new supermarket in the location of Langley Business Centre, Station Road, Langley. It considered what the impact might be on the turnover of the principal convenience food store within the existing District Shopping Centre area of Langley; currently trading as Budgens. In summary the Langley Supermarket Capacity Analysis Report showed that in qualitative terms, the need exists for a convenience supermarket in Langley when taking into account existing and planned supermarket provision in Slough Borough. The report further showed that a supermarket in this location is likely to have an impact on the turnover of the Budgens Store. The impacts of which will be softened by continued population growth in the Borough and the weighted catchment area.

4.3 Following on from this report the site was included in the Slough Local Development Framework Site Allocations Development Plan Document (site reference SSA23). The site was considered to be acceptable to allocate for use as a supermarket :

“To meet an identified need for additional convenience floorspace within the eastern part of the borough in an edge of centre location.

To ensure any new supermarket development which comes forward is of an appropriate scale given the site’s:

- Location near to the Langley District Shopping Centre
- Physical characteristics and constraints
- Capacity of the surrounding highway network”

4.4 The site allocation document therefore considered that redevelopment or reconfiguration proposals should have the following:

- “Include provision for a supermarket with no more than 2,500 sq m trading floorspace³. The majority of this floorspace will be made available for the sale of convenience goods with no

more than 25% of this floorspace being made available for comparison goods

- Ensure car parking provided is accessible to users of the supermarket and to the Langley shopping centre to encourage linked trips. This will be achieved by locating the car parking provision for the supermarket close to the Station Road frontage and allowing parking for long enough to undertake joint trips
- Enhance the quality and attractiveness of the footway between the supermarket site and the Harrow Market
- include a design and layout attractive and accessible to pedestrians and cyclists
- Allow for access to the site off Station Road. Making provision for the necessary traffic and transport improvements along Station Road and affected junctions and roads. This should take into consideration other planned developments within the central area of Langley

Proposals for non-food retail units would not be acceptable in this location. It is, however, recognised that the site could accommodate more than the proposed supermarket and so the development could incorporate an element of residential, financial and professional services, restaurants, cafes, drinking establishments or takeaways. This would have to be of a scale and design which enhanced the vitality and viability of the District Shopping Centre as a whole.”

4.5 The Site Allocation document considers the situation further to state that:

“It is proposed to limit the scale of the supermarket that will be allowed on the site to no more than 2,500 sq m of trading floorspace⁶. This takes into consideration:

- (i) the capacity of the local road network to cope with the traffic generated by a supermarket in this location (taking into account other future developments and development opportunities planned in and around central Langley);
- (ii) the type of supermarket suited to the local context given the amount and scale of other supermarkets/superstores within Borough; and
- (iii) the potential impact of the development on the existing shops in the Langley District Centre.

The percentage of the 2,500 sq m total trading floorspace of the supermarket that will be allowed for sale of comparison goods will be limited to no more than 25% (625 sq m). This percentage is consistent with the supermarket floorspace ratios that have been permitted on the former Co-op Site, Uxbridge Road, Slough.

Proposals for non-food retail stores on the site will not be supported in this location. It is considered that all opportunities to expand the retail provision of Slough Town Centre should be prioritised above other shopping centres. The Core Strategy states that “all new major retail, leisure and community facilities will be located in Slough town centre. Not only is this the most accessible and sustainable location for major development to take place, it will also maximise the opportunities for improving the environment and the overall image of the town” 7.

The design and layout of the proposed store, including the location of the service yard, will have to take account of the need to protect the amenities of adjoining residential properties.

The site is located in the Langley Business Centre Existing Business Area as identified within the Local Plan for Slough (2004). Until such time as the site is developed for a supermarket it is not intended to alter the boundary of the Existing Business Area. Accordingly, the relevant policies in the Local Plan and Core Strategy remain in force for the site. The proposal is not considered to be contrary to Core Policy 5 as the proposed supermarket will continue to provide employment on the site.”

- 4.6 There have been protracted negotiations over a period of one and a half years, but with significant breaks, relating to the development of this site by Morrison’s. Throughout the process officers have been of the view that the layout of the site has been driven by the operational requirements of Morrison’s and land ownership issues rather than by site constraints, impact considerations the character and nature of the area and the needs of the area in terms of improving the viability and vitality of the nearby Harrow Market Shopping Centre. The proposal has scant regard to the planning requirements set out in the Site Allocation Document.

5.0 Consultation

5.1 HIGHWAYS AND TRANSPORT

A full response is still awaited and Members will be updated via the amendment sheet as to any response that is received.

5.2 POLICE ARCHITECTURAL LIAISON

A full response is still awaited and Members will be updated via the amendment sheet as to any response that is received.

5.3 ENVIRONMENTAL PROTECTION

The Acoustic Survey makes reference to BS4142 being widely mis-applied to a diverse range of situations and, seemingly, not being used in this instance – However, as a “Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas” I propose that a BS4142 assessment be carried out and therefore the following condition applied:

The machinery, plant or equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/ or attenuated that noise generated by the operation of machinery shall not increase the background noise levels during day time expressed as (a) LA90 {1 hour} (day time 07:00 – 23:00hrs) and or (b) LA90 {5 mins} during night time hours (23:00 – 07:00hrs) at any adjoining premise above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall therefore be pursuant to BS 4142:1997.

These additional conditions are also proposed:

Construction Phase of the Development

- There shall be no noisy works or deliveries to site outside the hours of 08:00 hours to 18:00 hours Mondays – Fridays, 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays and Bank/Public Holidays.
- During the demolition stage of the development, a suitable continuous water supply shall be provided in order to minimise the formation and spread of dust and the perimeter of the site shall be screened to a sufficient height to prevent the spread of dust.
- Security/external lighting within the perimeter of the site shall not be positioned so as to cause light disturbance to any adjoining properties.

Proposed Development

- All delivery vehicles to use the service access and all loading & unloading to take place within the designated service yard. Reversing alarms shall be switched off when vehicles deliver to the proposed food store (as stated in the noise survey)
- A scheme for containing all shopping trolleys within the site shall be submitted to the Local Planning Authority for approval prior to the commencement of the development and shall be implemented there after.
- The use hereby permitted shall not be begun until full particulars and details of a scheme for the ventilation system

of the premises has been submitted for the approval of the Local Planning Authority. The ventilation scheme shall deal adequately and render any smells to a level as to not cause an odour nuisance.

- Before the proposed development is occupied a Noise Management Plan shall be agreed with the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the site. The agreed noise management plan shall be fully implemented before the development is occupied and shall be retained in its approved form for so long as the use continues on site. Any changes to the noise management plan must be agreed with the Authority prior to its implementation.
- Before the proposed development is occupied a Car Park Management Plan shall be agreed with the Local Planning Authority which specifies that the car park shall be for the sole use of the food store; if closing late, parking bays nearest to residential properties shall be cordoned off and the car park shall not be accessible to vehicles outside of opening hours. The agreed Car Park Management Plan shall be fully implemented before the development is occupied and shall be retained in its approved form for so long as the use continues on site. Any changes to the Car Park Management Plan must be agreed with the Authority prior to its implementation. (Note: such car park management plan would also have to state that car park spaces would have to be shared with users of the Harrow Market).
- All air conditioning or other ventilation plant shall be designed to ensure that external noise generated by the plant of equipment shall not at any time exceed the ambient sound level as measured at the site boundary when the equipment is not in operation. This shall be implemented prior to first occupation of the development and retained at all times in the future.
- Details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority before the store is opened.

Additional data is required regarding noise associated with delivery vehicles visiting (and unloading activities at) the proposed food store – Noise levels submitted relate to current guidance and supposition, not to actual assessed noise levels - Likewise noise levels provided in connection with the Petrol Filling Station (PFS) are insufficient to assess potential disturbance to nearby noise-sensitive properties.

5.4 **SOUTH BUCKS DISTRICT COUNCIL**

No objections to the proposed development.

5.5 **WEXHAM PARISH COUNCIL**

Given that we are only being consulted as an adjacent Parish we do not object to the proposed development as a concept but we are very concerned about:

1. The overall traffic flow in the area which is already been impacted by Slough traffic flow and the high foot fall & flow of vehicle count as result of both the college and the school.
2. The entrance to the rest of the site looks to be extremely tight & ill defined especially as large vehicles would not be able to gain access under the railway bridge.
3. Sight lines for anyone travelling under railway bridge are extremely limited & we are concerned that this would result in a significant higher risk of accidents to car drivers, pedestrians and cyclists alike.

5.6 **TREE MANAGEMENT OFFICER**

A full response is still awaited and Members will be updated via the amendment sheet as to any response that is received.

5.7 **ENVIRONMENT AGENCY**

A full response is still awaited and Members will be updated via the amendment sheet as to any response that is received.

6.0 Neighbour Notification

6.1 The following neighbours have been consulted with regards to this application:

Unit 3, 5, 5e, 5j-5k, 5h, 6, 6a, 6c, Vantage Point, Clare House
Langley Business Centre, Station Road, Langley

4, 5, 6, 7, 8, 9, 50, 52, 54, 56, 58, 60, Station Road, Langley

2, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 29, 30, 31, 32, 33, 35,
37, 39, 41, 43, 45, 47, 55, 57, 59, 61, 63, 65, Meadfield Road,
Langley, Slough

2, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31 Meadfield Avenue,
Langley, Slough

Slough

31, Scholars Walk, Langley, Slough

6.2 There has been eight letters received as a response of the neighbour consultation, including two from occupiers of Langley Business Centre raising the following issues:

- The Council owes a duty of care to the local residents and previous research only “suggests” the need and the research must be revalidated.

RESPONSE: The need for development is a material planning consideration and is considered in the report below. The research that has been undertaken is considered to be robust and form the provision of existing policy which is still valid and current. It should however be noted that the principle for development has been established in the Site Allocations Document.

- There is sufficient capacity in existing supermarkets which are 10 minute drives away.

RESPONSE: The need for development is a material planning consideration and is considered in the report below.

- The development is outside the district shopping centre and not all options have been considered within the existing district shopping centre.

RESPONSE: This is a material planning consideration and is considered in the report below.

- The development is contrary to the type of use and constraints in the Local Plan for the Langley Business Centre.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Most people will drive to the site and not walk as claimed by the applicant's and the parking provision is excessive to make people drive to the site and other stores are better options for people who use public transport to do their shopping.

RESPONSE: This is a material planning consideration and is considered in the report below.

- The overall net impact will be a reduction in the number of

jobs with the loss of an employment generating use and the loss of surrounding businesses. The number of 200 newly created jobs may not be local but actually involve the supply chain and logistics operation.

RESPONSE: This is a material planning consideration and is considered in the report below.

- The proposed development will impact upon the existing business in the Harrow Market.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Very significant increase in car and lorry traffic on an already very congested road. The Applicants should fund improvements to the Railway Bridge.

RESPONSE: This is a material planning consideration and is considered in the report below.

- The site access will increase the risk of danger and accidents for people using Scholars Walk.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Noise from vehicle traffic will have a detrimental impact upon the amenity of neighbouring residents.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Noise from the petrol filling station will be louder than the existing soundscape.

RESPONSE: This is a material planning consideration and is considered in the report below.

- The proposals will impact upon the environment including light pollution and manufacture, construction and disposal of materials at the end of their life.

RESPONSE: Issues of light pollution is a material planning consideration and is considered in the report below. The use of materials through the life of the development is not a material planning consideration which only covers issues such as energy, design, construction techniques and energy efficient materials.

- Noise and disturbance would be caused during the construction phase.

RESPONSE: Noise during the construction period is a matter for environmental health as they have appropriate legislation to deal with such matters.

- Deliveries during the night will impact on neighbours especially as the warehouse will be close to residential properties.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Roof mounted extraction fans will impact upon neighbouring residential amenity.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Concern about security and the use of the car park in the evening once the store has been shut.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Some of the signage serves no purpose and will become a great irritation to the neighbours that it faces.

RESPONSE: All signage would be subject to a separate application for advertisement consent when such issues would be considered.

- The trees which are to be felled will remove a barrier between the store and neighbouring residential properties and should be replaced with quick growing trees.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Places should be provided for staff parking.

RESPONSE: This is a material planning consideration and is considered in the report below.

- The petrol filling station should not be 24 hours and should be further away from residential properties due to the safety issues concerning such uses.

RESPONSE: This is a material planning consideration and is

considered in the report below.

- The proposals will lead to traffic issues on Station Road.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Greater risk of theft and home invasion as the site may not be as secure as currently.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Air quality will suffer due to the increase in traffic standing still.

RESPONSE: This is a material planning consideration and is considered in the report below.

- No real benefits to the village as will not offer anything not currently available in the village or locally.

RESPONSE: The need for development is a material planning consideration and is considered in the report below.

- Bats are known to roost in the trees between the site and the residential properties.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Inadequate provision of landscaping.

RESPONSE: This is a material planning consideration and is considered in the report below.

- There will be a build up of traffic at the proposed exit to the business site, especially with the roundabout in close proximity.

RESPONSE: This is a material planning consideration and is considered in the report below.

PART B: PLANNING APPRAISAL

6.0 Policy Background

6.1 The application will be assessed against the following policies:

- The National Planning Policy Framework (NPPF)
- Slough Local Development Framework Core Strategy (2006–2026) Development Plan Document December 2008
 - Core Policy 1 (Spatial Planning Strategy),
 - Core Policy 5 (Employment)
 - Core Policy 6 (Retail, leisure & Community Facilities)
 - Core Policy 7 (Transport)
 - Core Policy 8 (Sustainability and the environment)
 - Core Policy 9 (Natural, built and historic environment)
 - Core Policy 10 (Infrastructure)
 - Core Policy 11 (Community safety)
- Slough Local Development Framework Site Allocations SSA 23 (Part of Langley Business Centre)
- Adopted Local Plan for Slough 2004
 - Policy EMP10 (Langley Business Park and Langley Business Centre)
 - Policy S1 (Retail Hierarchy)
 - Policy S3 (Major Non-Food Retail Development)
 - Policy EN1 (Standard of Design)
 - EN3 (Landscaping Requirements)
 - Policy EN5 (Design and Crime Prevention)
 - Policy T2 (Parking Restraint)

- 6.2 The main planning considerations are considered to be:
- Principle of development
 - Design
 - Impact on neighbouring amenity
 - Transport and parking
 - Financial contributions

7.0 Principle of development

- 7.1 As outlined above the site has been included within the Slough Local Development Framework, Site Allocations, Development Plan Document, as a site for a 2,500 sq m supermarket after research showed that when taking into consideration of the existing and proposed supermarket provision the quantitative need for a food supermarket exists within the eastern part of the borough. Local Plan Policy S1 identifies Langley as a District Centre within the network of centres in Slough. Therefore, sequentially, Langley is considered to be the best location in the eastern part of the Borough to accommodate a supermarket. Due to the amount of land needed to accommodate a supermarket there is however no scope to locate a new supermarket within the existing District Centre itself. The Core Strategy recognises this, and notes the option to extend the Langley District Centre into the Langley Business Centre located within 80 metres of the Harrow market.

- 7.2 Therefore the principle of the redevelopment of the site to provide a food retail supermarket is considered to be acceptable in principle, subject to the stipulated planning requirements as stated above, with need already established through the previously commissioned reports. The intention behind allocating this site for the food supermarket is so that it will act as an extension or a satellite to the existing centre with the provision of good links so that people can have shared trips to the Harrow Market and the supermarket. It was decided to provide the supermarket provision in this way as there is no space available for such a building and associated services within the Harrow Market itself so that the site can work with the centre rather than work against it.
- 7.3 While it is acknowledged that the site is within an Existing Business Area as defined in the Core Strategy and Local Plan (Policy EMP10) and that the site should provide employment generating uses the fact that the site has been allocated for another use takes precedence. In addition to this the provision of a supermarket is likely to provide 200 jobs, based on the applicant's statement, and therefore the site would still provide employment.
- 7.4 However notwithstanding the fact that the need and principle of the development has been established there are some issues arising from the proposals that are in direct conflict with the details contained in the allocations document as outlined below.
- 7.5 The red line site in the allocations document is different to that being used in relation to the current proposals as the current site has a smaller land take. The proposals include a petrol filling station, incorporating kiosk/shop and car wash facility, together with its own servicing and customer access and egress arrangements.
- 7.6 The allocation document recognises that the site could also accommodate more than the proposed supermarket which could include an element of residential, financial and professional services, restaurants, cafes, drinking establishments or takeaways. The list does not however extend to a free standing petrol filling station.
- 7.7 The site now proposed is smaller than the original allocation, the external size of the store is larger than anticipated and the proposals include a free standing petrol filling station which is not one of the complimentary uses listed in the allocations document but is nonetheless quite land intensive. Therefore it will need to be demonstrated that the petrol filling station will not have an adverse impact upon the character of the area, residential amenity or how the site will link with the Harrow Market for it to be acceptable.
- 7.8 The allocations document specifies a maximum of 2500 sq m of

trading floor space. This falls within the definition of what constitutes a supermarket, the scale being appropriate to the location. It is noted that a larger area is required for food preparation on the site. Some retail research has been undertaken to see if other Morrison's stores typically have a 46% gross to net floor area. A Morrison's Food store in Croydon was 7,210 sq m gross and 3,399 sq m net and a few other stores were similar. Therefore this is not an unusual scenario and the gross to net ratio can be considered acceptable in principle. The proposed net sales floor area being 2338 sq m falls within the maximum trading floor space of 2500 sq m as set out in the Site Allocations Document, but would need to be conditioned should planning permission be granted.

- 7.9 As stated in the Site Allocations Document one of the purposes of the development is to help and promote the Harrow Market District Shopping Centre and it will need to provide good and usable links to this site. The current proposals show that the proposed site entrance via a roundabout at the southern end of the site is of particular concern with regards to the viability of Langley shopping area. It provides a significant obstacle to the free flow of pedestrians along this part of Station Road which is heavily used by pedestrians walking to and from Langley Rail Station. As such it creates a barrier to achieving effective pedestrian links between the site and Harrow District Shopping Centre, with regards to encouraging linked trips, improving the footway between the site and Harrow Market and including a design and layout attractive and accessible to pedestrians and cyclists.
- 7.10 In order to encourage linked trips it is necessary to up to 2 hours free car parking for non store users through the provision of a Section 106 Agreement with a view to encouraging greater interaction between the proposed supermarket and the Harrow district shopping centre. This was discussed with the applicant's at pre application stage. It is understood that a charging regime is in operation at the Harrow Market car park (although the first 30 minutes parking is free) and therefore it might be attractive for shoppers using the Harrow Shopping Centre and parking for more than 30 minutes to park in the Morrison's car park which would be free of charge. This further highlights the important need of there being good pedestrian linkages between the site and Harrow District Shopping Centre. Such links cannot be achieved when people have to negotiate their way through a car park and around a petrol filling station and be in conflict with vehicles trying to enter the site. The pedestrian access to the Harrow is vital to the scheme being acceptable. This requires that the improvement and future maintenance of the footway must be secured through a S106 Agreement. It is currently considered that it falls short of what is required in the Site Allocations Document. It must be remembered that one of the prime motives behind allocating the site as a

supermarket site is to improve the vitality of the Langley shopping area and these proposals in their current form do not provide the measures required to do meet this aim.

- 7.11 So while the provision of a supermarket in this location is considered to be acceptable in principle it does not meet the aims of the Site Allocation Document in so far that it fails to provide a suitable link to the Harrow Market and fails to fully utilise the site allocated for it leading to problems related to neighbouring amenity and design as outlined further below.

8.0 Design

- 8.1 The National Planning Policy Framework confirms the following:

“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people” (para 56).

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment” (Para61).

“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” (Para 64).

“Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal’s economic, social and environmental benefits.” (Para 65).

- 8.2 Core Policy 8 of the Core Strategy requires that, in terms of design, all development:
- a) Be of high quality design that is practical, attractive, safe, accessible and adaptable;
 - b) Respect its location and surroundings;
 - c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and
 - d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.

- 8.3 Policy EN1 of the adopted Local Plan states that development proposals are required to reflect a high standard of design and must be compatible with and/ or improve their surroundings in terms of scale, height, massing/ bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees; and relationship to watercourses.
- 8.4 The design of the supermarket building itself with clean lines and facades and the main entrance to the store being announced by the taller glazed element of the building is considered to be acceptable in principle. The design also respects the character of the area by picking up some features from the surrounding industrial buildings such as the flat roof design and the light palette of cladding that would be used. The fact that the building is on a relatively large site also lends it to having an individual style and design.
- 8.5 However there are some fundamental concerns relating to the design and layout of the site. Given the siting of the store to the rear of the site, the proposal turns its back on the street, rather than attempting to reinforce/recreate a street frontage and therefore alienates itself from the nearby Harrow Market. Whilst the Site Allocation requires some parking to be close to Station Road, there is an opportunity to bring the building forward closer to the frontage of the site such that it would then help to create a street frontage and interact with the street scene and further show itself to be an extension or satellite of the Harrow Market. While the siting would need to achieve the correct balance between strengthening the existing street scene on the one hand and maintaining a reasonable relationship with the existing housing opposite it is considered that this could be achieved via sympathetic design and use of materials. The relocation of the store would also provide the most convenient access for pedestrians, cyclists and public transport users, whereas the proposed layout makes it most convenient for car users and inconvenient and unattractive for non car users. This would however need to necessitate either the relocation or the removal of the petrol filling station to another part of the site.
- 8.7 The proposed petrol filling station has a large land take and the operators requirements for such a facility to have high visibility, requiring a prominent street frontage have significantly restricted options for the site's layout. The petrol filling station will dominate the street and will not create an attractive frontage. Whilst Morrisons have stated that petrol filling stations do not have to be intrusive in the street and that much can be done with boundary treatment, reduced signage and lighting and low canopies, there must be a potential conflict in that if the petrol filling station is to be highly visible to catch passing trade then this would appear to be at odds with measures to reduce its impact. In its current proposed

position it will be intrusive to opposing residential occupiers. It is considered that the petrol filling station should be positioned within the site so that it will not have a detrimental impact upon the street scene. Attention can still be drawn to the existence of the petrol filling station via the presence of a suitably located totem sign which are common on sites where petrol filling stations are in existence. The land take, mass and bulk of the petrol filling station could also be reduced by having kiosks for payment only so that the store element of the larger kiosk is substantially reduced in size. This would involve customers using the petrol pumps and then driving to the kiosk to pay for their fuel. The provision of a payment kiosk would substantially reduce the necessary land take.

8.9 An additional issue of concern relating to the appearance of the area relates to the proposed roundabout providing an entrance to the site. While the issues concerning highway issues with the roundabout are discussed below from an aesthetics point of view the roundabout is considered to be excessively large and dominating on the street scene. This impacts not just on the appearance of the street scene with it being exceptionally harsh but also cuts down on the area that is available for landscaping, which is already compromised along this frontage. A change to the proposed access arrangements would remove a significant physical barrier to the free flow of pedestrian movements along this part of Station Road, a regular route for pedestrians accessing the train station and reduce the need for such a harsh and obtrusive popsicle within the street scene. This coupled with a poor siting of the store would act as a barrier to linked shopping trips, not achieve one of the prime site planning requirements of the Allocations Document and thereby not take the opportunity to improve the attractiveness of the Harrow shopping centre as discussed.

8.10 Further concern is raised due to the fact that the scheme appears to retain little room for meaningful landscaping along the site frontage. The character of the area is formed by green frontages along Station Road and these proposals should provide the opportunity to build upon this. It is important to note that a planning permission for East Berkshire College, which is 150m to the south west of the application site, includes a large amount of works to the public realm and the frontage facing Station Road, to help the reinforce the green open feel of the area. The Council would expect other schemes to build upon the work being done by the College and also provide attractive well landscaped frontages to help maintain the character of the street scene. The landscaping plans that have been submitted with these proposals show that although some trees would be provided amongst some ground cover shrubs this does not provide the green open frontages that make up the character of the area and furthermore will not help to soften the stark appearance of the petrol filling station beyond. At this point a buffer measuring a width of only 1m to 2m is provided

so that any planting within this area would be extremely limited.

- 8.11 Therefore it is considered that the proposals fail to provide a design which fully capitalises on the opportunity to provide clear and strong links to the Harrow Centre, suitable landscaping and provides harsh forms of development in the shape of the proposed petrol filling station and roundabout with will look out of keeping with the surrounding area failing to fully address the issues raised in the Site Allocation document.

9.0 Impact on neighbouring amenity

- 9.1 The National Planning Policy Framework outlines the following:

“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are 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 (Para 17).

- 9.2 Core Policy 8 states “The design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area ... Development shall not give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise”.

- 9.3 Policy EN1 of the Local Plan requires that “Development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of 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 Policy EMP2 of the Local Plan requires that: “there is no significant loss of amenities for the neighbouring land uses as a result of noise, the level of activity, overlooking, or overbearing appearance of the new building”.

- 9.5 It is noted that the building of the supermarket itself is contained within the envelope of the existing building on the site and it would not have any greater visual impact upon the amenity of

neighbouring residential properties, than the building which currently exists on site.

- 9.6 There is an existing service road on the boundary with the rear of the residential dwellings and it is acceptable for this service road to continue to be used to service the proposed store. The existing mature boundary landscaping and the erection of an acoustic fence, which could be secured via condition if permission is to be granted would protect the amenity of these residential properties. It is noted that some of the trees along this boundary are considered for removal due to their condition. If these trees are removed then they should be replaced with similar mature specimen trees which can be secured via condition if planning permission was to be granted. Concern about bats in these trees have been raised and an ecological report can be secured via condition if permission was to be granted requesting a full bat survey to be undertaken before any works to the trees have been carried out. Furthermore conditions could be applied limiting hours of servicing and servicing should be in strict accordance with the Acoustic Impact Assessment which accompanied the application to ensure that deliveries are undertaken to cause minimum disruption to neighbouring properties. However officers would suggest that the need for the retention of this service road (other than as an emergency escape route), being so close to existing residential properties could be relocated on the basis of a redesign of the site layout to include another means of accessing the site.
- 9.7 Noise from the petrol filling station has also been raised as a concern, especially if it is to be used on a 24 hour basis. The opening hours of such a use could be controlled via conditions to ensure that it is not used at times that could cause inconvenience to neighbouring residential properties. However it would be far more beneficial to have a redesigned layout so that the proposed petrol filling station be positioned in a far less intrusive location as stated above. Safety concerns have also been raised with regards to a petrol filling station being in a residential location and causing a safety hazard due to the hazard nature of the materials being stored there. This is generally not an unusual feature and appropriate legislation is in place to ensure that such a filling station will operate in a safe and secure way.
- 9.8 A condition would be added to any permission to ensure that any plant and machinery is appropriately attenuated so that there is no noise and disturbance arising from its use.
- 9.9 Concern has been raised with regards to issues of security of the site when not in use and further impacts on the security of neighbouring residential properties. Such issues can be secured via condition if planning permission is to be granted in consultation with the Thames Valley Police Advisors. Likewise appropriate

conditions could also cover the lighting of the site to ensure that it is safe and that light spill will not affect neighbouring properties.

9.10 These proposals will not result in any additional issues of flooding as the site is outside of a flood zone and appropriate drainage can be provided.

9.11 It is therefore considered that the proposals provide a scheme which will not have any adverse impact upon the surrounding buildings.

10.0 Transport and Parking

10.1 With regards to issues of transport and parking the NPPF states:

“All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.” (para 32)

“Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.” (Pars 34)

“Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to

- accommodate the efficient delivery of goods and supplies;
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and

- consider the needs of people with disabilities by all modes of transport.

A key tool to facilitate this will be a Travel Plan. All developments which generate significant amounts of movement should be required to provide a Travel Plan.

Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.

If setting local parking standards for residential and non-residential development, local planning authorities should take into account:

- the accessibility of the development;
- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and
- an overall need to reduce the use of high-emission vehicles.

Local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure, including appropriate provision for motorcycles. They should set appropriate parking charges that do not undermine the vitality of town centres. Parking enforcement should be proportionate.” (Para 35-40)

10.2 Core Policy 7 (Transport) seeks to ensure that all new developments are sustainable, located in accessible locations and hence reduces the need to travel. It requires that development proposals will, either individually or collectively, have to make appropriate provisions for:

- Reducing the need to travel;
- Widening travel choices and making travel by sustainable means of transport more attractive than the private car;
- Improving road safety; and
- Improving air quality and reducing the impact of travel upon the environment, in particular climate change.

10.3 Local Plan Policy T2 requires residential development to provide a level of parking appropriate to its location and overcome road safety problems while protecting the amenities of adjoining residents and the visual amenities of the area.

10.4 The access and egress will be changed under these current proposals so that a roundabout be installed for as access for the supermarket and a new junction laid out approximately 95m to the north to act as access to the remaining industrial estate. The Local Highway Authority would prefer to see a shared access being created for the existing business park and the proposed store which would resolve the highway issues outlined below and well as the aesthetic issues of the large roundabout as already discussed. The applicant's had previously designed a scheme to incorporate one entrance, despite their protestations that this was not what was operationally required as it would result in industrial traffic meeting visitor traffic, which could be dealt with by a smaller roundabout within the site in any event. However the applicant's have since gone back to the prior scheme, which officers advised against at pre application stage, as citing that other users on the business park have a right in their leases which grants rights of way over the application site which would be negated if the single access was introduced as the service road which this right runs over is removed. These rights are confined to emergency escape access over a 6m wide strip running along the southern boundary of the site which doubles up as a service road in the current proposals. It is the view of officers that that this emergency access could have been excluded from the sale or incorporated into an alternative design. A letter has been provided from the landlord of the business park who has stated that all the occupiers would need to agree to the leases being renegotiated and the leaseholders have been written to on two occasions with regards to this matter and from the responses that have been received half have agreed to a new lease incorporating this change, although a vast majority have not replied. While the Officers note that the issue of the leases makes it more difficult to provide a single entrance point it does not make it impossible if suitable and through negotiations are undertaken. Furthermore it is not possible to plan according to restrictions in other parties leases as this would tie up the planning system making development almost impossible. This is just another example as to how only planning for part of the site rather than the whole site as allocated restricts development.

10.5 The proposal shows the provision of two new accesses and the removal of the existing site access. It is proposed that the store will be accessed by way of a new "Normal Roundabout" sited at the junction with Scholars Walk. A "Compact Roundabout" could not be provided instead which would have less capacity than Normal Roundabouts, but are particularly suitable where there is a need to accommodate the movement of pedestrians and cyclists. Given the close proximity of Langley railway station, East Berkshire College, a range of schools, employers, shopping facilities and housing it is clear that there is a need for the design to positively accommodate pedestrian and cycle movements; the proposed design of the Normal Roundabout does not achieve this. The developer should

ensure that the existing cycle lanes are accommodated into the design of any junction alterations including the existing plans to extend the cycle lanes to the junction of Langley Road. The proposed roundabout at the Scholars Walk junction will create very little deflection. If the access junction was proposed further to the north, greater deflection could be achieved, which would have a positive impact on vehicle speeds. The provision of the signalised pedestrian crossing would need to have Zig Zag markings in accordance with the Traffic Signs Manual, and as such, the right turn pocket lane for the business centre would need to start further north than it is currently shown.

10.6 A new access is proposed to serve the business park to the north of the existing access. The proposed access is approximately 10m to the south of the centre-line of the Alderbury Road priority junction. The proximity of the two junctions to each other, could lead to vehicles leaving either junctions and heading across Station Road. This movement would increase the likelihood of accidents as drivers would have additional traffic movements to consider between the two junctions. The proposed junction spacing is insufficient and the LHA would not support it as proposed.

10.8 It is considered that the development does not provide a safe access to all road users and therefore does not meet the required policy in this regard.

11.0 Contributions

11.1 A Section 106 Agreement will be required, to secure the free parking long enough to allow the linked trips with Harrow Market. Financial contributions are anticipated which would be related to off site highway works and improvements of the pedestrian footway between the site and the Harrow Shopping Centre. Further contributions may be required for highway improvements depending upon a comparison of trip rates between existing and proposed uses.

PART C: RECOMMENDATION

12.0 Recommendation

12.1 The application be refused for the reasons set out below.

13.0 PART D: REASONS FOR REFUSAL

13.1 1. The developer has failed to demonstrate that the scheme layout can provide an opportunity for the provision of shared pedestrian links / shared shopping trips between the

proposed supermarket and Harrow Market District Shopping Centre essential to the future viability and vitality of the centre and would also be country to the National Planning Policy Framework, Core Policy 6 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, site planning requirements of SSA23 Site Allocations Development Plan Document 2010 and policy S6 of the Local Plan for Slough 2004 (incorporated in the Composite Local Plan for Slough 2013).

2. The proposed layout of the site with the main supermarket building being positioned at the rear of the site failing to reinforce/recreate a street frontage, with the over dominant petrol filling station at the front of the being a bulky alien feature in the street scene together with a large harsh overbearing roundabout to the detriment of the street scene, accessibility for pedestrians and cyclists and the character of the area and would be country to the National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document site planning requirements of SSA23 Site Allocations Development Plan Document 2010 and policy EN1 of the Local Plan for Slough 2004 (incorporated in the Composite Local Plan for Slough 2013).
3. A holding objection is raised on the grounds that the applicant has failed to enter into a S106 Planning Obligation Agreement to provide limited stay free parking for non store users or for the carrying out of off site highway works to include improvements to pedestrian links between the site and Harrow Market and the payment of a financial contribution for local transport improvements.

Members are advised that the final wording of reason 3 above may change upon receipt of comments from the Council's transport and highways adviser and that this will be included on the Amendment Sheet.

INFORMATIVES

1. 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 not improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is not in accordance with the National Planning Policy Framework.

2. The development hereby refused was submitted with the following

plans and drawings:

- (a) Drawing No. I2366 AL(0)000 P1, Dated 04/07/2013, Recd On 10/07/2013
- (b) Drawing No. I2366 AL(0)001 P1, Dated 04/07/2013, Recd On 10/07/2013
- (c) Drawing No. QL11117/D1 P1, Dated 20/02/2012, Recd On 10/07/2013
- (d) Drawing No. I2366 AL(0)002 P1, Dated 04/07/2013, Recd On 10/07/2013
- (e) Drawing No. I2366 AL(0)004 P1, Dated 04/07/2013, Recd On 10/07/2013
- (f) Drawing No. I2366 AL(0)005 P1, Dated 04/07/2013, Recd On 10/07/2013
- (g) Drawing No. I2366 AL(0)006 P1, Dated 04/07/2013, Recd On 10/07/2013
- (h) Drawing No. I2366 AL(0)008 P1, Dated 04/07/2013, Recd On 10/07/2013
- (i) Drawing No. I2366 AL(0)003 P1, Dated 04/07/2013, Recd On 10/07/2013
- (j) Drawing No. I2366 AL(0)007 P1, Dated 04/07/2013, Recd On 10/07/2013
- (k) Drawing No. I2366 AL(0)009 P1, Dated 04/07/2013, Recd On 10/07/2013
- (l) Drawing No. I2366 AL(9)100 P1, Dated 12/04/2012, Recd On 10/07/2013

Additional comments from Consultees:

1.0 TREE OFFICER

The application site has two main areas of trees on the south and west boundary and there are 4no. other individual trees.

The trees on the southern boundary are a row of mainly cypress and poplar which forms a screen between the industrial site and the residential properties in Meadfield Avenue. The tree report identifies some trees that need to be removed from this row due to their poor condition, other than these poor trees the application does not propose removing any other trees from this boundary. The report also identifies that it is possible to use suitable tree protection methods to minimise the effect of the development on the trees to a degree which would not harm them. It would be desirable to plant new trees on this boundary to replace the trees lost.

The application also proposes the removal of three or the individual trees and all of the trees on the west (roadside) boundary. Most of the trees on the road boundary are of high amenity and notably there are 5no. Mature Planes and 1no Maturing Walnut (identified as an Acer T64 on the survey). These six trees are well spaced and it is unacceptable to loose all of them from the street scene unless there loss was mitigated by substantial planting within the car parking area which will be prominent when viewed from the road and replace the visual amenity of these trees. It should be noted that the industrial units to the north of the site do have a good level of tree planting and landscaping within them and it would be desirable to obtain similar within this application site as well as any mitigation planting required to replace removed trees.

As mentioned above the tree reports includes an arboricultural statement which gives the principles of protecting the trees proposed to be retained, it deals mainly the trees on the southern boundary. The Root Protection Area of these trees extends under the adjacent hard surfaces. Effectively these hard surfaces, mostly a concrete road are acting as ground protection. No reference is made to if the existing hard surfaces are to be kept intact except for a small area near at the west end of the row which is proposed to be changed to soft landscaping. Whereas it is normally accepted that the roots from trees don't utilise the compacted ground under established hard surfacing, it is possible that roots are present under hard surfacing especially a concrete road. I would therefore want a method statement to include as method for removing the concrete road and installation of a new surface or to prohibit the removal of the road.

The removal of all trees on station road is unacceptable unless substantial replacement planting is secured within the car park which will replace the visual amenity of the existing trees.

The AMS needs to deal with the removal and reinstatement of hard surfacing in the RPA or prohibit it. If more trees are to be retained on station road, which would be desirable, a new AMS should be required to deal with the protection of these extra trees.

It is desirable for the car parking area to have landscaping to reflect that in adjacent parking areas in the Business Park.

2.0 ENVIRONMENT AGENCY – LAND CONTAMINATION

We have **no objection** to the planning application as submitted, subject to the inclusion of six planning conditions, detailed under the headings below, to any subsequent planning permission granted.

Without the inclusion of these conditions we consider the development to pose an unacceptable risk to the environment.

1. Condition No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. Cont/d.. 2

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Note: We have reviewed the Sirius Geo-environmental Appraisal report of land at Station Road, Langley, Slough report C4603/B dated March 2012 and this satisfies part 1 of this condition. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason This former factory site is located over the Langley Silt Member that likely protects the underlying Taplow Gravel Formation (Principal Aquifer). The site has a history of potentially contaminative use and we need to protect the Principal Aquifer from any historic pollution present within soils and made ground that might be mobilised during development. The Sirius Geo-environmental Appraisal report dated March 2012 has identified that the past and present industrial uses of the site could be potential sources of contamination. It is also considered that petroleum hydrocarbon contamination could be impacting the site from off-site sources such as known underground storage tanks (USTs) located on the northern boundary of the site (Honda F1) or from a petrol depot to the north-east of the site.

2. Condition No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason This former factory site is located over the Langley Silt Member that likely protects the underlying Taplow Gravel Formation (Principal Aquifer). We need to protect these Aquifers from any historic contamination that might be mobilised during development of this site. The Outline Remediation Requirements for this site acknowledges that there may be areas of more significant contamination not identified to date that will require remediation. Indeed further investigation is required to identify the groundwater flow direction and hence the source of TPH in groundwater in the Principal Aquifer. The remedial works will require validation sampling and the results should be submitted for review.

3. Condition Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason We need to ensure that foundation design does not form pathways for contamination to migrate from soils, through the Langley Silt Member and into the top of the Taplow Gravel Formation (Principal Aquifer). Piling that connects the surface of the site with the Principal Aquifer may not be suitable unless the site investigation demonstrates that the soils and made ground are uncontaminated or that the piling design avoids the formation of vertical pathways.

4. Condition The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water that ensures that soakaways are not constructed into contaminated land has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reasons The Langley Silt Member currently protects the underlying Principal Aquifer from vertical migration of pollutants. If infiltration drainage bypasses the Langley Silt Member and discharges directly into the top of the River Terrace Deposits, we need to have assurance that a) soakaways are not constructed into contaminated land, because historic contamination might be mobilised through the use of soakaways and b) that petroleum hydrocarbons from drainage areas where fuel spills could occur are not discharged into the top of the principal aquifer. We would like to see a drainage system that connects areas of potential concern to the foul sewer.

5. Condition The development hereby permitted shall not be commenced until such time as a scheme to install oil and petrol separators (full retention Class 1) has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason

We need to protect the Principal Aquifer in the Taplow Gravel Formation from any petroleum hydrocarbon spillage that might occur during the operational activities of a petrol filling station. We would like to see the discharge from this site go to the foul sewer.

Advice to LPA/Applicant

Oil Storage

The Control of Pollution (Oil Storage) (England) Regulations 2001 apply to all above ground commercial oil storage in tanks over 200 litres in volume. This means that tanks must be fit for purpose and have secondary containment (or bund) sufficient to contain 110% of the tanks contents. The secondary containment must be impermeable to oil and water and not have any drainage valve. All the tank's ancillary equipment (valves, delivery hose, gauges, vent) must be within the curtilage of the secondary containment or bund. The Regulations have other stipulations and full information can be found at www.environment-agency.gov.uk/osr or from Pollution

Prevention Guidance note 2 for above ground tanks or note 26 for drums and IBCs.

We refer you to the Pollution Prevention Guidance documents which can be found at <http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

- PPG1: General Guide to the Prevention of Pollution
- PPG2: Above Ground Oil Storage Tanks
- PPG3: Use and Design of Oil Separators in Surface Water Drainage Systems
- PPG27: Installation, decommissioning and removal of underground storage tanks (for details on leak detection systems and provision for underground pipe-work)

Advice relating to condition 1

We have reviewed the Sirius Geo-environmental Appraisal report dated March 2012 and have the following comments to make. Table 5.1 details the rationale for installing the three boreholes (BH1-BH3) which were to be used to establish the groundwater flow direction in the Principal Aquifer under the site. Whilst Table 6.2 shows the dip levels it does not detail m AOD levels of the groundwater and there are no surveyed levels on borehole driller's logs. The groundwater flow direction in the River Terrace Deposits (RTD) is likely to be towards the North East towards the Horton Brook and this might suggest that borehole BH1 is a down gradient borehole for the site. The groundwater flow direction should be established in the River Terrace Deposits under this site before the slightly elevated concentrations of total TPHs can be attributed to an off-site source as detailed in Item 9.5 of the report. Table 6.2 details four visits to dip water levels (one just after and three post drilling). We need clarification on how many rounds of groundwater quality monitoring were carried out on this site. In item 7.4, table 7.4, reference is made to groundwater analysis from the first sample round and details TPH concentrations between 31 – 53 µg/l. However, it appears that these laboratory results are missing from Appendix D. Also in appendix D samples taken in February 2012 show measured amounts of DRO (C10-C24) and Mineral Oils but no VOCs whilst the results for March 2012 show no TPH but VOCs in particular at BH1 (1,2,4-trimethylbenzene, toluene and benzene). The Laboratory sample comments are that sample results cannot be evaluated without the date of sampling. This needs to be clarified and if necessary we would expect to see at least another round of groundwater quality monitoring. End 5

Foul sewage

All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent.

3.0 **ENVIRONMENT AGENCY – FLOOD RISK**

The West Thames Area (Environment Agency South East) is operating a risk based approach to planning consultations. As the site lies in Flood Zone 1 and is between 1 and 5 hectares we will not make a bespoke response on surface water. The following standing advice is provided. If this advice is used to refuse a planning application, we would be prepared to support you at any subsequent appeal.

Surface Water

The proposed development is located in Flood Zone 1 (low probability) based on our Flood Zone map. Whilst development may be appropriate in Flood Zone 1, paragraph 103 (footnote 20) of National Planning Policy Framework (NPPF) sets out a Flood Risk Assessment (FRA) should be submitted for all developments over one hectare in size.

We note that a FRA **has not** been submitted in support of the proposed development.

In order for the development to be acceptable in flood risk terms we would advise the following:

- Surface water runoff should not increase flood risk to the development or third parties. This should be done by using Sustainable Drainage Systems (SuDS) to attenuate to at least pre-development runoff rates and volumes or where possible achieving betterment in the surface water runoff regime. (The applicant should contact Local Authority Drainage Departments where relevant for information on surface water flooding.)
- An allowance for climate change needs to be incorporated, which means adding an extra amount to peak rainfall (20% for commercial development, 30% for residential). See Table 5 of Technical Guidance for NPPF.
- The residual risk of flooding needs to be addressed should any drainage features fail or if they are subjected to an extreme flood event. Overland flow routes should not put people and property at unacceptable risk. This could include measures to manage residual risk such as raising ground or floor levels where appropriate.

4.0 **TRANSPORT AND HIGHWAYS ADVISOR**

Accessibility of Site

Pedestrian Accessibility

The Transport Assessment (TA) states that there is “good

pedestrian connectivity from the existing site to the surrounding local area”, and therefore one would expect a high number of pedestrian trips to the site. From a distance perspective large parts of Langley are within a 1200m walk distance, however it is not just distance, but also the quality of the route that is important. Major barriers to walking from the existing site are as follows:

- Ability to cross the B470 Station Road/Langley Road/Langley High Street roundabout, where pedestrians are afforded little priority. This is particularly important on the Langley Road arm of the junction where there is no controlled crossing and a major desire line towards the park;
- The lighting along Station Road is low sodium bulbs which is not particularly conducive to encouraging walking and would be enhanced by the implementation of high sodium bulbs or white light bulbs;
- The footway that connects Station Road to Langley Station is dark and unattractive for pedestrian movement. There is a large and thick hedge separating the path from the adjoining business unit which if removed would allow for greater natural surveillance from Unit 8;
- Para. 3.24 of the TA states that the footway on Station Road is 3m when in fact it is between 3-4m wide along the length of the frontage of the development site;
- Para 3.34 of the TA states that pedestrian access to the predominately residential area to the east of the proposed development is via two footpaths, one of which runs along the northern boundary of the site connecting Mead Avenue and Langley Station / Station Road. The TA recognizes that it is extremely narrow in width and has a poor surface, but does not recommend any improvement to it.

Cycle Accessibility

The TA states that the “existing site is afforded good cycle accessibility to and from the surrounding area”. In terms of distance that there are large number of homes and places of works within 5km of the site. However one should not overlook there are a number of barriers to movement and therefore accessibility as follows:

- Narrow and discontinuous cycle lanes along Station Road;
- Cycle safety at the B470 Station Road/Langley Road/Langley High Street roundabout. The Council is currently trialling an accidental remedial scheme at this junction to tackle the safety issues for vulnerable road users. This junction is particularly important as over 80% of vehicle and cycle trips will have to pass through this junction;
- Access to the site from the north is via station Road under the railway line, where the carriageway width is constrained of both the carriageway and the cycle lanes;

Public Transport Accessibility and Infrastructure

Bus stops are provided on B470 Station Road outside of the existing Business Park and this currently provides for the 58 service between Britwell - Slough Town Centre - Langley and Uxbridge. These services run every 30 minutes Monday to Friday between 06.36 and 19.28 and 30-60 minutes on a Saturday between 07.38 and 19.25. On a Sunday there is a very limited service starting at 11.25 and continuing to 17.55 and running approximately every 2 – 2.5 hours. The existing Sunday service would not allow staff using this service from the Iver direction to arrive in time for their shifts on a Sunday nor provide a particularly good service for customers.

The two stops adjacent to the development – the northbound stop has a shelter, the southbound stop does not, but would benefit from one. Of the two stops on the route of the 75/76 both of these stops have a shelter. The westbound shelter is located in the centre of the bus layby, which when two buses stop in the layby can cause some delays to traffic as they find it difficult to pass.

Accident Analysis

Para. 3.125 of the TA states that whilst clusters of accidents have occurred at some junctions within the study area, examination of the records, indicate that there is no particular pattern or single contributory factor to the documented accidents contained within. That analysis is fundamentally wrong as the local highway authority is currently implementing an accident remedial scheme at the Langley Road/Station Road/ High Street junction. In the 3 years to May 2012 there were 39 injury accidents recorded at the Harrow Market roundabout and along Langley Road resulting in 47 casualties. The area was identified for cycle and pedestrian safety improvements due to a high incidence of accidents.

The station road/Langley Road/High Street junction was identified for remedial improvements due to a high incidence of pedestrian and cycle accidents. Following the initial round of consultations a further 3 year accident investigation was undertaken at the area covered by the reduced zone. A total of 17 injury accidents were recorded between Jan 2009- Dec 2012 , whilst only 2 of these resulted in serious injury 7 involved vulnerable road user groups (those for whom there is little or no protection from their vehicle). There is an element of chance in the outcome of a collision for such casualties, and often little separates a slight outcome from a serious or even fatal result. Slight injuries are, in this context, a valuable early indication of underlying safety problems that could result in a more serious outcome. The data from the previous 3 years is also considered relevant (2007- 2009) and has a similar trend of evidence of a long term accident problem at this site.

Further analysis of the junctions need to be undertaken to see whether any other accident clusters have been overlooked by BGH.

Traffic Surveys

Traffic surveys have been undertaken by 15.00-19.00 hours on a Friday and 10.00-15.00 hours on a Saturday. Pedestrian surveys were undertaken for corresponding hours. Queue length surveys have been undertaken for two of the junctions: Site 1 - Waterside Drive/Station Road/Langley Park Road/Station Access and Site 2 - Station Road/Langley Road/High Street. Queue length surveys are a requirement of the junction modelling guide to enable junction models to be validated.

The consultant would have expected to determine the peak hour on the local road network as there is no evidence within the TA to say what the peak hours are on local highway network. This assessment should include the AM peak hour, because if this is significantly different to the PM peak hour then there may be issues in the AM peak hour that are being over-looked. Paragraph 3.87 of the TA states the network peak is at 17.00-18.00 on a Friday and 11.30-12.30 on a Saturday however the BGH Friday SUMMS.xls and Saturday Traffic SUMMS.xls state the peak hours are 16.15-17.15 and 12.15-13.15 therefore it is unclear why these periods have not been tested.

There are some further concerns with the traffic summary spreadsheets as the total inbound and total outbound traffic would appear to be the same at the two of the sites which seems highly unlikely to occur in practice. Consultant to check.

The number of pedestrian and cycle movements in the surveys does not show a full day picture and the cycle surveys of Station Road were undertaken in January 2012 which may have influenced the number of these modes.

Development Proposal

Car Parking

306 car parking spaces are proposed of which this provides 1 space per 14.61m², this exceeds the maximum standard in the Slough Local Plan of 1 space per 20m² as this site is located within an existing Business Area. The applicant contends that this site is located in a residential area - this is clearly not the case. This equates to an additional 82 parking spaces being provided.

The applicant has been asked to allow parking within the development to accommodate some linked trips with the Harrow Market and the TA suggests that there will be 15% linked trips relating to the development, which would equate to an additional demand of 33 spaces. Therefore an excessive level of parking has been provided and the application should be refused as the level of parking exceeds the Slough Local Plan 2004.

Replacement parking spaces have also been provided in the business park with 29 new spaces for Unit 8 and 37 spaces for Unit 7 within the business park. It is unclear whether these are all replacement spaces or some new spaces and therefore further clarification is required.

Parking Accumulation

No work has been undertaken on parking accumulation, as requested in my scoping response and this should be provided in a revised TA.

Parking Strategy

The Travel Plan states that they expect 70% of the full-time staff which would equate to over 125 staff would be parking in the car park. This would mean that up to 100 spaces could be taken up by staff. Given the accessibility of the location of the store that considerably fewer staff would drive and therefore this will need to be addressed in the revised travel plan.

It is proposed that the car park will have a 2 hour maximum period which would allow shoppers to use the store and local facilities within Langley, which is considered acceptable as it is important to deter parking by College students and rail users. It is proposed that this restriction is enforced initially by signage, but it could entail ANPR cameras. Whilst in principle I am happy with this approach the S106 agreement should contain clear agreement:

- to allowing other users of the district centre to use the car park at no charge for use up to the maximum time period;
- have in place a car park operator who can ensure that the car park maximum period is not abused;
- maximum period of 2 hours;
- car park must meet Safer Car Park Design;
- limit the number of spaces within the car park that can be used for staff parking;
- have in place a car park management plan to ensure that traffic does not block the B470 Station Road – if it does then the store access road will need to be redesigned – this is additional to any changes that will be required as part of this application; and
- no information is included about whether any community recycling facilities will also be provided within the car park, which is often the case with supermarkets, I understand that SBC Environmental Services Department is keen to see some Recycling Facilities incorporated.

Servicing and Deliveries

No information is included on how many deliveries the petrol filling station will generate. In terms of the other servicing trips this is estimate in the planning statement as between 12-14 per week. No

information has been provided as to whether online deliveries will be made from the store, although it would appear that this does not form part of the application.

In the scoping response the applicant was encouraged to have servicing and delivery area that was accessed from the business park access and this would limit the conflict between store customers, pedestrians and cyclists. This recommendation has been overlooked.

Cycle Parking

The Slough Local Plan standards require 1 space 350m² and long stay parking to be provided for staff and short stay parking for visitors. Only 14 spaces are to be provided which does seem extremely limited when this provides space for staff and visitors. The proposed location of the cycle parking has not been shown on the submitted plans which is a concern.

Separate long stay cycle parking is required for staff – please note the facilities at the Uxbridge Road Sainsburys where secure covered cycle parking for staff has been provided in a separate location to the undercover cycle parking for visitors.

Access

The introduction of the roundabout and the stagger junction introduces two accesses along Station Road, thereby increasing the risk of conflicts along a short section of highway. It is the local highway authority's view that it would be in the interest of highway safety and the free flow of traffic to introduce one junction to cater for the whole site (business park and food store). A traffic signal controlled junction could cater for the access to the site and provide pedestrian crossings from Alderbury Road and generally they are seen as having a lower risk of vehicle/vulnerable road user conflicts than an unsignalised roundabout and crossroads.

A separate drawing for each junction showing visibility splays and other key dimensions will need to be shown on each of the new/altered accesses.

Business Park

The existing access to the site is located 71m to the south of the Alderbury Road junction. The proposed replacement access to the Business Park is located 11m from Alderbury Road junction (centre of junction to centre of junction). It is provided as a simple right/left stagger with Alderbury Road and the proposed new entrance. The distance between the two minor roads is insufficient, with possible cross movements with vehicles using both roads make this in effect an offset crossroad junction. Stagger distances would typically be 50m for the speed limit and type of road (TD42/95). Vehicles using the right turn/left turn stagger from Alderbury Road are likely to cut

the corner and veer into the opposing lane on Alderbury Road as they approach the junction, putting them in conflict with any vehicle entering Alderbury Road. It is recommended that a highway objection is raised against the design of this junction.

Superstore

Following my scoping response comments the applicant has amended the design of the roundabout to a compact style roundabout from a normal roundabout, as this provides greater deflection and single lane entry and exit. The size of the roundabout is still considerable as it must accommodate 16.5m long articulated HGVs. At the detailed design the developer is expected to look at reducing the over-runable section of the roundabout and ensuring this over-runable section deters use by vehicles and motorcycles through the use of cobbles. Consideration should also be given to reducing the width of the circulating carriageway. Whilst the proposed layout of this junction is better than was originally submitted, the local highway authority still favours the single point of entry layout as shown in the Design and Access Statement, albeit with some modifications.

In meetings with the applicant, they have stated that are unable to provide a single entry access to the development which is shared with the business park as they must keep open an open an emergency vehicle access which runs along the southern boundary of the site for tenants of the business park. The applicant has stated that all units have access to this Emergency Vehicle Access and the leases of the existing tenants cannot be amended to take account of a change to the EVA. This reason is itself contradicted by the access road proposal as it in itself makes an alteration to the EVA. On a site visit the security guard at the gatehouse of the business park advised that only two units have access to this vehicular route as permanent bollards are in place to prevent vehicular access to the other units. The Council's solicitors have advised that a simple change to the leases of the existing tenants could be made to alter the EVA and therefore the reason given by the applicant that a single point of access cannot be delivered because the EVA can not be altered, other than as proposed in this application is frankly not true.

The implementation of a junction of this size is clearly not in keeping with the street scene along Station Road and the improvements to the public realm recently implemented by East Berkshire College.

Furthermore there is no consideration to the impact of the flow of traffic on Station Road as this development will lead to an additional major new access and an additional pedestrian crossing. This will have an impact on the flow of traffic on Station Road and lead to greater congestion and delay.

Other Highway Alterations to Station Road

Pedestrian Signal Crossing

- The proposed pedestrian crossing has been sited across the private vehicle access of No.s 52 and 54 Station Road, this would require the stopping up of these accesses to which there is no supporting evidence within the application to suggest that this has been agreed with the owners of this properties. It is therefore unacceptable for the crossing to be sited in this location and it would appear that it can only be delivered at the junction with Alderbury Road;
- The siting of the crossing in this location means the existing bus stop would be located closer to the junction with Alderbury Road. This also has a direct implication for the private access of No. 58 Station Road and would mean that the accessible higher height kerbs would not be able to be provided at the front of the stop as this area is being used as a private access. Therefore the stop could not be made accessible and therefore it would be undeliverable in this location;
- The proposed crossing on Station Road is scaled at 11m in distance, as a straight across crossing with no provision of an island. I would expect to see some form of pedestrian/cycle refuge provided here. Without the island, it is likely that northbound, right turning vehicles will encroach into the ghost island markings over the extents of the signal controlled crossing.
- The crossing should be in the form of the toucan and be designed such that a cycle slip enables cyclists to swing off the northbound carriageway safely onto the toucan crossing leading to the store car park and cycle parking; and
- The width of the crossing between the carriageway studs should be 4m.

Footway Widths

The pedestrian footway on the eastern side of Station Road is proposed to be reduced in width from 3-4m wide to 2m wide. The introduction of the superstore will lead to an increase in pedestrian trips along this footway and in future the Crossrail development will lead to an increase in pedestrian movements and therefore I do not support the reduction in width of the footway. No explanation has been given in the TA to why this has been proposed.

Cycle Lanes

The scheme proposes a 1m wide cycleway along Station Road which in effect replaces the existing facility. The existing cycle lane was implemented many years ago, well before the DfT Local Transport Note 02/08 was published on Cycle Infrastructure Design which advises that the minimum width of a cycle lane should be

1.5m wide. Therefore the developer will need to ensure that the new cycle lanes are a minimum of 1.5m wide. The cycle lane could have extended along Station Road as the local highway authority has secured additional land in accordance with the adopted widening line from East Berkshire College. This could have been achieved along this section of Station Road. The developer should discuss with the local highway authority how the cycle lanes and wider cycle network can be enhanced.

Bus Stops

The northbound stop has been located closer to the junction with Alderbury Road and I am not convinced that this has been located in a safe location and this should be considered in the Road Safety Audit.

The local highway authority's approach in terms of bus stops is not to provide laybys, but locate the cage within the traffic flow as this assists buses from departing the stops and reduces delays. For each of the two stops on Station Road, laybys should be removed.

Shelters and real time passenger information screens should be provided at each stop.

Road Safety Audit

My scoping response to BGH made it clear that a road safety audit was required – no audit has been carried out and therefore I am unwilling to accept the scheme as proposed. The audit should be commenting the junction arrangements, new crossing, location of bus stops close to the junctions, and facilities for vulnerable road users. A revised application should provide a Road Safety Stage 1 Audit of any changes to the existing highway layout. The Road Safety Audit should be carried out by suitably qualified auditor independent to the consultant who has designed the highway layout of the scheme. A list of approved auditors can be obtained from Steve Brocklebank at Slough Borough Council (steve.brocklebank@slough.gov.uk).

Highway Widening Line

There is a highway widening line along the frontage of the development – land within this line should be dedicated to the local highway to be made available for carriageway widening. This line needs to be included on the revised submitted drawings.

Development Layout

Store Location within site

The store is located to the rear of the site, which is the least preferable location for pedestrian and cycle access. The store would be better located on the frontage of the site and in that way could positively benefit the street scene by providing movement and

activity to it, which in turn would help to naturally reduce traffic speeds. The site has been designed for the benefit of car traffic and as a result the pedestrian route is circuitous.

Pedestrian Routes

The main pedestrian route from the site access road to the store entrance does not follow the pedestrian desire line – pedestrians are required to walk along two sides of the triangle and must cross the main route to the service yard. The footway width along the access road is the minimum acceptable standard of 2m. Where the path passes between parked vehicles the footway width will be less than 2m as vehicles will overhang the kerb on both sides, meaning the actual width will be closer to 1m. Taking account the number of pedestrian movements along this path, this is clearly unacceptable and the scheme will need to be re-designed.

Mini-Roundabout

A mini-roundabout is located a distance of 23m from the give way line of the Station Road/site access roundabout, which would allow for 4 vehicles to queue between the roundabouts. From my experience it is highly likely that congestion will form at the mini-roundabout which would lead to blocking back of the Station Road roundabout and onto the surrounding highway network.

The local highway authority has had recent experience of the Tesco superstore in Slough town centre car park that caused long queues on the A4 Wellington Street as a result of the design of the car park access road. As a result a lot of time was spent working with Sainsbury's on their store car park access road layout ensuring that there was considerable stacking distance before vehicles reached the first car park aisle and the highway boundary. A distance of 23m before vehicles are brought to a stop is not sufficient queuing distance in my opinion and will lead to blocking back, delays and congestion on Station Road and surrounding road network. I would therefore recommend a highway objection in relation to the design of the car park access road.

Petrol Filling Station

The development includes a petrol filling station sited in the south west part of the site adjacent to the site access / egress. The petrol filling station has 5 pumps and space for one vehicle under the canopy. Between the edge of the canopy and the edge of the internal access road carriageway there is a distance of 8.5m which can accommodate 1.5 cars, which would mean that that if 2 or more vehicles were waiting for each pump then the access road would be obstructed. Supermarkets are well known to provide cheap petrol and offer regular promotions to attract to their stores and therefore it is a very realistic scenario that congestion will form on the forecourt and access road and in turn would lead to congestion at the mini- roundabout within the car park and in turn lead to

congestion onto the roundabout on Station Road causing congestion and highway safety issues to other road users. As currently proposed the location and siting of petrol filling station is considerable unacceptable.

No tracking has been provided to demonstrate that the petrol tankers can access and service the petrol filling station. Tracking for cars and vans using the petrol filling station should also be provided. Clarification of what types of products will be sold in the kiosk should be set out as this could lead to pedestrian demand in itself and I would want to ensure pedestrian movement to the kiosk from Station Road was as safe as possible.

Access Barrier to Business Park

The access barrier and gatehouse is set back from the carriageway boundary a sufficient distance to allow for an articulated HGV to wait in front of the barrier without obstructing the flow of pedestrians on the Station Road footway.

There is a large turning area within the new business area (to the north east of the gatehouse), presumably this is for vehicles which are refused entry into the business park and provides them a space to turn around. No tracking has been provided to demonstrate that the access or the turning area is fit for purpose. .

Access Gates to Store Car Park

Access gates are shown on the proposed site plan which have been located an insufficient distance from the edge of the highway. As this access serves as the service vehicle access a full 16.5m distance must be provided from the back edge of the informal pedestrian crossing on the east arm of the roundabout. Only a distance of 9m has been allowed which would mean that were a service vehicle to arrive at the site when the gates were closed then the vehicle would not only obstruct the informal pedestrian crossing but also the roundabout which would be a highway safety hazard. Therefore the gates must be moved to a location where 16.5m articulated HGVs can wait fully off the highway if the gates are closed.

There is a gate proposed just off the public highway on the southern access, between both roundabouts. If this gate was closed, and a large vehicle was to turn into this access road, there is insufficient storage space for the vehicle to wait for the gate to open, and it would be half on Station Road roundabout.

Pick up Point

The pick up point within the car park is located in an inconvenient location for drivers. The likelihood is that drivers will take the shortest route to the pick up point which will mean that near side passengers would be forced to get out into the road. Part of the

pickup point is on a corner which will make it difficult for vehicles to manoeuvre into and out of the bay. The location of the pick up bays should be reviewed – I do not follow why the pick up bays are given greater priority to the store entrance than the disabled bays.

Trip Generation

Existing Use

Existing trip generation has been determined from surveys of the site and the results of the surveys have been presented in Tables 3.1 and 3.2. The table is misleading as the sum of the columns do not add up to the totals. It would appear the tables may also include person trips in vehicles and reference is made to the appendices. There are multiple appendices and it is difficult which tables are being referred to - consultant to clarify.

It would be helpful to understand:

- how many of the offices and warehouses were vacant on the site when the surveys were undertaken;
- provide trip generation throughout the day and importantly during AM peak hour for the operation of the business park;
- whether the additional parking being provided for units 7 and 29 will lead to an increase in vehicle trips

Proposed Use

Para. 5.2 of the TA states that vehicular trip rates had been agreed with the local highway authority's consultants (Atkins) that is not actually the case. In scoping response I stated that "trip generation from actual Morrisons' stores is preferred to using trip rates from TRICS. Trip rates will need to include sites with petrol filling stations".

Vehicle trips have been derived from the Morrison's vehicle survey database. Whilst the database groups store locations into three location types – In Centre, Edge of Centre and Out of Centre, no further details are given on the mode split. Therefore whilst the scale and location parameters are met, it cannot be said whether the sites selected in the Morrison's site database meet the comparable accessibility requirement stated in the DfT's Guidance for Transport Assessment (para 4.62) and therefore 85th percentile trip rates are considered appropriate for the two reasons stated within the GTA:

- (i) since the level of public transport and non-car mode travel for sites within such trip databases is often unknown, a true like-for-like comparison is unlikely to be achieved; and
- (ii) it is considered that the use of average trip rates with deductions for sustainability measures could result in overly optimistic trip rates for the proposed development.

In addition, 85th percentile trip rates should be based on the Morrison's database after the sites which are defined as 'in Centre' have been deselected as the development site does not meet this criteria.

Furthermore I require the following further information and changes:

- The spreadsheet showing the Morrisons' data will need to include time periods; and
- The survey dates of the Morrisons' stores will need to be provided;

AM Peak Assessment

A review of the TRICS database has shown that a 4620sqm food store will generate 46% of the two-way trips associated with the PM peak during the AM peak. The TA makes no allowance for the (nominal) increase in parking provision associated with the business park, and therefore there will also be additional trips during the weekday AM and PM peaks.

With the above in mind, the likely trips generated during the Weekday AM peak is likely to create a significant impact on the surrounding local highway network, and therefore an assessment of the weekday AM peak is required. This is particularly the case now that an accident remedial scheme will be implemented at the Station Road/Langley Road/ High Street junction as this may affect capacity of the junction.

Committed Developments

In my scoping response I made clear a number of committed developments that could impact on the proposed development. It would appear that an allowance has not been included with the TA to take account of these. Consultant to revise TA with committed developments included.

The implementation of Crossrail, which will increase the number of rail services stopping at Langley Station and widen the destinations being served is likely to increase all modes of travel to and from the station.

Trip Distribution

It would be helpful for the consultant to provide the trip distribution and traffic assignment spreadsheets for further review to check that there have been no errors in inputting the data. As part of reviewing the traffic flow diagrams there is one error that I have encountered. The numbers in the diagrams for the Saturday flows (Figs 16 & 19) do not correlate with the numbers presented in the text (largely as part of tables 5.1 & 5.6). These total diagrams fail to include 10% Pass-by vehicular trips, in the same fashion that the Friday flows include 30% Pass-by vehicular trips in their totals.

Pass-by trips will still have an impact on the site access roundabout as they will pass through twice and not just once and therefore this needs to be taken account of in the assessment.

Traffic Assignment

The results of the gravity model have been checked based on the zones and road entry points for each zone. The methodology used basically assigns a distribution to each zone based on the population and drive time (with a 7 minute catchment). This ignores the location of other supermarkets in the area which may have an impact on the proposed supermarket catchment area. However a retail assessment of trade draw has not been prepared so it is not possible to determine what impact this is likely to have. The percentage distribution in the Slough zone seems plausible despite the presence of similarly-sized rival supermarkets, the other zones also seem reasonably plausible.

I would like to undertake a further check on how the zones distribute the generated trips onto the road network and for this I would require the consultant's spreadsheet in .xls format.

As part of my scoping response I recommended that 10 junctions should be assessed, however following the submission TA and the traffic assignment exercise it may be necessary for the developer to review the impact on the Spencer Road /Langley Road junction, as this may also be impacted by the development given the high proportion of trips from this part of the Borough.

Base Model Validation

None of the base models for the junctions defined within the study area have been validated against observed conditions. The models therefore do not comply with the Council's 'Junction Modeling Guide for Developers'. It is therefore impossible to determine whether forecast year analysis with or without development flows represents a true reflection of the likely impacts on the highway network. In my scoping response comments it was made clear that traffic queues on the Station Road approach to the Station Road/Langley Road/High Street roundabout extended back to the railway line during the peak hour and therefore it is surprise that the TA states that the queue is only 1 vehicle long. The queue length surveys state that the queue is higher than one vehicle during this in the 17.00-18.00 development peak hour.

During the network peak hour of 16.15-17.15 period on two of the three arms of the junction the queue is greater than 20 vehicles, which means the enumerators were unable to identify the length of the queue. In the submitted analysis of the traffic surveys the network peak has been identified between 16.15 -17.15 and therefore this period needs to be tested. Therefore during those periods it is likely that the junction was operating over capacity

therefore it is at these very periods that the TA should be testing whether the junctions can cope with the development traffic. This has not been done and therefore the submitted junction modeling is not fit for purpose.

Forecast Design Year

It was stated in BGH scoping note that the TA would assess the year of opening and 5 years after the year of opening. Therefore as the application was lodged in July 2013, it is unlikely that the store would be open before Christmas 2014 at the very earliest and more likely beginning of 2015. Therefore providing a base year of 2012 and future year of 2017 is clearly incorrect and does not accord with the consultant's own scoping note. All analysis contained within the TA should therefore have considered impacts under 2019 forecast flows and not the current 2017.

To be robust the hour in which the highest vehicle trip generation occurs should be tested in the local network peak hour because most closely reflects local conditions. The two periods are within 45 minutes of each other and therefore could quite feasibly occur.

Air Quality Assessment

No information has been provided on how many lorry and vehicle movements the existing unit would generate compared to the proposed use and this is of particular concern as there has been no air quality assessment. Although it is stated within the Planning Statement that HGV movements would be less and therefore there was no requirement to conduct an air quality assessment. Until this analysis is provided covering both HGV and vehicles as all vehicles emit emissions then I am unable to advise the Council's Air Quality Officer that this statement is actually correct and that an Air Quality Assessment is not required.

Travel Plan

The travel plan document is of poor quality and must be improved in order for it to meet SBC's travel plan standards and wider transport objectives. Overall the travel plan is lacking in depth and detail, and is not in a sufficient state to be successfully implemented by the end occupier. Therefore significant changes are required and these will need to be made prior to signing of any S106 agreement.

Specific areas of concern that must be improved are as follows:

- A foreword which displays senior management support is needed
- More information is needed on the background to the site its current and past uses and the nature and ethos of the development, including its design, so as to allow the document to stand alone from the application, particularly in

terms of implementation

- A robust site characteristics section is required, drawing together all key information such as site operation, staffing and management, motivations for developing a travel plan, location plan and site layout
- Key information is missing from the 'accessibility' section (incorrectly titled as 'accessibility of the existing store') – such as walking routes in relation to the site access, more detailed information regarding cycling infrastructure and cycle parking at the site, better bus information, and information regarding freight access and movements at the site;
- Baseline modal split and trip generation information is required within the travel plan, in order that the predicted modal split can be assessed in relation to the travel plan. This could be easily compiled from a similar Morrison's development;
- More explicit objectives must be set in order to form a focus for the travel plan for the end occupier, and in order for targets to be set accordingly. Objectives must link with the corporate responsibilities detailed in the document;
- A broader consideration with respect to the travel plans aims and its contribution is necessary
- Targets are not acceptable in their current form, as there is seemingly no robust data upon which they are based. Targets must link directly to baseline data. Targets must also take into account wider local aspirations, objectives and opportunities from the Local Transport Plan;
- I am very concerned that Morrison's is expecting more 70% of staff to drive to the site and that clearly indicates that not enough is being done to encouraging, walking, cycling and public transport use;
- The measures within the travel plan are limited and need to be significantly improved. There seem to be no measures to encourage customers to travel by other modes and this is unacceptable. The staff measures are also very limited and dated;
- All of the timetables submitted are out of date, however I do not want to see them within the revised TA or travel plan as they add very little value. They were out of date even before the submission of the application;
- Staff cycle parking must be separate to the general visitor cycle parking at the development, in a secure area, in order to encourage cycling to work. If Morrisons' currently operate a staff Cycle to Work Scheme, information on this should be included. If not, consideration must be given to setting one up;
- Remedial measures must be suggested, should targets not be met;

- An interim contact at the end occupier must be given, in lieu of there being an appointed Travel Plan Coordinator at the site at present;
- In terms of travel plan monitoring TRICS compliant SAM surveys must be undertaken at the site, funded and commissioned by the developer, at 1, 3 and 5 years, and this must be committed to in the travel plan;
- An Action Plan must be included within the travel plan, this must focus on the implementation and delivery of the travel plan, including responsibilities and timescales; and
- It must be noted in the travel plan that the travel plan implementation and monitoring will be funded by the developer.

If further advice on the above is needed, please consult Laura Wells laura.wells@slough.gov.uk

Once revised and when it meets the approval standard the Travel Plan will need to be incorporated within the S106 Agreement and a Travel Plan Monitoring Contribution of £6,000 to enable Slough Borough Council to work with the store during the minimum 5 year monitoring period of the travel plan should be secured.

Policy Review

The TA and the Planning Statement have both concluded that the proposed development is in accordance with the National Planning Policy Framework. However I have also assessed the application against paragraphs 32 and 35 of the National Planning Policy Framework (NPPF) and my view is that the application does have a severe impact on the local highway in terms of impact on highway safety and the flow of traffic on the adjoining local highway network. Further assessment and a revised access arrangement, highway layout, car park and access road layout is required together with further mitigation is necessary.

Furthermore that the development does not provide any greater priority to pedestrians and cyclists as footways are being narrowed and cycle lanes remain a substandard width. The accident risk for vulnerable road users at the Station Road/Langley Road/High Street junction has been overlooked.

The layout has not been designed to minimize conflicts between traffic, cyclists and pedestrians, as two junctions rather one combined junction has been proposed and therefore there is an increase the risk of a collision between vulnerable road users and vehicular traffic.

No facilities have been provided for charging plug-in and other ultra-low emission vehicles.

Little consideration has been given to the needs of disabled users arriving at the site by non car modes as the footways have been narrowed, the pedestrian routes do not follow desire lines and no pedestrian crossing can be provided at or close to Alderbury Road.

Mitigation

The applicant has offered to make a S106 contribution to improving the pedestrian route towards Langley District Centre, which at recent meeting was confirmed to cover resurfacing of the footway and some signing. Taking account of the scale of the development and the likely increase in vehicle, pedestrian, cycle and public transport trips this is not considered acceptable. Therefore I have outlined some improvements I would expect to see as a result of this development and this is not an exhaustive list as the submitted TA is not considered to have identified all of the impacts of the development.

Junction Improvements

- As stated earlier there is an accident remedial scheme being implemented at the Station Road/Langley Road/High Street junction – the Morrison's development will need to take account of this and there is an opportunity to delivery an enhanced scheme with a contribution from this development. The Morrison's development will lead to a significant increase in vehicle trips passing through this junction and make it harder for vulnerable users to use and cross the junction and therefore this impact will need to be mitigated. In particular the crossing movement over the Langley Road arm needs improvement as there is key desire line from the park along the east of Station road towards the store and taking into account the large proportion of the catchment population living to the southwest of the site in Langley this movement needs to be addressed;
- The current junction modeling that has been submitted is not acceptable and therefore it is difficult to determine at this stage which junctions need further improvement however the Meadfield Road/High Street junction will be affected by the development and mitigation measures are likely to be required;

Pedestrian and Public Realm Improvements

- It has been highlighted above that the proposed pedestrian crossing can not been implemented in the location suggested and therefore the developer will need to identify an alternative location to provide a controlled crossing close to or at the Alderbury Road junction with Station Road as this is a clear design line to the store;
- The public realm along the frontage of East Berkshire College has recently been significantly improved – little consideration has so far been given to the public realm along

the Morrison's frontage and here lies an opportunity to significantly enhance frontage of the development to build on the improvements made by the College;

- The lighting along Station Road/High Street should be upgraded to low carbon bulbs producing white light to enhance the attractiveness of the extended shopping area. Lighting on other adjoining links to residential areas should also be upgraded;
- The footway on Station Road and the vicinity of the Harrow Market should be resurfaced to make pedestrian movement more attractive;
- Footpath along northern boundary of the development should be enhanced in both width, surface quality and lighting to make it more attractive to access the development on foot;
- The footpath leading to the railway station should be enhanced by improving natural surveillance of the path from Unit 8 to improve access to the store from the railway station for staff and customers;

Cycle Improvements

- There is sufficient space on Station Road, taking account of land from within the development site and land recently dedicated to the local highway authority by East Berkshire College to widen the cycle lanes to a width of 1.5m wide which is nationally accepted width (LTN 02/08) for a 30 mph road. Cycle lanes should be provided on the section between the site and Station Road/Langley Road/High Street junction. This will help encourage cycle movement to the store and make cycle trips safer;
- A financial contribution to upgrading cycle facilities on the other routes to the store in order to encourage non-car modes of travel to the store;

Public Transport Improvements

- In my pre-application comments I suggested to BGH that the 4 nearest stops (the 2 on the 58 route and the 2 on the 75/76 route) should be upgraded to include real time passenger information screens at each shelter as a way of making bus services more attractive to those shopping at the store;
- A real time passenger information screen should also be provided within the store in a suitable location so shoppers when buses are approaching the stops as they are located several minutes from the store entrance. A similar screen was implemented at the Sainsburys store on Uxbridge Road in 2010;
- With the relocated northbound stop on station road it would appear that the existing shelter may need to be removed this would be unacceptable. If this stop is to be relocated then the shelter must remain;

- I would expect the developer to provide a new shelter for the southbound bus stop outside of the store and make a financial contribution to the maintenance of the shelter;
- The Sunday services from Uxbridge to Harrow Market are very limited and if any members of staff live on or close to the route they would not be able to catch the bus to the store in time for their Sunday shifts. Likewise customers would also benefit from improved Sundays services to the store on this route and therefore I would recommend that a financial contribution to enhancing Sunday services on the 58 route to an hourly service. Further discussions should be undertaken with the Council's Public Transport officer Matt.Gamble@slough.gov.uk;
- Improvements to the Langley road westbound stop as highlighted earlier in these comments;

Travel Plan

- The current travel plan will need to be significantly enhanced to take account the need of staff and customers.

Summary

It recommend that this application should be refused for the following reasons:

1. The development fails to provide car parking in accordance with adopted Slough Borough Council standards and if permitted is likely to lead to additional and excessive journeys on the highways failing to encourage other non car forms of transport such as walking, cycling and use of public transport. The development is contrary to Slough Borough Council Local Plan Policy T2.

2. The applicant has not provided suitable pedestrian links between the application site and the highway in the absence of such links there is a danger to pedestrians walking to or from the proposed development. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.

3. The proposed means of access to the business park site is inadequate by reasons of its alignment with Alderbury Road to serve the proposed development with safety and convenience. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.

4. The proposed development is premature until such time that the applicant has demonstrated that the application, if approved, will not be detrimental to the safe operation of the adjacent and wider highway network. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.

5. The layout as submitted is unacceptable and as such would result in an unsatisfactory form of development. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.

6. The proposed development is premature until such time that the applicant has demonstrated that the adjoining highway network has sufficient operational capacity to accommodate the additional traffic generated by the proposed development. The development is contrary to Slough Local Plan Policy T1.

7. Holding objection to secure S106 obligations (text to be confirmed)

SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: 17th October 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>
Enf – P/01423/EA	<u>15 Cedar Way</u> ERECTION OF A FRONT EXTENSION TO THE DWELLING HOUSE COMPRISING OF A PORCH AND CANOPY	Appeal allowed, Enforcement Notice quashed and planning permission granted. 3 rd May 2013
P/15377/001	<u>4 Radcot Avenue</u> ERECTION OF A PART SINGLE / PART DOUBLE STOREY SIDE EXTENSION WITH A GABLE ROOF (SINGLE STOREY ELEMENT WITH A HIPPED AND PITCHED ROOF); CONVERSION OF GARAGE TO A HABITABLE SPACE, PART SINGLE / PART DOUBLE STOREY REAR EXTENSION WITH A HIPPED AND PITCHED ROOF (SINGLE STOREY ELEMENT WITH A MONO-PITCHED ROOF INCORPORATING A SKY LIGHT).	Appeal Dismissed 8 th May 2013
P/13100/002	<u>89 Waterbeach Road</u> ERECTION OF AN ATTACHED GARAGE TO THE REAR WITH A PITCHED ROOF.	Appeal Dismissed 22 nd May 2013
P/15283/000	<u>2 Glentworth Place</u> ERECTION OF A TWO STOREY SIDE	Appeal Dismissed 10 th June 2013

	EXTENSION, A PART SINGLE AND PART TWO STOREY REAR EXTENSION ALL WITH PITCHED ROOFS AND CONVERSION OF DWELLING HOUSE INTO TWO SELF CONTAINED FLATS	
P/03798/001	<p><u>29 Merton Road</u></p> <p>DEMOLITION OF EXISTING SINGLE STOREY SIDE PROJECTION TO NO. 29 MERTON ROAD AND ERECTION OF A TWO STOREY FOUR BEDROOM DETACHED DWELLING WITH ON SITE PARKING FOR 2 NO. CARS.</p> <p>The Inspector considered the main issues of the appeal are the effect of the proposed development on the:</p> <p>(a) Character and appearance of the surrounding area; and</p> <p>(b) The living conditions of the occupiers of neighbouring properties with particular regard to outlook from the rear gardens.</p> <p>In respect of the first issue, the Appeal Inspector concluded that the proposed dwelling would be set back in relation to the adjacent properties and would reflect the layout of the properties in the immediate vicinity. In this way, he considered that the greater set back of the proposed dwelling would not appear out of keeping. As many of the properties in the vicinity occupy virtually the full width of their plots, significant gaps between houses are not a prominent feature of the area. Consequently, in this respect the siting of the proposal would not be out of keeping with the area. The proposed development would not remove any of the mature vegetation, but would be located behind it and thus would be largely screened from view. Consequently it would not result in any significant changes to the current streetscene and would not create a greater degree of enclosure.</p> <p>In respect of the second issue the Appeal Inspector concluded that :</p> <p>the distance of the proposed house to the</p>	<p>Appeal allowed subject to conditions</p> <p>13th June 2013</p>

	<p>boundary combined with the intervening vegetation would be sufficient to ensure that the proposal would not be overbearing. As such it would not significantly harm the outlook from the garden of the adjacent property at 27A. Although the proposed development would reduce the garden area of No 29, it would retain a substantial rear garden. As a consequence of this, I am satisfied that the proposed development would not appear overly dominant to the occupiers of No 29 when utilising their rear garden. The garden area of No 29 does not at present have a formal seating area. However, should the occupiers wish to create such an area, the garden area is sufficiently large to enable one to be provided with a pleasant outlook.</p>	
P/02094/007	<p><u>28 Lynwood Avenue</u></p> <p>ERECTION OF A 1ST FLOOR FRONT EXTENSION WITH PITCHED ROOF.</p>	<p>Appeal Dismissed</p> <p>20th June 2013</p>
P/15312/001	<p><u>96 Hazelmere Road</u></p> <p>ERECTION OF A SINGLE STOREY REAR EXTENSION WITH MONO-PITCHED ROOF INCORPORATING A VELUX WINDOW</p> <p>The Inspector allowed the appeal and concluded that the main issue was the effect of the proposed extension on the living conditions of the adjoining occupiers at Nos. 94 and 98, in relation to a sense of enclosure.</p> <p>Supporting reasons:</p> <p>Reasons:</p> <p>1. A mid-terraced two storey property with a planning approval Ref. P/15312/000 for a rear extension to the depth of 3.65m. The application subject to appeal applied for a single storey rear extension to the depth of 4m. The principal difference between the two proposals is that the latter would project 0.35m further beyond the rear wall of the dwelling.</p>	<p>Appeal Allowed subject to conditions</p> <p>2nd July 2013</p>

2. The 4m depth is contrary to Residential Extensions Guideline, Supplementary Planning Documents (SPD) adopted 2010. However; SPD takes site specific factors into consideration as part of determining the maximum acceptable depth in any individual case.
3. Neighbouring properties on either side of No. 96 has had single storey rear extensions built to them. No. 98's rear extension projects 3.5m and No. 96 extension would project by a small amount and would not appear dominant or increase the sense of enclosure for the occupants of no. 98.
4. Neighbouring No. 94 has single storey rear extension which does not extend the full width of the house. As such there is a modest gap between the flank wall of rear extension and the shared boundary wall with No. 96. There are no windows that would look out on this gap and the main outlook is from the windows in the rear extension. In this context the proposed extension would not have an overbearing effect or create an unacceptable sense of enclosure for the occupants of No. 94.
5. Having considered the fallback position which would be to implement the existing planning permission; the additional depth of the appeal proposal would cause no significant difference in the living condition of the adjoining occupants.

Conclusions:

For these reasons the proposal is not considered to be harmful to the living conditions of the occupants of the adjoining properties. The appeal therefore is allowed subject to conditions with regards to time limit, matching material and building in accordance with approved plans.

<p>P/15285/002</p>	<p><u>68 Norway Drive</u></p> <p>ERECTION OF AN ATTACHED TWO STOREY THREE BEDROOM HOUSE AND PART TWO STOREY/PART SINGLE STOREY REAR EXTENSION TO THE EXISTING HOUSE WITH A PITCHED AND HIPPED ROOF AT THE FIRST FLOOR AND A MONO-PITCH AT THE GROUND FLOOR</p> <p>The Inspector considered the main issues of the appeal are the main issues are the effect of the proposal on, firstly, the character and appearance of the host property and the locality and, secondly, the living conditions of neighbours</p> <p>In respect of the first issue the Appeal Inspector concluded the two storey element would be set in on all sides from the single storey part.</p> <p>Roof pitches and a hip would be used. The ground floor element would project a relatively modest 3.6 metres or so and the upper level would be about 2.7 metres outward and under 5.5 metres across the two homes in total. The scheme would certainly partly read as one across both homes but unity of appearance across rear elevations can make a reasonable change to what one often sees as a disjointed approach to building works behind houses. The Appeal Inspector considered the scheme would be not be excessive given its dimensions, design form, the backdrop of the main elements of the homes and the scale of gardens and would not be harmful as a result of the symmetry. The nearest properties are, perhaps unusually, not extended at the rear although looking beyond those in each direction it is obvious that various, not insignificant works, have been undertaken to increase the scale of local homes. Rear building lines vary between different terraces and this run of homes along its rear has no particular prominence from the public realm. In the overall context the proposal would not be jarring on the eye and would not detract from the established character and</p>	<p>Appeal Allowed subject to conditions</p> <p>3rd July 2013</p>
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	<p>appearance of the immediate or wider locality.</p> <p>In respect of the second issue, the Appeal Inspector concluded that: Local people will certainly notice some change when they view in the direction of the appeal site but because of the overall design and scale of the scheme and the separation of the two storey element the Appeal Inspector did not consider that this as unduly imposing or a scheme which would prevent the normal enjoyment of neighbours' rear gardens. The variation in the elevations and the stepping of development which would be seen here is something often found in suburban settings at the rear of properties and the plot sizes here can take the proposal comfortably in this context. Neighbours would not be hemmed-in</p>	
P/15362/000	<p><u>243 Long Furlong Drive</u></p> <p>ERECTION OF A THREE BEDROOM DWELLING HOUSE.</p>	<p>Appeal Dismissed</p> <p>30th July 2013</p>
P/15285/001	<p><u>68 Norway Drive</u></p> <p>ERECTION OF AN ATTACHED TWO STOREY THREE BEDROOM HOUSE AND PART TWO STOREY / PART SINGLE STOREY REAR EXTENSION TO THE EXISTING DWELLING WITH PITCHED ROOF AT FIRST FLOOR AND MONO PITCH ROOF AT GROUND FLOOR.</p>	<p>Appeal Dismissed</p> <p>7th August 2013</p>
P/15404/000	<p><u>100 Elmshott Lane</u></p> <p>ERECTION OF AN EXTENSION TO FORM ADDITIONAL THREE BEDROOM DWELLING WITH PARKING TO FRONT AND AMENITY SPACE TO THE REAR</p> <p>The Inspector identified the main issue as being the effect of the proposal on the character and appearance of the street scene and the local area.</p> <p>The proposal included the provision of a splayed flank wall and angled front wall. Planning permission was refused on the basis that this would be unacceptable in design</p>	<p>Appeal Allowed subject to conditions</p> <p>3rd September 2013</p>

	<p>terms. The Inspector concluded that that the proposal would be of an acceptable design and form, and would be in keeping with the distinctive local group of houses of which it would be part.</p>	
P/06713/002	<p><u>33 Mulberry Drive</u></p> <p>ERECTION OF A PART TWO STOREY/PART SINGLE STOREY SIDE EXTENSION AND PART TWO STOREY/PART SINGLE STOREY REAR EXTENSION, BOTH WITH HIPPED AND PITCHED ROOFS. CHANGE IN THE SHAPE OF THE MAIN ROOF TO INCLUDE A FLAT TOP.</p> <p>Whilst the Inspector thought the development would lead to considerable alterations in terms of the dwelling on this plot, there would be a re-modelling to create a larger somewhat changed profile of a house. However given the shape and scale of the plot, inconsistent building lines both front and rear and the variation of dwellings within the cul-de-sac the project would look reasonable in its setting. Inspector approved the appeal using 6 of the 9 conditions suggested.</p>	<p>Appeal Allowed subject to conditions</p> <p>5th September 2013</p>
P/15400/001	<p><u>18 Laburnham Grove</u></p> <p>ERECTION OF A TWO STOREY SIDE EXTENSION WITH A PITCHED ROOF.</p>	<p>Appeal Dismissed</p> <p>27th September 2013</p>

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MEMBERS' ATTENDANCE RECORD 2013/14
PLANNING COMMITTEE

COUNCILLOR	25/07/13	04/09/13	17/10/13	28/11/13	09/01/14	20/02/14	03/04/14	07/05/14
Carter	P	P						
Dar	P	P						
Hussain	P	P						
Mittal	P	P						
Plenty	P	P						
Rasib	P	P						
Sandhu	Ap	P**						
Smith	P	P						
Swindlehurst	P	P						

P = Present for whole meeting
 Ap = Apologies given
 P** = Present but unable to participate as had not attended required training
 P* = Present for part of meeting
 Ab = Absent, no apologies given

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