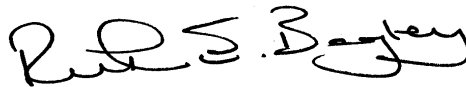


Date of issue: 20th November, 2013

MEETING	PLANNING COMMITTEE (Councillors Carter (Chair), Dar, Hussain, Mittal, Plenty, Rasib, Sandhu, Smith and Swindlehurst)
DATE AND TIME:	THURSDAY, 28TH NOVEMBER, 2013 AT 6.30 PM
VENUE:	FLEXI HALL, THE CENTRE, FARNHAM ROAD, SLOUGH, SL1 4UT
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	TERESA CLARK 01753 875018

NOTICE OF MEETING

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



RUTH BAGLEY
Chief Executive

AGENDA

PART 1

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

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

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	<i>exercising any right to speak in accordance with Paragraph 3.28 of the Code.</i>		
	<i>The Chair will ask Members to confirm that they do not have a declarable interest.</i>		
	<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>		
3.	Guidance on Predetermination/Predisposition - To Note	1 - 2	
4.	Minutes of the Last Meeting held on Thursday 17th October, 2013	3 - 6	
5.	Human Rights Act Statement - To Note	7 - 8	
PLANNING APPLICATIONS			
<i>(Any changes to recommendations will be reported to the Committee on an amendment sheet)</i>			
6.	P/06684/015 - Queensmere Shopping Centre, Wellington Street, Slough, Berkshire, SL1 1LN	9 - 56	Upton
	<i>For member comment only</i>		
7.	P/02523/011 - 27, Cheviot Road, Slough, SL3 8LA	57 - 92	Foxborough
	<i>Officer Recommendation-Delegate to the Strategic Lead Planning Policy</i>		
8.	P/07367/003 - 24, Blenheim Road, Slough, SL3 7NJ	93 - 98	Upton
	<i>Officer Recommendation-Approve with conditions</i>		
9.	P/15524/002 - Former Day Centre Site & Service Yard, Slough, SL1 1DH	99 - 104	Central
	<i>Officer Recommendation-Approve</i>		
10.	P/00176/032 - 392, Bath Road, Slough, SL1 6JA	105 - 126	Haymill
	<i>Officer Recommendation-Delegate to Strategic Lead Planning Policy</i>		
11.	Response by Slough BC to Bucks CC re the Planning Application for Minerals Extraction etc: 13/00575/Cc - Land Adjoining Uxbridge Road, George Green	127 - 144	Wexham Lea

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
12.	P/04317/001 - Land adjacent to Uxbridge Road / George Green, Slough, Berkshire, SL2 5NH <i>Officer Recommendation-Delegate back to Strategic Lead Planning Policy</i>	145 - 166	Wexham Lea
13.	P/06960/017 - Baylis Court School For Girls, Gloucester Avenue, Slough, SL1 3AH <i>Officer Recommendation-Delegate to the Strategic Lead Planning Policy</i>	167 - 182	Baylis & Stoke
MISCELLANEOUS REPORTS			
14.	Deposit Draft of The Slough Trading Estate Simplified Planning Zone (SPZ)	183 - 200	Baylis & Stoke; Farnham; Haymill
15.	Designation of Local Planning Authorities	201 - 204	All
MATTERS FOR INFORMATION			
16.	Planning Appeal Decisions	205 - 208	All
17.	Members Attendance Record	209 - 210	-
18.	Date of Next Meeting - 9th January 2014		-

Press and Public

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

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PREDETERMINATION/PREDISPOSITION - GUIDANCE

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

Predisposition

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

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

Pre-determination / Bias

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

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

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Planning Committee – Meeting held on Thursday, 17th October, 2013.

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

Also present under Rule 30:- Councillor M S Mann

PART I

30. Apologies for Absence

None.

31. Declarations of Interest

None.

32. Guidance on Predetermination/Predisposition

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

33. Minutes of the Last Meeting held on 4th September 2013

The minutes of the meeting of the Planning Committee held on 4th September 2013 as circulated were approved as a correct record subject to confirmation that in respect of Minute No 26, P/14515/005:- 234, Bath Road, Slough SL1 4EE, the decision was as follows:

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 agreed to note that the landmark building was only allowed because it was part of LRCC2 and it should not set a precedent for the rest of the Bath Road frontage.

34. Human Rights Act Statement

The Human Rights Act statement was noted.

35. Planning Applications

Details were tabled in the amendment sheet of alterations and amendments received since the agenda was circulated. The Committee adjourned for ten minutes to allow Members the opportunity to read the amendment sheet.

Planning Committee - 17.10.13

With the agreement of the Chair the order of business was varied so that application P/00437/085: Langley Business Centre, 11-49, Station Road, Slough, Berkshire, SL3 8DS. was taken first, as a registered Objector wished to address the Committee. The Applicant's Agent also addressed the Committee.

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

36. 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.	Delegated to Head of Planning, Policy and Projects

37. 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. 3 bedroom three storey dwellings with rooms in roof space comprising 2 no. x 3 bedroom and 2 no. x 5 bedroom units with associated parking	Approved subject to the conditions set out in the report and a further condition that the 4 new dwellings may not be built until the remaining areas of the development have been substantially completed.

38. P/04888/016: The Octagon Site, Brunel Way, Slough, SL1 1XW

Application	Decision
Erection of 2 no. Linked office buildings (10 no. Floors and 8 no. floors) comprising, 27,000 sqm of internal office floor space (class B1A) with access, parking and servicing.	Delegated to Head of Planning Policy and Projects for completion of S106 agreement, finalisation of conditions and final determination.

(Councillor Swindlehurst did not vote on the item as he was not present when the Officer introduced the report)

Planning Committee - 17.10.13

39. P/06651/075: Unit 2C & Unit 3 Slough Retail Park, Twinches Lane, Slough, SL1 5AD

Application	Decision
Subdivision of Unit 3 to form Units 3A and 3B; the insertion of a mezzanine floor of 743m ² within Unit 3A to be used for sales; the insertion of a mezzanine floor of 465m ² 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.	Approved subject to conditions.

40. P/02619/003: 177, Farnham Road, Slough, SL1 4XP

Application	Decision
Erection of a three storey building with pitched roof on part of existing car park to provide 4 no. one bedroom flats and 6 no. two bedroom flats (class C3) with car parking cycle storage and bin storage.	Approved subject to conditions.

(Councillors Mittal, Rasib and Plenty did not vote on the item as they were not present during the Officer's presentation of the report).

41. 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.	Refused

42. Planning Appeal Decisions

Resolved- That details of recent Planning Appeal decisions be noted.

43. Members Attendance Record

Resolved- The Members Attendance Record for 2013/14 be noted.

Planning Committee - 17.10.13

44. Date of Next Meeting- Thursday 28th November, 2013

Resolved – That the date of the next Planning Committee be confirmed as Thursday 28th November, 2013.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.37 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

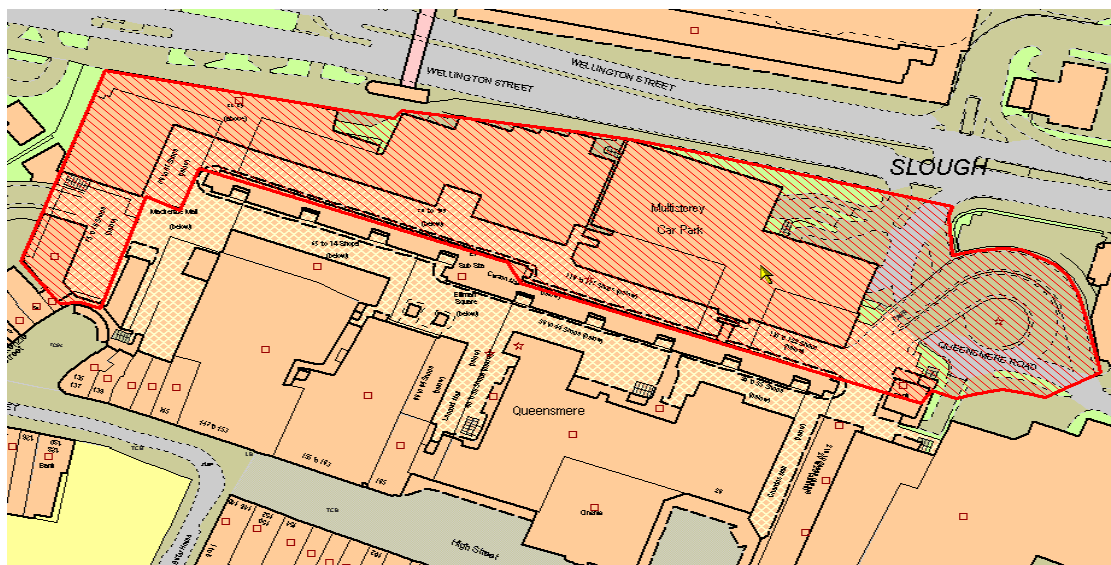
	USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House
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:	21-Nov-2012	Applic. No:	P/06684/015
Officer:	Ian Hann	Ward:	Upton
Applicant:	Slough Shopping Centre LLP	Applic type:	Major
Agent:	Mr. John Blackwell, Cunnane Town Planning LLP 67, Strathmore Road, Teddington, Middlesex, TW11 8UH	13 week date:	20th
Location:	Queensmere Shopping Centre, Wellington Street, Slough, Berkshire, SL1 1LN		
Proposal:	<p>PARTIAL DEMOLITION AND INTERNAL ALTERATIONS/EXTENSIONS TO EXISTING SHOPPING CENTRE AS PART OF A PART NEW BUILD/PART REFURBISHED MIXED USED SCHEME FOR 11, 833 SQ M OF RETAIL INCLUDING THE CREATION OF AN ADDITIONAL 535M² OF A1 RETAIL, 439M² OF CLASS A3 - A5 FOOD AND DRINK , 958M² OF CLASS D2 ASSEMBLY AND LEISURE FLOOR SPACE AND 908 RESIDENTIAL UNITS. THE RESIDENTIAL ELEMENT COMPRISING 632 NO. 1 BEDROOM, 189 NO. 2 BEDROOM AND 87 NO. STUDIO APARTMENTS BEING CONTAINED WITHIN 4 NO. TOWERS OF BETWEEN 14 AND 21 STOREYS PLUS INFILLING DEVELOPMENT ON TOP OF THE EXISTING SHOPPING CENTRE AND A STAND ALONE TOWER OF 21 STOREYS WITH A VIEWING GALLEY ON TOP.</p> <p>RECONFIGURATION OF EXISTING ACCESS AND FRONTAGES ONTO WELLINGTON STREET AND WORKS INCLUDING, ALTERATIONS AND IMPROVEMENTS TO THE ENTRANCES TO THE SHOPPING CENTRE; PROVISION OF AMENITY SPACE AND LANDSCAPING; VEHICLE AND CYCLE PARKING; REFUSE AND RECYCLING STORAGE; PROVISION OF NEW AND/OR UPGRADING EXISTING INFRASTRUCTURE; GROUNDWORK'S AND RE-PROFILING OF SITE LEVELS; ANCILLARY ENGINEERING AND OTHER OPERATIONS AND PLANT AND MACHINERY</p>		

Recommendation



1.0 SUMMARY OF RECOMMENDATION

- 1.1 This application is not before Planning Committee for determination at this stage, but is being presented as an opportunity for Members to make comments on the design of the scheme, which may provide an opportunity for additional changes, should the applicant wish to make any. A further report will be brought to Planning Committee in due course to discuss matters of living conditions for future occupiers, transport and parking, sustainability / environmental issues and financial contributions.
- 1.2 This report will consider the principle of high density flats and the principle of the development in terms of its scale bulk massing height design and external appearance of the development, the impact on the surrounding area including short and long range views, listed buildings and the relationship to the Heart of Slough. These matters all fall under the umbrella of design and need to be considered so that any changes will not have a detrimental impact upon surroundings properties and the character of the area.
- 1.3 It is recommended that the views of this Committee in relation to the design and appearance of the development be recorded, that such views be relayed back to the applicant and be incorporated in a final report which will be presented to this Committee at the earliest opportunity.

PART A: BACKGROUND

2.0 Application Site

- 2.1 The subject of this application consists of two shopping centres The Queensmere and The Observatory Shopping Centres which are spread over circa 54,000 square metres and consist of 124 retail outlets, restaurants and cafes, plus a ten screen cinema and a health and fitness club. The centres are situated approximately five minutes' walk to the south of Slough railway station and bus station. The main landmark between the station and the site is the large Tesco Extra which is situated to the north of the site on the opposite side of Wellington Street.
- 2.2 The site is located between Wellington Street to the north with Tesco Superstore beyond and the railway and bus stations further to the north. The High Street is to the south of which the western part is defined as the Slough Old Town Area, with residential properties further to the south. The area to the west of the supermarket is to be developed as an office scheme which is part of the Heart of Slough development. To the west of the site is Our Lady Immaculate and St Ethelbert Church which is a grade II Listed Building. The area immediately to the south of the church is to be

redeveloped for the Curve building which is again part of the Heart of Slough development.

2.3 The proposals are centred around the northern side of the Queensmere Centre facing onto Wellington Street returning along the pathway between the application site and Our Lady Immaculate and St. Ethelbert Church. This area of the site which is the subject of this application has retail units, including the old Woolworths unit, toilets and entrances into the shopping centre at ground floor level with multi-storey car parking levels above. The entrance to the car park is also accessible from this side of the shopping centre.

2.4 The application site covers an area of approximately 3.51 hectares between High Street and Wellington Street, Slough and is located within the Town Centre and Town Centre Shopping area as defined within the Slough Local Plan 2004 and is an allocated site within the Slough Local Development Framework, Site Allocation Development Plan Document, November 2010 (SSA14). The site currently has 37,000M² of retail floor space and 7,300m² of office floor space, although planning permission has been granted to convert the office space into residential flats and is currently being implemented.

3.0 Proposal

3.1 This application seeks permission for the partial redevelopment of the Shopping Centre to create and enhance the retail offer at Queensmere Shopping Centre with improved pedestrian entrance onto Wellington Street and the provision of residential units above the centre with their own amenity space and to provide a landmark development. The scheme is intended to compliment the Heart of Slough development, reinvigorate the town centre area of Slough and act as a generator for further development. Various amendments have been made to the scheme since it was submitted and the following reflects the current application.

3.2 In terms of the retail elements of the proposals this application seeks to add the additional floor space:

- 353m² retail use
- 439m² food, drink and restaurant use
- 958m² assembly / leisure use

The changes to the shopping centre involves the creation of 6 large A1 retail units, 5 of which will have first floor elements, and 4 accessed directly from Wellington Street. There will be two entrances from Wellington Street that will access the mall directly. The façade of the shopping centre facing onto Wellington Street will be redesigned so that the retail units facing onto Wellington Street

will have window displays replacing the existing blank and uninviting elevations that act as a barrier to the High Street from the north of the site.

3.3 The proposals also sees the western side of the shopping centre redesigned so that an additional larger retail unit will be located close to the Mackenzie Mall entrance to the centre and 4 no. units created for café, restaurant and takeaway uses. An additional entrance into the shopping centre will be relocated within this elevation of the building. The current toilets in this location are to be moved into the basement of the shopping centre under a planning application for enabling works to the curve building that is to be built under the Heart of Slough works. The area outside of this location will be repaved with outside furniture and planting would be provided between the shopping centre and the Curve building.

3.4 The other element of this application sees the provision of 858 flats with the accommodation break down as follows:

- 581 X 1 bedroom flats
- 230 X 2 bedroom flats
- 47 X studio

These residential units would be provided within 4 towers above the existing shopping centre, with additional units at four stories between each tower block, returning along the western side of the building. The 2nd and 4th floors of the development would see amenity space provided for the occupiers of the flats. The towers will range between 15 and 19 stories in height and will be accessed from their own entrances from Wellington Street and opposite the Church. The submitted plans also include a plan for a stand alone tower at the eastern end of the site which is currently occupied by a tall chimney. The towers will have separate coloured cladding with the entrances having matched coloured entrances.

3.5 The existing Queensmere car park will be reconstructed to provide an additional 26 car parking spaces to take it to a total of 625 spaces over 4 floors accessed from the existing ramp into first floor level. The spaces will be allocated in the following way:

- Retail – 600
- Visitors to retail uses and disabled – 21
- Car Club spaces – 4

No car parking spaces will be provided for the residential element of the scheme. Storage will be provided for 908 cycles for residential use.

3.6 Vehicular access to the development will be from the existing service area which will be accessed from the same vehicle ramp as

that for the car park although cars and service vehicles will be kept apart on the ramp.

3.7 Following discussion amendments have been made to the plans and submitted on a “for information basis” at a height of between 14 and stories with 625 flats with the accommodation broken down as follows:

- 331 X 1 bedroom flats
- 294 X 2 bedroom flats

As well as the change in the breakdown of the accommodation the plans have been amended so that the following has now been changed since the original submission:

- Double height retail frontages on the eastern end of the site.
- Removal of cladding around the podium levels.
- Provision of some private balconies.
- Entrance cores for the residential element going down to ground floor.
- Heights of towers stepping up from eastern end of the development and then back down towards the Church
- Different fenestration
- New layout for amenity space.
- Internal alterations to reduce the length of corridors.

This amendment also sees the stand alone tower at the eastern end of the site removed from the proposals. While there may be some desire for this to follow at a later date this will necessitate the need for a separate planning application which will be considered separately should one be submitted. These plans have been submitted on a for information basis to help shape the discussions around design.

3.8 Any permission would be built over 7 phases as follows-

- Phase 1 – western end of the shopping centre 123 units
- Phase 2 – to the east of phase 1 187 units
- Phase 3 – between 1st and 2nd tower 24 units
- Phase 4 – middle of the shopping centre 154 units
- Phases 5 & 6 – eastern part of the shopping centre 300 units

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

- Application Form
- Plans
- Environmental Impact Assessment & Appendences
- Design & Access Statement
- Townscape Impact Assessment

- Visual Impact Assessment
- Heritage Impact Assessment
- Planning Statement and Retail Assessment
- Parking Survey Report
- Transportation Assessment & Appendices
- Residential / Workplace Travel Plan Framework
- Servicing Management Plan
- Site Waste Management Plan
- Flood Risk Assessment
- Daylight / Sunlight / Overshadowing Report
- Air Quality Assessment
- Noise Assessment
- Contaminated Land Risk Assessment
- Statement of Consultation
- Utility Statement
- Sustainability Statement
- Energy Statement

4.0 Planning Background

4.1 There have been aspirations for some years to achieve a radical comprehensive development of key sites within Slough in a way that would deliver significant change to the infrastructure and appearance of the area. Recognition that the town centre was not fulfilling its full potential as a community and leisure area was reflected in Slough's Millennium project in 1995. The *Local Plan For Slough, 2004* also recognised the inadequacy of the town centre and the potential for its redevelopment.

4.2 The perceived problems within the town centre included:

- Substantial areas of land are dominated by public highway, including the wasted area of the sunken A4/William Street roundabout;
- Severing effect of the A4, with pedestrians forced to use subways and cyclists not catered for in a safe manner;
- Lack of focus and identity or sense of entering the Town Centre;
- Poor architecture and lack of landmark buildings at one of Slough's principle gateways;
- Poor pedestrian and cycle links between the railway station and town centre/shopping centre;
- Bleak unwelcoming environment outside Slough Station, with muddled usage patterns on forecourt areas;
- Poor unwelcoming environment in the Bus Station and at bus stops outside the Queensmere shopping centre; and
- Lack of integrated rail/bus/transport interchange.

4.3 As a result the Council and its partners have promoted the "Heart of Slough" comprehensive regeneration scheme in order to alleviate

the problems identified above and regenerate Slough Town Centre and have started to be implemented with the highway changes along Wellington Street and creation of the new bus station. The next stage in this campaign is the construction of the Curve building to act as a new library, education facilities for adults, a café and a cultural centre for the town and work will soon start on this building. The proposals which are the subject of this application look to fit into the wider Heart of Slough scheme.

- 4.4 In order to inform the Core Strategy which was adopted in December 2008, the Council commissioned a Retail Assessment from Colliers CRE in January 2007 which considered the current and future role of the town centre. This concluded that Slough town centre is experiencing a significant leakage of retail expenditure to competing centres, retaining just 30% of market share of comparison goods expenditure within the defined core catchment area. This loss of market share and the associated decline in goods sales and shopper population is forecast to continue in the absence of an additional and improved retail offer within the town centre.
- 4.5 Following on from this report the Core Strategy identified the need to improve the range and attractiveness of Slough's retail offer to consumers and sort to positively enhance the role of the town centre by ensuring that all new major retail and leisure facilities are located within it. The redevelopment and reconfiguration of the Queensmere and Observatory shopping centres are therefore pivotal in achieving this and improving the competitiveness of Slough Town Centre as a retail destination over other competing centres.
- 4.6 Therefore in order to establish the principles for comprehensive redevelopment or reconfiguration of the shopping centres allowing it to contribute to the wider regeneration proposals of the town centre and encourage further investment in the town centre the site was included in the Slough Local Development Framework Site Allocations Development Plan Document in November 2010 (site reference SSA14). When considering the site for inclusion in the site allocations document the refurbishment and reconfiguration of Queensmere Shopping Centre was seen as central to the wider regeneration of Slough Town Centre to help to reinforce the role of the town centre retail area in keeping with its sub-regional status in the South East Plan (now withdrawn) and to build on the town centre 'Art at the Centre' initiative and Heart of Slough proposals. It was further considered that through redevelopment and reconfiguration the amount of retail floorspace in the centres could be increased and enhanced.
- 4.7 The site allocation document also acknowledged some of the constraints of the sites where the current layout of the site closes off the historic north-south routes from Mackenzie Street to the High

Street, limited pedestrian access between the railway station and High Street (although this has been improved via the implemented Heart of Slough road infrastructure works.

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

- Create a internal pedestrian link between the Queensmere and Observatory shopping centres (this has now been achieved through the extended T.K. Maxx store)
- Improve the retail and leisure offer around the Town Square through change of use of key units and improved retail offering
- Link to the Heart of Slough through provision of a western entrance to the shopping centre, and access to residential units above the centre
- Create active frontages along the A4 Wellington Street and St Ethelbert's Church frontage
- Remove the service ramp to the Prudential yard in coordination with the Heart of Slough proposals for the area
- Improve pedestrian links to the bus and train stations via Wellington Street
- Rationalise multi-storey car parking provision and its links to the centres and Wellington House
- Redevelop the western end of the Queensmere Centre adjacent to St Ethelbert's church, including improved retail units, residential accommodation above the centre and removal of the toilet block
- Transform the Wellington Street frontage to create an urban boulevard with tree planting, improved north-south route connection to the town centre, active retail frontages and access to residential accommodation above the retail units
- Aim to reduce the negative impacts of construction upon existing businesses and on the quality of life for residents and users of the town centre by appropriate phasing and implementation

4.9 A Development Brief was produced in 2007, on which the Council is broadly supportive of the key proposals including the comprehensive redevelopment and reconfiguration of the shopping centres incorporated an element of high density residential development into the scheme. The brief indicates four phases/parts to the development:

- Part 1 – redevelopment of Queensmere multi storey car park, new retail, basement parking and residential units above
- Part 2 – redevelopment of western end of Queensmere

- centre of new retail and residential above
- Part 3 – Design solution for Wellington Street frontage and design code for soft and hard landscaping
- Part 4 – Proposal for vehicular connection between Wellington House and Observatory car park.

Two broad locations for new build are identified. The first being redevelopment of the existing multi storey car park and retail below, taking the form of two residential blocks above replacement extended and improved retail space. One of the towers would be 12 storeys above the retail equating to a total height of 15 storeys. The other would be 8 – 10 storeys above the retail, equating to a height of 11 – 13 storeys. A lower connecting residential block 6 -7 storeys above the amenity deck is also proposed. The vertical emphasis created by these blocks would balance the current horizontal emphasis onto Wellington Street.

The second location is above Queensmere shopping centre adjacent to Prudential Yard and the listed church. Retail will be provided at ground and mezzanine levels with a frontage to Wellington Street. Residential development above will be at a height of 8 – 9 storeys above the retail stepping down to 4.5 storeys above ground floor adjacent to the listed church.

Wellington Street would be enhanced through a use of modern and robust hard and soft landscaping in accordance with a design code.

4.10 The Council is supportive of the principle of the comprehensive phased redevelopment of the shopping centres including and supported by residential development.

4.11 The design brief was then used as a basis for a planning application which was considered by Planning Committee on 15th January 2008 reference P/06684/013 for the following scheme:

“Demolition of part of the Queensmere shopping centre and redevelopment to provide 3,019 sq metres of Class A1 retail floorspace together with associated alterations to pedestrian access arrangements to the shopping centre and demolition and redevelopment of existing service road with construction of a roof above”.

This application was subsequently approved after being delegated back to officers to finalise a Section 106 Agreement in November 2008. This permission has now expired.

4.12 Prior to this the last planning permission for the extension of the shopping centre was in July 1997 when planning permission was granted for the following (reference P/06684/008):

REFURBISHMENT AND EXTENSION TO EXISTING SHOPPING CENTRE COMPRISING: (1) INFILLING OF THE GROUND FLOOR AREA BETWEEN THE CINEMA COMPLEX AND EXISTING RETAIL UNITS ADJOINING TOWN SQUARE TOGETHER WITH CHANGE OF USE OF PART OF EXISTING PROPERTY FOR RETAIL (A1) AND/OR RESTAURANT (A3) PURPOSES; (2) ERECTION OF SINGLE STOREY SHOP UNIT ADJOINING CINEMA AND OTHER GROUND FLOOR EXTENSIONS; (3) ALTERATIONS TO EXTERNAL APPEARANCE AND ENTRANCES; (4) REPAVING TOWN SQUARE, MCKENZIE STREET AND PARTS OF THE HIGH STREET (5) REMOVAL OF PLANTERS IN TOWN SQUARE AND CERTAIN PLANTERS ON THE HIGH STREET; (6) REMOVAL OF FOUNTAIN AND PUMPS IN MCKENZIE STREET

4.13 All other planning history relates to signage and small scale alterations to the shopping centre.

4.14 Wellington House is the office building which occupies part of the site. Planning permission was granted for the conversion of part of the building known as the annex into residential accommodation in December 2010 (reference P/03167/020) and has been carried out.

4.15 Planning permission was then refused for the conversion of one of the floors of the main office building into residential accommodation in October 2011 (reference P/03167/021). This refusal was appealed when it was dismissed in November 2012 due to the impact on the future occupiers in terms of lack of sunlight, daylight and outlook.

4.16 Most recently planning permission was approved for the following (reference P/11826/005):

CHANGE OF USE OF PART 1ST FLOOR FROM CLASS B1 (A) OFFICE TO CLASS C3, CHANGE OF USE OF 2ND FLOOR FROM CLASS B1(A) OFFICE/CLASS D1 NON RESIDENTIAL EDUCATION CLASS C3 RESIDENTIAL AND CHANGE OF USE OF 3RD TO 5TH FLOORS FROM B1(A) OFFICE TO CLASS C3 RESIDENTIAL. ERECTION OF A 6TH FLOOR FOR CLASS C3 RESIDENTIAL USE TO CREATE A SEVEN STOREY BUILDING CONTAINING A TOTAL OF 100 FLATS, COMPRISING, 2 NO. STUDIO FLATS, 76 NO. x ONE BED FLATS AND 22 NO. X TWO BED FLATS. PROVISION OF CYCLE AND BIN STORES ON REAR SERVICE DECK AND ROOF TOP COMMUNAL GARDEN.

5.0 Consultation

5.1 The consultation responses relating to design issues on the scheme are listed below as they are relevant to this report.

5.2 **ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD**

The building heights proposed in this application will drastically alter the skyline visible from Windsor Castle. In relation to Windsor Castle and Home Park, the Heritage Impact Statement submitted by the applicants indicates that: “The proposal would be sited some 3 km away. It would be visible in skyline views from the sensitive North Terrace and the Great Windsor Park. It would rise above the existing horizon and would result in a new skyline for the Town. The colour and articulation of the central three towers are likely to have an unusual blank presence on the horizon. The proposal will result in significant adverse impact.”

The submitted Visual Impact Assessment Document considers that the proposals would have a significant adverse impact from North Terrace and a Moderate adverse impact from Copper Horse. Mitigation is described as ‘articulation of gable façades of central three towers’. Whilst there are a number of tall buildings in the Slough area, the magnitude of the recorded negative impact of the proposals on views from Windsor Castle and Home Park are considered unacceptable. This intrusion into the skyline would potentially alter and damage the character of the view from Windsor Castle and Home Park

The Council raises an objection in relation to the heights of the buildings proposed – up to 108m. This is significant and runs contrary to the principles set out in the Heart of Slough Development Brief that was adopted in 2007 and the subsequent Slough Core Strategy and Slough Site Allocations DPD. The Council therefore urges Slough Borough Council not to grant approval for this development unless it is satisfied through further consultation with English Heritage regarding significantly enhanced mitigation measures.

5.3 **HERITAGE CONSULTANT**

This is a very considerable scheme and should presumably be read in conjunction with the Heart of Slough programme. It has to be accepted that the scale of development in the town centre and across the railway dwarfs the town centres few listed buildings, the railway station and the two affected by these proposals. It is also evident that the Council is committed to a virtual reconstruction of the town centre on a very large scale with many towers providing flatted accommodation and this scheme follows on from those north of the railway station and those intended for the Heart of Slough. However the Council has identified an Old Town Area which will be protected from development on this scale within its boundary. I note concern in the design and access statement to safeguard the church's setting and the group of Local List buildings in Mackenzie

Street and the High Street, although obviously the tower blocks will dominate long views. The heritage asset statement suggests design changes to the elevations overshadowing Mackenzie Street and the Local List buildings along the High Street and I believe these changes have been made.

At present the area east of the church and presbytery is pretty grim and I welcome making this area more vibrant and the intention of introducing A3 type uses along this west side of the development should potentially enhance the currently somewhat degraded setting of the listed buildings. I note that the development has considerably fewer stories at this end of the scheme in deference to the scale and setting of the church and its presbytery. This is also welcome.

Accordingly the scheme should add some stimulating architecture to the town centre, improve the aspect to Wellington Street and ensure, in townscape terms a less inward looking development and an enhanced setting for St Ethelbert's church. In listed building setting terms the scheme is considered acceptable. In terms of impacts on Local List buildings their settings will not be as enhanced as that of the church and presbytery due to their relationship to the taller tower blocks.

5.4 **ENGLISH HERITAGE**

We do not wish to offer any comments on this occasion. The application) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

5.5 **THAMES VALLEY POLICE**

There are no police objections to this application but comments regarding crime prevention and community safety are below:

Main Access Control - The communal entrances to blocks of flats should form a line of defence acting as a physical barrier to access for outsiders and all five blocks should be fitted with an access control system with an electronic lock release with entry phone and video 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 also act as a line of defence against bogus callers.

The method of mail delivery must be designed in from the start and this can be problematic with large numbers of flats. Tradesman buttons are no longer acceptable and must not be used. Royal Mail require them to operate until at least 2pm which in the town centre would be disastrous and on no account should be fitted. 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.

Defensible Space Within Block - With this amount of flats in high rise blocks there should be some control over access between floors. It should not be possible, once in the block, to access all floors. There is no need for this and it actively encourages crime and anti social behaviour.

Access control systems can limit the levels of access that is permissible e.g. a resident on the first floor should not have access up to the nineteenth floor. This will provide residents with some defensible space and allows them to take control of their floor. There are examples of flatted blocks nearby in Slough that have continuous crime and anti social behaviour problems where access is uncontrolled throughout the block. So much so that expensive retrofitted CCTV and manned guarding have had to be implemented to try and reduce the anti social and criminal behaviour.

Crime is always easier to commit where offenders are not recognised as strangers. Consequently, they will take opportunities to offend where they are likely to benefit from this anonymity. People expect to see strangers in what in effect will become semi public space, so there is a natural tendency to ignore them, providing the offender with the anonymity, and the opportunity, to commit offences. In semi public spaces, everyone has a legitimate excuse to be there, and wrongdoers become indistinguishable from legitimate users. Because of this, many people are less inclined or able to recognise problems or, more significantly, to intervene when they occur. It is much easier to ignore anti-social behaviour in public areas over which individuals have little control than in more private areas.

Ideally each floor should have its own access controlled doors but there should at least be some control every few floors. This will encourage residents to take control of their own corridors and act as capable guardians.

Public Viewing Platform – I cannot find any indication in the application as to how access to this public viewing platform is to be controlled. Whatever means of access is finally decided it must not compromise the security and safety of the residents.

Secured by Design Standards – All communal entry doors to blocks and individual flat entry doors should be to BS PAS 24 standard. This is the minimum entry level for security tested doors. These standards should also apply to the commercial element of this block and all exterior glazing should include a laminate pane.

If the development committed to achieving at least Part Two of the Secured by Design Award most of the above points would be covered.

CCTV - There is no mention in this application of any consideration to install any extra public, or private CCTV cameras. If this application is permitted then there will be a large increase in activity in the town centre. This will include night time economy activity and as such care should be taken that vulnerable areas such as the communal residential entrances to the blocks should be covered by public CCTV.

I would also recommend that CCTV be installed within the residential blocks. Unfortunately due to the high number of residential flats, there is a strong potential for offenders to be living within the development. Other large flatted developments have suffered anti social behavior, drug dealing along corridors / gathering points such as stair wells, and ground floor entrance areas. Also if the post delivery is via a post box system for each flat by the main entrances, these can be targeted for criminal damage and theft. The areas that should be covered are the communal post boxes inside the main entrances; inside ground floor entrances and communal hallways at ground level; ground level stair/lift core areas and cycle storage as a minimum.

6.0 Neighbour Notification

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

Queensmere : 1 -122
High Street : 16 to 339
The Observatory : 1-46b
Brunel Way : Tesco Stores Ltd and Occupiers Thames Trains
Mackenzie Street : 1-9a
Windsor Road : 1-51
Beechwood Gardens : 1-99
Osborne Street : Stephenson Court, Richard Dodd Place
Victoria Street : 2-107
Park Street : 4-77 inc Bishops Copurt, Spruce Court and Bembridge Court
Alpha Street North : 2-51b,
Alpha Street South : 44-75
Hencroft Street North : 1-55,
Hencroft Street South : 34, 59,
Herschel Street : 1-58
Church Street, : 1 – 77 inc Buttler House
Chalvey Park : 2-18
Burlington Road : Look Ahead, Burlington Court, Ibex House

Burlington Avenue : 1-3
 William Street : Prudential Buildings
 New Square : 2-30
 Moorstown Court : 1-23
 Chapel Street : 9-10
 Buckingham Gardens : Brisbane Court
 Bronte Close : 1-40
 Grays Place : 31-75 inc The Junction, Automotive House and Roman House.
 Mill Street : 64, Noble Court, foundary Court, Headington Place
 Stranraer Gardens : 38-47
 Stoke Gardens : 10, 1-5 Brostol Way
 Stoke Road : 1-25
 Wellsley Road : 15-80
 Wellesley Road : 2-106
 Wellesley Path : 201/215
 Wexham Road : 2-44 inc Milford Court and Neo Appartments.
 Rye Court : 1-12
 Stratfield Road : 1-133 inc Duncansby House
 Merton Road : 1-11
 The Grove : 6-12 inc Amazon and Pechiney House
 Richmond Crescent : 1-72
 Wellington Street : 100
 Leith close : 1-60
 Whittenham Close : 1-15 Slough Interchange Industrial Estate
 Albion Close : Sun Chemical and Manrose Manufacturing
 Petersfield Avenue : Lion House

6.2 There has been three letters received as a response of the neighbour consultation raising the following issues related to this report:

- High rise buildings in the centre; the heart of Slough, is an over-development and is a backwards step. The five high rise buildings will be the tallest in the town and will completely overshadow St.Ethelbert's and the attractive Curve. The plans are not in keeping with its surroundings and are completely out of scale with all surrounding buildings.
- Do the blocks have to be so high? They will only provide an eyesore similar to those in parts of London where it is now excepted that high rise blocks of this type are not the solution and hence why many are being demolished.
- The whole place is an eye sore and should be done correctly to bring it in to the 21st century or not done at all. Slough has a big chance to change its image with a real complete overhaul with landscaped pedestrian areas grass/ trees and new shops
- If the focus is to build 5 large flats which is just an eye sore then we need to think again. Cross Rail comes in 2018 which

could make slough a huge investment potential, we really must get this right or we will lose this massive potential to put slough on the map

These matters are discussed in the report below.

- The consultation by Criterion has been woeful. Their application only includes comments from the stand they had in the underused shopping centre over two days and a handful of comments from some leaflets. This limited consultation resulted in 135 comments – this is not representative of a town of over 200,000 residents. Looking in the application, there are no comments included from the online consultation portal. The consultation part of the application is clearly incomplete and inadequate.

While legislation currently states that developers undertaking major applications should engage in pre application consultations with the public and the Localism Act 2011 states that consultation should be genuine, responsive and demonstrable but does not stipulate how such a consultation should be done. Therefore although considered by some to be inadequate a consultation exercise has been undertaken and complies with the Localism Act 2011. This however did not inhibit the consultation undertaken by the council as part of their duty under the Planning Act where a full and comprehensive consultation exercise was undertaken, as documented above.

6.3 A petition has been received with the following citation:

“We call on Slough Council's planning committee to REFUSE permission for the development of five high rise residential flats (9 - 21 storeys in height) on the high street on the following grounds: a) it would have a significant detrimental impact on the visual amenity in the centre of Slough b) the density of accommodation would create huge stresses on community facilities such as schools and health provision; and c) the proposals are an overdevelopment which adversely affect the urban environment around the town centre, making it harder to bring business to the high street.”

This petition has been signed by 72 people (5 of which are anonymous) but no addresses are given so it is not possible to verify where the people who sign the petition live.

6.4 A representation has been received from Barclays Bank who want no harm caused to their presence in the shopping centre as a result of these proposals and have agreed a better frontage and visibility so to better integrate Barclays into the proposed scheme. They support the principle of the proposed development to support the socio – economic regeneration of Slough.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 At this stage the report will only focus on the principle of high density flats in this location and the principle of development in terms of its scale bulk massing height design and external appearance, its impact on the surrounding area including short and long range views, listed buildings and the relationship to the Heart of Slough. This report concentrates only on those national and local planning policies application which are related to such issues and are listed below:

- **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 3 (Housing Distribution),
 - Core Policy 4 (Type of Housing),
 - Core Policy 6 (Retail, leisure & Community Facilities)
 - Core Policy 8 (Sustainability and the environment)
 - Core Policy 9 (Natural, built and historic environment)
 - Core Policy 11 (Community safety)
- **Adopted Local Plan for Slough 2004**
 - Policy H7 (Town Centre Housing)
 - Policy S1 (Retail Hierarchy)
 - Policy S8 (Primary and Secondary Frontages)
 - Policy EN1 (Standard of Design)
 - EN3 (Landscaping Requirements)
 - Policy EN5 (Design and Crime Prevention)

7.2 The main planning considerations are considered in this report is as follows:

- Principle of a Mixed Use development
- Design
- Impact on surrounding area including listed buildings
- Relationship to Heart of Slough

The following issues will be considered in a later report when Members will be asked to determine the application:

- Living conditions for future occupiers
- Transport and parking
- Sustainability / environmental issues
- Financial contributions

8.0 Principle of a Mixed Use Development

- 8.1 The site is identified on the Local Development Framework Proposal map as within the shopping and Town Centre area. Policy S8 (Primary and Secondary Frontages) of the Local Plan for Slough (2004) identifies the Queensmere and Observatory as Primary Shopping Frontages in Slough Town Centre.
- 8.2 The proposed development is expected to build on the Heart of Slough Proposals. The redevelopment of the Queensmere and Observatory Shopping Centres was identified in the Heart of Slough Development Brief (April 2007). The principles established in the Heart of Slough brief tie into the Site Planning Requirements for the redevelopment of the Queensmere and Observatory Shopping Centre.
- 8.3 According to the Site Planning Requirements as outlined in section SSA14 of the Slough Site Allocations DPD the redevelopment and/or reconfiguration proposals should:
- Create an internal pedestrian link between the Queensmere and Observatory Shopping Centres.
 - Improve the retail and leisure offer around the Town Square through change of use of key units and improved retail offering.
 - Link to the Heart of Slough through the provision of a western entrance to the shopping centre, and access to residential units above the centre.
 - Creative active frontages along the A4 Wellington Street and St Ethelbert's Church frontage
 - Remove the service ramp to the Prudential Yard in coordination with the Heart of Slough proposals for the area
 - Improve pedestrian links to the bus and train stations via Wellington Street
 - Rationalise multi-storey car parking provision and its links to the centres and Wellington House
 - Redevelop the western end of the Queensmere Centre adjacent to St Ethelbert's church, including improved retail units, residential accommodation above the centre and removal of the toilet block.
 - Transform the Wellington Street frontage to create an urban

boulevard with tree planting, improved north-south route connection to the town centre, active retail frontages and access to residential accommodation above the retail units.

- Aim to reduce the negative impacts of construction upon existing businesses and on the quality of life for residents and users of the town centre by appropriate phasing and implementation.

- 8.4 Paragraph 1.5 of Slough Site Allocations DPD states that “the council will in principle support any development or use of land that is in accordance with the use proposed for it. In practice this means that a planning application that complies with the Site Planning Requirements, policies within the Development Plan and other regional and national guidance as appropriate, will be approved unless the details of the scheme are unacceptable or there are other material considerations that indicate otherwise”
- 8.5 The principle of the redevelopment of the Queensmere and Observatory Shopping Centre to present a high density mixed use scheme which complements the town centre is supported through the Slough Site Allocations DPD. Also the principle of the proposal was agreed at Planning Committee in September 2009. This is in accordance with Core Policy 1 (Spatial Strategy) which states that high density development should be located in Slough town centre. It is the most sustainable and accessible location for high intensity generating development. This proposal could be a catalyst for further regeneration of Slough Town Centre which would improve the overall image of the area.
- 8.6 The Retail assessment commissioned by Colliers CRE on behalf of Slough Borough Council (2007) identified that Slough is leaking expenditure to nearby town centres. The principle of improving the quality and scale of the shopping centre was established in the Core Strategy 2006-2016 DPD (2008). This was implemented through the identification of the Queensmere and Observatory Shopping Centre as in the Site Allocations DPD (2010). This is a key site identified for regeneration.
- 8.7 In terms of the residential element the Council supports the principle of the development of flats in the town centre above the shopping centre. This is in compliance with Core Policy 4 (Type of Housing) which states that high density housing should be located in Slough Town Centre. However there are concerns regarding the mix and design of these units which will be discussed later in the report.
- 8.8 Whilst the development is being advised as a retail led development which in principle can be supported in planning terms,

the scale of retail development would be very modest when compared to the scale of residential development. As such the Council will need to ensure that the residential element of the proposal delivers the range of social, economic and environmental benefits which would normally be expected from a development of the scale and type proposed. These elements will be considered as part of a future report.

8.9 **The Principle of Retail**

There have been revised proposals for the retail element since August 2007. The current application proposes a reconfiguration of the retail facade so that the retail face of the Queensmere centre is redefined. The Design and Access Statement submitted by the applicant's states that this will include additional 1152 sqm of new retail space, new retail frontages to over 60% of the retail units at the northern face of the centre and reconfiguration and refurbishment of over 4,000 sqm of existing retail space.

8.10 Core Policy 6 (Retail, leisure and Community Facilities), states that all new major retail, leisure and community developments will be located in the shopping area of the Slough Town Centre in order to improve the town's image and to assist in enhancing its attractiveness as a Primary Regional Shopping Centre. The proposal is in compliance with Core Policy 6 (Retail, Leisure and Community Facilities) and National Planning Policy Framework (NPPF) which supports sustainable economic development to deliver the homes, business and industrial units.

8.11 This proposal for the comprehensive redevelopment and reconfiguration of the shopping centres will have a positive impact on the vitality and viability of Slough Town Centre. Officers fully support the retail element of this proposal and believe that Slough will benefit from the investment into the centre by improved retail facilities and offer available to the community and improved retail experience of the Queensmere and Observatory shopping centres. This will also attract new tenants to the shopping centre.

8.12 Currently Queensmere Shopping Centre suffers from a weakness of an entrance focal point due to the blank frontages on Wellington Street. By opening these frontages up it will address these concerns and it will create a street frontage with more activity on Wellington Street along the frontage and people will know there have arrived at the shopping centre. It will also provide a gateway to the town from the A4 Bath Road and the main route from the train station. This is in conformity with the site planning requirements set out in the Site Allocations DPD (November 2010). Along with the lack of retail destination Queensmere and Observatory shopping centres also is lacking the attractiveness of the shopping centre and retail offer. By improving the retail façade

and additional retail floorspace this will improve the retail offer and attract more footfall to the shopping centre which will have a knock on effect on the vitality and viability of the Town Centre.

- 8.13 There have already been improvements to the shopping centres by creating new linkages within the centre, by way of internal works which allows the through movement between the centres. This is positive as it opens up the Observatory shopping centre and improves the design and layout which has increased permeability.
- 8.14 **The Principle of Residential**
As set out in paragraph 7.7 above the proposals for a high density flatted development within the town centre area complies with local planning policy, however concerns are expressed as to the scale and mix of the residential scheme.
- 8.15 Although the Council has supported residential as part of the proposal we have not agreed to 858 units. The specific site allocation SSA14 (Queensmere and Observatory Shopping Centres) refers to the development brief produced in 2007 and that the Council were broadly supportive of the key proposals in the document. This envisaged that there would be 474 residential units. The latest Annual Monitoring Report 2012-13 (AMR) identifies that there is a 5, 10, 15 year housing supply and the Borough is on target to meet our housing allocation before the end of the plan period. Therefore the Council are not reliant on the 858 units being delivered to meet the Borough's housing target
- 8.16 Core Policy 3 (Housing Distribution) states that a minimum of 6,250 dwellings will be provided in Slough between 2006 and 2026. There will be a minimum of 3,000 dwellings in the Town Centre. As stated above there is no objection in principle to the development of flats in Slough Town Centre which will provide a new resident population. The principle of residential above the shopping centres was established through the Core Strategy 2006-2026 DPD and the Site Allocations DPD.
- 8.17 Whilst there is high housing need in Slough and these units will contribute to the housing supply, there is a need to ensure that high density development is not provided at the expense of good design, housing quality and mix, in line with the requirements of the National Planning Policy Framework
- 8.18 The submitted Design and Access statement detailed the housing mix which was 70 percent one bedrooms with the remainder provided as studio and 2 bed unit. While this has changed to scheme still consists of predominantly 1 and 2 bedroom units. This is in conflict with the National Planning Policy Framework and the supporting text in the Core Strategy 2006-2026 DPD. Paragraph 7.53 states that "*the Core Strategy has to ensure that there is a*

wide choice and mix of housing to meet local needs". There is high housing need in Slough for family homes and these units providing predominately 1B flats will not meet this need. The Heart of Slough Development Brief has a vision for town houses and flats with amenity space not smaller flats. The mix of housing and in particular the high concentration of one bed units was raised as a concern by the Berkshire Design Panel, the Council's external design advisers and is equally of concern to officers.

8.19 No objections are raised to the principle of a mixed use retail and housing development on the basis that the site is allocated for such development in the Council's adopted Site Allocations Document. However, given the more modest parameters as set out in the earlier design brief for the site and Council's Site Allocation DPP, there are concerns about the scale quality and mix of the housing development being proposed and which is discussed in more detail below.

8.20 There are some concerns that Officers have with regards to the living conditions of future occupiers especially with regards to the accommodation on the podium between the towers but this will be considered fully when living amenity is considered with other matters at a later stage.

9.0 Design

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 This application was referred to the Berkshire Design Panel in December 2012. The Berkshire Design Panel is an independent panel who assess and comment on major schemes such as the one proposed. The use of such panels is encouraged in the National Planning Policy Framework. The panel on this occasion was made up of Tina Frost, Chris Bearman (architects) and Ben Van Bruggen (Planner / Urban Designer). The scheme that was considered by the Design Panel was that originally submitted, and although some changes were made after the panel's decision is in line with the model supplied and described in sections 3.2-3.4 above with later changes as set out later in this report for information purposes. A full copy of the report is attached at appendix A.
- 9.5 With regards to the design and layout of the proposals the design panel had the following comments to make:
- "The principle of increasing residential accommodation in the town centre is supported. The Council will however need to assure themselves that the type, mix and quality of the proposed homes is right and will support the regeneration of the town. The units are significantly weighted toward small one bedroom and studio living. The desire to attract new residents to Slough on the back of improved infrastructure, including Crossrail, is understandable. However, as Slough becomes better connected to other areas, including those in greater London, the choice, range and quality of potential new homes becomes greater. This development will be competing to attract residents alongside new developments in other towns (including those in greater London which will increasingly be subject to minimum space standards). A rebalancing of the

provision of homes and greater thought about the quality of the proposed accommodation will ensure that the development is successful in the short and long term and contribute to a lively and attractive town centre.”

While the overall height of the proposed development did not concern the panel, there is little evidence that the scheme is responding to a coherent approach to composing the towers on the site; how they respond to each other in terms of proximity and relationships to the medium and longer range views. For such a significant development which is considerably higher than the surrounding development we feel that this clear strategy is required. The development is very large and complex in its levels and the interrelationship of different elements and uses....This will not be the only tall building in the area and the proposed development will have to work alongside its emerging context. The development should be matched with a clear vision as to how it responds to the town centre. We note the urban design analysis that has been undertaken but it is difficult to see how this has informed the architecture

The desire to turn the A4 at this point into a street rather than a road solely for vehicles, is welcome, and we feel the development goes a long way in achieving a successful active frontage at this point.”

A full copy of the report is attached at appendix A.

9.6 As already stated earlier in this report the Council are supportive of the concept of residential development in the town centre, subject to it being of appropriate type mix and quality. The current application seeks to have the following housing mix :

- 581 X 1 bedroom flats
- 230 X 2 bedroom flats
- 47 X studio

Whilst such provision will significantly increase the numbers of people living in the town centre and have some positive economic spin off for the town centre, the concentration of such a large number of smaller dwellings, particularly if managed on the basis of short lets, could give rise to varying social problems and anti social behaviour. A rebalancing of the housing mix may bring positive benefits, in terms of meeting housing need, improvements to the social mix and integration and for design.

While some changes have been made to the original scheme following the design review the applicants still consider that the type, mix and quality of housing reflects the anticipated local demand for the Town Centre. However no evidence has been

produced to support this position-

- 9.7 While the panel stated that there was no overall concern with regards to the overall height of the development concern was raised by the with regards to their being little evidence that the scheme responds to a coherent approach to having towers on the site, how they respond to each other and impact upon medium or long views. The applicants have failed to show that such an approach has been properly identified.

This a view which is further expressed by the Council's external design consultants and in response to which the towers and their respective heights have been reordered and the free standing tower at the eastern end has been deleted from the most recent proposals that were issued for information. However, notwithstanding the changes which are to be welcomed, in terms of height the proposed towers pay little more than lip service to the maximum heights of the office scheme as approved as part of the Heart of Slough on the former Brunel Bus Station site (Dev Sec buildings) formed by the higher edge of the tick design.

Notwithstanding the above and given the advice offered by the Berkshire Design Panel and the Council's own external design advisers, officers would advise that there is not a strong case to be argued on grounds of height alone.

As would be anticipated from a development of the scale proposed the architects have sought to create its own design. The scheme has undergone a number of design amendments. It relies heavily on the use of colour as a means of identifying individual towers. Balconies and fenestration help to create some horizontal emphasis to the individual towers and help to create a better balance between the vertical and horizontal planes. The lift towers now stretch to ground level on Wellington Street providing some interaction between the residential towers and the street. The introduction of shop display fronts to Wellington Street, some of which will be double height, will create an active frontage to Wellington Street, which will bring positive benefits. Changes to the design of the retail frontages has been simplified and now integrates better into the over design concept.

The Council's external design advisers have advised a complete rethink on the design strategy for Queenmere. In response to the concerns raised the applicants have made a number of changes to address some of the more detailed concerns and have gone some way to addressing the issues. What is clear is that the applicant is not prepared at this stage to instigate a fundamental rethink on the design strategy. Some of the more fundamental changes include the removal from the planning application of the freestanding tower at the eastern end of the site and a subsequent reduction in the

total number of dwelling units, a reordering of the tower sequence, a simplification of the retail frontage to Wellington Street, and a better interaction between the residential towers and the street. A revised pallet of external materials has been submitted with a view to improving the design quality.

The key issue for Officers and Members is whether or not the latest set of amendments are sufficiently transforming in design terms to obtain the support of Officers and Members.

It is the view of officers that a development of the height scale bulk and massing can only be accepted if the resulting development is of a quality and design which reaches the highest possible standards and whilst the amendments submitted to date do move in the right direction, the scheme as it currently stands falls somewhat short of achieving the very highest standards of design.

- 9.8 The design panel looked further at the layout of the development and how it would work with the surrounding transport links and High Street, which is all important for a retail led redevelopment, where the following points were made:

“The links from the station and car parks to the High Street will be critical to the success of any town centre. On the current plans the main route by which this can be achieved is via a newly created passage between St Ethelbert’s and the Queensmere. This will require the removal of the service ramp that is currently at this location, and the general reordering of the servicing arrangements. It is not yet clear how this critical linkage at the southern end of this route as it joins Mackenzie Street will be achieved. The development team and the Borough Council will need to work together to ensure this is accomplished.

The shopping centre development will perform best if it can stitch into the existing fabric of the town. This might not be easily achieved, but the proposal contains the right elements to allow this to happen successfully. The improvement of the access into the shopping centre from the north west is welcomed, this area of the existing centre is particularly poor. The location of this entrance should respond to the clear desire lines that exist in the area as people approach the town centre from car parks north of Wellington Street. This is not fully incorporated in the planning of the area and could be better refined to reflect the needs of customers.

The opportunity to access the shopping mall from Wellington Street without having to pass through an individual retail unit should be further explored. The easier the connection into the Queensmere the more appealing it will be for potential customers. If designed in an appropriate way this could also offer the centre more significant and attractive presence onto the A4. The natural point for this

connection to be made would seem to be where the centre addresses Brunel Way and the station.”

9.10 The current proposals show the link to be between St Ethelbert’s Church, the shopping centre and curve community building will also be situated along this passage way. This passage way will be improved by the removal of the existing service ramp as part of the Curve enabling works. Additional plans have been provided to show how this important access way would be laid out and shows the area to be relatively well planted with a selection of cycle parking and seating areas. The area will be further improved with the units facing onto the passage way being used as restaurants, cafes and takeaways providing an active frontage and help to make the access way more welcoming. It is understood that the link between the buildings to lead to and from the passageway by St Ethelbert’s Church will not be amended under this proposal and the existing access way will be used. Any additional changes relates to buildings outside the control of the Applicant’s so no further changes could be undertaken under this application. The point with regards to the links from the station and car parks to the High Street being critical to the success of the town centre is accepted by the Council.

9.11 The council have employed architectural consultants who undertook a review of the design of the proposed building and discussed issues with the applicant’s to try to make some improvements, some of which are incorporated in the above changes although their report summarised the following:

“At our initial meeting the applicant showed good intent to amend the design to address the Planning Department and Design Panel’s concerns, but this was not reflected in their subsequent submission of drawings. Our conclusion is that the concerns raised by the SE regional Design Panel, the Planning Department, and by us have not been adequately addressed by the applicant during this process.

While the proposed alterations constitute an improvement, and a move in the right direction, they do not constitute the fundamental review, or fresh start that the Design review panel have recommended.

We agree with the S.E. Regional Design panel’s review of this application. They expressed “concerns about the quality of the proposed development and do not support the application in its proposed form”

We also note that this review would have been more productive if it was carried out at an earlier stage of the project, when major changes could be made with a minimum of wasted time and effort.”

A full copy of the report is attached as appendix B to this report.

9.12 As previously stated officers support that fact that the shopping centre will have a frontage to Wellington Street and therefore allow the shopping centre to link the High Street to the north and not act as a barrier that is the current situation. However the opportunity should be taken to ensure that identifiable and strong links are created to allow the shopping centre to tie into the area to the north rather than forcing people to go through the retail units to get into the shopping centre and High Street beyond and an additional entrance should be located in this area directly in line with the pedestrian desire lines from the north.

9.13 This opportunity should be taken to ensure that the links are provided to allow a retail regeneration of the area but the current proposals do not allow this to happen. Pedestrian penetration is an important design concept in any scheme of development and every effort should be taken to ensure strong linkages between the shopping centres, town centre and rail and bus stations

10.0 Impact on the Surrounding Area

10.1 The National Planning Policy Framework outlines the following points.:

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal” (para 129)

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional” (Para 132).

“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”.

Core Policy 9 states that “Development will not be permitted unless it:

- Enhances and protects the historic environment;
- Respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations;”

- 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 Given the Heart of Slough context, the introduction of tall buildings in this location as a principle is not opposed subject to such buildings being of a high quality design. However, there would be significant visual impacts when assessing the development from key viewing points. These impacts are assessed in the applicant’s Visual Impact Assessment and are summarised below:

Negligible Impacts:

- East end of the High Street
- St Bernards School Conservation Area
- St Marys Church
- Entrance to Herschel Park

Adverse Impacts:

- Park Street At Herschel Street (2 views)
- Church Street At Herschel Street (2 views)
- A332
- Windsor Castle – North Terrace
- Windsor Castle – Copper Horse

- 10.6 These adverse impacts are to the south of the site impacts upon the amenity of the High Street and the adjacent residential areas due to the expanse of southern elevations of the second, third and fourth towers as well as the south elevation of the west wing. The setting of Windsor Castle, an internationally significant building and settings, is also affected as the proposed towers would rise above the existing horizon and would result in a new skyline for the town. The colour and articulation of the central three towers are likely to have an unusual blank presence on the horizon. Attempts have been made to soften the impact caused by massive blank elevation by inserting colour onto the elevation to match the colour insert in the rest of the tower. However it is considered that the simple use of colour does very little to actually break up this vast blank elevation but simply colour it so that it stands out more in the skyline. A more intelligent solution should be sought to overcome this issue to truly break up the elevations should be sought to ensure that there is no impact upon the surrounding area and on longer views to the south. The development will change the skyline of the town and great care needs to be taken to ensure that it will not have an adverse impact upon the surrounding area and these current proposals fall short on this point.
- 10.7 The proposal site is surrounded by several heritage assets including:
- Church of Our Lady and St Ethelbert and St Ethelbert's Presbytery (Grade II Listed Building)
 - 1-7 Mackenzie Street (Locally Listed Building)
 - Properties in High Street (Locally Listed Building)
 - Properties in Windsor Road (Locally Listed Building)
 - Slough Old Town
- 10.8 At present the area east of the church and presbytery is pretty unwelcoming and does not benefit the setting of a listed building and the renovation around this area will make it more vibrant and the introduction of A3 type uses along this west side of the development should potentially enhance the currently somewhat tarnished setting of the listed buildings.
- 10.9 Accordingly the scheme should improve the aspect to Wellington Street and an enhanced setting for St Ethelbert's church. In listed building setting terms the scheme is considered acceptable. However in terms of impacts on locally listed buildings their settings

will not be as enhanced as that of the church and presbytery due to their relationship to the taller tower blocks and the uninteresting elevations that will face onto these properties as stated above.

- 10.10 The proposals would have an impact upon the overshadowing experienced on Wellington Street but would not be a big difference that that currently experienced and should not be a significant impact. Likewise the proposals would have a negligible impact upon Wellsey Road in terms of loss of day light and sunlight.
- 10.11 The applicants also own Wellington House which is the office building on the same site as the Queensmere Shopping Centre and raises 5 floors above the shopping centre, which is in the process of being converted into residential accommodation (2 no. studio flats, 76 no. x one bedroom flats 22 no. x two bedroom flats) as well as a new floor on top of the existing building with a roof top garden. This results in residential development having habitable room windows that would be approximately 15m from the new development. This would result in an unacceptable degree of overlooking and adversely affecting the outlook for the new proposed residential development and therefore impact upon these flats which have the potential to be created and have an adversely detrimental impact upon the amenity of these properties.
- 10.12 The proposed development is also close to the former O2 building to the east but as this is a commercial building is not afforded the protection residential buildings are given in terms of loss of light and therefore no objections are raised with regards to the impact on this building
- 10.13 It is therefore considered that the proposals fail to provide a scheme which will not have any adverse impact upon the surrounding area and the surrounding buildings as this scheme does.

11.0 Relationship with Heart of Slough Proposals

- 11.1 As previously mentioned, this site is located adjacent to the 'Heart of Slough' proposal. The Heart of Slough, includes Thames Valley University; the existing Library site, the Day Centre, St Ethelberts church site as well as The Brunel Bus Station and Compare House. In total the Heart of Slough will provide 1,598 new dwellings; 48,708sqm of (Class B1 use) office space; an 120 bed hotel; a new bus station (; 6,085sqm of Community floor space (Class D1 use) including provision of a new library, Class A1 retail use and Class A3 café/restaurant, Class A4 use (pubs/bars), Class D2 use (Leisure) and associated public realm and parking.
- 11.2 The Development Brief for the Heart of Slough, which was prepared

in November 2007, includes a number of points that are relevant to the proposed application. One of the strategic objectives of the Brief is to ensure that the A4 frontage acts as an “address street” for the town. This means that the character and environment of Wellington Street needs to be improved to provide an appropriate setting for the high quality office, educational and cultural buildings that will front this main street. Building lines should follow the boundary of the street block to reinforce and define the character of Wellington Street.

11.3 The changes to the frontages facing Wellington Street as discussed above are therefore considered to be of benefit to the Heart of Slough as it provides an active frontage and improves the appearance of the frontage at ground floor level, as outlined above. This element of the scheme can be supported in the terms that it helps improve the setting for the Heart of Slough. Further works improving the appearance and the setting of Wellington Street will also go further to help improve the setting for the Heart of Slough.

11.4 The Heart of Slough Development Brief also states that “At the junction with Brunel Way, the height of the corner building on the bus station can increase to around 10-12 storeys subject to respecting the overall height cap of 54m. This will be a landmark building marking views of the Heart of Slough along the western approach.” The building at this point is in 2 separate sections and building 1 is ground plus six stories high and building 2 is ground plus thirteen stories high and has been designed to have a distinctive sloping roof rising to a point on the Brunel Way frontage. The highest point is 65m tall which exceeds the cap proposed in the Heart of Slough Brief but this was considered acceptable because of the specific design and it was considered that it would not set a precedent elsewhere. The proposed tower elements on top of the Queensmere stand a maximum of 70.6m and will therefore be taller than the consented office buildings, who’s tallest point is a small point on top of a pyramid design and the proposed towers will dominate over the Heart of Slough development and have an adverse impact upon this major development.

11.5 **Summary and Conclusions**

The principle of a mixed use development comprising retail and residential is acceptable, subject to the development achieving the very highest design standards. Notwithstanding the amendments made to the scheme, it is not considered that scheme meets such standards and that a complete rethink of the design strategy needs to be made. Whilst the introduction of tall buildings in this location is considered to be acceptable there are no substantive mitigation measures in place to minimise local impact on for instance the High Street, nor long range views from Windsor Castle.

Whilst the retail improvements are to be welcomed the scale of the retail development/improvements fall short of what can reasonably be expected as a truly retail led development.

The scheme as it currently stands misses an opportunity to improve linkages between the town centre, shopping centre bus and rail stations. Good pedestrian penetration is key to a successful design.

PART C: RECOMMENDATION

12.0 **Recommendation**

- 12.1 It is recommended that the views of this Committee in relation to the design and appearance of the development be recorded, that such views be relayed back to the applicant and be incorporated in a final report which will be presented to this Committee at the earliest opportunity.

APPENDIX A

South East Regional **Design Panel**

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29 January 2013

Dear Mr Hughes

QUEENSMERE SHOPPING CENTRE, SLOUGH (REF: 06684/015)

Thank you for inviting the Berkshire Design Panel to review the proposed development at the Queensmere Centre, Slough. The Panel had the opportunity to visit the site ahead of our meeting at the Observatory, Slough. We are grateful to you and Paul Stimpson of Slough Borough Council for your introduction to the site and its context, and to Sundeep Bhavra of GA&A Design for his presentation.

The Panel are concerned about the quality of the proposed development and do not support the application in its proposed form. We have particular concerns about the quality of the accommodation for future residents. This development will have a major impact on Slough, and given its size and significance could set the tone for the future image of the town. The Panel do not have an objection to the overall height of the development, but rather how this quantity and mix of development is composed on the site, which currently appears to lack a clear rationale. A clear approach to the distribution of development across the site, and greater attention to the quality of life for future residents in the design of the apartments, open spaces and communal areas will be needed to address these concerns.

BACKGROUND

The Queensmere Shopping centre is one of two retail malls at the heart of Slough town centre. The centres are bounded to the south by High Street and to the north by the A4/Wellington Street beyond which are the train and bus stations. Over recent years a great deal of investment has been made into the street network around Slough, most notably the removal of the A4-A332 roundabout. This and the improvement works to High Street evidence the Borough Councils intention to regenerate the town centre, through an increasingly diverse mix of uses and higher quality of environment.

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The location of the shopping malls and their introverted nature effectively cuts off the town centre from the north. The current proposal looks to reanimate Wellington Street with new retail frontage and reconfigure some of the shop formats. The majority of new development however will happen above the shopping centre where 900 predominately one and two bedroom units are proposed. As currently planned these flats are arranged into series of four towers up to 20 storeys in height above the centre and a single tower of 21 storeys on top of the car parking ramp. The remainder of the residential units will be arranged in lower blocks along the street edge between the towers.

DEVELOPMENT APPROACH

The principle of increasing residential accommodation in the town centre is supported. The Council will however need to assure themselves that the type, mix and quality of the proposed homes is right and will support the regeneration of the town. The units are significantly weighted toward small one bedroom and studio living. The desire to attract new residents to Slough on the back of improved infrastructure, including Crossrail, is understandable. However, as Slough becomes better connected to other areas, including those in greater London, the choice, range and quality of potential new homes becomes greater. This development will be competing to attract residents alongside new developments in other towns (including those in Greater London which will increasingly be subject to minimum space standards). A rebalancing of the provision of homes and greater thought about the quality of the proposed accommodation will ensure that the development is successful in the short and long term and can contribute to a lively and attractive town centre.

While the overall height of the proposed development did not concern the Panel, there is little evidence that the scheme is responding to a coherent approach to composing the towers on the site; how they respond to each other in terms of proximity and relationships and to medium and longer range views. For such a significant development which is considerably higher than the surrounding development we feel that this clear strategy is required. The development is very large and complex in its levels and the interrelationship of different elements and uses. We would have found a physical model extremely helpful and, in our view, it would highlight the issues of scale and massing, as opposed to height. This will not be the only tall building in the area and the proposed development will have to work alongside its emerging context. The development should be matched with a clear vision as to how it responds to the town centre. We note the urban design analysis that has been undertaken but it is difficult to see how this has informed the architecture.

The desire to turn the A4 at this point into a street, rather than a road solely for vehicles, is welcome, and we feel the development goes a long way in achieving a successful active frontage at this point.

LAYOUT AND CONNECTIONS

The links from the station and car parks to the High Street will be critical to the success of any town centre. On the current plans the main route by which this can be achieved is via a newly created passage between St Ethelbert's and the Queensmere. This will

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require the removal of the service ramp that is currently at this location, and general reordering of serving arrangements. It is not yet clear how the critical linkage at the southern end of this route as it joins Mackenzie Street will be achieved. The development team and Borough Council will need to work together to ensure this is accomplished.

The shopping centre development will perform best if it can stitch into the existing fabric of the town. This might not be easily achieved, but the proposal contains the right elements to allow this to happen successfully. The improvement to the access into the shopping centre from the north west is welcomed, this area of the existing centre is particularly poor. The location of this entrance should respond to the clear desire lines that exist in the area as people approach the town centre from car parks north of Wellington Street. This is not yet fully incorporated in the planning of the area and could be better refined to reflect the needs of customers.

The opportunity to access the shopping mall from Wellington Street without having to pass through an individual retail unit should be further explored. The easier the connection into the Queensmere the more appealing it will be for potential customers. If designed in an appropriate way this could also offer the centre more significant and attractive presence onto the A4. The natural point for this connection to be made would seem to be where the centre addresses Brunel Way and the station.

QUALITY OF LIFE FOR FUTURE RESIDENTS

A particular area of concern of the Panel's relates to the quality of the proposed residential accommodation, which is currently very poor. There is little evidence that the quality of residential accommodation has been considered in the design. There are clearly some considerable constraints relating to the existing structure below. Each of these issues will require great design skill to make it work. In our view, a fresh start on these elements is required.

The quality and size of the residential units themselves are poorly considered. There are, for example, a large number of single aspect north facing units which directly overlook the heavily trafficked A4 (in some instances these flats are over 10m deep with only a single window). These will not be hospitable living spaces; this is further exacerbated in certain locations where they are located directly above three storeys of naturally ventilated car parking. We feel the planning of residential layout needs to be reconceived. There are splendid and far reaching views south across Slough towards Windsor, this could be a unique asset but unfortunately is ignored by the proposed layout. More could also be made of the communal areas which are currently undervalued.

The entrance to blocks and communal areas, especially given the large number of units that are served by each entrance, needs careful thought. The entrance to the eastern block above the car parking ramp is particularly constricted and is unlikely to be a welcoming space. Once within the residential areas the majority of homes are accessed via very long corridors with private flats on both sides. These long corridors with little or no natural lighting will not be pleasant environments and gives the development the feel

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of a hotel or municipal accommodation such as halls of residence. This form of development affects perceptions of safety and security, as well as issues of ownership and identification with your own home and front door; all of which will affect the attractiveness of the new homes for potential residents and the quality of the overall development. We feel the housing layout would benefit from being reviewed against the principles of Secure by Design.

Considering each of these elements from the perspective of future residents would also give an insight into how successfully they will operate, and therefore how attractive they will be to occupiers. Day to day issues such as visitor parking and access, furniture and bulky goods deliveries and refuse storage and removal should also be tested. The decision to provide no car parking will need to be fully examined; the Panel are not in a position to comment on the viability of this aspect in detail.

The prominence of the location and scale of the building should be matched with a corresponding increase in architectural quality. We are yet to be convinced that the proposed design will fulfil this role as significant new development in the town. The composition and height of the towers, the development relationship to its context including the listed church, the relationship between the different uses, and more careful application of colour and materials could each have considerable scope to positively improve the architectural design. The incorporation of balconies and private open space to all apartments could also start to help in this regard.

As currently planned the areas of communal open space add little value to the development. If positively planned these areas could be attractive and functional spaces. They currently suffer from lack of enclosure and from exposure to the service yards to the south. We feel there is potential for a new form of development which would allow for the screening and enclosure of the deck. Testing of the microclimate of these areas will also be required to ensure they will be hospitable.

Future adaptability of the residential and retail development needs to be considered as the needs of users and occupiers change. Given the long delivery timescale the demands of future residents are likely to shift over the life time of the project. The scope for the development to adapt in accordance with these changes should be considered at this stage.

Do contact us if there is anything in this report that is unclear and please keep us in touch with further progress with the project.

Yours sincerely



ROBERT OFFORD
Panel Manger

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cc Roger Kirkham, Slough Borough Council
Ian Hann, Slough Borough Council
Paul Stimpson, Slough Borough Council
Paul Reynolds, Atkins (on behalf of Swale Borough Council)
John Blackwell, Cunnane Town Planning
Sundeep Bhavra, GA & A Design

Panel members present: Tina Frost (Meeting Chair), Chris Bearman, Ben van Bruggen

This review was commissioned by Slough Shopping Centre LLP with the knowledge and agreement of the Slough Borough Council.

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Queensmere Shopping Centre
Design Review
14 November 2013

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1 Purpose of Report

Atkins have been engaged by Slough Borough Council to advise and assist their Planning Department in assessing the current Planning Application for Queensmere Shopping Centre. This advice is limited to an Architectural design only.

It was agreed that our assistance would consist of discussions with the Applicant's Architects, to give them an opportunity to properly address the council's concerns. Meetings would be held where we offer feedback and observations on the design, leading to the improvement of the scheme.

This report is our feedback to the Planning Department of this process. Its purpose is to give decision makers the confidence and information to support high quality designs or to resist poorly designed schemes that do not meet the needs of the community.

2 Summary of Report

At our initial meeting the applicant showed good intent to amend the design to address the Planning Department and Design Panel's concerns, but this was not reflected in their subsequent submission of drawings. Our conclusion is that the concerns raised by the SE regional Design Panel, the Planning Department, and by us have not been adequately addressed by the applicant during this process.

While the proposed alterations constitute an improvement, and a move in the right direction, they do not constitute the fundamental review, or fresh start that the Design review panel have recommended.

We agree with the S.E. Regional Design panel's review of this application. They expressed "concerns about the quality of the proposed development and do not support the application in its proposed form"

We also note that this review would have been more productive if it was carried out at an earlier stage of the project, when major changes could be made with a minimum of wasted time and effort.

3 Record of the Review Process

A Meeting with Planning department	(8th October 2013)
B Desk review of the application	(10th October 2013)
C Initial Meeting with Applicant and their Architect	(14th October 2013)
D Follow up meeting with Applicant and their Architect	(30th October 2013)
E Submission of Amended scheme	(11th November 2013)
F Assessment of Amended scheme	(12th November 2013)

Meeting with the Planning Department

(8th October 2013)

Held at: Slough

Present: Paul Stimpson, Ian Hann – Slough Borough Council
Paul Reynolds, Kaare Nielson, Stuart Hill – Atkins

Slough representatives introduced the scheme, outlined their concerns about the application, and handed over copies of the documentation. The model was also viewed, and it was agreed that we would assist them by having design discussions with the Applicant's Architects. In order to give them an opportunity to properly address the council's concerns. Meetings would be held where we offer feedback and observations on the design, leading to the improvement of the scheme. This would be carried out prior to the Planning Committee meeting at the end of November, and Atkins would prepare a report on the outcome of this process.

Desk Review of the Application

(10th October 2013)

A review was carried out and the following broad issues were identified:

It is clear that this is a major development, its size and significance will set the tone for the future image of Slough.

The history of the consultation and application was reviewed, and the evolution of the design over a period of more than five years was viewed. It was evident that there was a level of coherence and order to the original 2008 scheme which has been diluted in the process of arriving at the current scheme.

There is little evidence that the scheme is responding to a coherent approach to composing the towers on site, for such a significant development a clear strategy should be required.

It is difficult to see how the urban design analysis undertaken, has informed the architecture. The quantity and mix of development as composed on the site appears to lack rationale.

A clear approach to the distribution of the development across the site (massing) would be needed to address these concerns.

The architectural expression to give clarity of relationship between the podium and towers could be improved.

Massing of the circular tower appears incongruous with the rest of the towers.

The orientation of the residential towers appears to lack rationale.

The complicated arrangements of leases, access and rights in the shopping centre below is reflected in the lack of clarity and organisation of the scheme above.

There is also some confusion in the architectural language used, for instance the towers have very different expression to the short and long sides.

A lack of adequate detail in the drawings indicates a lack of refinement in the architectural detailing of the building. The choice of materials is equally important and relates to an understanding of context as well as to questions of maintenance, durability, sustainability flexibility and adaptability

A rebalancing of type, mix and quality of residential units would be desirable.

We have concerns about the quality of the accommodation for future residents.

To address these concerns greater attention to the quality of life for future residents in the design of the apartments, open spaces and communal areas would be needed.

The quality and size, orientation and views of the residential units themselves is poorly considered. There are, for example, a large number of single aspect north facing units. These will not be hospitable living spaces.

There is a lack of clarity about what is private, semi private and public space.

The physical model does not show the relationship between the development and the transportation centres.

The South East Regional Design Panel have identified the major issues, and we concur with their report.

Initial Meeting with Applicant and their Architect

(14th October 2013)

Held at: Trocadero
Present: Sundeep Bhavra of GA&A
Bhavash Vashi of Criterion
Stuart Hill of Atkins

At this meeting Atkins explained their role in the process, and drew the applicants attention to the importance of the Design review panel report.

This was a good meeting, the scheme was discussed, and Criterion and their Architect agreed that they would work towards revising the scheme in light of the discussions. We arranged to meet again in 2 weeks to review progress. The aim to produce revisions for the scheduled Slough Design Committee meeting at the end of November, was identified.

After the meeting the following summary of the broad areas of our discussion was circulated:

- Amend the massing of buildings, introduce a clear architectural hierarchy and clarify proposed development phasing (illustrated by progressive CGI's).
- Amend the Wellington Street facade to recapture the architectural coherence and balance of the 2007 scheme.
- Improve the residential unit mix, and orientation.
- Improve the quality of private and semi private residential open space.
- Improve and clarify visual linkage between Rail / Bus stations and the shopping centre.
- To be more specific on proposed materials and finishes, with regard to durability in the exposed environment.
- Research suitable precedents for this type of development, in order to justify the buildability given the site constraints.
- Review the residential layout against the principles of Secure by Design.

It was stressed that these were to be considered in more general terms, as examples of how the design can be developed, rather than a prescriptive list of changes required. The Design Panel report, and any other ways in which the broad principles could be achieved should also be considered.

3 Record of the Review Process

Follow up meeting with Applicant and their Architect

(30th October 2013)

Held at: Trocadero

Present: Sundeep Bhavra of GA&A

Bhavash Vashi of Criterion

John Blackwell of Cunnane (part)

Stuart Hill of Atkins

At this meeting GA&A presented two sketches showing proposed alterations to the scheme:

A revised north elevation showed a reworking of the facade to improve the vertical – horizontal balance and the clarity of the architectural expression. This also indicated some consideration of the massing and phasing by showing the circular tower dotted, and swapping the two lower towers.

A sketch showing revisions to a typical residential tower at podium level, was also tabled. This showed an improved residential mix to this area, by omitting studio units and introducing some dual aspect units, and reducing corridor lengths. Re-orientation of the apartment windows was also introduced to improve privacy and views, and the soft landscaping pattern was altered to reflect this.

It was agreed that these proposed amendments do indicate an improvement to the scheme and they would be worked up, and submitted to the Planners for consideration in the next planning Committee Meeting.

Submission of Amended Scheme

(11th November 2013)

Amended drawings were emailed to the Planning Department

See appendix for Drawings.

Assessment of Amended Scheme

(12th November 2013)

The covering email explains as follows:

These plans are for discussion as way of update for Ian/ Paul to take to members. Once we have concluded the design approach etc. and all are happy we can then formally substitute the plans. Paul/Ian I would welcome your thoughts on the suggested approach.

There was no text or explanation of the architectural intent issued with the drawings, so the architectural intent and purpose of the proposed changes is not clear.

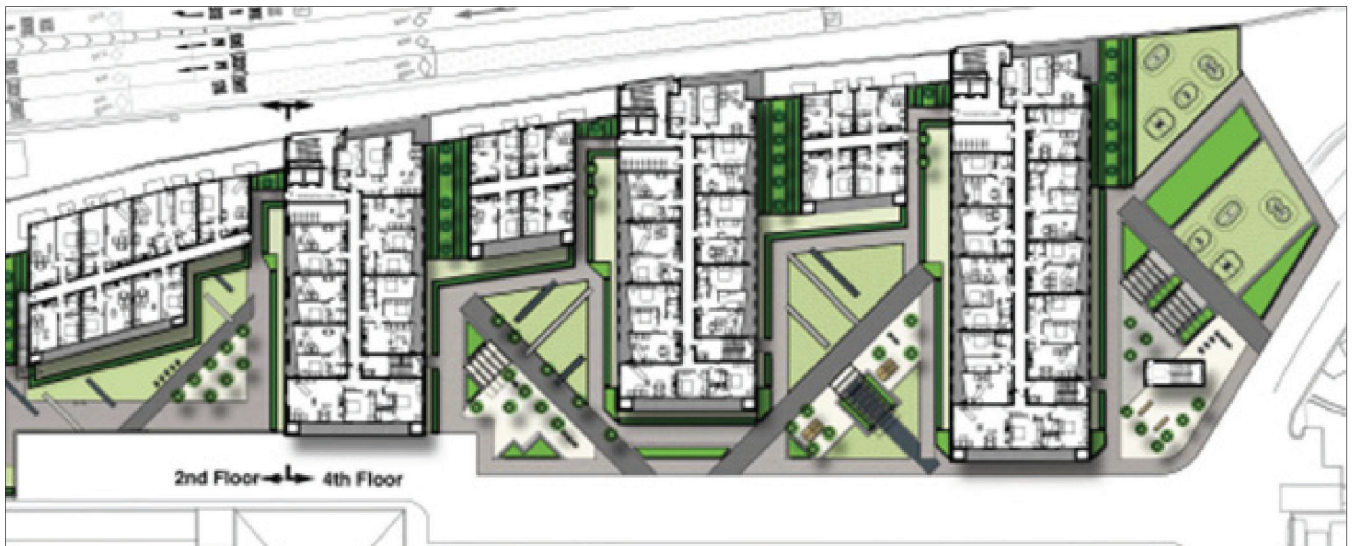
As a result, it is not clear that the purpose for these changes are understood, other than as a response to the observations of ourselves and the design review panel.

While these alterations may constitute an improvement, and a move in the right direction, they do not constitute the fundamental review, or fresh start that the Design review panel have recommended.



Extract from revised north elevation

Massing and composition of the three north/south orientated towers is improved. The architectural expression and legibility of podium is improved, but could be further clarified. Proposed phasing is not evident, the circular tower is greyed out, this is not explained.



Extract from revised residential part plan

Escape stair has been moved, larger end units have been introduced but an opportunity to introduce true dual aspect units has been missed. Single aspect units with north facing balconies have not been improved. There is a slightly improved residential mix, and reduction of corridor lengths. Angled apartment windows introduced to improve privacy and views. Landscaping pattern altered.

ATKINS

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Registration Date:	29-Jan-2013	Applic. No:	P/02523/011
Officer:	Mr Smyth	Ward:	Foxborough
Applicant:	Mr. Waqas Choudhery, Dawat-e-Islami		
Agent:			
Location:	27, Cheviot Road, Slough, SL3 8LA		
Proposal:	CHANGE OF USE FROM LICENSED MEMBERS SOCIAL CLUB (SUI GENERIS) TO ISLAMIC COMMUNITY AND TEACHING CENTRE AND PLACE OF WORSHIP (CLASS D1) AND RETENTION OF SECOND FLOOR FLAT (CLASS C3)		

Recommendation: Delegate to the Strategic Lead Planning Policy



SUPPLEMENTARY REPORT

1.0 SUMMARY OF RECOMMENDATION

- 1.1 That Members agree the main heads of terms of the Draft Section 106 Agreement and list of planning conditions and delegate to the Strategic Lead Planning Policy, for its formal completion and final approval.

2.0 BACKGROUND

- 2.1 Members will recall that at its Meeting on 8th May 2013, a planning application for a change of use from Members social club (sui generis) to Islamic community and teaching centre and place of worship (Class D1) and retention of second floor flat (Class C3) was considered by the Committee, following a request for the application to be called in by Ward Councillor Plimmer. This was a re-submission following the withdrawal of an earlier planning application. The previous report is attached for Members information.
- 2.2 At that Meeting, Members resolved to, “Delegated to the Head of Planning Policy and Projects, for completion of a Section 106 Planning Obligation Agreement and to finalise conditions. Head of Legal Services to consult existing Committee Members on the S106 Agreement prior to final determination”. However, because the Section 106 Agreement will contain a number obligations which are pivotal to the operation of the as a community and teaching centre and more importantly as a place of worship, the Strategic Lead Planning Policy, in conjunction with the Chair of Planning Committee, have agreed that the contents of the Section 106 Agreement be reported back to this Committee for its consideration and endorsement before completion of the Agreement.

3.0 DRAFT SECTION 106 AGREEMENT

Financial Contributions

- 3.1 The following financial contributions are to be paid to the Council prior to the occupation of the development:
- Road Traffic Contribution of £20,000 towards the cost of implementing a resident’s only parking scheme or towards the provision or implementation of parking measures in the local area.
 - Travel Plan Monitoring Contribution of £3,000 towards the Council’s costs and expenses of monitoring the Travel Plan.
 - Surveying Contribution of £3,700 towards the Council’s costs of commissioning Parking Beat and Footfall Surveys.
 - Monitoring Charge of £500 towards the Council’s costs of monitoring compliance of the obligations contained in the Agreement (with the exception of monitoring the Travel Plan)

Travel Plan & Related Matters

- 3.2 The owner to implement the approved Travel Plan for the duration of the use of the building as an Islamic community and teaching centre and place of worship; that the Travel Plan be monitored by the owner; that draft Travel information packs be provided to the Council for its approval, prior to occupation; that the Travel Plan be updated in line with Council recommendations; and that the owner be responsible for the entire cost of implementation and monitoring of the Travel Plan.
- 3.3 The Owner to be required to carry out annual monitoring in accordance with the approved Travel Plan; to submit annual monitoring reports to the Council for approval, detailing survey reports, progression towards targets and implementation of measures including remedial measures.
- 3.4 The monitoring requirement of the Travel Plan shall continue for a minimum of 5 years.

Surveys and Monitoring Reports

- 3.5 The Council will commission independent Parking Beat and Footfall Surveys, carried out at the following periods:
 - Within 3 months of first occupation (baseline survey)
 - Within 12 months of the baseline survey
 - Within 36 months of the baseline survey; and
 - Within 60 months of the baseline survey using the surveying contribution.
- 3.6 Parking Beat Surveys are defined as “an independent survey undertaken to record the number of parked vehicles on the public highway in relation to the number of parking spaces available, according to the survey specification detailed in the Cheviot Road parking beat survey”. A summary of the main findings of the Cheviot Road parking beat survey specification is provided in Appendix 2 to this report and is also to be annexed to the Agreement.
- 3.7 The parking beat area is defined as “the area within the vicinity of the land where the parking beat survey will be undertaken as defined on the area categorisation plan”. A copy of the Area categorisation plan is provided in Appendix 2 to this report and is also to be annexed to the Agreement.
- 3.8 Footfall Survey is an independent video survey undertaken to record entries and exits of people both into and out of the building entrances, recording overall attendance at the site during the survey times.
- 3.9 Should the footfall survey show that the permitted upper capacity of the site (300 people) has been exceeded, then the Use is to cease until the Owners can submit satisfactory evidence to the Council that the site

will operate in such a way so as not to exceed the maximum permitted numbers.

Remedial Steps

- 3.10 Should either or both of the following situations occur:
- that the parking beat survey shows that parking stress is 90% or above for the whole area and/or;
 - that the parking beat survey shows parking stress is 120% or above for Cheviot Road or Mendip Close on their own and the Council attributes this to the use of the building as a teaching & community centre and place of worship, then the Council will advise the Owners to review the Travel Plan to address the reasons for the breach.
- 3.11 A revised package of remedial measures and monitoring will need to be submitted to and approved in writing by the Council by the Owner within 30 days of the parking survey data being received by the Owner. Should the revised package of remedial measures and monitoring fail to address the parking stress then the Council will request a further review of the Travel Plan and a further package of remedial measures. Should this further package of measures fail to address the breach the Use shall cease.

Targets

- 3.12 The final targets to be met by the Travel Plan will require Council approval following the completion of monitoring. In the event the Travel Plan fails to meet its approved targets the Owner shall provide to the Council for its approval an updated Travel Plan in which remedial measures and monitoring are to be outlined to achieve the targets, together with a revised plan for implementing these measures and achieving the targets. The revised action plan for implementing measures and achieving targets, shall be submitted to the Council within 60 days of the annual review date

Restrictions on User

- 3.13 The car park can only be used for the parking of vehicles and for no other uses connected to the use of the Building as an Islamic Community and Teaching facility permitted in the building.
- 3.14 The maximum number of persons permitted to occupy the building at any one time is not to exceed 300 and prayers are to be confined to the first floor only except on the 2 no. special occasion days.
- 3.15 The applicants have requested that the downstairs be available for use as an overflow for prayer during Friday Prayers. This request was recorded in the previous Committee Report, but officers recommended that it be rejected on the grounds that:

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

- 3.16 Members are advised that this requirement was included in the Heads of Terms for the Section 106, which is included in the Officers original report. Officers would advise that this requirement is retained.
- 3.17 The applicant has advised that it will not be possible to specify in the Agreement the 2 no. special days when this restriction would be lifted as they are linked to the lunar calendar. To address this issue, it is proposed that the applicant be required to give the Council 7 days advance written warning of the special days.
- 3.18 Friday afternoon prayers to finish no later than 14:30pm during term times, to avoid conflicting with the finishing time at Foxborough School. In the event that this maximum number is being consistently exceeded or that Friday prayers continue beyond 14:30pm, the use would have to cease until the applicant planning consent and variation of the S106 Agreement had been achieved to permit an increase in numbers or hours of operation.
- 3.19 By signing the Agreement the Owner covenants with the Council not to allow or permit Occupation and Use of the building where such occupation would be in breach of any of the planning obligations entered into by the Owners under the terms of the Section 106 Agreement and permit rights of access for the Council to enter onto the land to verify compliance with the obligations set out in the Agreement.
- 3.20 Members are advised that with the exception as to the restriction that prayers should be confined to the first floor only, the Owners have agreed the broad content of the Section 106 Agreement as drafted.
- 3.21 The applicant has requested that the Council consider favourably more flexible opening hours to allow occasional late use. Condition 3 below dictates the opening hours, which are the same as were enjoyed by the social club. Whilst the club may have enjoyed occasional

relaxation to stay open later, this is likely to have required a temporary late licence, for which an application would have been made to the Council. It is therefore recommended that the opening hours be retained as set out in condition 3. The applicant has the right to appeal any of the conditions imposed.

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. 1149/001 Dated September 2012 Recd On 29 Jan 2013

(b) Drawing No. 1149/002 Dated September 2012 Recd On 29 Jan 2013

(c) Drawing No. 1149/003 Dated September 2012 Recd On 29 Jan 2013

(d) Drawing No. 1149/004 Dated September 2012 Recd On 29 Jan 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. The building shall not be used outside the hours of 06.00 am to 23.00pm daily including bank holidays.

REASON: To protect the amenities of surrounding residential occupiers in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 (incorporated in the Composite Local Plan for Slough 2013)

4. Not less than 35 no. car parking spaces shall be retained on site at all times.

REASON: To ensure that minimum car parking levels necessary to support the development are maintained on site in accordance with Policy T2 of the Adopted Local Plan for Slough

2004

5. No external tannoy public address system or external speakers shall be used in connection with the use of the building as Islamic Community and Training Centre and Place of Worship

REASON: To protect the amenities of surrounding residential occupiers 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

6. Notwithstanding the terms and provisions of the Town and Country Planning general Permitted Development Order 1995 (or any order revoking or re-enacting that Order), Schedule 2, Part 4, no marquees, or other moveable structures shall be erected constructed or placed on the site without the express permission of the Local Planning Authority.

REASON: To prevent an intensification of the use of the site, leading to further pressures on parking and impact on the amenities of surrounding residential occupiers in relation to Core Policies 7 and 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 Policy T2 of the Adopted local Plan for Slough 2004 and the National Planning Policy Framework

7. The existing second floor residential flat shall remain in residential use (Class C3).

REASON: To prevent an intensification of the use of the site, leading to further pressures on parking and impact on the amenities of surrounding residential occupiers in relation to Core Policies 7 and 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 Policy T2 of the Adopted local Plan for Slough 2004 and the national Planning Policy Framework

8. The existing noise climate of the surrounding area must be protected so that the equivalent continuous noise level (leq) in dB (A) as measured outside the nearest noise sensitive building over a 5 minute period with the use taking place does not exceed the equivalent continuous noise level (leq) in dB(A) measured over a comparable period from the same position with no such use taking place and the building unoccupied.

REASON To limit the impact of the development on nearby noise sensitive uses and buildings to accord 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.

4.0 Recommendation

- 4.1 That Members agree the main heads of terms of the Draft Section 106 Agreement Section and list of planning conditions and delegate to the Strategic Lead Planning Policy, for its formal completion and final approval.

APPENDIX 1: Committee report for 8th May meeting

1.0 SUMMARY OF RECOMMENDATION

- 1.1 Having considered the relevant Policies below and the additional information provided by the applicant, officers are of the view that the development can be considered to be acceptable subject to adequate controls being retained over parking and traffic.
- 1.2 Delegate the application to the Head of Planning Policy and Projects for completion of a Section Planning Obligation Agreement, finalising conditions and final determination.
- 1.3 This application is of a type which is normally determined under Officer powers of delegation, however, the application has been called in by Ward Councillor Plimmer for determination by Planning Committee, on the following grounds:
- The planning application submitted on 25th September 2012 by Dawat-e-Islami charitable organisation is to convert the former Langley Village Club into an Islamic Community & Teaching Centre through change of use to class D1, however the planning application on the SBC website claims this is a change of use from licensed members club to Islamic community centre and place of worship. The floor plans include the conversion of the 1st floor into a dedicated prayer hall as a mosque rather than as a teaching and community centre.
 - The objections from local residents in Cheviot Road, Mendip Close, Quantock Close and Grampian Way are that there are only 35 parking spaces available in the Langley Village Club site therefore where will the additional car parking be available during weekday evenings and weekends when local residents are at home with their cars parked out in the surrounding streets?
 - Residents fear serious traffic congestion in Cheviot Road and surrounding roads which could occur when religious festivals such as Eid take place at the proposed place of worship.
 - Friday lunchtime prayers will take place at the same time as patient appointments at the adjacent Langley Medical Centre and also parents collecting their children from the morning session and dropping off their children off for the afternoon session at the Sure Start Centre and reception classes at Foxborough Primary School which is also adjacent to the proposed site in Common Road. These prayer times between 1-2 pm on Fridays could also cause traffic congestion in the surrounding area
 - The applicant's travel plans do not mention the possibility of

worshippers attending from outside of Slough potentially from the West London and Thames Valley areas for Friday prayers and major religious festivals.

- Local residents would wish to see temporary parking controls in place during major religious events.
- Concerned about what feasible alternatives are in place if neither of the car parks (Harvey Park & Parlaunt Road) being proposed are not available for use

PART A: BACKGROUND

2.0 Proposal

2.1 An application was previously submitted for a change of use from licensed members social club to Islamic Community and Teaching Centre.

The further supporting information that accompanied that application stated the planned activities to include:

- Children's education classes
- Ladies study circle, probably twice weekly
- Adult Study Classes and Tuition
- Language courses: English, Arabic, Urdu
- Counselling & advice as required for community members eg on issues of drugs, domestic, marital, family etc.
- Education for special needs and disabled members of the community.

2.2 Upon reviewing the submitted plans it was apparent, at the time, that the first floor was being proposed as a prayer hall. In light of this, the description of the proposal was changed to: Change of Use from Licensed Members Social Club (Sui Generis) to Islamic Community and Teaching Centre and Place of Worship (Class D1). That application has since been withdrawn.

2.3 The current application is a resubmission following the previous withdrawal. Notwithstanding the previous issue raised in terms of the description of the proposal as included on the planning application form, this remains as it was previously ie. "Change of Use from Licensed Members Social Club to Islamic Community and Teaching Centre". No changes have been made to the proposed floor plans, which include: on the ground floor, the accommodation will comprise 2 no. classrooms, reception, committee room, entrance hall with reception toilets and store. At first floor the accommodation will comprise prayers hall, toilets, kitchen and stairs. There is no change to the second floor two bedroom flat, which is accessed via the clubhouse and is to be retained for a caretaker or project manager. As there has been no change to the floor plans this planning application has been registered as a Change of Use from Licensed Members Social Club (Sui Generis) to Islamic Community and Teaching Centre and Place of Worship (Class D1) and Retention of Second Floor Residential Flat". The applicant has not challenged the

Council's revised description.

- 2.4 Also as with the previous application, the total gross internal floorspace is shown as 305 sq m. However, it has been established that this is the footprint and not the total internal floorspace, which excluding the second floor flat equates to 610 sq m. The dimensions of the building have been verified by reference to the original planning permission.
- 2.5 There is an existing on site car parking for 35 no. cars.
- 2.6 Additional information has been provided in support of the application, which builds upon the statement as submitted in support of the previous application and seeks to address a number of issues that arose during the life of that application. The statement sets out more information about Dawat-e-Islami as an organisation and use of the building as a Teaching and Community Centre, including information on classes, class sizes and operating hours, and for which it is stated that the existing car park would be more than adequate. Most classes will start after 6.30pm after the health centre and school have closed.
- 2.7 With respect to Friday prayers and on the 2 no. special days, the applicants acknowledged that additional people will be use the facility and in the event that the car park becomes full, worshippers will be directed by stewards to the nearby car parks in Harvey Park and in Parlaunt Road. A minibus shuttle service will be available to provide transport for worshippers travelling between the centre and the car parks.
- 2.8 The applicants have submitted a transport statement/travel plan. The travel plan sets out the site's characteristics, the main objectives of the travel plan, the travel plan strategy, the roles and responsibilities of the travel plan coordinator including management support, monitoring and reporting and action plan details. An organisational plan is also attached.
- 3.0 Application Site**
- 3.1 The site comprises a two storey social club with a residential flat within the roof space. The site is served by its own car park which provides car parking for up to 35 no. cars. The building contains some full height windows although most windows are high level, designed to minimise noise outbreak.
- 3.2 Adjoining the site to the north east is the Langley Health Centre and car park. To the south of the host property is a four storey block of flats, beyond which is Foxborough Primary School. To the south and west of the site is two storey terraced housing. Currently, there are no on- street parking restrictions in place within the vicinity of the site.
- 4.0 Site History
- 4.1 There is an extensive planning history for this site, but the relevant site history is set out below.

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

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

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

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

5.0 Neighbour Notification

5.1 Langley Health Centre,
Headteacher, Foxborough Primary School
1 – 12, 14 – 17 Sir Robert Mews
2 – 12, 14 – 30 (even nos) Cheviot Road
19, 49 Cheviot Road
10 – 16 & 25 – 38 Mendip Close
27 – 35 Quantock Close
1 – 5 Yiewsley Terrace

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

- Cheviot Road is very busy for parking due to Langley health centre being next door and for which parking commences at around 7.30 am and lasts through to early evening, with parking spilling over onto Cheviot Road itself, Mendip close and the club itself. This situation is aggravated by parking for Foxborough primary school.
- Cheviot Road is the only road into and out of the Foxborough estate and constantly busy
- A change of use to mosque will generate much more traffic than the club did.
- What provisions are there to prevent parking from the proposed mosque spilling over onto neighbouring roads, particularly on Islamic holy days and on prayer day each Friday
- Increased noise and disturbance and in particular external noise from the car park and its users, impacting on the outdoor learning experiences of pupils at Foxbrough School and Islamic calls for

- prayer which could involve the use of external speakers.
- Users may be asked to walk but in reality most will drive.
- Use of the car parks in Harvey Park and Parlaunt Road will force shoppers to park in surrounding residential streets.
- The occupier of 36 Seacourt Road works in Chalvey and has first hand knowledge of the parking issues that occur in surrounding roads near to the Islamic Centre.

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

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

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

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

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

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

“that we are already virtually up to capacity with parking and that there are potential hazards in a number of places: the doctors surgery is open all day, queues beginning from at 0.7.30; the local primary school, just 100

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

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

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

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

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

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

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

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

6.0 Consultation

6.1 Transport & highways

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

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

Development Proposal

The applicant states that the building will be used:

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

Assessment Against Local Plan Parking Standards

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

development, one does need to make sure that the level of parking provision can accommodate the development peaks and that if parking cannot be accommodated within the site car park then there should be facilities that provide parking without saturating the local residential streets.

Parking Concerns During Peak Periods

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

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

Consistency of Assessment in terms of Parking with other Sites

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

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

Proximity to Places of Work

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

Proximity to Public Car Parks (Public and Private)

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

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

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

Travel Plan Measures

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

Summary and Recommendation

Taking account of the further submitted information and reflecting on our approach at other sites I do not believe that the applicant has made the case for this development and whilst it is consistent with the Parking Standards assuming the hall is only 217m², a case could be made that the development should be providing a larger number of spaces.

Information has not been submitted to date that supports the claim that 90 percent of worshippers will arrive on foot and therefore unless this claim backed up I think it is reasonable to assume that a greater proportion of worshippers will come by car. If 90 percent are not going to arrive on foot where will those who are driving going to park if the car park capacity is exceeded. Therefore I think the applicant should be given a final chance to provide further information, if this is not forthcoming or not sufficiently robust to defend the 90 percent mode share claim then the application should be refused as it does not contain sufficient information for the Local Highway Authority to determine the impacts of the proposed development on the safety and operation of the public highway and the wider transportation network. Therefore the proposed development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.

6.2 Neighbourhood Protection

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

6.3 Licensing

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

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

6.4 Thames Valley Police

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

6.5 Building Control

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

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

levels.

6.6 Parks Manager

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

PART B: PLANNING APPRAISAL

7.0 Policy Background

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

7.1 The proposal is assessed in relation to:

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

8.0 Principle of the Change of Use

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

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

- 8.1 The principle of using the building as an Islamic Community and Teaching Centre and Place of Worship is supported in planning terms as it would be an appropriate alternative use for the building and would serve as a local Islamic community facility and place of worship for the Langley area. However, concerns are expressed about the potential for traffic congestion and parking overspill onto surrounding residential streets as set out in the report below.
- 8.2 No objections are raised to the principle of the change of use in relation to paragraphs 17 and 70 of the NPPF nor Core Policy 11 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008, subject to the resolution of traffic and parking issues which are discussed in the report below.

9.0 Impact on Neighbouring Uses/Occupiers

- 9.1 The overarching Core Planning principles of the NPPF requires that planning should always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (Paragraph 17). Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 states that: All development will respect its location and surroundings. Policy EN1 of the Adopted Local plan for Slough states: development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of relationship to nearby properties.
- 9.2 The potential impacts identified relate to noise and disturbance. Significant noise outbreak from the building is considered to be unlikely given that it's most recent use was as a social club and as part of the original planning permission details of noise attenuation measures were required through planning condition. Notwithstanding this, a condition could be imposed requiring that there should be no increase in the ambient background noise when measured at the nearest noise sensitive boundary when the building is in use. Further, a limit on the total number of persons permitted to occupy the building at any one time can be limited through a S106 Agreement, for which more detail is set out in the report below.

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

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

10.0 Traffic and Parking

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

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

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

10.4 Assuming a worst case scenario, in practice both ground and first floors, which would provide a total combined floorspace (excluding kitchens toilets and general circulation areas) of 443 sq metres which could potentially be used for purposes of worship, as indeed may be necessary

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

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

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

Table 3.2 below is taken from this document.

Suggested Acceptable Walking Distances

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

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

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

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

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

- 47 addresses from within 9 identified streets are within the recommended desired 400 m distance/ 5 minute walk or less from the proposal property. 100% of persons living within this zone would walk.
- 23 addresses within 4 identified streets are within the recommended acceptable 800m distance/ 10 minutes walk of the proposal property. 75% of persons living within this zone may walk
- 11 addresses within 8 identified streets are within the recommended maximum 1200m distance/ 10 minutes walk of the proposal property. 50% of persons living within this zone may walk
- 97 addresses within 50 identified streets are located beyond the recommended walking distance of 1200m from the proposal property. 25% of persons living more than 1200m from the proposal property may walk.

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

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

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

people who should be included in the undertaking.

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

Analysis (2) of the undertaking signed by 270 people shows:

33 households are within a five minute walk or 400 metres so 100% will walk

39 households are within 0.5 miles or a 10 minute walk. 75% of these will walk, so 30 households will walk and 9 will come by car.

12 households are with 1200 metres. 50% of these will walk, so 6 households will walk and 6 will come by car

22 households are above 1200 metres away 25% of these will walk, so 6 households will walk and 16 households will come by car

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

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

- 10.5 What is clear is that an analysis of statistical data alone is unlikely to provide a clear picture of what may occur on the ground. Local experience would seem to suggest that such facilities can and do result in traffic congestion and parking overspill onto surrounding roads. Without there being adequate controls in place, Officers have concerns about the adequacy of existing car parking and the implications for traffic congestion and parking overspill, particularly as the local planning authority would have little or no control over an intensification of the use from combined education and community centre and place of worship to a place of worship only, with its obvious implications for visitor numbers, traffic and parking.
- 10.6 The way forward is seen as robust travel plan supported by the introduction of a residents controlled parking scheme. Whilst the applicant has submitted a travel plan, this has been evaluated by the Council's transport advisers and a number of suggestions have been made to improve its robustness. The Council's transport advisers are currently working with the applicants to secure a robust and sustainable travel plan. The working draft is attached in Appendix 1.
- 10.7 However, for such a travel plan to be effective, it is essential that the targets are set out in that travel plan. The targets will be met by

implementing the detailed measures set out in the travel plan. To determine whether or not these targets are being met will necessitate an independent survey being undertaken, which would be funded by the applicant and there would be regular meetings with the Council around the time of reporting. The applicant would be required to pay a travel plan monitoring fee to the Council as is the normal practice in respect of travel plans. Should a situation develop whereby the targets are consistently not being met, then the Council must retain the power to ensure that the use shall cease, by seeking an injunction from the courts. However, this must be a last result in the event that negotiations completely break down. This would need to be achieved through a bilateral s106 Agreement.

- 10.8 Hand in hand with this measure, it is proposed that the Council seek a financial contribution to fund changes to the Road Traffic Order, to allow the introduction of a resident's only parking scheme. The financial contribution to cover the costs of consulting with residents on the scheme and the administrative charges, together with the physical measures associated with the marking out of the bays on street and signage. In the event that the local residents do not vote in favour of a resident's only parking scheme that the money be used to implement other measures which are as yet to be determined. Payment of the financial contribution would also form an obligation in the S106 Agreement.
- 10.9 It is further proposed that the S106 Agreement contains a clause which would restrict the total number of persons occupying the building to not more than 300 at any one time and that prayers be restricted to the first floor of the building only. In the event that this maximum number is being consistently exceeded that the applicant would be required to submit a fresh planning application or seek a variation to the S106 Agreement to vary the total number. Failure to do either could result in the use having to cease, for which the Council could seek an injunction from the courts.
- 10.10 The Heads of Terms for a Section 106 are as follows:
- Prior to the use commencing the applicant shall pay the sum of £20,000 to the Council to cover the cost of implementing a change to the Road Traffic Order to allow the introduction of a resident's only parking scheme in the local area. The contribution would cover the consultation, administrative and implementation costs associated with scheme. In the event that the residents vote against the introduction of a resident's only parking scheme that the money be spent on other parking related measures, which are to be defined.
 - To meet the targets set out in the travel plan which will be incorporated into the S106 Agreement. Should a situation develop whereby the targets are consistently not being met, then the use shall cease, until such time as a way forward can be agreed with the Council
 - Pay the Council's travel plan monitoring fee of £3,000 to cover a 5 year period.
 - The applicant to fund independent surveys to verify compliance

with travel plan targets. The person or persons undertaking the surveys to be approved by the Council.

- The maximum number of persons permitted to occupy the building at any one time is not to exceed 300 and prayers are to be confined to the first floor only except on the 2 no. special occasion days (to be defined). In the event that this maximum number is being consistently exceeded that the applicant would be required to submit a fresh planning application or seek a variation to the S106 Agreement to vary the total number. Failure to do either would result in the use having to cease.

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

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

Officer's Response: The change of use has not been approved. At this stage it is an application for planning permission which is to be reported to Planning Committee at its Meeting on 8th May 2013. The restriction to the first floor for prayers, reflects the plans submitted and there is a concern that the whole building could be used solely for prayers in the future without this restriction in place, as has been the experience elsewhere in Slough. As a concession and in a response to the applicants request it has been agreed that this restriction can be lifted on the two special days (to be defined in the agreement) whereby the whole building may be used. The maximum figure of 300 people is the figure provided by the applicant as part of the planning application. It also reflects the maximum number of people who were permitted to occupy the building under the licence given in respect of the social club. The Council has been assured by the applicant that the maximum number of 300 is only likely to be reached on the two special days and not as a rule during Friday prayers. If the 300 maximum given is not a realistic number then the application should have reflected this. Not agreed

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

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

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

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

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

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

Whilst the applicant appears to have accepted the principle of a Section 106 Agreement, clearly there is still further negotiation to be undertaken before further progress can be made. It is anticipated that such negotiation

will continue during the period up to the date of the Meeting and any additional information will be reported on the Amendment Sheet.

11.0 Process

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

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

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

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

PART C: RECOMMENDATION

12.0 Recommendation

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

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

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

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

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

APPENDIX 2: Amendment sheets for 8th May Committee meeting

Two further letters of objection received from the occupiers of The Bungalow, Foxborough School. One letter reaffirms the previous concerns as set out in a letter of objection submitted in relation to the previous planning application as withdrawn. That previous letter of objection raised concerns regarding, traffic and parking and noise and disturbance. The other letter raises the following matters:

- Issues of car parking. It is unrealistic to expect those attending to walk and the existing car park is very small.
- The areas surrounding the school are very congested particularly during school dropping off and picking up times. The application is incorrect when it states that the school is not used at weekends. Football teams use the playing fields on Saturdays and a church group uses the school on Sundays.
- It is not acceptable that users of the centre will use the existing car park in Parlaunt Road, where will shoppers park?
- Car parking at Harvey Park sports ground seems unrealistic as the car park is only open at weekends when the sports fields are being used.
- The opening hours are unacceptable, particularly the early opening at 6.00 am.
- The application makes no statement that the prayer room would be used only by those attending classes.
- Object to the use of the phrase “human rights”. The Village club is currently open to all members of the local community, this will not be the case once it becomes a “Muslim Centre”. What about the “human rights” of local residents. There is no suggestion that any other activities will be offered to the community as a whole.

A letter has been sent to all Foxborough Ward Councillors from a T. Khan of 245 Humber Way. In that letter he advises that both he and many other local residents would benefit from having a local Islamic Education Centre, but that this should not be at the expense of other residents. He further advises that he has had meetings with Dawat-e-Islami on behalf of local residents to make sure that the Council’s requirements are fully met. Attached to that letter are a number of questions raised by Glynis Higgins in her capacity of head of the Foxborough Residents Association and submitted to Dawat-e-Islami together with their responses given. These are set out below for Members information below (the questions are set out in normal type and the responses are set out in italics):

1. What guarantee can you give that people will not use their cars and people carriers to attend the venue

“We have a signed undertaking from foxborough residents which clearly states that they want this facility and will walk to the centre. We have also handed a travel plan to the council which states we will encourage walking through a variety of methods. We will use the local car park on parlaunt

road and provide a minibus service to and from the car park and the centre when required”.

2. Will there be weddings at the venue, 27 Cheviott Road. If so how many guests would the families anticipate attending and coming in their own vehicles

“No weddings will take place at this facility”

3. Special festivals, how many people do you anticipate will attend the venue, How do they come, do they all use their own cars.

“Special festivals occur twice a year. We expect a maximum of 150 people to attend on these occasions. Currently the club has a licence to occupy 300 people. As we have an undertaking that residents will walk we believe local residents will walk and the services provided in question 1 will occupy an additional requirements if require”d.

4. All festivals EID and Ramadan and any other that happen what times of day and night is the festival taking place we understand some times it will start at 5 am (We are very anxious about the numbers attending and the times the festivals take place.) It would be very disturbing for local people if the cars arrive very early in the morning, or leave late at night.

“No eid festival or Ramadan Prayers start at 5am. The earliest eid prayers will be at 8am which is only twice year. Ramadan prayers are in the evening after 7.30 pm”.

5. Have you made enquiries about other places for car parking ie Harvey Park and the shopping centre car park on Parlaunt Road. These are fully used by shoppers and football teams on a regular basis

“The clubs car park is more than sufficient for all normal weekdays and the weekend. additional people may attend on friday lunch time prayers. The parlaunt road car park has been monitored and it has been seen that on friday lunch times this is virtually empty. We are in contact with the council regarding the harvey park car park which is also empty on friday lunch times. We are waiting for a reply from the council and we are optimistic that we will be allowed to use this car park”.

6. Have you any suggestions as to where extra cars could park if you are not able to use the above mentioned car parking spaces

“The parlaunt road car park is a free car park which any member of the public can use which has 32 car parking spaces and has sufficient space when required”.

7. Apart from the problem of cars one of the residents asked about the external speakers that you have mentioned for calling people to prayer.

Of course this is not connected with our main concern which as you know is traffic and parking facilities but it is worth mentioning

“We can confirm that no external speakers will be installed”.

“We have addressed all queries and concerns in our letter to the council which can be viewed online by the link below:

[http://www.sbcplanning.co.uk/test/slough01/planapp/P2523-11\(2\)/P2523-11\(2\).pdf#pagemode=thumbs](http://www.sbcplanning.co.uk/test/slough01/planapp/P2523-11(2)/P2523-11(2).pdf#pagemode=thumbs)

Please can anyone who has any concerns view the information online. If there is still any concerns or additional information required we are more than happy to answer any questions. We would like to work with the local community and address any issues and provide local residents with a much required facility. We would like to thank the local community for raising the concerns which has enabled us to positively reassess our plans to address the communities concerns. We look forward to working with the local community and addressing the needs of all members of the community”.

Thames Valley Police have responded with verbal comments, raising no objections on the grounds that the proposed centre, will simply be replacing one community facility with a different one.

Since publication of the agenda, there have been further discussions with the applicant with respect to the draft Heads of Terms for a Section 106 Planning Obligation Agreement, which are set out on page 80 of the officer’s report. The applicant has confirmed that:

We are ready to agree to the head of terms as mentioned on the below email. However we do have one more request:

We fully intend to use only the first floor as a prayers hall but as we have not yet bought the building we are not sure how many people can fit in the upstairs hall

We would like to request if we can also use the down stairs occasionally on Fridays if the upstairs hall is full

As mentioned earlier what do we do if the hall only occupies 100 people and we have an extra 20 or 30 people who turn up on Fridays? We cannot send people away and deny them access. Please can you allow us to use the downstairs occasionally on Fridays as well.

Also I can confirm we have been given permission to use the Harvey park car park on Fridays and are now in discussion with the asset management department to finalise the terms of the contract

Officer’s Response

The willingness of the applicants to enter into a section Agreement on the basis of the draft heads of terms as set out is to be welcomed. Officer’s

consider it important that prayers be confined to the first floor only, except on the two special days when the whole building can be used, to ensure that the Council is able to maintain control over any future intensification of the use of the building for prayer use and the pressures that this might place on the local area as a result of significant increase in the number of users.

The Heads of Terms only set out the broad principles and there will need to be substantial further discussion and negotiation to establish the detail. Officers will be working closely with the Head of Legal Services in this regard.

Since publication of the agenda, a parking beat survey has been undertaken by the Council's transport consultants.

The results are summarised below. The detailed data, in the form of spread sheets will be available will be available at the Meeting.

The area surveyed was within a radius of 200m of 27 Cheviot Road and several key roads just beyond this distance were also included. The capacity and parking levels at both the site car park and the health centre were also recorded.

The survey was undertaken on Friday 26th April between the hours of 13:00 and 15:00, to reflect the time of Friday Prayers. The weather was dry and sunny and there were no abnormal circumstances.

In the event that planning permission was to be granted, the information provided by the survey would provide a base line against which it would be possible to assess the impact of the proposed centre in terms of additional on street car parking.

The survey identified 250 standard on street parking spaces within the area surveyed. The number of free standard on street parking spaces, assuming the number of health centre users parked on street to be 11, has been calculated to be 135 no. spaces.

Project:	27 Cheviot Road Travel Plan	To:	Chris Smyth
Subject:	27 Cheviot Road parking beat survey	From:	Laura Wells / Viv Vallance
Date:	02 May 2013	cc:	

Background

The site at 27 Cheviot Road, Langley, Slough, SL3 8LA, has been put forward for planning permission for a change of use from a licensed members' social club (sui generis) to Islamic community and teaching centre and place of worship (D1) – Slough Borough Council (SBC) planning reference

P/02523/011. The application is currently being determined by SBC, with a decision on application due by members at the May 2013 planning committee. The applicant has produced a travel plan to accompany the application, and SBC (Laura Wells) – have been working with the applicant to produce a travel plan of acceptable quality. Subject to planning approval, the applicant will be bound to the travel plan which will include transport surveys at the site. One of the required surveys will be a parking beat survey. In order to ascertain the current situation, a parking beat survey has been undertaken.

Methodology

The area within a 200m radius of the site was surveyed. Also included were several key roads just beyond this distance. For a map showing the area covered by the survey, plus categorisation within the survey area, see: Area categorisation map.

Each section of on-street parking was measured with a trundle wheel in order to determine the number of available parking spaces. For parking bays dimensions for each parallel parking bay would be 6m x 2m and 90 degree bays would be 4.8m x 2.4m was assumed for the purpose of the survey. As well as space available, number of cars parked in each area at the time of the survey was also recorded. Disabled spaces were categorised separately. The capacity and parking levels at both the site car park and the health centre car park were also recorded.

Private car parking (parking which is not on the public highway) was not recorded in this survey bar the above exceptions, which were recorded separately to the on-street parking.

The survey was undertaken on Friday 26th April from 1300 to 1500 hours, to reflect the time surrounding the Friday prayers (1330 – 1430 hours), and each area was surveyed once. The weather was dry, sunny and warm at the time of the survey and there were no abnormal circumstances or observations.

Survey data can be found in the following document: Cheviot Road parking beat survey 260413.xls

Findings

On-street parking

On-street parking	Number of available spaces	Number of cars parked	Number of free spaces	Parking stress
Standard	250	104	146	42%
Disabled	11	2	9	18%

Off-street parking

Off-street parking	Number of available spaces	Number of cars parked	Number of free spaces	Parking stress
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Site car park (27 Cheviot Road) - disabled spaces	2	0	2	0%
Site car park (27 Cheviot Road) - standard spaces	33	13	20	39%
TOTAL - site	35	13	22	37%
Health Centre car park - standard spaces	6	4	2	67%
Health Centre car park - disabled spaces	2	0	2	0%
Health Centre car park - staff spaces	21	15	6	71%
TOTAL - health centre	29	19	10	66%

Adjusted baseline – on-street parking

During the survey it was observed that users of the health centre are currently using the 27 Cheviot Road car park. It is assumed that this is taking place because there are currently no occupiers in the building, and no visible controls on car park use, and its proximity to the health centre makes it desirable for users. If we assume that in future - should the site gain planning permission - the health centre users will no longer be able to use this car park as there will be active controls in place, the displaced users will use the on-street parking after the health centre car park is full (NB the split between staff and user parking at the health centre – there are relatively few spaces for users).

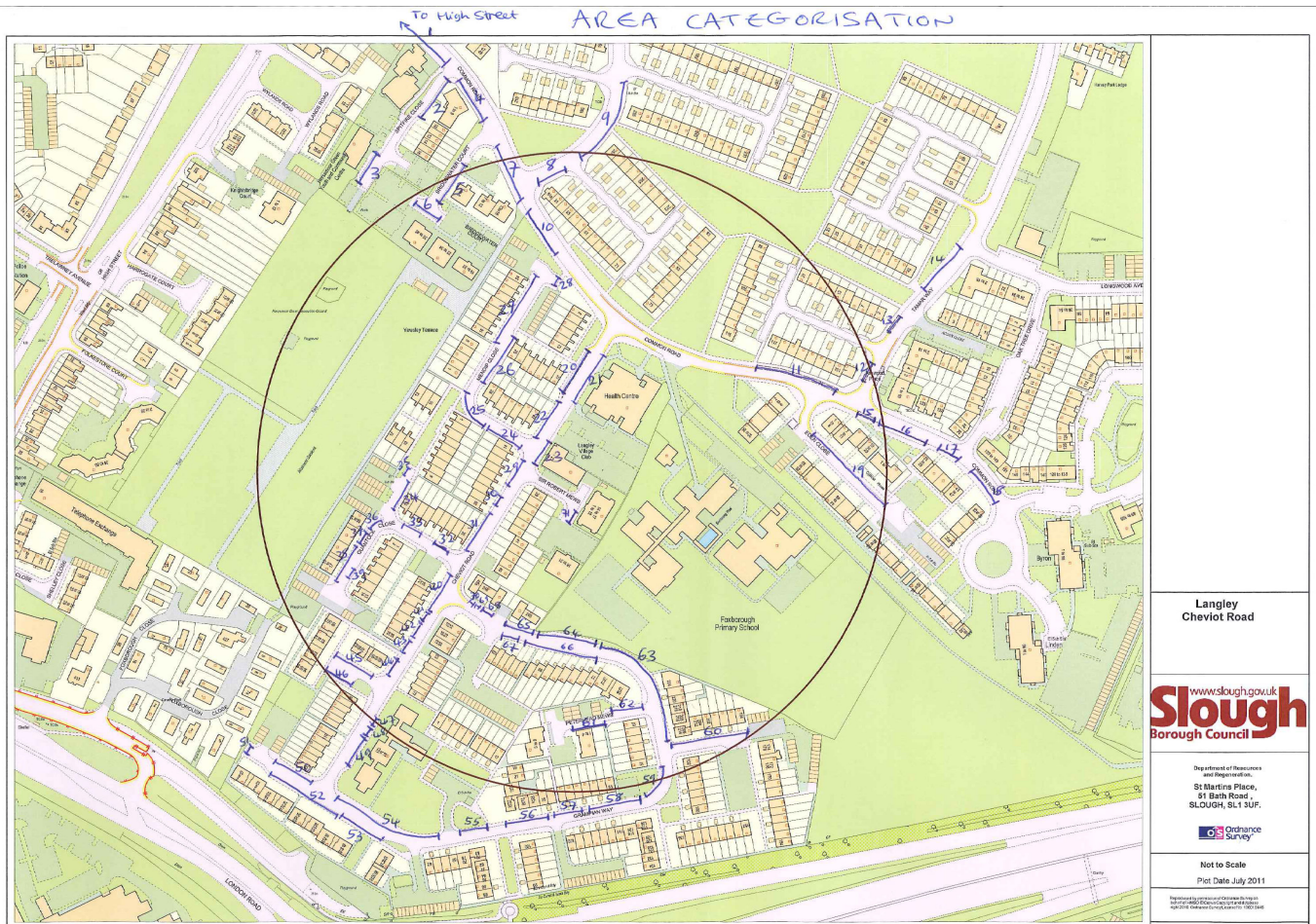
The following situation is therefore the realistic baseline:

Observed number of free standard bays on-street on Friday lunchtime	146
Total number of health centre users assumed to be parking on street in future	11
Assumed number of free on-street bays in the area on Friday lunchtime	135
Assumed available parking percentage on Friday lunchtimes (baseline – standard spaces)	54%
Assumed parking stress (baseline – standard on-street spaces)	46%

Assumed parking stress (baseline – disabled on-street spaces)

18%

Using the above assumptions it is therefore concluded that the baseline parking stress for the area is 46% for standard parking and 18% for disabled.



There is no change to the recommendation

Registration Date:	20-Aug-2013	Applic. No:	P/07367/003
Officer:	Mika Malengo	Ward:	Upton
Applicant:	Mr. Bharat Mittal	Applic type:	
Agent:	Mr. Harvey Saund 183, Spackmans Way, Slough, SL1 2SE	13 week date:	
Location:	24, Blenheim Road, Slough, SL3 7NJ		
Proposal:	REPLACEMENT OF FLAT ROOF TO PITCHED HIPPED ROOF OVER EXISTING OUTBUILDING IN REAR GARDEN.		

Recommendation: Approve with conditions.



1.0 SUMMARY OF RECOMMENDATION

1.1 This application has been referred to the Planning Committee for consideration as the applicant is Councillor Mittal Ward Member for Upton.

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 with conditions.

PART A: BACKGROUND

2.0 Proposal

2.1 This is householder planning application for the proposed change in the shape of the existing flat roof to pitched hipped roof over the existing outbuilding in rear garden.

3.0 Application Site

3.1 The application site 24 Blenheim Road is a detached two storey dwelling located within a residential area. The property has hipped and pitched roofs and feature two storey bay windows to the front. The property is made of red bricks and covered with tiles. The property has previously been extended at front and at rear. The property also has a single storey flat roof rear outbuilding which abuts the rear boundary and was constructed as permitted development.

4.0 Site History

4.1 Recent applications relating to the property are as follows:

P/07367/002 – EXTENSION OF THE EXISTING FAMILY ROOM WITH FLAT ROOF AND A DOME SHAPED SKY LIGHT. - Approved with Conditions - 12-Aug-2009

P/07367/001 – RETENTION OF SINGLE STOREY FRONT EXTENSION. - Approved Unconditional - 14-May-1993

P/07367/000 – ERECTION OF SINGLE STOREY FRONT EXTENSION TO GARAGE AND PORCH - Approved with Conditions - 13-Mar-1987

5.0 Neighbour Notification

5.1 26, Blenheim Road, Slough, SL3 7NJ, 22, Blenheim Road, Slough, SL3 7NJ

5.2 No representations have been received.

6.0 Consultation

6.1 None.

PART B: PLANNING APPRAISAL

7.0 Policy Background

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

National Planning Policy Framework (NPPF)

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

Core Policy 1 – Spatial Strategy

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 9 – Natural and Built Environment

The Local Plan for Slough, Adopted March 2004

Policy EN1 – Standard of Design

Policy EN2 – Extensions

Policy H15 – Residential Extensions

Policy T2 – Parking Restraint

Supplementary Planning Document

The Slough Local Development Framework Residential Extensions Guidelines Supplementary Planning Document, January 2010

7.2 The main planning issues relevant to the assessment of this application are considered to be those relating to the design of the proposal and the impact on the street scene, the potential impact on neighbour amenity.

8.0 Design and Impact on the Street Scene

8.1 Section 9 of The Slough Local Development Framework Residential Extensions Guidelines Supplementary Planning Document, January 2010 sets out detailed design guidelines for the assessment of proposals for outbuildings.

- 8.2 Guideline EX38 states that outbuildings should not detract from the character of the area through over dominance or obtrusiveness. The proposed alteration to the roof shape from flat to pitched hipped is considered minimal and will be in keeping with the character and appearance of the main house.
- 8.3 Section 9.5 of The Slough Local Development Framework Residential Extensions Guidelines Supplementary Planning Document, January 2010 stresses that outbuildings should not exceed a maximum height of 3 metres above ground level in the case of an outbuilding with a flat roof and 4 metres in the case of an outbuilding with a dual pitched roof. The proposed pitched hipped roof would be 3.40 metres in height.
- 8.4 The proposal is considered to be acceptable in design terms and would be in keeping with the character and appearance of surrounding residential properties.
- 8.5 The proposal would be located at the bottom of the existing rear garden and would not be visible from the street; therefore there is no impact upon the street scene.
- 8.6 The proposed design and potential impact on the setting of the Street would comply with Policies EN1, EN2 and H15 of The Adopted Local Plan for Slough 2004; Core Policies 8 and 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008; and National Planning Policy Framework.
- 9.0 Impact on Neighbour Amenity**
- 9.1 The common boundary between no.24 Blenheim Road and 22 Blenheim Road is a wooden fence of approximately 1.80m high. The shared boundary between no.24 Blenheim Road and 26 Blenheim Road is also a wooden fence of around 1.80m high.
- 9.2 With regards to the impact on neighbouring properties, given the juxtaposition and distance between the proposal and the neighbouring properties, it is considered that the proposal would not result in any increase in harm to the residential amenity of neighbouring properties than presently exists.
- 9.3 The proposal would thus comply with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy H15 of The Adopted Local Plan for Slough 2004, and NPPF.

10.0 Summary

- 10.1 The proposal has been considered against relevant development plan policies, and regard has been had to all comments received, and all other relevant material considerations.
- 10.2 It is recommended that the application be approved with conditions.

PART C: RECOMMENDATION

11.0 Recommendation

- 11.1 Approve with conditions.

PART D: LIST OF CONDITIONS

CONDITIONS:

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

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

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

(a) Drawing No. GDN/TLS/STR/002, Dated Aug. 2013, Recd On 20/08/2013

(b) Drawing No. GDN/TLS/STR/003, Dated Aug. 2013, Recd On 20/08/2013

(c) Drawing No. GDN/TLS/STR/004, Dated Aug. 2013, Recd On 20/08/2013

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 Development Plan.

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

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

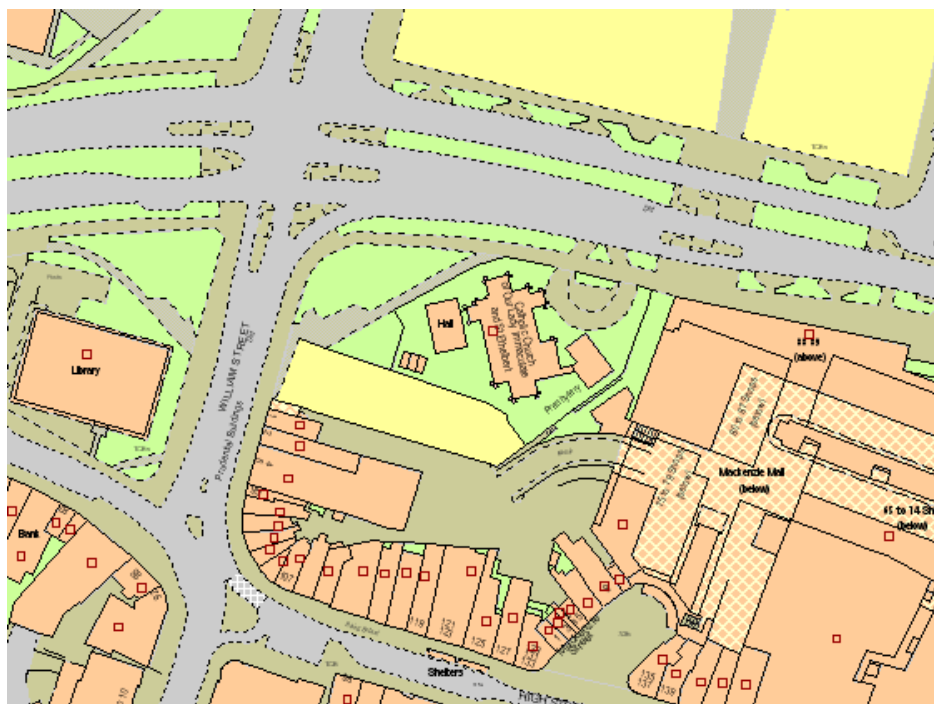
Plan for Slough 2004.

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.

Registration Date:	Applic. No:	P/15524/002
Officer:	Ward:	Central
Mr Stimpson	Applic type:	
	13 week date:	
Applicant:	Morgan Sindall PLC	
Location:	Former Day Centre Site & Service Yard, Slough, SL1 1DH	
Proposal:	<p>SUBMISSION OF DETAILS PURSUANT TO CONDITIONS 03 (MATERIALS), OF PLANNING PERMISSION REFERENCE P/15524/000 DATED 06TH SEPTEMBER 2013 FOR VARIATION OF CONDITION 02 OF PLANNING PERMISSION REFERENCE S/00533/000 (FOR REDEVELOPMENT OF THE SITE FOR A NEW LIBRARY AND CULTURAL CENTRE INCLUDING LIFE LONG LEARNING FACILITIES, MULTI PERFORMANCE SPACE/COUNCIL CHAMBER, TEACHING ROOMS, GALLERY SPACE, CAFE, EXTERNAL READING GARDEN, NEW VEHICULAR ACCESSES, PHASED PROVISION OF ENHANCED PEDESTRIAN LINKS, PUBLIC REALM AND LANDSCAPE IMPROVEMENTS. THE PROPOSAL WILL INVOLVE THE DEMOLITION OF PART OF THE REAR OF 3-4 WILLIAM STREET, THE RAMP AND TOILET BLOCK ATTACHED TO QUEENSMERE SHOPPING CENTRE AND SCOPE FOR THE FUTURE DEMOLITION OF 7-11 MACKENZIE SQUARE FOR ENHANCED PUBLIC REALM AND PEDESTRIAN LINKS); FOR: A REDUCTION IN THE BUILDING FOOTPRINT AND MINOR CHANGES TO THE ELEVATIONS AND ROOF.</p>	

Recommendation: Approve



1.0 SUMMARY OF RECOMMENDATION

1.1 Approve.

1.2 This application is to be considered by Planning Committee because of the strategic importance of the project to the Heart of Slough and the further importance of the external finishes for this iconic building. Also it forms part of a major development.

PART A: BACKGROUND

2.0 Application Site

2.1 The site is located at the western end of the town centre, to the rear of shops fronting the High Street and Mackenzie Square, and immediately south of St Ethelbert's Church; a Grade II listed building. It also fronts onto the new Heart of Slough crossroads junction. The site includes land previously occupied by the Age Concern building fronting William Street (now demolished), and the service yard to the rear of the buildings fronting High Street and William Street. The service yard is currently accessed via a ramp from the first floor of the Queensmere Shopping Centre, located immediately to the east of the site. The site forms part of the Heart of Slough Master Plan area.

3.0 Proposal

3.1 The purpose of this report is to agree the material that will be used as the main cladding on The Curve community building. A sample of this will be displayed at the meeting.

3.2 All other materials and outstanding conditions will be approved by officers under delegated powers.

4.0 Planning Background

4.1 The site forms the south east quadrant of the Heart of Slough regeneration area. The outline planning permission (P/14405/000) for the Heart of Slough Master Plan, which was granted in 2009, included approval for the Learning Curve building.

4.2 This would have been partly built upon land which was part of St Ethelberts church. When agreement could not be reached with the church the building was relocated and redesigned. As a result planning permission (S/00533/001) was granted for The Curve in 2010. The full description of this was:

REDEVELOPMENT OF THE SITE FOR A NEW LIBRARY AND CULTURAL CENTRE INCLUDING LIFE LONG LEARNING FACILITIES, MULTI PERFORMANCE SPACE / COUNCIL CHAMBER, TEACHING ROOMS, GALLERY SPACE, CAFE,

EXTERNAL READING GARDEN, NEW VEHICULAR ACCESSES, PHASED PROVISION OF ENHANCED PEDESTRIAN LINKS, PUBLIC REALM AND LANDSCAPE IMPROVEMENTS. THE PROPOSAL WILL INVOLVE THE DEMOLITION OF PART OF THE REAR OF 3-4 WILLIAM STREET, THE RAMP AND TOILET BLOCK ATTACHED TO QUEENSMERE SHOPPING CENTRE AND SCOPE FOR THE FUTURE DEMOLITION OF 7-11 MCKENZIE SQUARE FOR ENHANCED PUBLIC REALM AND PEDESTRIAN LINKS.

- 4.3 It should be noted that since then the detailed design of The Curve has been refined and minor amendments have been made to the design which included a reduction in the building footprint and minor changes to the elevations and roof. This included cutting back the building at the eastern end closest to Queensmere to increase the area of public open space in this area.
- 4.4 These changes were approved as minor amendments under delegated powers in September 2013 and a new planning permission (P/15524/000) was issued.
- 4.5 There is a current submission of details application (P/15524/001) in for conditions relating to relating to archaeology, land contamination, surface water drainage scheme- hydrology and discharge rates, foundation detail, surface water drainage infiltration, access design, pedestrian visibility, visibility splays and roller shutter door/gate/barrier. These will be determined by officers under delegated powers.
- 4.6 Details of all samples have also been submitted in order to comply with condition No.3 of planning permission P/15524/000. These will also be determined under delegated powers apart from the approval of the external cladding that will used on the building.
- 4.7 When this was previously considered by the Planning Committee in August 2010 it was explained that there were two options were for the type material to be used as the cladding for the building. These were:
- 1 White gloss (RAL 9010) glazed terracotta rain screen system
 - 2 White gloss (RAL 9010) polyester powder coated 3mm aluminium panel rain screen system.
- 4.8 Whilst it was agreed that the aluminium panel was the preferred material, no approval was granted at that time. This is why the proposed material has been brought back to Committee for approval.
- 5.0 Consultation**
- 5.1 The overall design and general appearance of The Curve has been the subject of extensive public consultation.

- 5.2 The proposed cladding material has been the subject of internal consultations.
- 5.3 English Heritage were previously consulted on the proposed material. They were happy with the basic concept of relatively large panels with a white enamelled finish with a degree of texture pressed in and are profiled to follow the curves of the building. English Heritage advised that they consider that the joints between the panels must be tighter than 10mm, they believe that the corners could be sharper and that tests should be undertaken to see how they weather.
- 5.4 English Heritage were also consulted about the amendments to the design and raised no objections.

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)

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 8 (Sustainability & the Environment)

Adopted Local Plan for Slough

- EN1 (Standard of Design)

7.0 The Design of the Building

- 7.1 As explained above the design of the building has been approved by Committee in planning permission S/00533/001, subject to the minor amendments approved under planning permission

P/15524/000.

7.2 As a result the only matter to be approved by Members at this stage is the material for the exterior cladding of the building..

8.0 The Proposed Materials

8.1 The proposed material for the external cladding of The Curve is a series of 1000mm x 1100mm panels which are curved in the vertical axis. The proposed material is polyester powder coated aluminium and the proposed colour is (RAL 9010) which is just “off white” .One of the panels will be displayed at the meeting.

8.2 The proposed materials have to take account of what is appropriate for what will be a modern “iconic” building, as well as their compatibility with St Ethelbert’s Church and the Prudential Building

8.3 It is considered that the proposed aluminium panels are appropriate cladding materials for a significant cultural building. They will have a significant life span (guaranteed for 25 years) and require limited maintenance. It is a robust material which can cope with significant knocks. Graffiti can be cleaned off with the application of an anti graffiti coating to the lower levels. In the case of malicious damage individual panels can be easily replaced

8.4 The main architectural features of the design of the Curve are its sculptural shape, the extensive use of glazing at both ends and the pattern of glazing along the northern elevation fronting the Church with its distinctive “eye brow” shape.

8.5 As a result it is considered that the use of simple curved plain coloured panels complements the overall design of the building

8.6 It was originally proposed that each panel would have an embossed series of nodules in them to create a surface texture and create additional patterns in the elevation. These are not now included in the proposed design which will rely upon the curvature of the panels to create different textures.

8.7 The colour chosen is just “off white” which is intended to be bright but not harsh in sunlight and a softer grey on the shaded north facade

8.8 The adjoining Church of Our Lady Immaculate and St. Ethelbert and the adjacent Presbytery are both Grade II Listed Buildings. The Church was built in 1909-10, while the Presbytery was not completed until 1919. In particular, the listed building description places significant importance to the flint stone dressing of the two buildings.

- 8.9 As explained above, when English Heritage were previously consulted on the proposed material they were happy with the basic concept of relatively large panels with a white enamelled finish.
- 8.10 The white colour also provides a clean simple background for St Ethelbert's church when viewed from Wellington Street.
- 8.11 Although The Curve adjoins the Prudential Building, which is a Locally Listed Building which was built in the 1930s, the proposed white panels do not have much of an impact upon the William Street frontage because this elevation is almost entirely glazed.
- 8.12 As a result it is considered that the proposed white panels are suitable for the modern design of the building with its distinctive shape and use of glazing. It is also considered that they will provide an appropriate contrast and enhance the setting of the adjacent Listed and Locally Listed Buildings. It is therefore recommended that the submission of details should be approved as being in compliance with Core Policy 8 and Local Plan EN1.

PART C: RECOMMENDATION

9.0 Recommendation

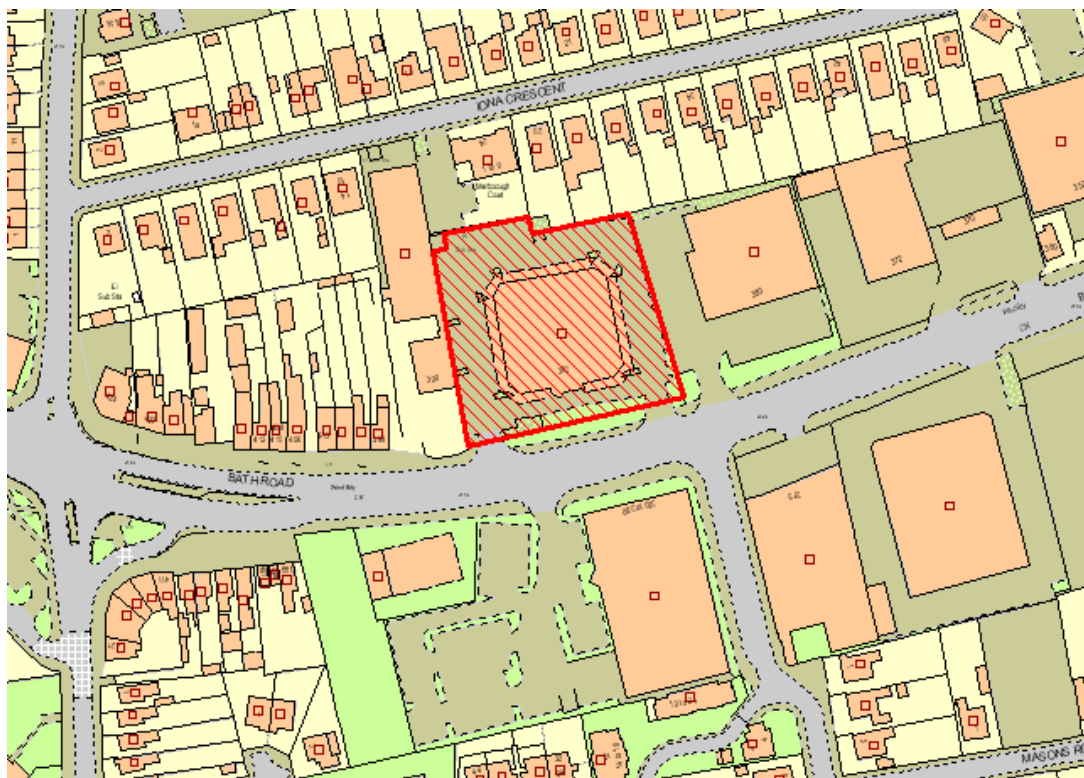
9.1 Approve.

9.2 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.

Registration Date:	31-May-2013	Applic. No:	P/00176/032
Officer:	Mr. J. Dymond	Ward:	Haymill
Applicant:	Mr. Nilesh Patel, Slough Hotels and Banqueting Ltd		
Agent:	Mr. Johnathan Whytehead, SCP Architects Argyle House, Joel Street, Northwood Hills, Middlesex, HA6 2HE		
Location:	392, Bath Road, Slough, SL1 6JA		
Proposal:	CHANGE OF USE FROM OFFICES (CLASS B1A) TO RESTURANT (CLASS A3), WITH SEATING AT GROUND FLOOR ONLY AND STORAGE/ FOOD PREPARATION AT FIRST FLOOR, INSTALLATION OF NEW SERVICE ENTRANCE, MINOR EXTERNAL WORKS TO PROVIDE CYCLE PARKING AND CHANGES TO PARKING LAYOUT.		

Recommendation: Delegate to Strategic Lead Planning Policy



1.0 SUMMARY OF RECOMMENDATION

- 1.1 This application has been referred to the Planning Committee for consideration at the request of Councillor Brooker on the following planning grounds:
- 1.2
- Concerns about traffic generated and parking;
 - Concerns regarding the future use of the site as a banqueting facility and wedding venue;
 - Concerned that use would be open late near residential properties.
- 1.3 Having considered the relevant policies set out below, the comments received and letters of objection received from residents living near the site, and all other relevant material considerations, it is recommended that the application be delegated to Strategic Lead Planning Policy for final determination following consideration of revisions to the travel plan, completion of a Section 106 Agreement and finalising of conditions.

PART A: BACKGROUND

2.0 Proposal

- 2.1 The proposal is for the change of use of the existing building from a Class B1(a) office to a Class A3 restaurant. The dining area would be situated at ground floor level, with associated storage/food preparation taking place at first floor level. The installation of a new service entrance, minor external works to provide cycle parking and changes to parking layout are also proposed.
- 2.2 The applicant has stated that the proposed Class A3 restaurant would provide a maximum of 350 covers.
- 2.3 It is important to note that this application is a separate application to planning application P/00176/031 which is for an 800 person capacity banqueting facility at first floor level and a Class A3 restaurant at ground floor level.

3.0 Application Site

- 3.1 The site is 0.4 of a hectare in area and is broadly square in shape. The existing building on the site has a floor area of 2,665 square metres and is two storeys in height. The building fronts Bath Road. The nature of the surrounding uses when viewed from Bath Road is generally commercial in nature. There are residential properties

beyond the rear boundary of the site.

- 3.2 Marlborough Court is situated beyond the north western corner of the site and the properties of Iona Crescent (nos. 26-30) are situated to the rear and to the north east. Iona Crescent is a cul-de-sac which is accessed off of Station Road to the west.
- 3.3 To the east of the site is 380 Bath Road. This building is currently occupied by Halfords, a retailer selling cycle and motoring products. To the west of the site is 396 Bath Road. This unit is used for the sale of carpets. On the opposite side of the road to the south is 383-389 Bath Road. This building is in use for retail purposes, and the unit adjacent to Bath Road is a bed superstore.
- 3.4 The site has two access points onto Bath Road. There are car parking spaces surrounding the building and abutting the northern, eastern and western boundaries.
- 3.5 The boundary treatment is timber fencing to the rear and sides. There is a wall along the front boundary.

4.0 Site History

- 4.1 P/00176/031 CHANGE OF USE OF EXISTING BUILDING FROM CLASS B1 (BUSINESS) TO PART SUI GENERIS (BANQUETING) AT FIRST FLOOR AND PART CLASS A3 (RESTAURANT) AT GROUND FLOOR. MINOR EXTERNAL ALTERATIONS TO IMPROVE STAIR ESCAPE WIDTHS FROM FIRST FLOOR

Under assessment, recommendation to approve in principle subject to Section 106 Agreement

- P/00176/030 VARIATION OF CONDITION 3 AND 4 OF PLANNING PERMISSION P/00176/021 TO ALLOW UNRESTRICTED USE WITHIN THE B1 USE CLASS

Approved with Conditions; Informatives 21-Feb-2007

- P/00176/029 ALTERATIONS TO ENTRANCE AND NEW WALLS AND GATES AND ERECTION OF FOUR 5M HIGH POSTS AND CCTV CAMERAS (AMENDED PLANS 28.06.95 AND 10/08/95)

Approved with Conditions 10-Aug-1995

- P/00176/028 ALTERATIONS TO PROVIDE NEW REAR ENTRANCE TO OFFICES

Approved with Conditions 16-Dec-1993

P/00176/027 ERECTION OF 5NO TWO BEDROOM TERRACE HOUSES WITH INTEGRAL GARAGES (AMENDED PLANS RECEIVED 05.02.90)

Approved with Conditions 12-Feb-1990

P/00176/026 CHANGE OF USE FOR MOTOR CAR SALES AND SERVICING AND EXTERNAL AND INTERNAL ALTERATIONS AND CAR LIFT TO FIRST FLOOR

Refused 22-Aug-1988

P/00176/025 SUBMISSION OF DETAILS OF MATERIALS IN COMPLIANCE WITH CONDITION NO.9 OF PLANNING CONSENT P/176/21 DATED 1ST OCTOBER 1985

Approved with Conditions 13-Mar-1987

P/00176/024 ERECTION OF HIGH TECHNOLOGY BUILDING AND CAR PARKING. (OUTLINE).

Withdrawn (Treated As) 08-Jul-1987

P/00176/023 DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF A HIGH TECHNOLOGY INDUSTRIAL BUILDING AND ASSOCIATED CAR PARKING AND EXECUTIVE FLAT AND DINING FACILITIES. (OUTLINE).

Withdrawn (Treated As) 08-Jul-1987

P/00176/022 DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A HIGH TECHNOLOGY INDUSTRIAL BUILDING. SUBMISSION OF DETAILS OF DESIGN EXTERNAL APPEARANCE AND LANDSCAPING IN ACCORDANCE WITH CONDITION 2 OF THE OUTLINE PLANNING PERMISSION P176/21 DATED 1/10/85

Approved with Conditions 06-Jun-1986

P/00176/021 DEMOLITION OF EXISTING BUILDING AND ERECTION OF A 28 853 SQ FT (GROSS) HIGH TECHNOLOGY BUILDING (OUTLINE)

Approved with Conditions 01-Oct-1985

P/00176/020 DEMOLITION OF EXISTING BUILDINGS AND

CONSTRUCTION OF A NEW HIGH TECHNOLOGY
INDUSTRIAL BUILDING

Refused 09-Sep-1985

P/00176/019 RELAXATION OF CONDITION NO 6 OF PLANNING
CONSENT DATED 21-6-82 FOR GROUND FLOOR
FROM TRADE SHOWROOM & WAREHOUSE TO
CLASS 1 RETAIL USE

Approved with Conditions 22-Sep-1984

P/00176/018 REDEVELOPMENT INVOLVING DEMOLITION
AND ERECTION OF WAREHOUSING AND
OFFICES

Approved with Conditions 21-Jun-1982

P/00176/017 ERECTION OF WAREHOUSING WITH ANCILLARY
OFFICES (OUTLINE)

Refused 08-Jun-1981

P/00176/016 REDEVELOPMENT OF WAREHOUSING &
ANCILLARY OFFICES WITH SHOWROOM AND
RETAIL FACILITY (OUTLINE)

Refused 23-Feb-1981

5.0 Neighbour Notification

5.1 15, Stowe Road, Slough, SL1 5QE, 16, Balmoral Close, Slough, SL1 6JP, Flat 9, Marlborough Court, Iona Crescent, Slough, SL1 6JH, Flat 6, Marlborough Court, Iona Crescent, Slough, SL1 6JH, 17, Jupiter Court, Slough, SL1 5QG, Flat 9, 24, Iona Crescent, Slough, SL1 6JH, Flat 8, 24, Iona Crescent, Slough, SL1 6JH, Flat 3, 24, Iona Crescent, Slough, SL1 6JH, Flat 2, 24, Iona Crescent, Slough, SL1 6JH, Flat 1, 24, Iona Crescent, Slough, SL1 6JH, Flat 7, 24, Iona Crescent, Slough, SL1 6JH, Flat 6, 24, Iona Crescent, Slough, SL1 6JH, Flat 5, 24, Iona Crescent, Slough, SL1 6JH, Flat 4, 24, Iona Crescent, Slough, SL1 6JH, 25, Iona Crescent, Slough, SL1 6JH, 26, Iona Crescent, Slough, SL1 6JH, 39, Stanhope Road, Slough, SL1 6JR, 16a, Stowe Road, Slough, SL1 5QF, 21, Suffolk Close, Slough, SL1 6JN, 34, Iona Crescent, Slough, SL1 6JH, 33, Iona Crescent, Slough, SL1 6JH, 17, Burnham Lane, Slough, SL1 6LH, 19, Iona Crescent, Slough, SL1 6JH, 42, Iona Crescent, Slough, SL1 6JH, 383-389, Bath Road, Slough, SL1 5QA, Jag Dev Autos, 398, Bath Road, Slough, SL1 6JA, 7, Iona Crescent, Slough, SL1 6JH, 24, Stowe Road, Slough, SL1 5QF, 30, Iona Crescent, Slough, SL1 6JH, 35, Iona Crescent, Slough, SL1 6JH, 22, Stowe

Road, Slough, SL1 5QF, Himiliya Carpet, 396, Bath Road, Slough, SL1 6JA, 4, Stowe Road, Slough, SL1 5QF, 14, Masons Road, Slough, SL1 5QJ, 29, Burnham Lane, Slough, SL1 6LH, 23, Iona Crescent, Slough, SL1 6JH, H S S Hire Group Plc, 375, Bath Road, Slough, SL1 5QA, 9, Stowe Road, Slough, SL1 5QE, 11, Masons Road, Slough, SL1 5QJ, Wyeth Research, 392, Bath Road, Slough, SL1 6JA, 25, Stanhope Road, Slough, SL1 6JR, Flat 3, Compton Court, Brook Crescent, Slough, SL1 6LL, Halfords Ltd, 380, Bath Road, Slough, SL1 6JA, 28, Iona Crescent, Slough, SL1 6JH, 23, Stanhope Road, Slough, SL1 6JR, 5, Iona Crescent, Slough, SL1 6JH, 43, Iona Crescent, Slough, SL1 6JH, 17, Stowe Road, Slough, SL1 5QE

- 5.2 43 objections have been received from residents living near the site, some of which make reference to the previous application (P/00176/031) for the proposed banqueting venue and the concerns raised in summary are as follows:
- 5.3
- Impact on traffic generation, highway safety and parking;
 - Overshadowing, overlooking and loss of privacy;
 - Noise disturbance;
 - Odour pollution;
 - Light pollution;
 - Effect on trees;
 - Inadequate landscaping/means of enclosure;
 - Relevant planning policies;
 - Existing eating and takeaway problems bring vermin, waste and rats;
 - Noise of late evening customers – noise associated with existing uses;
 - If restaurant was established, the function room could go ahead;
 - Concerns regarding proposed banqueting venue for weddings;
 - Issues with parking on surrounding roads;
 - Noise from guests, cars, music, lighting and deliveries which will cause disturbance;
 - Previous application was opposed by residents;
 - Proposal to accommodate up to 800 people will have disastrous affects on traffic and parking;
 - Security issues.

These concerns are noted and the assessment of the material planning considerations relevant to this application are assessed below.

6.0 Consultation

6.1 Transport and Highways

- Transport Statement and Travel Plan has been provided;

- The proposal would generate a higher number of trips, but these will not impact on the AM peak hour. The development will generate trips in the evening peak hour and these are predicted to be slightly less than if the site was operating as an office;
- A commitment that the ground floor will be used for public dining use should be secured within the Section 106 Agreement;
- The Slough Local Plan Parking Standards require 1 car parking space per 5m² of public area to be provided. Based on a dining area of 475m², 95 spaces are required, which is what is proposed. The proposed development complies with the Local Plan parking standards so long as the dining area remains at 475m²;
- It has been recommended that the developer should reduce the number of spaces on-site by a small number in order to improve the layout of the site and they have achieved a much better layout and now provide 85 spaces. However, on busy events it would still be possible to provide a few additional spaces. Satisfied that the level of parking is sufficient for the proposed development;
- Subject to securing Section 106 obligations as identified and making the changes to the Travel Plan prior to the signing of the Section 106 Agreement, no highway objections.

A revised Travel Plan has been received and this is under consideration. Further comments will be reported on the Committee Amendments Sheet.

6.2 Environmental Protection

- Details of the extraction system are required including anticipated noise levels and any noise attenuation measures they are suggesting. Further information is also needed regarding what filters etc will be used to limit any cooking odours. The premises backs on to Iona Crescent and Marlborough Court which are residential areas, so amenity needs to be protected;
- Noise from deliveries needs to be managed;
- Query regarding entertainment and sound insulation.

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
Policy EMP2 – Criteria for Business Developments
Policy EMP12 – Remaining Existing Business Areas

Slough Local Development Framework Site Allocations
Development Plan Document
Selected Location for Comprehensive Regeneration – SKL1

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 for 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.

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) Heads of terms;
- 6) Other issues.

8.0 Principle of Development

- 8.1 The building fronts Bath Road and the nature of the surrounding uses when viewed from Bath Road is generally commercial in nature. There are residential properties beyond the rear boundary of the site.
- 8.2 The building was formerly in use for B1(a) office purposes however it is understood to be currently vacant.
- 8.3 The site is located within an existing business area as illustrated on the Core Strategy Key Diagram.
- 8.4 The site is identified as an Area of Major Change in the Core Strategy. The western end of the A4 Bath Road is identified in paragraph 7.98 as having the potential to accommodate some alternative uses or mixed use developments.
- 8.5 The site therefore forms part of site allocation SKL1 in the Site Allocations Development Plan Document. The allocation allows for the loss of the existing business area and seeks to achieve the comprehensive regeneration of the Trade Sales site which is to the east of the application site, and surrounding sites. Residential uses would also be permitted despite the land being zoned as an existing business area.
- 8.6 Given the above, there is considered to be no objection to the loss of the office use. It is understood that this building has been vacant for some time. It should be also noted that the Council's Local Development Framework Annual Monitoring Report for the period 2011/2012 showed that Slough office take up in 2011 totalled 116,000 sqft, a reduction of over 51% compared to last year and that there was a vacancy rate of 24.7%.
- 8.7 The principle of the proposed use is considered to be acceptable as the proposed use of the building as a Class A3 restaurant would contribute to an overall mix of uses in the locality. The proposal would bring a vacant building back into use. The submitted

application form states that the proposal would provide 50 full time jobs and 15 part time jobs and the proposal would therefore provide employment opportunities and would accord with Core Policy 5 of the Core Strategy.

- 8.8 The proposal would be consistent with its location and would comply with Core Policies 1, 5 and 6 of the Core Strategy and Policy EN1 of the Adopted Local Plan for Slough.

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 The alterations to the exterior of the building would comprise the installation of a new service entrance, minor external works to provide cycle parking and changes to the parking layout.
- 9.3 The proposed external changes are not considered to have a detrimental impact on the appearance of the building and the proposal would not have an adverse impact on the street scene.
- 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 Core Strategy and Policy EN1 of The Adopted Local Plan for Slough.

10.0 Potential Impact on Neighbouring Properties

- 10.1 Concerns have been raised in representations received regarding the potential impact of the proposal on the amenity of nearby neighbouring residents. There are neighbouring properties beyond the northern boundary of the site and rear gardens back onto the rear of the existing car park.
- 10.2 Core Policy 8 of the Core Strategy states that development will respect its location and surroundings, and respect the amenities of adjoining occupiers.
- 10.3 Policy EMP2 of the Adopted Local Plan states that proposals for business developments will only be permitted if there is no significant loss of amenities for the neighbouring land uses as a result of noise, the level of activity, and overlooking.
- 10.4 The main areas of concern in relation to potential impact on neighbour amenity are considered to be as follows:
- Noise as a result of the operation of the restaurant and

associated plant and extraction system, members of the public and customers using the car park and noise from vehicles;

- Smells resulting from the restaurant and smells from bins;
- Loss of privacy;
- Hours of operation.

- 10.5 With regard to hours of opening for customers, the applicant has stated that would be 10am to 11pm/midnight on Monday to Friday, 10am to midnight on Saturday and 10am to 11pm on Sundays and Bank Holidays. It is considered that subject to the restaurant closing at 23:00 of a weeknight (Monday-Thursday), these hours of opening would be generally acceptable given that night hours are normally taken to be the period beginning with 11pm and ending with the following 7am. As such, it is not considered that the proposal would have the potential to give rise to unacceptable undue impacts to the surrounding area or neighbouring properties. On Friday and Saturday night, it is proposed that the restaurant shall close at midnight and this is considered to be acceptable and strike an appropriate balance between the operation of the proposed restaurant and protecting the amenity of neighbouring occupiers.
- 10.6 Of relevance to this assessment of the acceptability of hours of opening is the situation with respect to other similar uses in the vicinity of the site. For example, Tummies Restaurant at 3-9 Station Road is understood to be open until midnight on Mondays-Saturdays. Approval has recently been granted for the proposed change of use of use of 408-410 Bath Road from Class A1 retail to mixed Class A3/A5 restaurant/café and hot food takeaway. This use was permitted to be open to customers until 23:00.
- 10.7 Whilst the proposal under consideration is for a larger operation than these permitted uses and this application must be assessed on its own merits, the hours of opening for these uses demonstrates that the proposal would be generally commensurate in terms of opening hours with similar existing commercial activity in the vicinity of the site.
- 10.8 Turning to other neighbour impact issues, the Council's Environmental Health section has been consulted. It has been commented that details of the extraction system are required, along with information regarding noise levels, measures to limit odours, noise from deliveries and sound insulation.
- 10.9 It is considered that these matters can be satisfactorily controlled by condition. Full details of the proposed extraction system can be submitted for approval along with measures to limit odours and cooking smells. The submitted plans show the extract duct facing 380 Bath Road, the neighbouring retail unit.

- 10.10 The submission of a robust noise management plan to mitigate any potential impact arising from evening/night time operations will also be required. It is considered that this should take into account measures to control potential noise impacts arising from the use of the car park and customer activity within the car park, as well as deliveries to the site.
- 10.11 With regard to hours of deliveries, it is proposed to limit the hours within which deliveries can be received to between 09:00 and 18:00 hours on Mondays-Thursdays, 09:00 hours to 17:00 hours on Fridays and Saturdays, and at no times on Sundays and Bank/Public Holidays.
- 10.12 Details have been requested regarding sound insulation and it is considered that fire exits should also be kept shut to prevent noise breakout, unless otherwise required in an emergency and details will be required of proposed smoking shelters to ensure that these are sited away from residential properties.
- 10.13 On this basis and subject to appropriate planning conditions, it is considered that the proposed development would not give rise to unacceptable neighbour impact and would be acceptable in planning terms.
- 10.14 Turning to the matter of entertainment, the Use Classes Order defines a Class A3 use as being for the sale of food and drink for consumption on the premises, and this is the key characteristic in terms of defining this use. The proposed restaurant should operate in this way. Whilst it may be possible for a form of occasional entertainment to be provided on an ancillary basis to this main use, entertainment should not form a main feature of a proposed restaurant use and were this to be the case, then it is likely that this could be considered to constitute either a mixed use, or alternatively, a material change of use. Planning permission would be required for this.
- 10.15 It is considered that appropriate conditions can be recommended regarding noise and possible neighbour impact issues and it is considered, having regard to the nature of the use and the character of the surrounding area that the proposal would be acceptable in terms of amenity and compliant with Core Policy 8 of the Core Strategy and Policy EMP2 of the Adopted Local Plan for Slough.

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 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. An objection was raised initially on the grounds that the application did not provide sufficient information for the Local Highway Authority to determine the impacts of the development on the safety and operation of the public highway and wider transportation network. Accordingly, further information was submitted. This information comprises a Transport Statement, a Travel Plan and an amended parking layout. Further comments have been received from Transport and based on the additional information; it is considered that the proposal would be acceptable subject to conditions and a Section 106 Agreement. Revisions to the Travel Plan have been requested and a revised Travel Plan has been submitted. This is currently under consideration and an update on the measures proposed will be provided on the Committee Amendment Sheet.
- 11.4 Trip Generation
- 11.5 The submitted Transport Statement sets out that the existing use of the site would have the potential generate 326 two-way vehicle movements across the day, with the peak arrivals and departures at the site coinciding with the local highway network peak hours. The proposed development would generate a higher number of trips, but these will not impact on the AM peak hour. The development will generate trips in the evening peak hour and these are predicted to be slightly less than if the site was operating as an office. It has been requested that the use of the ground floor only for dining is secured through a Section 106 Agreement, as this could have the potential to impact on trip generation and would lead to overspill parking.
- 11.6 Car Parking
- 11.7 The proposed restaurant would have a public floor area of 475 square metres. On this basis, it has been commented that 95 no. car parking spaces would be required having regard to relevant standards. Provided that the dining area remains at 475 square meters as proposed, the development would comply with the Adopted Local Plan for Slough parking standards.
- 11.8 The amended parking layout shows that 85 no. spaces would be provided and there would therefore be a shortfall of 10 no. spaces when considered against relevant standards. The Council's Transport consultant has not raised an objection to this however as

the revised parking layout would ensure that the spaces that are available are usable (the layout initially submitted for consideration included spaces which were not considered practical). It is therefore considered that the level of parking is sufficient for the proposed development and would accord with Policy T2 of the Adopted Local Plan for Slough.

11.9 Cycle Parking

11.20 Visitor cycle parking has been relocated adjacent to the main entrance and would be in the form of an undercover facility. This is considered acceptable and compliant with Policy T8 of the Adopted Local Plan for Slough.

11.21 Servicing

11.22 All servicing of the development will need to be undertaken from within the development and a condition is recommended in relation to this. This will ensure that the free flow of traffic on the A4 is not impacted, and pedestrian safety is not adversely affected.

11.23 It is therefore considered that the proposal would comply with Core Policy 7 of the Core Strategy and policies T2 and T8 of the Adopted Local Plan for Slough.

12.0 Heads of Terms

12.1 The Council's Transport consultant has requested that obligations are included in a Section 106 Agreement and these are considered both reasonable and necessary. These obligations are as follows:

- No public use of the first floor, if public use is found to be occurring then development shall cease;
- Implementation of Travel Plan;
- Payment of a Travel Plan monitoring contribution of £4,500.

12.2 It is also considered necessary to control the use and limit the size of the public accessible dining area. This area should not exceed 475m² and if this is found to be occurring then it is considered that the operation of the development should cease. It is also considered necessary to limit the number of covers.

12.3 These obligations are considered to comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010 in that the matters which will be covered are:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the

development.

13.0 Other Issues

- 13.1 It is important to note that this application is for the proposed change of use of the building to a Class A3 restaurant to provide a public dining area at ground floor level and to use the first floor for storage and preparation associated with the proposed restaurant. This proposal therefore differs from planning application P/00176/031 which was for a banqueting facility at first floor level and a Class A3 restaurant at ground floor level.
- 13.2 Whilst the concerns raised regarding the future use of the site as a banqueting venue are noted, the application submitted for that use (P/00176/031) is under consideration. Many of the objections received in connection with this application make reference to the previous application. A recommendation has been made to approve that application in principle; however a Section 106 Agreement will be required which would impose obligations relating to the use. That Agreement has not been finalised. The requirements are detailed and it is understood that the applicant is looking at alternative options for the site, hence the application under consideration being made.
- 13.3 In any event, this application falls to be determined on its own merits. Were an unauthorised change of use to take place in the future, planning enforcement action could be taken if it were considered expedient to do so. It is also recommended that cease clauses are contained within the Section 106 Agreement to provide powers for any breaches to be resolved. It is considered that appropriate conditions could be imposed to define and control the proposed use.

14.0 Process

- 14.1 In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner. The development is considered to be sustainable and in accordance with the requirements of the National Planning Policy Framework.

15.0 Summary

- 15.1 The proposal has been considered against relevant development plan policies, and regard has been had to the comments received and letters of objection received from residents living near the site, and all other relevant material considerations.
- 15.2 It is recommended that the application be delegated to Strategic Lead Planning Policy for formal determination following consideration of revisions to the travel plan, completion of a Section

106 Agreement and finalising of conditions.

PART C: RECOMMENDATION

16.0 Recommendation

- 16.1 Delegate to Strategic Lead Planning Policy for formal determination following consideration of revisions to the travel plan, completion of a Section 106 Agreement and finalising of 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. SK 014 Revision A, Dated May 2013, Recd On 25/09/2013

(b) Drawing No. SK 015, Dated May 2013, Recd On 22/05/2013

(c) Drawing No. SK 016, Dated May 2013, Recd On 22/05/2013

(d) Drawing No. SK 017 Revision A, Dated May 2013, Recd On 25/09/2013

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.

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. Notwithstanding the provisions of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended), the ground floor of the building shall only be used as a restaurant or café falling within Class A3 of 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) and for no other purpose and the publically accessible ground floor Class A3 restaurant dining area shall not exceed 475m². The first floor shall only be used for ancillary staff and back of house purposes in association with the ground floor restaurant only and the first floor shall not be accessed by members of the public/customers.

REASON To safeguard the viability and vitality of Slough town centre and the surrounding district centres in accordance with Core Policy 6 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.

5. The capacity of the Class A3 restaurant hereby approved shall not exceed 350 covers.

REASON In the interests of parking and highway safety and to safeguard the amenities of nearby residential occupiers by ensuring that the scale of the development is related to the site's current and proposed accessibility, character and surroundings in accordance with Core Policies 1, 7 and 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

6. The use hereby permitted shall not be open to members of the public / customers outside the hours of 10:00 hours to 23:00 hours on Mondays-Thursdays, 10:00 hours to midnight on Fridays and Saturdays, and 10:00 hours to 20:00 hours on Sundays and Bank/Public Holidays.

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

7. There shall be no commercial deliveries visiting the site outside the hours of 09:00 hours to 18:00 hours on Mondays-Thursdays, 09:00 hours to 17:00 hours on Fridays and Saturdays, and at no

times on Sundays and Bank/Public Holidays.

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

8. The servicing of the Class A3 restaurant hereby approved shall only take place via the service entrance as shown on Drawing No. SK 014 Revision A, Dated May 2013, Recd On 25/09/2013. The door to the service entrance shall remain closed at all times whilst the use is operational unless access is required for the purposes of servicing and deliveries or in the event of an emergency. The service entrance shall not be used to provide access for members of the public/customers.

REASON In the interests of minimising noise breakout and to safeguard the amenity of nearby occupiers in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

9. All deliveries and servicing to be undertaken from within the site; no servicing shall be undertaken from the public highway.

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

10. The gates shall be secured in an open position during any hours in which the development is in operation.

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

11. All windows shall be fixed shut at all times whilst the use is operational. Windows shall only be opened in accordance with details which shall first be submitted to the Local Planning Authority and approved in writing. Once approved, the windows shall only be opened in accordance with the approved details and retained in that form thereafter.

REASON In the interests of minimising noise breakout and to safeguard the amenity of nearby occupiers in accordance with Core Policy 8 of The Slough Local Development Framework,

Core Strategy 2006 – 2026, Development Plan Document, December 2008.

12. There shall be no access to the fire escape staircases for staff and customers other than in the event of an emergency or for maintenance purposes and the fire doors shall remain closed at all times whilst the venue is operational unless access is required in the event of an emergency.

REASON In the interests of minimising noise breakout and to safeguard the amenity of nearby occupiers in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

13. No development shall commence until a scheme to control/reduce noise emanating from the development (including details of existing noise levels) has been submitted to and approved in writing by the Local Planning Authority. This scheme shall be implemented on site prior to the first occupation of the development and retained at all times in the future to mitigate noise to the levels agreed in the approved scheme.

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

14. No development shall commence until details of the ventilation and fume extraction equipment to be installed at the site have been submitted to and approved in writing by The Local Planning Authority. This equipment shall be installed prior to commencement of the use and retained in a working condition at all times in the future.

REASON To prevent air pollution of the protect the amenities of the local residents in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

15. 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 Core Policy 8 of The Slough Local Development

16. The existing noise climate of the surrounding area must be protected so that the equivalent continuous noise level (leq) in dB (A) as measured outside the nearest noise sensitive building over a 5 minute period with the use taking place does not exceed the equivalent continuous noise level (leq) in dB (A) measured over a comparable period from the same position with no such use taking place and the building unoccupied.

REASON To limit the impact of the development on nearby noise sensitive uses and buildings to accord with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 - 2026) Development Plan Document December 2008 and the National Planning Policy Framework.

17. There shall be no outdoor amplified public address systems, sound systems or loudspeakers used at the site at any time.

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

18. There shall be no outdoor pyrotechnic/firework displays or lighting/laser shows at the site at any time.

REASON In the interests of safeguarding the amenities of neighbouring properties 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.

19. No development shall commence until details have been submitted to the Local Planning Authority and approved in writing for the proposed facilities for smokers (to include siting, design and external materials of any structure or enclosure required for this purpose). The approved facilities shall be completed prior to the first occupation of the development and retained at all times in the future for this purpose.

REASON In the interests of visual amenity and to safeguard the amenity of nearby occupiers 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.

20. No development shall commence until details of the proposed

bin store (to include siting, design and external materials) have been submitted to and approved in writing by the Local Planning Authority. The approved stores shall be completed prior to first occupation of the development and retained at all times in the future for this purpose.

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

21. 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.

22. No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority for the management and operation of the car park. The approved scheme shall be implemented at all times while the venue is in operation and shall not be subsequently altered without the written approval of the Local Planning Authority.

REASON In the interests of safeguarding the amenities of neighbouring properties 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.

23. Unless otherwise agreed in writing, the western access shall only be utilised as an entrance to the site from Bath Road, and the eastern access shall only be utilised as an exit from the site onto Bath Road. The gate to the western access shall remain open at all times whilst the use is in operation and shall be kept free from obstruction.

REASON In the interests of the free flow of traffic and to prevent instances in queuing on Bath Road in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

24. No development shall commence 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 safeguarding the amenities of neighbouring properties 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. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through working with the applicant to address matters relating to the impact of proposed development. 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 is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.

SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee **DATE:** 28th November 2012

CONTACT OFFICER: Roger Kirkham, Special Projects Planner
(For all Enquiries) (01753) 87 5840

WARD(S): Wexham Lea

PART I

FOR DECISION

RESPONSE BY SLOUGH BOROUGH COUNCIL TO BUCKINGHAMSHIRE COUNTY COUNCIL CONCERNING THE PLANNING APPLICATION FOR MINERALS EXTRACTION, INFILLING OF INERT WASTE AND RESTORATION BACK TO AGRICULTURAL USE AND NATURE CONSERVATION 13/00575/CC

LAND ADJOINING UXBRIDGE ROAD, GEORGE GREEN

1. **Purpose of Report**

The purpose of this report is to inform Members of the consultation request received from Buckinghamshire County Council about the planning application and for member to agree their response about the application being determined by Bucks CC.

This request to Slough BC complies with the Sphere of Mutual Interest arrangements between Councils for such sites proposed for development where likely to raise planning implications in each administrative area.

2. **Proposed Action**

The Committee is requested to resolve that:

- a) Buckinghamshire County Council be informed under the Spheres of Mutual Interest arrangements of its response set out in Section 12 to this planning application 13/00575/CC now awaiting determination by Bucks CC. As part of this response, Slough BC would support a package of planning conditions and S106 necessary for this application in the event of it being granted temporary planning permission by Bucks CC.
- b) That Buckinghamshire County Council be informed of its planning decision about the provision of access onto Uxbridge Road and alterations to the public highway. (There is a separate report on this agenda.)

3. **Community Strategy Priorities**

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

4. **Other Implications**

(a) Financial

None

(b) Risk Management

There are no risk management implications of proposed scheme.

(c) Human Rights Act and Other Legal Implications

There are no implications for the Human Rights Act

5. **Supporting Information**

5.0 Proposal

5.1 The proposed development is:

- 1) the phased extraction of mineral of around 900,000 tonnes of sand and gravel at an expected extraction rate of 90,000 - 120,000 tonnes per annum for between 7.5 to 10 years.
- 2) siting and use of plant for mineral processing such as sorting and bagging
- 3) construction of internal road (linking with Slough BC access application proposals).
- 4) infilling with construction and demolition waste together with the restoration to agriculture and nature conservation uses

5.2 The application is accompanied by plans and an Environmental Statement. This includes a Planning Statement, Transport Statement Flood Risk Assessment and Noise and Dust Assessments and other evidence.

5.3 A separate application has been submitted to Slough BC for the proposed access road onto Uxbridge Road and alterations to the entire The Frithe junction. This provides the link with the internal haul road within the site, including to the plant area and bagging. It would be necessary to construct any junction before mineral extraction commences on site in the event of planning permission being granted for mineral extraction by Bucks CC

5.4 These two applications have been submitted by the applicant because the District boundary separates the land under Buckinghamshire CC jurisdiction and highway land under the jurisdiction of Slough BC.

5.5 The applicant states that a new site is required now that an existing quarry near Pinewood is nearing exhaustion.

5.6 Application Site

The site lies in South Bucks District Council area adjacent to the boundary with the Borough of Slough.

5.61 The site is a large agricultural field immediately to the east of the A412 (Uxbridge Road). To the west is the Wexham Court residential estate and Rochford Gardens and play area in the south-west, all in Slough. There are greenhouses and plant nursery to the south (with access through Rochford Gardens Estate), paddocks and stables to the south-east and east and residential properties in George Green to the north-east.

5.62 The field is almost entirely enclosed by the existing vegetation. There is a mature 2m high hedge line along the Uxbridge Road boundary. There are only a few groups of trees and shrubs along the southern boundary with the play area and no planting on the boundary with the nursery glasshouses.

6.0 Relevant Site History

6.1 The site is currently in agricultural use. The only traceable planning history is for part of the land which was subject to a 1960's housing scheme dismissed on appeal. It is within the Metropolitan Green Belt.

6.2 This site falls within the Minerals Safeguarding Area in the recently approved Bucks CC Minerals and Waste Local Development Framework Core Strategy. Because mineral extraction and infilling of waste are treated as 'county matters' it falls under the jurisdiction of Buckinghamshire CC. As it is treated as a temporary use, it qualifies as an acceptable use of a site within the green belt.

7.0 Consultations:

7.1 Neighbour Notification

None. Bucks CC has undertaken neighbourhood consultation for properties in Slough.

7.2 Wexham Court Parish Council

7.2.1 The Parish Council objected to the scheme directly to Bucks CC.

7.3 MP for Slough

7.3.1 A single letter has been received by Fiona MacTaggart covering the access application and the one before Bucks CC.

7.3.2 She has written after a meeting held with the owner of Slough Nursery in Rochford Gardens who expressed concerns to her about the potential implications for his business from the choice of lorry route.

7.3.3 No decision has been reached about designating this site as a

Preferred Area as part of the Bucks CC Minerals and Waste Core Strategy, it only being identified as a Safeguarded Areas. If not a Preferred Area, then this application is premature as it arguably fails to meet the criteria for Preferred Areas in Policy CS5 of the Core Strategy i.e. it is not an extension of an existing site, access is poor and there is an adverse impact upon amenity. Unless the developer can demonstrate that they have exhausted all other options as required by the Sequential test.

7.3.4 The MP has reported the point made by the owner of Slough Nursery(employing 15 people) that the access road and lorry route will affect his business by way of dust and consequent loss of light and the Nursery owner argues this would reduce the Nursery's productivity(in the way this affects his customers and profitability).

7.3.5 Reference was made to the proximity of the lorry route across the site (to its access onto Uxbridge Road) close to the play area which she states is a good argument against the choice of lorry route.

7.3.6 The MP suggests an access at the northern end of the site, which would not impact upon Slough Nursery and impacts fewer houses than the northern option.

7.4 Highways and Transport

7.4.1 The full response from SBC Highways and Transport is set out in the separate report for the access application. Whilst it has been necessary to report these in that report, they are relevant for this response to Bucks CC. Members are invited to turn to the relevant section of that report. A summary is reported here.

7.4.2 Transport evidence has been examined by Slough BC Consultant Traffic Engineer. Submitted revisions have been received to meet highway requirements. The full requirement for new Toucan crossings will be met under the S106 and S278 agreement. The scheme for 'The Frithe' (southern access option) requires a reconfiguration of this junction. It provides a right turning lane in the north-flowing carriageway and revises time settings for the controlled junction to allow vehicles to enter and exit the application site. The SBC Consultant Traffic Engineer is seeking agreement with the applicant to implement a new Traffic controlled system for this junction (as part of a bigger scheme for this stretch of Uxbridge Road with part funding sought from this scheme). It is a compensatory measure required to overcome impaired traffic flow from retiming traffic light controls. The applicant is to confirm funding for this additional component for this part of Uxbridge Road and this is awaited. Any amendments will be reported to Committee.

7.4.3 SBC Consultant Traffic Engineer has identified a preliminary road layout for a northern access option from the Church Lane junction. There would be no land requirements for highway encroaching upon residential property. It is possible that a very small amount of non-highway land on the southwestern side of the junction would be necessary to deliver this. The highway falls within South Bucks

District Council and is not under Slough's jurisdiction. The applicant has been unwilling to provide traffic modelling details for this northern option. It would still be necessary to assess the impact of any northern access option upon nearby residential properties in the George Green settlement. This option has not been fully examined within the Environmental Statement but these are within the jurisdiction of Bucks CC.

7.5 Drainage

7.5.1 A Flood Risk Assessment and further evidence has been submitted to Bucks CC. SBC Drainage is seeking to incorporate part of this site into a designated Flood Management Scheme as a preventative measure to take waters in the event of flooding occurring. This and nearby properties in Slough fall within Flood Risk Zone 3. to achieve this, SBC Drainage is seeking agreement for rights to flood a western strip of land after the mineral extraction/ infilling has been completed. It represents a longterm beneficial flood preventative measure. These require a legal agreement. SBC Drainage advises no longterm flood impacts would arise from this development after the completion of these operations.

7.5.2 However any storage would be there to create extra storage and attenuation measures to slow the flows down. It does however need more certainty that this increased flooding capacity is actually obtained. Furthermore the FRA does not indicate how the water will flow into and out of the storage area.

7.5.3 In addition, there should be clarification about how the flood waters get onto the site during the temporary storage of overburden and soil is in place.

7.5.4 The proposed flood storage area will be considered as one of the options for the Slough Flood Alleviation scheme which is currently ongoing and when the sizing, location and inlet/outlet conditions are considered in more detail.

7.6 Environment Agency

7.6.1 The Environment Agency did not object to the access application under consideration by Slough BC. However at the time of writing the report, the Environment Agency has raised objections to this application for the following reasons.

- a) this site falls within Source Protection Zone 2 (for public extraction of potable water) and objection about effect upon groundwater quality needs to be overcome.
- b) absence of sequential test linked to Flood Risk designation unless demonstrated
- c) effect upon Flood and Surface Water Flood Risk arising from Bund construction during any mineral operations
- d) No connection to main Foul Drainage from site

7.6.2 Further evidence has been submitted by the applicant. As a result, it

is understood that the Environment Agency is seeking confirmation from Bucks CC Minerals Policy Officer that there are currently no other suitable sites and , if received by the EA, will decide about whether or not to withdraw their objection regarding the sequential test.

7.7 Environmental Quality

7.7.1 The Environmental Quality Team Leader has the following observations on noise, dust and air quality:

Selection of Access point

7.7.2 Neutral about any additional environment constraints or benefits for Slough residents arising from a different access (possible northern option) to the one that has been formally submitted. There may actually be a slight noise related benefit with a southern access as it locates the majority of the extraction activity slightly further away from the majority of Slough residents (The northern access option is not part of the current application). The plant itself will be located on the southeastern corner of the site. The plant is linked by the internal road to the proposed junction. It is intended to build a 3m high soil bund with a 2m high acoustic fence on top along the southern boundary between the access road and Rochford Gardens Estate properties. The requirement for the bund becomes necessary when a reduction between the workings and the boundary of residential properties is proposed to overcome the consequences.

Impact of gravel extraction operations

7.7.3 Gravel extraction is normally a damp method process due to the high water table. There are principal dust impacts arising from drying spoils, bagging area and soil stripping, and HGV movements. The principal noise sources will be stripping equipment (excavator, dump truck and bulldozer) the extraction equipment (excavator and dump trucks), pumps, processing plant and HGVs as well as the soil moving to create noise bunds to overcome objections from the proximity of the workings. The waste process will require a permit to operate from the Environment Agency. No part of the process will require a local authority permit to operate.

7.7.4 The soil stripping stages and bund formation (soil stripping), will produce peak noise levels that will breach the 55dB(A) threshold due to the proximity of the operational workings to residential. This impact will be unavoidable and necessary to ensure residents are protected during the longer term operational phase (excavation and processing) of the site.

Dust impacts

7.7.5 Dust impacts will be at their most severe during (soil stripping and bund formation. The site should be regularly damped down and the newly formed bunds seeded early into their construction to minimise nuisance dust.

7.7.6 The hours of operation 07.30 to 18.00 (Monday to Friday) and 07.30 to 13.00 (Sat) and no working on Sundays and Bank Holidays are consistent with similar sand and gravel operations in the region and nationally.

7.7.7 A number of standard measures are required to minimise dust emissions including water spraying, screens and enclosures, enclosure of the bagging area, gravelling of haul roads, use of road sweeper, damping down and speed restrictions, and wheel wash. Further, dust monitoring using BS Frisbee gauges and PM₁₀ monitor at the boundary of Rochford Gardens will be undertaken. The results of the monitoring should be kept on the site and sent to the MPA on a quarterly basis. It is recommended that these dust mitigation measures shall be made a condition on the planning permission.

7.7.8 There is a nursery business using glasshouses in the south east corner on the boundary of the application site. It is under the jurisdiction of Bucks CC. This activity is judged to be of a medium sensitivity i.e air quality . It is understood that the business owner is suggesting the transfer the location of the plant i.e. away from the site boundary to mitigate any dust impact. It is not yet known the outcome of any discussions. In the event of a possible option of moving further north, this would perhaps help reduce dust impacts arising from the plant itself when in operation for properties on the Rochford Gardens estate. Vehicles would still continue to use the internal haul road behind the earth bund on the Rochford Gardens boundary..

7.7.9 Noise Impact

Noise mitigation measures includes erection of noise bunds, regular servicing of vehicles, and grading of haul roads, and also the cessation of using reverse beepers (which is a common cause of high community annoyance) and operating working hours. The approach in the Southdowns Environmental Noise Assessment: Study is acceptable. The two definitive noise limits that are widely applied and adopted for operational mineral workings are:

- The noise level shall not exceed 55dB(A) L_{Aeq, 1 hour} (free field) between normal operating hours as detailed above
- The noise levels shall not exceed 70dB(A) L_{Amax, 1hour} (free field) for noisy short-term activity that cannot meet the limits for normal operations. Such activity as advised above, includes soil stripping and construction and removal of bunds. These short-term activities should not exceed 8 weeks in a year at the nearest residential premises, or noise sensitive properties.

7.7.10 The road traffic noise assessment and criteria uses CRTN, DMRB and IEMA guidance. The assessment of significance is based on the magnitude of the noise impact.

7.7.11 It is noted the site has relatively low background readings, of the order of 42 - 51 dB(A) during the daytime with a mean average of 46 dB(A). The A412 is currently a dominant environmental noise source in the area. The adoption of the 55dB(A) L_{Aeq, 1 hour} (free field) is

accepted. The average background level is fairer method of assessment over the longer term exposure to residential receptors.

7.7.12 The location of the 37 noise sensitive receptors used for this noise assessment forms a good spread around the site and are acceptable to determine significant noise impacts. The noise model uses BS5228: part 1 guidance and a simple correction for the bund barrier. The model therefore assumes worst case assessment. The model approach is logical. The model found breaches of the noise limit, and required mitigation in the form of 2m acoustic barriers on the 3m southern bund. This mitigation will need to be incorporate and made a condition of the permission.

7.7.13 The results of the noise assessment with this additional acoustic barrier in place confirms (worst case) that the noise limits will be complied with at all residential receptors. It is noted the highest levels will affect Rochford Gardens. The only exception is Slough Nursery R36 where the noise limit will be breached, but this site is not a relevant sensitive noise receptor.

7.7.14 The short-term noisy activity relating to bund construction, overburden stripping and restoration is likely to give rise to noise and dust complaints. It is this early aspect of the works that needs to be carefully communicated and managed from both the noise and dust emissions. A lot of the goodwill will be enhanced or destroyed at this stage, and it is advisable the applicant engages with residents through regular written notifications, and preferably through meetings.

7.7.15 It is clear that Rochfords Gardens properties are the most sensitive locations with respect to noise impact on Slough properties. The short term noisy works will be compliant with the NPPF technical guidance criterion of 70dB(A) $L_{Aeq, 1 h(\text{free field})}$ for periods of up to 8 weeks in any year. The calculations and assumptions appear sound in my view, they are worst case. Nevertheless the noise levels will be high and it is recommended that these works take place during the autumn or winter months, when resident's windows are likely to be closed. Also this will assist with respect to dust impacts as the soil stripping and bund formation will be carried out during damper conditions.

7.7.16 It is recommended that these noise mitigation measures and hours of operation shall be made a condition on the planning permission.

Traffic Noise

7.7.17 Traffic noise generation will not give rise to significant noise impacts. The cumulative impact of road traffic, Uxbridge Road and mineral extraction on residential addresses in Uxbridge Road is demonstrated to give rise to between 1.2 and 2.8 dB which using the IEMA/loA guidance is considered a slight impact on those residents.

Proposed noise mitigation scheme for Rochford Garden properties

7.7.18 It is recommended that the noise mitigation measures proposed by the applicant are accepted and shall make a condition on the planning permission inclusive of additional measures proposed to protect Rochford Gardens.

7.7.19 The applicant proposes to install a semi-permanent noise monitoring

system on the site boundary of Rochford Gardens. The applicant needs to clarify what they mean by a semi-permanent noise monitoring system.

- 7.7.20 A condition needs to be stipulated on the planning permission specifying a noise monitoring programme which includes all noise monitoring arrangements, how often noise monitoring shall be undertaken, any breaches of the noise limits on the site, any corrective action applied, and any complaints received. The monitoring reports shall be submitted to the MPA on a quarterly basis.
- 7.7.21 *Air Quality Impact*
The principal impact will be dust and smaller particulate matter arising from site activities.
- 7.7.22 The NPPF guidance stipulates a dust assessment must be undertaken, which will identify the baseline conditions, to identify all activities on the site that are likely to give rise to dust, mitigation measures to prevent dust emissions, and monitoring proposals to monitor and report dust emissions and to ensure compliance with environmental standards or limits placed on the site and to enable an effective response to complaints. Dust impact will need to be dealt with as a statutory nuisance by the NET Team under the Environmental Protection Act 1990, section 79(1)(d). In addition if residential areas are at risk of PM₁₀ exposure exceeding the AQS limits further measures will need to be considered.
- 7.7.23 This site is not within or close to any of the Air Quality Management Areas within Slough, additionally the site traffic (95%) will not be moving through the Slough Town Centre AQMA but will be existing north through South Bucks towards the M40. The significance of air quality impacts are based on the position paper by the Institute of Air Quality Management (IAQM) which is very similar to EPUK guidance document: Development Control: Planning for Air Quality.
- 7.7.24 The soil stripping works and bund formation, phase 1 works will be the most dusty, and it is advisable again that this work is undertaken during the damper months, in Autumn/Winter. The dust risk assessments are outlined in Table 6.1. The assessments are very simplistic but in the absence of defined guidance have to be qualitative. It is a mute point as to whether the play area is or is not covered by statutory nuisance provisions, as it is still a sensitive receptor in my view.
- 7.7.25 The DMRB is a basic screening model but for the purposes of the assessment is sound. There is no diffusion tube data in the locality. In this case, the use of background concentrations on the DEFRA background map is acceptable. This shows low concentrations within the immediate area. Assessment of Air Quality using the DMRB model, thereby suggesting the significance of the impact is of a small magnitude and the impact is negligible where the predicted levels fall well below the AQS standards.

Dust and Air Quality Monitoring

- 7.7.26 The applicant proposes monitoring due to the close proximity of the extraction site. It is recommended a condition be stipulated on the

planning permission specifying that the applicant prepares Dust Monitoring programme/plan (DMP). This programme/Plan shall include details relating to the type of monitoring to be undertaken, dust limits (based on soiling rate or effective area coverage), PM₁₀ limits, details on how often the monitoring results will be reported to the MPA, details of any breaches of the dust limits on the site, details of complaints received in respect of dust and air pollution, and details relating to any corrective action applied? The monitoring reports shall be submitted to the MPA on a quarterly basis.

- 7.7.27 The dust mitigation measures proposed by the applicant as detailed in section 7.2.4 are accepted and shall be made a condition on the planning permission. There should be no odour impacts relating to this process as the materials being imported are construction and demolition wastes and therefore organic contamination is likely to be very low.

7.8 Neighbourhood Enforcement

- 7.8.1 The noise assessment states a permanent noise monitoring station will be installed near Rochford Gardens and Uxbridge Road boundaries. According to the report, this will alarm when noise levels are exceeded. However the report does not state what mitigation measures will be taken if this occurs.
- 7.8.2 Any noisy activity like this is likely to generate residents complaints which may require resources to deal with these.

7.9 SBC Parks

- 7.9.1 The Parks Officer accepts the advice from Team Leader, Environmental Quality about the effects of noise and dust upon play ground users(see Environmental Quality section).
- 7.9.2 It is noted that impact may be intermittent and for relatively short periods. It is however important to know how enforcement takes place in the event of breaches.

7.10 Public Rights of Way

- 7.10.1 In the Approved Rights of Way Improvement Plan 2007-2017 (Nov 2007), it indicates a requirements for new provision for a desire line of new walking and cycling links across the site and dedicated as public bridleways as part of the restoration of land. This indicates routes would benefit the public in being able to access Langley Park via George Green along an attractive route with the majority off-road and also link into the wider access network and the Colne Valley Park to the south and east via the Slough Arm of the Grand Union Canal towpath. Any provision would comply with the recommended Bridleway specification.

PART B: PLANNING APPRAISAL

8.0 Policy Background

8.1 The application is considered under the Mineral and Waste Planning policies for Buckinghamshire, together with national guidance including National Planning Policy Framework.

8.2 The main planning considerations raised by this Council are:

- Principle of mineral extraction and infilling with construction and demolition waste.
- Impact on adjoining sites
- Traffic and Highways Implications
- Flood Risk/ Drainage/ Contamination

The contents of this report only covers those issues of significance to Slough. It is a matter for Bucks CC to carry out their own planning assessment in deciding how to determine whether to grant planning permission or not.

Assessment

9.0 **Principle of the redevelopment & land use**

9.1 This report sets out findings for the Council's response to Buckinghamshire County Council. The final decision will be made by Buckinghamshire CC as a 'county matter'. It will be necessary to obtain planning permission for the access from Slough Borough Council before commencing this site.

9.2 It is acknowledged that this scheme is assessed against the approved 2012 Buckinghamshire Minerals and Waste LDF Core Strategy including Policy CS3 for Safeguarded Areas for Minerals. The 2007 Minerals DPD Preferred Options Consultation Report includes a longlist of site including George Green. There is no current Site Allocation Development Plan Document in place where the final selection takes place. This important document will not be forthcoming in the immediate future. Its status of this site remains as a Safeguarded site for Minerals. This policy is designed to discourage other developments until minerals have been extracted. The Saved Minerals Local Plan did not previously select this site as a Preferred Site.

9.3 At the Public Examination into the Buckinghamshire Core Strategy, the Planning Inspector raised doubts about future availability of sand and gravel for meeting likely future demand. However there is a requirement for Buckinghamshire CC to itself identify such matters in its annual Local Aggregates Assessment. The mineral operator is not ever prevented from seeking to secure a permission. Any planning assessment will still rely upon planning policies and national planning guidance in place.

- 9.4 The 2012 Government Guidance known as the National Planning Policy Framework states that mineral extraction and local transport infrastructure should not be considered as inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purpose of including land in the Green Belt. This advice also applies to landfilling where not directly conflicting with its openness where these activities receive a temporary permission for the duration of this work. The National Planning Policy Framework also emphasises that decisions should be made within the plan-led approach, in this case the Minerals and Waste Local Plans.
- 9.41 Government advice suggests choice of location for extraction can be preferred within a plan-led approach where there is less impact upon residential amenities, less impact upon the highway network without causing additional congestion or creating a road safety problem.
- 9.42 Even when significant harm of the physical or visual character of the surrounding area and nearby amenities might arise for a temporary period of ten years or more, then the importance of meeting demand for these materials(where there are underground reserves) can justify offsetting harm as long as matters such as noise, dust and odour are mitigated.
- 9.43 Appropriate contributions can be sought for implementation of any off-site highway works and other transport improvements such as pedestrian and cycle facilities to maintain accessibility to the development without increasing traffic congestion in the vicinity or in the transport corridors serving the site. The proposal incorporates restoration proposals and for this site, the potential exists for reducing flood risk in future years. ”
- 9.44 The July 2013 Consultation Draft of the National Waste Management Plan for England and its sister document known as PPS on Sustainable identifies future arrangements for planning policy making for waste and adequately provide new waste management facilities of the right type, in the right place and right time.
- 9.5 It would be very beneficial for any decision about this site be taken within a plan-led approach. This would allow the comparative merits of different sites to be assessed. This is because of the proximity of the minerals extraction to residential properties. The creation of 3m bunding, as a mitigation measure, around the site seeks to overcome concerns arising from the proximity. Along the boundary with Slough residential properties and the play area , it is necessary to construct a 2m high timber fence on top of the 3m high bunding on their northern boundary to meet noise requirements.
- 9.51 Bucks CC has not quickly proceeded with the Site Allocation Development Plan Document. If this planning application is approved now, it will no longer be scrutinised during the Public Examination. The annual Bucks CC Aggregates Assessment would be used as evidence.
- 9.6 The 2012 Aggregates Assessment has not yet been publicised. A

consultation draft of the 2012 Aggregates Assessment report was previously indicating sufficient availability of the landbank based on sales for the next couple of years. Although consultation responses on this are not known, representations are likely to contest the amount of landbanked material over the next couple of years and argue for the release of this site in the forthcoming year.

- 9.7 Demand and sales from Berkshire sites rose during the year 2011 and 2012 data have not yet been published. Annual sales figures for Buckinghamshire sites in 2011 were relatively level. New decisions might await the outcome of the Site Allocations Development Plan Document but the case that a refusal can be based upon prematurity may not be upheld. Bucks CC is not prohibited from granting planning permission on the basis of current planning policy and no strong adverse environmental issues arising. A sequential test for Flood Risk is necessary. Regard has to be given to the effect upon a number of residential properties close to this site but the application site whilst operations are underway probably fall into the less vulnerable category.
- 9.8 The scheme proposes to restore the site back to agricultural use by landfilling inert material. There is no planning objection raised on green belt planning policy terms. It is necessary to fully meet the requirements for restoration. Provided current best practice methods are deployed, there should be no impediment to its full restoration taking place. Based on past experience and trends, then these landfilling operations will also affect amenities of some residential properties for this phase of work. It should however be noted a low supply of inert waste is being recorded over the past few years. It is now common for the life of inert waste landfill sites to be extended for this reason.
- 9.9 Minerals are a finite resource and extraction can only be from locations where they exist and it is viable to extract on cost and environmental grounds. Should Bucks CC decide this mineral reserve now be extracted to meet prescribed apportionment allocation, it is still necessary for any decision to still balance this against the impact of an extraction scheme upon the surrounding area including transport matters.

Impact on adjoining sites

- 10 There will be major earth moving for bund construction along the site boundaries and soil stripping across the site to expose the gravel during these early stages. It is necessary to build these bunds because of the proximity of nearby residential properties for the extraction operation.
The alternative would be to reduce the size required for extraction. e
- 10.1 The Team Leader, Environmental Quality reports that these noise and dust generation-related activities are likely to impact upon the amenities of nearby residential properties during these early stages, Once the bund is complete, further operations will take place away from the immediate boundaries.
- 10.2 In assessing the planned mitigation measures, these are accepted by the Team Leader, Environmental Quality as being compliant with

national guidance. The importance of the good management is stressed.

- 10.3 There will be some continuing limited impact from noise and dust relating to lorry traffic along the haul road to The Frithe junction and the plant operation itself. The plant area is located a short distance from Slough residential properties but closer to the glass nursery buildings. This is treated as a less noise sensitive receptor than residential. It is a matter for Bucks CC to determine the impact on the nursery business
- 10.4 It is clear that the landscape character and visual appearance will significantly alter during the time period of 10 to 15 years. The submitted evidence claims that after restoration and its return to agricultural use, then it will reinstate landscape character and visual appearance of this field.
- 10.5 The SBC Tree Officer raises no objection to this scheme on the basis:
- 1) the land will be restored back to agricultural use.
 - 2) during the mineral extraction , the Uxbridge Road hedgeline is being Retained and other soft landscaping on the Slough site boundary.
There will be a 4m setback from the base of the proposed construction bund to the hedgeline.
 - 3) the new bund is necessary to mitigate the amenity detriment arising from the operations.
 - 4) best practice methods are used for soil moving and storage
- 10.6 SBC Parks officer raises no objection to this scheme, provided that all the bund construction is completed prior any operations commencing . Furthermore planning conditions for dust, odour and noise management are imposed and fully complied with.
- 10.7 SBC Footpaths Officer is seeking a public footpath link between Uxbridge Road and the existing public footway running north –south on the eastern boundary of the site.

Flood Risk/ Drainage/ Contamination

- 11.0 Slough BC note the outstanding objections from the EA against the infilling of inert waste for restoration back to agricultural use and the lack of a sequential test for flood risk.
- 11.1 Notwithstanding Bucks CC position on this and the position at the time of our report deadline , then Slough BC states its position is:
- 1) The EA objections should be fully overcome.
 - 2) This Council would normally expect a scheme with known

constraints(requiring a high level of mitigation) to be included within the Minerals Site Allocation DPD process. There permits the comparative assessment of Safeguarded Sites for Minerals. Should this site be excluded, then any sequential test for flooding should be insisted upon.

- 3) In the event of Bucks CC deciding to support this scheme, then it should take on board the agreement between Slough BC and the applicant to designate an area available to accommodate flood waters after completion of the restoration and on traffic routing.

12.0 **Summary**

12.1 This scheme falls under the jurisdiction of Bucks CC who will decide whether or not to grant planning permission.

12.2 That Bucks CC be informed of the following submission by Slough BC:

a) Any minerals extracted for this site, if approved, are likely to serve a wider market than south Buckinghamshire alone. In preparing its response, Slough is cognisant of these and necessary landbank requirements required by the Buckinghamshire Minerals and Waste Local Development Framework, Core Strategy. A subsequent Minerals Site Allocation DPD would be required to decide the Preferred Sites for Buckinghamshire. Slough BC is disappointed over the slow progress by Buckinghamshire County Council to decide the site allocation for the plan period. In its examination of ten year sales of aggregates in its annual 2013 Local Aggregates Assessment, it means a landbank of 7 years or more will be available until 2015 and hence the issue of prematurity should be raised.

b) It is acknowledged that the minerals in this locality should be safeguarded to prevent sterilisation. These fields are in the gap between settlements and are within the Metropolitan Green Belt. Where proposals for mineral extraction and infilling of inert waste are put forward, it is necessary to treat these as temporary, albeit for a significant period of years. The activity is treated as appropriate in Green Belt terms.

c) Bucks CC has already prepared evidence about the site's suitability to support its strategic approach approved in its Core Strategy. It is understood this site will be among other longlisted sites for assessment within the Site Allocation DPD process requiring future decisions on Preferred Sites. Where this new planmaking has unfortunately not yet come forward then Bucks CC may decide to determine the planning application on the basis of the previously approved Waste Plans and Policy CS5 of Buckinghamshire Minerals and Waste Core Strategy .

d) A high degree of mitigation measures are necessary in this case to deal with any environmental detriment from the activity operating. From the supplied evidence, it suggests these mitigation measures fully comply with those nationally recommended guidelines. Also it is

clear that for those residential properties directly back onto this site, then it will temporarily alter their aspect but a planning objection is not being raised where the scheme is for a temporary period and has an agricultural afteruse. However these temporary bunding and fencing should be constructed prior to the main operational activities commencing. The temporary bunding shall be so constructed to prevent any damage to the hedging and tress on the boundary.

e) As part of the restoration, Slough BC requires provision of a new public bridleway linking Uxbridge Road with the footpath network with Langley Park, the Colne Valley Park and the Grand Union Canal to meet the requirements of its Rights of Way Improvement Plan in support of the Health Living and Wellbeing objectives of this Council.

f) (i) Officers have separately reported the access arrangements to its Planning Committee and is seeking a decision. On the basis that Bucks CC decides to support, then it is being recommended that Slough BC support an access and alterations to the junction where these are fully funded by the developer. A suitable Grampian condition should be part of any Bucks CC permission requiring its construction prior to any operational activity commencing use. In the event of the scheme being granted permission but not implemented, then the access should not be constructed. On the basis of advice received, including evidence about the possible northern access, then officers do not consider the northern access option is more beneficial.

(ii) The highway scheme is necessary for creating a new access onto the busy Uxbridge Road at The Frithe junction (as covered under the SBC planning application P/4317/1). It should be met in full because traffic movements should be fully optimised along this important route for Slough and the wider transport network generally.

g) Slough BC will impose a traffic routing requirement within its own S106 agreement. It will seek a traffic route for heavy goods vehicle turning north when exiting the site and entering the site travelling southwards on Uxbridge Road or as jointly agreed between the two highway authorities.

h) Slough BC welcome the provision of an area designated for accommodating flood waters. This needs to be of a sufficient size and shape and conditioned to meet these requirements. The restoration scheme provides naturalised planting in this vicinity. Slough BC is separating seeking the right to access this area from Uxbridge Road and its use for flood waters in the case of an event through a S106 agreement. Bucks CC should not support the scheme in the event of the Environment Agency 's objections being maintained.

i) It will be necessary to form a Residents Liaison Group with a minimum of three representatives from the Rochford Estate area and one Slough BC planning officer. This Group should meet on a quarterly basis with representatives of the operator. It should receive

reports on any breaches of set limits such as noise and dust and report on response. Furthermore, agreement should be given for Slough BC planning officer to inspect parts of the site that are adjacent to the Slough BC district boundary and the road access.

j) Bucks CC should impose a planning condition restricting hours of operation during normal daylight hours during the weekdays. It should impose planning conditions requiring best practice for all operations being undertaken on this site and the requirements of the restoration scheme should be met in full.

13.0 **PART C: RECOMMENDATION**

That Bucks CC be informed of the Council's response as set out in Section 12.

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Registration Date:	08-Apr-2013	Applic. No:	P/04317/001
Officer:	Roger Kirkham	Ward:	Wexham Lea
		Applic type:	
		13 week date:	
Applicant:	Mr. Michael Courts, Brett Aggregates Ltd		
Agent:	Mrs. Jenny Owen, Jennifer Owen & Associates Ltd Bargrove Farm, Newington, Folkestone, Kent, CT18 8BH		
Location:	Land adjacent to Uxbridge Road/ George Green, Slough, Berkshire, SL2 5NH		
Proposal:	CONSTRUCTION OF NEW ROAD ACCESS AND AMENDED JUNCTION ARRANGEMENTS (REQUIRED TO SERVE PROPOSED MINERALS EXTRACTION AND PROCESSING SITE, TOGETHER WITH INFILLING WITH CONSTRUCTION AND DEMOLITION WASTE TO EXISTING LEVELS WITH RESTORATION TO AGRICULTURE AND NATURE CONSERVATION TO BE DECIDED BY BUCKS CC)		

Recommendation: Delegate back to Strategic Lead Planning Policy

1.0 **SUMMARY OF RECOMMENDATION**

1.1 Delegate to SLPP for completion of S106

1.2 This access application requires determination by the Planning Committee. It is separate but closely associated with the proposed minerals extraction/waste landfill scheme (a major planning application falling under the jurisdiction of Buckinghamshire CC). A separate response from Slough BC under the Scheme of Mutual Interest is therefore required by Buckinghamshire County Council prior to its consideration of the planning application. There is a separate report on this Planning Committee agenda.

PART A: BACKGROUND

2.0 **Proposal**

2.1 The planning application is for the construction of a new vehicular access road as the sole entrance to the proposed minerals extraction scheme currently an agricultural field. It also requires changes to The Frithe junction design.

2.2 The submitted plans show a new 'fourth arm ' on to 'The Frithe' junction, an existing controlled junction. The submitted details suggest the proposed daily volume of Heavy Goods Vehicles entering and leaving the site represents a relatively small increase on the traffic network. It is however accepted that an additional set of traffic controls as part of the fourth arm will be required. As a result, the timing arrangements would alter to comply with various aspects of traffic safety and necessary for maintaining traffic flow. There will be traffic routing arrangements (imposed in part through this application and in part through the separate BCC application). This will also involve the introduction of new traffic light control systems such as MOVA/SCOOT across a longer stretch of Uxbridge Road to mitigate the effects on traffic flow at this junction. Part funding from this development has been agreed through a S106 agreement.

2.3 The proposed construction of the new access road will involve the small loss of part of existing hedgerow screening on its site boundary. Where the existing hedgerow is proposed for removal, then the access would be remodelled for new carriageway and traffic lights, entrance gates and new boundary treatment accommodating requirements for visibility sightlines.

2.4 The existing hedgerow for the remaining part of the site and the neighbouring amenity and play area (within Slough BC) will remain physically unaffected. Although not part of this application (to Slough), a new 3m high soil bund will be constructed behind the hedge boundary along Uxbridge Road.

2.5 The application is accompanied by plans showing the site location, junction layout. The following is also submitted:

- Planning Statement

- Transport Statement
 - Flood Risk report
- 2.6 In submitting this application, the applicant agrees in principle to fund the new highway junction works (as off-site highway works) to facilitate this development. If this scheme is supported, then negotiations for funding the build of the new junction will be necessary. It is planned to accommodate future upgrades of traffic measures along Uxbridge Road. Any amendments about the S106 funding will be reported to Committee.
- 2.7 The main significance of this application relates to the proposed access road into the proposed mineral extraction/inert waste landfill site, currently an existing large agricultural field.
- 2.8 Arising from the geography of this area, the western boundary of the proposed minerals site is public highway falling under the jurisdiction of Slough BC and affected by the proposed access. It does however mean that these planning considerations largely relate to highway matters (i.e. up to the back of the public footway).
- 2.9 Only the most north-eastern part of the site can possibly create a different access into the site from the public highway. This falls within the jurisdiction of Bucks CC but is not part of this application under consideration.
- 2.10 Although there could potentially be a northern access option for a 'fourth arm' onto the Church Lane junction, only partial evidence has been submitted about this alternative. For this northern option, submitted evidence shows a requirement for new land outside the public highway to facilitate this access. Further work would be necessary to establish whether or not necessary configuration for the highway and access can be obtained. The applicant states they are not intending to proceed with this option for this reason and require a decision on the application as submitted. Any potential northern access option will have consequences upon the impact on amenities of residential occupiers in George Green but additional mitigation measures have not yet been submitted or evaluated by Bucks CC.
- 2.11 If planning permission is granted a planning condition will have to be imposed preventing the construction of the access if the minerals extraction scheme does not obtain planning consent or does not proceed.
- 2.12 It is necessary to submit Slough's response in advance of the relevant Bucks CC Planning Committee so that our response can be given proper consideration when reaching their decision,
- 2.13 Members should be aware that minerals extraction represents a major engineering operation, albeit treated as a temporary activity, lasting between 10, possibly up to 15 years
- 3.0 **Application Site**
- 3.1 The access application site covers land within the public highway (eastern side of Uxbridge Road). The remaining part of the internal access road forms part of the application to Bucks CC. There are proposals for the

whole The Frithe road junction requiring changes to the junction design.

- 3.2 The proposed location for the access road is approximately 1.5km to the north of the Sainsbury's roundabout junction of the A412 Uxbridge Road. It is also about 3.5km to the south-west of the existing Five Points roundabout junction.
- 3.3 The A412 has a speed limit of 40mph along much of its length in this section of road, increases to 60mph in the road section between George Green and Five Points roundabout.
- 3.4 The A412 Uxbridge Road is a dual carriageway separated by a grassed central reserve. It forms part of both the Buckinghamshire and Slough strategic highway network.
- 3.5 Further north, it runs from Five Points roundabout along the A412 Church Road for approximately 4km before joining A40/M40
- 3.6 Part of this highway scheme affects the existing signalised junction with The Frithe. The Frithe is a 30 mph two way road providing access to the residential properties to the west of the site. An existing HGV restriction is in place along the length of The Frithe restricting HGV's larger than 7.5t, except for access
- 3.7 The Frithe has a two lane approach at the junction with the A412, providing sufficient width for a left hand turn lane and right hand turn lane at the junction. Uncontrolled pedestrian crossing facilities accommodate at grade crossing of the A412 Uxbridge Road to the north and south of the junction with The Frithe.
- 3.8 There is also access/ service road accessible from The Frithe in the immediate vicinity of the signalised junction with A412, which runs parallel to the Uxbridge Road.
- 3.9 There is an existing pedestrian and grass verge along the eastern side of Uxbridge Road. Immediately to the south, there is an existing Council Play Area as well as forming the northern boundary of the Rochford Gardens estate further away from Uxbridge Road.
- 3.10 On the matter of proximity of the 25.3 ha site proposed for mineral extraction and any adverse impact upon nearby residential properties, this is covered separately in the report about the Council response to Bucks CC on the mineral extraction site.
- 3.11 The access application falls within Flood Zone 3 as identified on the Council's Flood Map (Jan 2009).

4.0 **Relevant Site History**

- 4.1 Planning history of the site covers the site subject to the mineral extraction proposal, currently in agricultural use. This site falls within the Minerals Safeguarding Area in the recently approved Bucks CC Minerals and Waste Local Development Framework with some preliminary studies undertaken by Bucks CC (See separate report). There is future work to be done by Bucks CC on their Site Allocation DPD identifying new sites

during the plan period. In the event of no decision being made by Bucks CC about this scheme, then the suitability of this site, as a preferred scheme, would get raised during the larger assessment through the Bucks Minerals and Waste LDF Site Allocation DPD to meet anticipated demand.

The only traceable planning history for part of the land being subject to a 1960's housing scheme dismissed on appeal.

5.0 Neighbour Notification

5.1 Rochford Gardens: 1-69, 75,77 81-135, 139,141-159,163-169(o)
Uxbridge Road: 71,73, 249-285,291-299,301-321-330,321331-377(o)
Mirador Crescent 98,100,134,131B,131C,135,135,139
Dawes Moor Close:1.2,55,56,57, 58,59,60,5
The Frithe: 161-167(o)
One letter of objection received from 77 Rochford Gardens on the following grounds:

1. Critical absence of sufficient detail for
 - a) Effect on existing underground utilities, management of water during the development period and treatment of hedgerows as potentially road safety issues
2. Differences in parameters used for submitted data about likely traffic volumes and hours of operation
3. Concern about safety issues for the area which is mainly residential(over 200 houses) and the play area from the heavily trafficked roads.
4. The Bucks CC Minerals and Waste Strategy is out of date and should not be used to justify the application.
5. Previous consideration of this site gave it a ranking of 10th from a total of 11 and comparatively speaking the site remains unattractive. Unless a new assessment is forthcoming with a new ranking of the identified and new sites before any planning permission should be granted.
6. The Transport Statement makes wrong assumptions. As submitted, the scheme does not align with the traffic safety requirements. Besides pedestrians are crossing this busy highway outside of controlled crossing and account should be taken of these.
7. No information about flood risk in the access application.
8. No off street parking shown. There is a danger of onstreet parking along Uxbridge Road. This is unacceptable on traffic safety grounds
9. No details of foul sewerage from site facilities and waste water generally .

A letter of objection from 167 The Frithe sent to Bucks CC is set out and a

copy sent to Slough BC. Objections were raised on the following grounds:

- a) effect from the minerals extraction being so close to my home.
- b) need to explain how Bucks CC strategy justifies why mineral extraction should take place.
- c) where will the require amount of construction and industrial waste come from as a result of everyone being urged to recycle and reuse. What quarantine is there that only inert waste will be landfilled on this site.
- d) Large traffic volumes will be generated from this site, putting more traffic onto this busy road. The additional traffic movements created will slow down traffic, causing longer queues and poorer air quality.
- e) The planned hours of operation are all year round. What about school holidays, morning rush hour, school runs, Saturday morning lie-ins will be affect residential amenities. f
- f) Although dust mitigation measures are proposed, these are unlikely to eradicate the dust entirely. Residents will suffer for more than 10 years.
- g) Noise from the plant on site will cause a nuisance affecting the quality of living for people living in the area.
- h) Odour and other environmental repairs

Mineral extraction and landfilling of construction and inert waste close to residential areas will cause nuisance.

5.2 Wexham Court Parish Council

- 5.2.1 Wexham Court Parish Council registers an objection to the above application for amended road junction arrangements to serve the mineral extraction site proposed by Brett Aggregates Ltd.
- 5.2.2 This application raises serious concerns relating to road safety; traffic movements and congestion; and environmental health.
- 5.2.3 A separate objection has been lodged against the proposed minerals extraction scheme to Bucks CC.

5.3 MP for Slough

- 5.3.1 A letter of objection has been received from Fiona MacTaggart MP sets out the concerns. It has references to the access application and application under consideration by BCC.

a) Prematurity of the scheme. The scheme fails the test of the current Policy by not being an extension, access is poor and its proximity to residential properties and the play area have a detrimental effect upon these properties. No sequential test has been supplied.

b) The scheme should be rejected on the grounds that the proposed access is poor and if Bucks CC is minded to support the scheme, it should be on the basis of a northern access. This would relocate the plant to a site away from large number of homes and a horticultural business with sensitivity to dust and other environmental disbenefits.

6.0 **Consultations**

6.1 **Highways and Transport**

6.1.1 Transport evidence has been evaluated by Slough BC's consultant Traffic Engineer for a new traffic scheme and junction design creating a 'fourth arm' onto the existing The Frithe controlled junction.

6.1.2 A preferred design has been chosen by the applicant's consultant from a set of three options for The Frithe junction. It results in a new vehicular entrance, as the single main access, into the site on the eastern side of Uxbridge Road.

6.1.3 The Transport submission also makes passing reference to 2 alternative locations which might replace their preferred access. Any decision about the access point affects the layout of the site operations. As currently proposed, the 'southern' access road links with the aggregate sorting plant located immediately north of the large Nursery Glasshouse and some nearby Rochford Gardens houses. The rest of the site will be quarried with the remaining areas having stored soils.

6.1.4 Previous preliminary work for this site identified two possible locations for the access road, north and south on Uxbridge Road. Only access from Uxbridge Road is being considered.

6.1.5 An alternative 'in/out' entrance option was identified midway along the eastern side of Uxbridge Road. However our consultant traffic engineer judges that this may unduly limit traffic turning movements and overly encourage vehicle trips towards Slough, rather than divert optimal trips towards M40.

6.1.6 A preliminary road design was recently submitted for the northern access option. Before this, their response had been that the environmental disbenefits were too obvious. Following its submission, the SBC Transport Consultant has advised that a fourth arm onto Church Lane can be achieved without requiring any residential land. There is perhaps less certainty about the need to acquire other land on the west side of Uxbridge Road. The applicant states that there is no intention to acquire new land and, even with the revised road layout, it will still have an adverse impact on the residential properties closest to the northern access option. If this were to be further examined then evidence about noise attenuation, air quality and other matters on nearby residential properties would be required. In the absence of this, it is necessary to make a decision about the submitted access application.

6.1.7 A variety of factors are taken into account when assessing their preferred scheme for traffic reasons:

- 1) traffic safety during manoeuvres being set by the traffic controls,

- vehicles (including cycles) and pedestrians crossing.
- 2) the most optimum flow of traffic, reducing queues and congestion time where possible.
 - 3) capacity of the junction and the road itself to handle the increase plus the existing/forecast traffic volumes. Any change can be considered alongside environmental factors associated with noise, air quality and residential amenities.
- 6.1.8 It is necessary to comply with national traffic guidelines. Matters relating to other traffic impact upon noise, dust and air quality are dealt with in section 6.4 & 6.5
- 6.1.9 The consultant Slough BC traffic engineer has sought small but significant changes for 'The Frithe' junction. These are important to navigate the junction and fully meet government guidance.
- 6.1.10 Now a revised scheme has come forward, negotiations are still continuing with the applicant to fully meet the Section 106 package being sought for transport measures, including partial funding of a new SCOOT/MOVA scheme along Uxbridge Road.
- 6.1.11 The Transport S106 requirement is:
- 1) Full site design for the addition of new arm-including combined SCOOT/MOVA detection and combined UTC/MOVA functionality and its part funding
 - 2) Site refurbishment-new controller, new signal equipment throughout, new comms equipment, new detection, new underground infrastructure
 - 3) Production of MOVA dataset
 - 4) Production of all necessary signals documentation (eg controller specification)
 - 5) Factory acceptance testing and site acceptance testing
 - 6) Full site validation of VA and MOVA operation
 - 7) Financial contribution to cover instalation configuration
 - 8) Financial contribution towards linking junctions on Uxbridge Road using UTC fixed time plans
 - 9) Toucan crossings(i.e. 3 sets) on all arms of the junction except The Frithe
 - 10) Traffic routing by travelling north out of the site.

On the basis that the above requirements are fully met, then no Transport objection would be raised. It will be necessary to report any further changes on the funding to Committee.

6.2 Drainage

- 6.2.1 This part of the site falls within Flood Zone 3. A Flood Risk Assessment has been supplied. This area would flood in the event of localised flooding. The restoration scheme proposes a Flood alleviation scheme for a designated area immediately behind the Uxbridge Road hedgeline to increase the capacity of water here so that it is away from sensitive housing areas. This response also covers the other application before BCC but is difficult to disaggregate. On a long term basis after restoration of the site, I am confident that there will be no long term flood impacts

arising after this temporary development taking place. The proposals for the Flood alleviation scheme represent a positive enhancement and in principle the area identified is in a good location and of a good size for flood storage. To obtain this commitment, it will be necessary to obtain 'rights to flood' over this area of land by way of a S106 agreement, together with rights to connect into this area and have appropriate planting.

- 6.2.2 However any storage would be there to create extra storage above that which existing anyway and attenuation to slow the flows down. The calculations in Table K1 of 8,360m³ do not mention that a large proportion of that area is already being filled with flood water in the existing situation so it is not 8,360m³ of new storage. The FRA does not indicate how the water will flow into or out of the storage area. Bucks CC will need to decide on this.
- 6.2.3 I am concerned that the storage of overburden and soil is in Flood Zone 3. Although this section describes the facilitation of movement of flood water the land levels in this western side of the site will be raised on a temporary basis and the flood water will need to go somewhere else. There doesn't seem to be provision for this and Bucks CC needs to clarify this.
- 6.2.4 The proposed flood storage area will be considered as one of the options for the Slough Flood Alleviation Scheme (FAS) which is currently ongoing and the sizing, location and inlet/outlet conditions will be considered in more detail.
- 6.3 Environment Agency
- 6.3.1 At present, the Environment Agency has raised no objection against access application under consideration by Slough BC.
- 6.3.2 For the sake of completeness, reference is made to the EA's view stating the Bucks CC application falls within Source Protection Zone 2 (for public water abstraction of potable water). Members should note the EA maintains its objection to the application before Bucks CC at the time of writing the report. A separate report on the agenda sets out a recommended response to Bucks CC under the SMI procedure for that application.
- 6.4 Neighbourhood Protection - Environmental Health
- 6.4.1 According to the noise assessment, noise emanating from the site itself and from the haul road will not increase existing background noise levels to an unacceptable level. A noise monitoring facility will be located near Rochford Gardens. In the event of complaints arising from the residents from Rochford Gardens and Uxbridge Road, the submitted report does not state what mitigation might be applied. There may be resource implications to this Council dealing with these complaints.
- 6.4.2 The other main area of concern is dust along the haul road unless it is well managed to not affect residents on Uxbridge Road and Rochford Gardens. The effect of dust on the Rochford Gardens Play area should be taken into account.

- 6.5 Environmental Quality – Land Contamination/ Air Quality
- 6.5.1 These comments relate specifically to environmental impacts pertaining to the new road access and amended junction arrangements.
- 6.5.2 For the sake of completeness, comments relating to the Bucks County Council application are also mentioned in this report. These relate to the extraction of minerals, and infilling with construction and demolition waste. All of these are closely interrelated.
- 6.5.3 When consideration is given to northern or southern access options, then the Team Leader, Environmental Quality remains neutral over any additional environmental constraints or benefits for Slough residents arising from a northern access to the site. There may actually be a slight noise related benefit with a southern access as it locates the majority of the extraction activity slightly further away from the majority of Slough residents. The northern access option is not part of the current application.
- 6.5.4 The plant itself will be located on the south-eastern corner of the site. The plant is linked by the internal road to the proposed junction. It is intended to build a 3m high soil bund with a 2m high acoustic fence on top along the southern boundary between the access road and Rochford Gardens Estate properties. The requirement for the bund arises when considering reducing the distance between the workings and the boundary of residential properties is being proposed to overcome the consequences of this. The extraction is estimated to take 7-10 years.
- 6.5.5 This section addresses matters such as noise, dust and air quality.
- Impact of gravel extraction upon Environmental Quality
- 6.5.6 This part provides a general picture, repeating content set out in the separate SMI report for the Bucks CC application. There are indirect impacts from the choice of access point. This is nevertheless useful background information for members.
- 6.5.7 Gravel extraction is normally a damp method process due to the high water table. There are principal dust impacts arising from drying spoils, bagging area and soil stripping, and HGV movements. The principal noise sources will be stripping equipment (excavator, dump track and bulldozer) the extraction equipment (excavator and dump tracks), pumps, processing plant and HGV's as well as the soil moving to create noise bunds to overcome objections from the proximity of the workings . The waste process will require a permit to operate from the Environment Agency. No part of the process will require a local authority permit to operate.
- 6.5.8 The soil stripping stages and bund formation (soil stripping), will produce peak noise levels that will breach the 55dB(A) threshold due to the proximity of the operational workings to residential. This impact will be unavoidable and necessary to ensure residents are protected during the longer term operational phase (excavation and processing) of the site.
- Dust impacts
- 6.5.9 Dust impacts will be at their most severe during (soil stripping and bund formation). The site should be regularly damped down and the newly formed bunds seeded early into their construction to minimise nuisance dust.

6.5.10 The hours of operation 07.30 to 18.00 (Monday to Friday) and 07.30 to 13.00 (Sat) and no working on Sundays and Bank Holidays are consistent with similar sand and gravel operations in the region and nationally.

6.5.11 A number of standard measures are required to minimise dust emissions including water spraying, screens and enclosures, enclosure of the bagging area, gravelling of haul roads, use of road sweeper, damping down and speed restrictions, and wheel wash. Further, dust monitoring using BS Frisbee gauges and PM₁₀ monitor at the boundary of Rochford Gardens will be undertaken. The results of the monitoring should be kept on the site and sent to the MPA on a quarterly basis. It is recommended that these dust mitigation measures shall be made a condition on the planning permission.

Noise Impact

6.5.12 Noise mitigation measures includes erection of noise bunds, regular servicing of vehicles, and grading of haul roads, and also the cessation of using reverse beepers (which is a common cause of high community annoyance) and operating working hours. The approach in the Southdowns Environmental Noise Assessment: Study is acceptable. The two definitive noise limits that are widely applied and adopted for operational mineral workings are:

- The noise level shall not exceed 55dB(A) $L_{Aeq, 1 \text{ hour}}$ (free field) between normal operating hours as detailed above
- The noise levels shall not exceed 70dB(A) $L_{Amax, 1hour}$ (free field) for noisy short-term activity that cannot meet the limits for normal operations. Such activity as advised above, includes soil stripping and construction and removal of bunds. These short-term activities should not exceed 8 weeks in a year at the nearest residential premises, or noise sensitive properties.

6.5.13 The road traffic noise assessment and criteria uses CRTN, DMRB and IEMA guidance. The assessment of significance is based on the magnitude of the noise impact.

6.5.14 It is noted the site has relatively low background readings, of the order of 42 - 51 dB(A) during the daytime with a mean average of 46 dB(A). The A412 is the dominant environmental noise source in the area. The adoption of the 55dB(A) $L_{Aeq, 1 \text{ hour}}$ (free field) is accepted. The average background level is fairer method of assessment over the longer term exposure to residential receptors.

6.5.15 The location of the 37 noise sensitive receptors used for this noise assessment forms a good spread around the site and are acceptable to determine significant noise impacts. The noise model uses BS5228: part 1 guidance and a simple correction for the bund barrier. The model therefore assumes worse case assessment. The model approach is logical. The model found breaches of the noise limit, and required mitigation in the form of 2m acoustic barriers on the 3m southern bund. This mitigation will need to be incorporate and made a condition of the permission.

6.5.16 The results of the noise assessment with this additional acoustic barrier in place confirms (worst case) that the noise limits will be complied with at all residential receptors. It is noted the highest levels will affect Rochford

Gardens. The only exception is Slough Nursery R36 where the noise limit will be breached, but this site is not a relevant sensitive noise receptor.

- 6.5.17 The short-term noisy activity relating to bund construction, overburden stripping and restoration is likely to give rise to noise and dust complaints. It is this early aspect of the works that needs to be carefully communicated and managed from both the noise and dust emissions. A lot of the goodwill will be enhanced or destroyed at this stage, and it is advisable the applicant engages with residents through regular written notifications, and preferably through meetings.
- 6.5.18 It is clear that Rochfords Gardens properties are the most sensitive locations with respect to noise impact on Slough properties. The short term noisy works will be compliant with the NPPF technical guidance criterion of 70dB(A) $L_{Aeq, 1 h(\text{free field})}$ for periods of up to 8 weeks in any year. The calculations and assumptions appear sound in my view, they are worse case. Nevertheless the noise levels will be high and it is recommended that these works take place during the autumn or winter months, when resident's windows are likely to be closed. Also this will assist with respect to dust impacts as the soil stripping and bund formation will be carried out during damper conditions.
- 6.5.19 It is recommended that these noise mitigation measures and hours of operation shall be made a condition on the planning permission.

Traffic

- 6.5.20 Traffic noise generation will not give rise to significant noise impacts. The cumulative impact of road traffic, Uxbridge Road and mineral extraction on residential addresses in Uxbridge Road is demonstrated to give rise to between 1.2 and 2.8 dB which using the IEMA/loA guidance is considered a slight impact on those residents.

Proposed noise mitigation for Rochford Garden properties

- 6.5.21 It is recommended that the noise mitigation measures proposed by the applicant are accepted and shall be made a condition on the planning permission inclusive of additional measures proposed to protect Rochford Gardens.
- 6.5.22 The applicant proposes to install a semi-permanent noise monitoring system on the site boundary of Rochford Gardens. The applicant needs to clarify their meaning of semi-permanent noise monitoring system to Bucks CC.
- 6.5.23 A condition needs to be stipulated on the planning permission specifying a noise monitoring programme which includes all noise monitoring arrangements, how often noise monitoring shall be undertaken, any breaches of the noise limits on the site, any corrective action applied, and any complaints received? The monitoring reports shall be submitted to the MPA on a quarterly basis.

Air Quality Impact

- 6.5.24 The principal impact will be dust and smaller particulate matter arising from site activities.
- 6.5.25 The NPPF guidance stipulates a dust assessment must be undertaken, which will identify the baseline conditions, to identify all activities on the site that are likely to give rise to dust, mitigation measures to prevent dust emissions, and monitoring proposals to monitor and report dust emissions

and to ensure compliance with environmental standards or limits placed on the site and to enable an effective response to complaints. Dust impact will need to be dealt with as a statutory nuisance by the NET Team under the Environmental Protection Act 1990, section 79(1)(d). In addition if residential areas are at risk of PM₁₀ exposure exceeding the AQS limits further measures will need to be considered.

6.5.26 This site is not within or close to any of the Air Quality Management Areas within Slough, additionally the site traffic (95%) will not be moving through the Slough Town Centre AQMA but will be existing north through South Bucks towards the M40. The significance of air quality impacts are based on the position paper by the Institute of Air Quality Management (IAQM) which is very similar to EPUK guidance document: Development Control: Planning for Air Quality.

6.5.27 The soil stripping works and bund formation, phase 1 works will be the most dusty, and it is advisable again that this work is undertaken during the damper months, in Autumn/Winter. The dust risk assessments are outlined in Table 6.1. The assessments are very simplistic but in the absence of defined guidance have to be qualitative. It is a mute point as to whether the play area is or is not covered by statutory nuisance provisions, as it is still a sensitive receptor in my view.

6.5.28 The DMRB is a basic screening model but for the purposes of the assessment is sound. There is no diffusion tube data in the locality. In this case, the use of background concentrations on the DEFRA background map is acceptable. This shows low concentrations within the immediate area. Assessment of Air Quality using the DMRB model, thereby suggesting the significance of the impact is of a small magnitude and the impact is negligible where the predicted levels fall well below the AQS standards.

Dust and Air Quality Monitoring

6.5.29 The applicant proposes monitoring due to the close proximity of the extraction site. It is recommended a condition be stipulated on the planning permission specifying that the applicant prepares Dust Monitoring programme/plan (DMP). This programme/Plan shall include details relating to the type of monitoring to be undertaken, dust limits (based on soiling rate or effective area coverage), PM₁₀ limits, details on how often the monitoring results will be reported to the MPA, details of any breaches of the dust limits on the site, details of complaints received in respect of dust and air pollution, and details relating to any corrective action applied? The monitoring reports shall be submitted to the MPA on a quarterly basis.

6.5.30 The dust mitigation measures proposed by the applicant as detailed in section 7.2.4 of the Environmental Statement are accepted and shall be a made a condition on the planning permission. There should be no odour impacts relating to this process as the materials being imported are construction and demolition wastes and therefore organic contamination is likely to be very low.

6.6 SBC Tree Officer

6.6.1 The new access will require removing at least enough hedge to accommodate the entrance road and paths. Along the roadside boundary

of the field, which is use for arable crops at present, is a well kept Hawthorne hedge which has minimal weeds of elder and elm within it. This loss of vegetation will be noticeable from directly opposite the entrance but will make little impact from further along the Uxbridge Road as the remaining boundary is hedged is extensive and there is also a hedge extending south on the roadside boundary of the adjacent park. I believe the intention is to have traffic lights controlling the junction and that therefore there will not be a need to remove further hedging to accommodate sight lines.

6.6.2 If this is the case I would not object to the new access as it will have little impact on the vegetation of the area.

6.7 Heathrow Safeguarding

6.7.1 No safeguarding objection received

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 The application is considered alongside the following policies:

National Planning Policy Framework.

Slough Local Development Framework, Core Strategy 2006 – 2026 Development Plan Document, December 2007 incorporated into the Composite Local Plan for Slough 2013

Core Policy 1 - Overarching Spatial Vision,
Core Policy 5 - Employment,
Core Policy 7 - Transport,
Core Policy 8 - Sustainability and the Environment,
Core Policy 9 - Natural and Built Environment,
Core Policy 10 - Infrastructure.

Adopted Local Plan for Slough 2004 :
EMP2 - Criteria for Business Developments,
EN3 - Landscaping Requirements,
EN24 - Protection of Watercourses,
CG10 – Heathrow Airport Safeguard Area,
T8 - Cycling Network and Facilities.

Saved Policies from 2001 Replacement Minerals Local Plan

Saved Policies from 1998 Waste Local Plan

7.2 The main planning considerations are therefore considered to be:

- Principle of the new access relating to existing land use planning policy
- Transport and Highway Design Implications
- Environment Quality including Noise, Dust and Air Quality

- Impact on adjoining land uses
- Flood Risk/ Drainage/ Contamination
- Restoration for after use in the event of the activity going ahead

Assessment

8.0 Principle of the redevelopment & land use

8.1 To determine this access application, it is necessary to differentiate between the application before this Council and the one before Bucks CC. It is recognised that any new access will be integral with the remaining scheme, and have overlapping concerns.

8.2. Government Guidance

8.2.1 The 2012 Government Guidance known as the National Planning Policy Framework applies to mineral extraction and local transport infrastructure associated with such development. These are not considered to be inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purpose of including land in the Green Belt where only temporary permissions are sought. The National Planning Policy Framework also emphasises that decisions should be made within the plan-led approach, in this case the Minerals and Waste Local Plans. The NPPF has supporting Technical Guidance for minerals planning.

8.2.2 It will be necessary for the other application now before Bucks CC to evaluate whether or not significant harm arises from changes of the physical or visual character for this temporary period of ten years or more. This will be examined against the importance of meeting demand for these materials (where there are underground reserves) to justify offsetting harm as long as matters such as noise, dust and odour are mitigated.

8.2.3 Government advice also makes reference to the choice of location for extraction within a plan-led approach which is capable of having less impact upon the highway network by avoiding additional congestion or creating a road safety problem.

8.2.4 It means appropriate contributions can be sought for implementation of any off-site highway works and other transport improvements such as pedestrian and cycle facilities. These can maintain accessibility to the development without increasing traffic congestion in the vicinity or in the transport corridors serving the site. The proposal incorporates an appropriate restoration scheme and where potential exists, can reduce any flood risk in future years.

8.2.5 There are similar references about the choice of landfill sites in Government guidance.

8.2.6 Reference is still made to the Saved Policies of the Waste Local Plan for Berkshire which is still separate from the Composite Slough Local Plan. The majority of the site (outside of the Slough application) is covered by the approved Bucks Minerals and Waste Core Strategy.

8.2.7 It is therefore necessary to have regard to the National Planning Policy Framework, the July 2013 Composite Slough Local Plan and the Saved policies in the Minerals and Waste Plans for Berkshire when dealing with this access application.

8.2.8 It is also necessary to acknowledge the current Buckinghamshire Minerals and Waste LDF Core Strategy but no Site Allocation document for their area.

9.0 **Sustainability**

9.1 The applicant wishes to obtain primary aggregates from this land. It is based upon the case that sand and gravels from primary sources are still required. It also proposes to fill the void by landfilling inert materials.

9.2 Local Planning Authorities have to pay regard to the guiding principles of the sustainable development as reflected in the National Planning Policy Framework. Where minerals are a finite resource, then every effort is necessary to prevent the sterilisation of these reserves by allowing extraction before other developments take place. In this case, the land is within designated Metropolitan Green Belt and once completed, it would return to open land.

9.3. Furthermore aggregates provision represents a vital economic driver for growth as set out in the NPPF. To achieve this, Minerals Planning Authorities are required to protect identified mineral reserves capable of extraction and keep a 7 year landbank which continues supply of aggregates based upon the previous 10 years of sales. It also requires Mineral Planning Authorities to maximise the opportunity for using recycled aggregates and reduce amount of waste going into landfill.

9.4 There are very few remaining mineral reserves in Slough. Where demand arises from development taking place in Slough, it would be necessary to obtain these materials from outside of Slough.

10.0 **Impact on adjoining sites**

10.1 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”*.

Core Policy 8 states *“Development shall not give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise”*.

10.2 There will be major earth moving for bund construction along the site boundaries and soil stripping across the site to expose the gravel during these early stages. It is necessary to build these bunds because of the proximity of nearby residential properties for the extraction operation. The alternative would be to reduce the size required for extraction.

10.3 The Team Leader , Environmental Quality reports that these noise and dust generation-related activities are likely to impact upon the amenities of nearby residential properties during these early stages, Once the bund is complete, further operations will take place away from the immediate

boundaries.

- 10.4 In assessing the planned mitigation measures, these are accepted by the Team Leader, Environmental Quality as being compliant with national guidance. The importance of the good management is stressed.
- 10.5 There will be some continuing limited impact from noise and dust relating to lorry traffic along the haul road to The Frithe junction and the plant operation itself upon the residential occupiers and the play area. The plant area is located a short distance from Slough residential properties but closer to the glass nursery buildings. This is treated as a medium noise sensitive receptor. It is a matter for Bucks CC to determine the impact on the nursery business.
- 10.6 It is clear that the landscape character and visual appearance will significantly alter during the time period of 10 to 15 years. The submitted evidence claims that after restoration and its return to agricultural use, then it will reinstate landscape character and visual appearance of this field.
- 10.7 The SBC Tree Officer raises no objection to this scheme on the basis:
- 1) the land will be restored back to agricultural use.
 - 2) during the mineral extraction , the Uxbridge Road hedgeline is being Retained and other soft landscaping on the Slough site boundary. There will be a 4m setback from the base of the proposed construction bund to the hedgeline.
 - 3) the new bund is necessary to mitigate the amenity detriment arising from the operations.
 - 4) best practice methods are used for soil moving and storage
- 10.8 This area has always been safeguarded for mineral extraction. Where Bucs CC identifies a proven need for minerals from this site, even when involving a change to the open land within the green belt, and not judged unduly onerous i.e. keeps within parameters set out in government guidance, it can decide to grant planning permission. It would be necessary for Bucks CC to identify any other material planning considerations preventing this scheme being supported.
- 11.0 **Traffic and Highways Implications**
- 11.1 Core Policy 7 (Transport) of the Slough Local Development Framework, Core Strategy 2006-2026, requires that: *“All new development should reinforce the principles of the transport strategy as set out in the Council’s Local Transport Plan and Spatial Strategy, which seek to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel.*

Development proposals will, either individually or collectively, have to make appropriate provisions for:

- *Reducing the need to travel;*
- *Widening travel choices and making travel by sustainable means of*

- transport more attractive than the private car;*
- *Improving road safety; and*
- *Improving air quality and reducing the impact of travel upon the environment, in particular climate change.*

11.2 The submitted Transport Assessment states that the proposed use would generate relatively few heavy goods vehicle movements. Where highway enhancements are fully funded and implemented, then there would be no adverse impact on the capacity or the safety of the highway. Once the landfill is complete, then the restoration work will include the removal of the highway and reinstatement of the hedge.

11.3 In reconfiguring this junction and with the inclusion of works (for incorporating MOVA/SCOOT through part S106 funding), then the Head of Transport can support this scheme on highway grounds. Now the applicant is willing to fund in principle, then this needs to be finalised before the final decision is made. Requirements for traffic routing would principally be sought through the Bucks CC minerals application.

11.4 Where the requirements of the Head of Transport for the southern access are met, then the case for a different access could only be supported where the findings reasonably demonstrate that the northern option minimises disbenefits to residential amenity and can be delivered.

11.5 A potential northern access option would require different noise attenuation measures for the nearest George Green properties than that currently shown and possibly some land acquisition, even if this is achievable.

11.6 As it now stands, gravel extraction would take place in the northern half of the site (i.e. closer to George Green) during the first half of the extraction period. Noise and disturbance would also arise in this locality at the beginning when the soil stripping takes place. Although there are a greater number of residential properties in Rochford Gardens closer to haul road on route to the plant area, it is likely that the noise-generating activities and other impacts upon the George Green residential properties would not be less than those affecting Rochford Gardens properties. Properties in George Green and Rochford Gardens facing the field would have soil bunding placed just outside the garden boundary.

11.7 Unless these findings were to put into the Site Allocation DPD process, then Bucks CC will not be in a position to assess this site against other potential sites in their county.

12.0 **Flood Risk and Drainage /Ecological Impact**

12.1 Core Policy 9 (Natural and Built Environment) of the Slough Local Development Framework, Core Strategy 2006-2026, sets out that *“Development will not be permitted unless it protects and enhances the water environment and its margins, and enhances and preserves natural habitats and the bio-diversity of the Borough, including corridors between bio-diversity rich features.”*

Policy EN24 of the Local Plan states *“Development will not be permitted*

which will have a detrimental effect on water quality or the ecological, amenity or historical value of the watercourse. Where appropriate, measures to enhance or restore watercourses will be encouraged."

12.2 The SBC Drainage Engineer and the Environment Agency are not raising objections to this access application subject to the incorporation of the Flood Alleviation measures including suitable planting into the main scheme. This is covered in the separate report before Committee.

12.3 The applicant has agreed to create a flood risk area with agreement for this Council linking its drainage into this area for this purpose.

13.0 **Summary**

13.1 This report sets out the principal elements of this application. It deals with the planning assessment of the proposed road access. The separate report deals with the consultation for this major development on land under the jurisdiction of Bucks CC.

13.2 On the basis that all of the transport requirements will be fully and requirements contained within a S106 agreement, and finally confirmed by the applicant, then no highway objection is raised. When dealing with other factors that might arise by its link to the internal road, then the planning assessment by Bucks CC needs to cover these. It is not considered the amounts of daily traffic, in itself, will affect traffic movements along Uxbridge Road. Any alterations received after the report deadline will be reported to Committee.

PART C: RECOMMENDATION

14.0 Delegate back to Strategic Lead Planning Policy for completion of S106

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

15.1 **CONDITIONS**

1. The development hereby permitted shall be commenced within five 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 submitted application, plans and drawings hereby approved by the Local Planning Authority.

Location Plan.2031A/Figure 1.. Dated Jan2013. Received..8/4/2013
Site Boundary.2031A/Figure 3.. Dated Jan 2013. Received.8/4/2013
Proposed Junction Layout..G741/301/C...Dated 12/12/2013. Received..
19/9/2013

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.

3. This permission is for a limited period of 10 years expiring on 31 December 2023 when, unless prior permission has been given by the Local Planning Authority for retention for a further period, the plant and work(s) including access junction shall be removed and the site reinstated in accordance with the details of the restoration scheme in accordance with Core Policy 8 of the Core Strategy, Development Plan Document, December 2008 incorporated into the Composite Local Plan for Slough, July 2013.

REASON In order to reinstate openness of the Metropolitan Green Belt in accordance with Core Policy 8 of the Core Strategy, Development Plan Document, December 2008 incorporated into the Composite Local Plan for Slough, July 2013

4. The means of access, including alterations to existing points of access between the application site and the highway shall be formed, laid out and constructed in accordance with specifications and with such sightlines in further details to be approved by the Local Planning Authority prior to commencement of the development. On completion of the proposed access, other access points shall be blocked off.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway in accordance with Policy 7 of the Core Strategy , Development Plan Document, December 2008 , incorporated into the Composite Local Plan for Slough, July 2013

5. The site shall cease to receive vehicles carrying or depositing materials after 31 December 2023 or sooner should the quarry be closed and restoration completed by an earlier date. No access is permitted to vehicles other than those using land identified in the planning application site known as 13/ 00575/CC.

REASON To ensure that the restoration of land to beneficial after use is achieved within a reasonable time limit in line with any planning permission for mineral extraction and infilling of inert waste materials running with the land in accordance with the Core Policy 8, Core Strategy Development Plan Document, December 2008 incorporated into the Composite Local Plan for Slough, July 2013.

6. All heavy vehicles leaving the site shall pass through the wheelcleaning equipment to prevent mud being taken onto the public highway.

REASON. In the interests of highway safety in accordance with Core Policy 7 of the Core Strategy , Development Plan Document, December 2008 incorporated into the Composite Local Plan for Slough, July 2013

7. No trees, shrubs or hedges forming the boundary of the site shall be felled, lopped or uprooted without the prior written consent of the Local Planning Authority. Any tree so destroyed shall be replaced in the planting season immediately following its demise.

REASON To ensure that the proposed development does not prejudice the amenity of the area in accordance with Core Policy 8 of the Core Strategy, Development Plan Document, December 2008, incorporated into the Composite Local Plan for Slough, July 2013

8. This scheme shall not be formed and traffic commences using the access junction onto Uxbridge Road until development for the adjoining site is temporarily permitted by Buckinghamshire County Council. Temporary landscaping and other protective measures shall be installed within the first six months of the access junction being formed.

REASON To ensure the comprehensive development of the site in accordance with Core Policy 8 of Core Strategy, Development Plan Document, December 2008 incorporated into the Composite Local Plan for Slough, July 2013.

9. Before the new access road hereby approved is brought into use, screen bunds and fencing shall be constructed and the protective landscaping be planted in the first planting season in accordance with drawings submitted with the application.

REASON To protect the amenities of the neighbouring residential occupiers whilst operational development is taking place during the life of the quarry.

10. The site shall be subject to a scheme of restoration (or included within a scheme for the restoration of adjacent land) to be agreed with the local planning authority.

REASON To protect the longstanding openness and amenity of the Metropolitan Green Belt in accordance with Core Policy 8 of the Core Strategy, Development Plan Document, December 2008 incorporated into the Composite Local Plan for Slough, July 2013.

INFORMATIVE(S)

1. The applicant is advised that this temporary permission is separate but directly relates to the temporary scheme known as 13/00575/CC in the event of it being granted temporary planning permission by Bucks CC.
2. The applicant is advised of the S106 agreement with Slough Borough Council accompanying planning permission P/04317/001
3. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through requesting amendments. 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:	15-Apr-2013	Applic. No:	P/06960/017
Officer:	Ann Mead	Ward:	Baylis and Stoke
		Applic type:	Major
		13 week date:	
Applicant:	Mrs. Maureen Ricketts, Baylis Court School		
Agent:	Mr. Steven Owen, PDD Architects Chancery House, 199, Silbury Boulevard, Milton Keynes, MK9 1JN		
Location:	Baylis Court School For Girls, Gloucester Avenue, Slough, SL1 3AH		
Proposal:	ERECTION OF A TWO STOREY SIDE EXTENSION TO PROVIDE 12 TEACHING CLASSROOMS, STORE ROOMS, OFFICE AND TOILETS		

Recommendation: Delegate to the Strategic Lead Planning Policy

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, and all other relevant material considerations, it is recommended that the application be delegated to the Strategic Lead Planning Policy for formal determination following consideration of the travel plan, completion of a Section 106 Agreement and finalising of conditions.

PART A: BACKGROUND

2.0 Proposal

- 2.1 This is a full planning application for the proposed demolition of a row of single storey classrooms and the erection of a two storey side extension to the art and media centre to provide 12 teaching classrooms, store rooms, office and toilets.
- 2.2 At ground floor level, it is proposed to provide 6 classrooms (2 at 66.3m², 2 at 66.4m², 2 at 66.7m² with a store room and plant having external door access/egress, with the remainder having internal access/egress to the 3 store rooms, workbase, office and toilet facilities. The first floor level, is proposed to provide 6 classrooms (2 at 66.3m², 2 at 66.4m², 2 at 66.7m² with 2 store rooms, workbase, office and a conference room at 49.9m².
- 2.3 The application originally consisted of a drop off area for parent's vehicles accessed via Hampshire Avenue and following negotiations this element has been omitted from the scheme.

3.0 Application Site

- 3.1 The use of the site is established for Class D1 secondary education purposes. The school buildings are grouped to face the Gloucester Avenue and Hampshire Avenue junctions. The school playing fields are to the east behind the school building and the site area is 57,349 square metres.
- 3.2 The surrounding area is predominantly residential in nature with Granville Playing Fields to the rear of the site.

4.0 Site History

- 4.1 P/06960/000 ERECTION OF A 2.4M HIGH CHAINLINK FENCING TO PART OF WESTERN BOUNDARY.

Approved with Conditions 16-Jan-1986

P/06960/001 ERECTION OF TEMPORARY CLASSROOM

Approved with Conditions 05-May-1987

P/06960/002 REPLACEMENT OF CLASSROOM

Approved with Conditions 30-Oct-1991

P/06960/003 ERECTION OF CLASSROOM BLOCK (REG 3)

Approved with Conditions 25-Apr-1995

P/06960/004 ERECTION OF SIX MODULAR CLASSROOMS (REG 3)

Approved with Conditions 30-Apr-1996

P/06960/005 RETENTION OF MODULAR BUILDING AS CLASSROOMS FOR A TEMPORARY PERIOD

Approved with Conditions 12-Feb-1997

P/06960/006 RETENTION OF MODULAR BUILDING AS CLASSROOM FOR A TEMPORARY PERIOD

Approved (Limited Period Permission) 09-Oct-2000

P/06960/007 ERECTION OF A SINGLE STOREY CLASSROOM

Approved with Conditions 31-Jan-2002

P/06960/008 ERECTION OF TWO METRE HIGH CHAINLINK FENCING ON PART OF SOUTHERN BOUNDARY AND RENEWAL OF EXISTING GATE AND FENCE ON SOUTHERN BOUNDARY

Approved with Conditions; Informatives 20-May-2004

P/06960/009 FOR THE RETENTION OF MODULAR CLASSROOM FOR A TEMPORARY PERIOD

Approved (LPP); Informatives 06-Oct-2005

P/06960/010 ERECTION OF A SINGLE STOREY PITCHED ROOF BUILDING COMPRISING OF FOUR NO. CLASSROOMS AND CHANGING ROOM FACILITIES

Approved with Conditions; Informatives 18-Apr-2006

P/06960/011 ERECTION OF A CONSERVATORY WITHIN ENCLOSED COURTYARD.

Approved with Conditions; Informatives 10-Oct-2006

P/06960/012 ERECTION OF A PORCH WITH A MONO-PITCHED ROOF

Approved with Conditions; Informatives 10-Oct-2006

P/06960/013 CONSTRUCTION OF A MODULAR GARAGE ENCLOSURE.

Approved with Conditions; Informatives 07-Jul-2009

P/06960/014 DEMOLITION OF EXISTING MODULAR CLASSROOM AND ERECTION OF A TEMPORARY MODULAR CLASSROOM, WITH ACCESS RAMP AND GUARD RAILS.

Approved (LPP); Informatives 15-Jul-2009

P/06960/015 ERECTION OF NEW TEACHING FACILITY BUILDING TO INCLUDE DANCE STUDIOS, DRAMA STUDIOS, EXHIBITION SPACE, FIVE CLASSROOMS, SCHOOL RECEPTION, CYBER CAFE AND CHANGING ROOMS.

Approved with Conditions; Informatives 22-Sep-2009

P/06960/016 INSTALLATION OF 4NO. 6M HIGH LIGHTING COLUMNS TO THE CAR PARK (ON SOUTH WEST SIDE BOUNDARY)

Approved with Conditions; Informatives 23-Nov-2010

5.0 Neighbour Notification

5.1 138, Waterbeach Road, Slough, SL1 3JY, 23, Granville Avenue, Slough, SL2 1NA, 32, Granville Avenue, Slough, SL2 1NA, 22, Granville Avenue, Slough, SL2 1NA, 124, Waterbeach Road, Slough, SL1 3JY, 2a, Canterbury Avenue, Slough, SL2 1EQ, 2b, Canterbury Avenue, Slough, SL2 1EQ, 120, Waterbeach Road, Slough, SL1 3JY, 26, Granville Avenue, Slough, SL2 1NA, 37, Granville Avenue, Slough, SL2 1NA, 128, Waterbeach Road, Slough, SL1 3JY, 30, Granville Avenue, Slough, SL2 1NA, 112, Waterbeach Road, Slough, SL1 3JY, 84, Gloucester Avenue, Slough, SL1 3AX,

102, Waterbeach Road, Slough, SL1 3JY, 17, Granville Avenue, Slough, SL2 1ND, 33, Granville Avenue, Slough, SL2 1NA, 20, Granville Avenue, Slough, SL2 1NA, 118, Waterbeach Road, Slough, SL1 3JY, 24, Granville Avenue, Slough, SL2 1NA, 35, Granville Avenue, Slough, SL2 1NA, 22b, Granville Avenue, Slough, SL2 1NA, 22c, Granville Avenue, Slough, SL2 1NA, 77, Gloucester Avenue, Slough, SL1 3AN, Slough Methodist Church, Hampshire Avenue, Slough, SL1 3AQ, 132, Waterbeach Road, Slough, SL1 3JY, 106, Waterbeach Road, Slough, SL1 3JY, 38, Granville Avenue, Slough, SL2 1NA, 110, Waterbeach Road, Slough, SL1 3JY, 22a, Granville Avenue, Slough, SL2 1NA, 15, Granville Avenue, Slough, SL2 1ND, 122, Waterbeach Road, Slough, SL1 3JY, 136, Waterbeach Road, Slough, SL1 3JY, 126, Waterbeach Road, Slough, SL1 3JY, 31, Granville Avenue, Slough, SL2 1NA, 27, Granville Avenue, Slough, SL2 1NA, 140, Waterbeach Road, Slough, SL1 3JY, 18, Granville Avenue, Slough, SL2 1ND, 100, Waterbeach Road, Slough, SL1 3JY, 130, Waterbeach Road, Slough, SL1 3JY, 34, Granville Avenue, Slough, SL2 1NA, 116, Waterbeach Road, Slough, SL1 3JY, 25, Granville Avenue, Slough, SL2 1NA, 21, Granville Avenue, Slough, SL2 1NA, 36, Granville Avenue, Slough, SL2 1NA, 104, Waterbeach Road, Slough, SL1 3JY, 16, Granville Avenue, Slough, SL2 1ND, 28, Granville Avenue, Slough, SL2 1NA, 29, Granville Avenue, Slough, SL2 1NA, 114, Waterbeach Road, Slough, SL1 3JY, 134, Waterbeach Road, Slough, SL1 3JY, 108, Waterbeach Road, Slough, SL1 3JY, 19, Granville Avenue, Slough, SL2 1NA, 98, Waterbeach Road, Slough, SL1 3JY, 54, Rutland Avenue, Slough, SL1 3AL, 56, Rutland Avenue, Slough, SL1 3AL, 58, Rutland Avenue, Slough, SL1 3AL, 60, Rutland Avenue, Slough, SL1 3AL, 62, Rutland Avenue, Slough, SL1 3AL, 64, Rutland Avenue, Slough, SL1 3AL, 66, Rutland Avenue, Slough, SL1 3AL, 68, Rutland Avenue, Slough, SL1 3AL, 70, Rutland Avenue, Slough, SL1 3AL, 72, Rutland Avenue, Slough, SL1 3AL, 50, Rutland Avenue, Slough, SL1 3AL, 52, Rutland Avenue, Slough, SL1 3AL, 1, Pippin Close, Slough, SL2 1BG, 4, Pippin Close, Slough, SL2 1BG, 3, Pippin Close, Slough, SL2 1BG, 2, Pippin Close, Slough, SL2 1BG, 7, Pippin Close, Slough, SL2 1BG, 6, Pippin Close, Slough, SL2 1BG, 5, Pippin Close, Slough, SL2 1BG, 8, Pippin Close, Slough, SL2 1BG, 9, Pippin Close, Slough, SL2 1BG, 10, Pippin Close, Slough, SL2 1BG, 11, Pippin Close, Slough, SL2 1BG, 100b, Waterbeach Road, Slough, SL1 3JY, 100c, Waterbeach Road, Slough, SL1 3JY, 100f, Waterbeach Road, Slough, SL1 3JY, 100d, Waterbeach Road, Slough, SL1 3JY, 100e, Waterbeach Road, Slough, SL1 3JY, 100a, Waterbeach Road, Slough, SL1 3JY

Following the omission of the crossover and parent parking the above were consulted again on the 23rd September 2013 and no comments were received.

- 5.2 In accordance with Article 13 of The Town and Country Planning (Development Management Procedure) (England) Order 2010, a site notice was displayed at the site and the application was advertised in the 17th May 2013 edition of The Slough Express.
- 5.3 No objections received.
- 6.0 Consultation**
- 6.1 Environment Agency

Following the submission of further information the Environment Agency withdrew their objection to the scheme subject to the inclusion of 3 conditions.

6.2 Traffic and Road Safety/Highways Development

A Travel Plan has been submitted and is with the Transport Department. A Section 106 Agreement will be required for the implementation of the travel statement and to limit the school roll to 950 pupils.

6.3 Principal Engineer - Drainage

Following the submission of reservoir failure in the Flood Risk Assessment there are no objections from a drainage perspective.

PART B: PLANNING APPRAISAL

7.0 Policy Background

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

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

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

Core Policy 1 – Spatial Strategy

Core Policy 5 – Employment

Core Policy 6 – Retail, Leisure and Community Facilities

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 9 – Natural and Built Environment

Core Policy 10 – Infrastructure

Core Policy 11 – Social Cohesiveness

Core Policy 12 – Community Safety

The Local Plan for Slough, Adopted March 2004

Policy EN1 – Standard of Design

Policy EN2 – Extensions

Policy EN5 – Design and Crime Prevention

Policy T2 – Parking Restraint

Policy T8 – Cycling Network and Facilities

Policy OSC2 – Protection of School Playing Fields

Other Relevant Documents/Statements

Slough Borough Council Developer's Guide Parts 1-4

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

- Principle of development
- Design and Impact on street scene
- Highways and transport
- Impact on neighbour amenity

8.0 Principle of Development

- 8.1 The use of the site is established for Class D1 secondary education purposes. The proposed development would provide 12 modern inclusive fit for purpose classroom facilities as well as providing additional storage and facilities.
- 8.2 Baylis Court School is an Academy with a 'Funding Agreement' which was drawn up by the School's Trustees and signed and sealed by the Secretary of State for Education.
- 8.3 Pupil numbers would not increase. There are understood to be 885 pupils at the school at present. Pupils are aged between 11-18 and all pupils are girls. There are 83 full time and 42 part-time members of staff.
- 8.4 The National Planning Policy Framework states at para. 72 that "local planning authorities should take a proactive, positive and collaborative approach to ... development that will widen choice in education." It goes on to state that Local Planning Authorities should give great weight to the need to create, expand or alter schools and work with schools promoters to identify and resolve key planning issues before applications are submitted.
- 8.5 Core Policy 11 of the Core Strategy supports the provision of new community facilities which serve the needs of local communities.
- 8.6 The supplementary text to Core Policy 5 of the Core Strategy which relates to employment identifies that there is a need for better education and training opportunities in order to improve the skills of some of the resident work force. It is envisaged that the current skills gap will be reduced over time as a result of the continuing success of students attending schools and colleges.
- 8.7 Furthermore, it is recognised that uses such as education are in themselves an important source of jobs. They are therefore classed as employment use for the purposes of the Core Strategy.
- 8.8 The proposal is considered to be acceptable in principle as it would provide improved facilities for pupils and is considered to comply with the National Planning Policy Framework, Core Policies 5, 6 and 11 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

9.0 Design and Impact on Street Scene

- 9.1 Core Policy 8 of the Core Strategy and Policies EN1 and EN2 of The Adopted Local Plan for Slough require that development shall be of a high quality design which shall respect its location and surroundings and provide amenity space and landscaping as an integral part of the design. The National Planning Policy Framework states that

good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

- 9.2 The proposed extension is two storey and at 7.3m in height maintains this height for the full extension, which is less than the arts and media centre constructed under Phase 1 of the school development at 9.6m reducing to 8.6m.
- 9.3 The proposed windows for the classrooms and conference room are wide and divided into 3 panes to provide natural light into the teaching environment. The windows servicing the store rooms, office and other facilities respect the height of the classroom windows but the width matches those in the arts and media building constructed under Phase 1 of the development.
- 9.4 The proposed building would be tied into the arts and media centre. The siting of the proposed buildings is considered to be subservient to the existing arts and media centre. The proposal is considered to respect the general pattern of development on the site in terms of maintaining the group of school buildings with the open playing fields to the east behind. Whilst the proposed building would be visible from both Pippin Close and Rutland Avenue, it is not considered that it would be overly prominent or visually intrusive and as such it is not considered to have an adverse impact on the street scene.
- 9.5 The proposed building is considered to be acceptable in design terms. Proposed materials would be cinnabar red multi facing brick, with the roof grey single ply membrane. Windows and external doors would be grey powder coated aluminium, with louvre panels, solid aluminium panels and tinted glazing for solar control.
- 9.6 The proposed flat roofed two storey extension is considered to be acceptable in design and street scene terms and would comply with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008; Policies EN1 and EN2 of The Adopted Local Plan for Slough 2004; and the National Planning Policy Framework.

10.0 Highways and Transport

- 10.1 The Transport Department have experience of parent vehicle parking schemes and it encourages parent's to drive children to school and adds to congestion, therefore the crossover of the cinder path to provide this facility was objected to on highway safety grounds. Following the omission of the drop off area for parent's vehicles parking over the cinder path the main issues in relation to highway and traffic matters are considered to be with regard to intensification of use of the site by an increase in pupil numbers, therefore a S106 Agreement together with a Travel Plan and Statement are required and further details on cycle stands and shelter.
- 10.2 As noted above, pupil numbers are not to increase at present. There are understood to be 885 pupils at the school at present. There are 123 members of staff and there may be a nominal increase in staff numbers associated with the proposal.
- 10.3 There are 101 no. car parking spaces on the site and these would be retained.

- 10.4 A school travel plan has been prepared and submitted to the Transport Department. The travel plan proposes measures that Baylis Court School will use to promote sustainable transport to and from the site.
- 10.5 The travel plan proposes measures to promote walking, cycling, car sharing and public transport. Road safety, awareness days and house points or a reward scheme will also be considered.
- 10.6 The Council's Transport consultant considers that a Section 106 Agreement will be required for the implementation of the travel plan and to limit the school roll numbers to 950 pupils.
- 10.7 These obligations, which are considered to comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010, will be secured through a Section 106 Agreement and the imposing of conditions the development would comply with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008; Policies T2 and T8 of The Adopted Local Plan for Slough 2004 and the National Planning Policy Framework.

11.0 Impact on Neighbour Amenity

- 11.1 The nearest residential occupiers to the site are located at Pippin Close which are situated facing west/east like the school.
- 11.2 The proposed development is not considered to have an undue impact on the amenity of neighbouring occupiers, as Phase 1 of the development was built opposite flats 50 - 72 on Rutland Avenue.
- 11.3 In terms of impact on neighbour amenity, the proposed development is considered to comply with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the National Planning Policy Framework.

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 through pre-application discussions. The development is considered to be sustainable and is considered to accord 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 from consultees and all other relevant material considerations.

PART C: RECOMMENDATION

15.0 Recommendation

- 15.1 Delegate to the Strategic Lead Planning Policy for formal determination following consideration of the travel plan and statement, completion of a Section 106 Agreement and finalising of conditions.

PART D: LIST OF CONDITIONS

CONDITIONS:

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

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

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

- (a) Drawing No. P-101, Dated 12/08/2013, Recd On 14/08/2013
- (b) Drawing No. P-104, Dated 10/04/2013, Recd On 15/04/2013
- (c) Drawing No. P-105, Dated 10/04/2013, Recd On 15/04/2013
- (d) Drawing No. P-100 Revision A, Dated 10/04/2013, Recd On 27/06/2013
- (e) Drawing No. P-107, Dated 10/04/2013, Recd On 15/04/2013
- (f) Drawing No. P-108, Dated 10/04/2013, Recd On 15/04/2013
- (g) Drawing No. P-109, Dated 10/04/2013, Recd On 15/04/2013
- (h) Drawing No. P-106, Dated 10/04/2013, Recd On 15/04/2013
- (i) Drawing No. P-103 Revision A, Dated 10/04/2013, Recd On 27/06/2013

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

Planning Authority. The scheme shall include:

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

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, and the National Planning Policy Framework.

5. 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.

6. Prior to the development hereby approved first being brought into use, details of the cycle parking provision (including location, housing and cycle stand details) shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details prior to the first occupation of the development and shall be retained at all times in the future for this purpose.

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

7. Prior to the occupation of the development hereby granted permission, a school travel plan has be submitted to the Local Planning Authority for approval in writing. The plan shall set out targets and monitoring mechanism to ensure compliance with Travel Plan objectives. It should also state the Travel Plan Co-ordinator.who

will take whatever measures necessary to reduce car borne trips to ensure targets are met, based on Slough Borough Council guidance. The travel plan shall set out a five year programme of scheme and initiatives, identified in conjunction with Slough Borough Council and it shall be reviewed on an annual basis with further surveys every two years thereafter.

REASON In order to minimise danger, obstruction and inconvenience to users of the highway, to reduce travel by car in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and to meet the objectives of the Slough Integrated Transport Strategy.

8. During the construction phase of the development hereby permitted, there shall be no deliveries to the site during the hours of 08:15 hours to 09:15 and 14:45 hours to 15:45 Mondays to Fridays during term time.

REASON To protect the safety of pedestrians and cyclists using the Cinder Path within the vicinity of the site in accordance with the objectives of Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

9. Prior to the commencement of the development a Construction Management Plan shall be submitted to and approved by the Local Planning Authority. The Plan shall include measures that explain how the Construction Access will be operated and managed throughout its use.

REASON To protect the safety of pedestrians and cyclists using the Cinder Path within the vicinity of the site in accordance with the objectives of Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

10. Finished floor levels set no lower than 31.35m above Ordnance Datum (AOD).

REASON To mitigate the impact of flood risk, in accordance with Core Policy 8 of the Slough local Development Framework, Core Strategy 2006 – 2026 (Adopted December 2008).

11. Flood Resilience Measures, such as construction materials and flood doors installed in the extension (as stated on page 15 of the Flood Risk Assessment and Storm Water Management Plan prepared by KRP Consulting Engineers, Dated June 2013 and revised on 26th July 2013, Received On 29th July 2013).

REASON To mitigate the impact of flood risk, in accordance with Core Policy 8 of the Slough local Development Framework, Core Strategy 2006 – 2026 (Adopted December 2008).

12. The development hereby permitted shall not be commenced until such time as a scheme to provide compensatory flood storage has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON To reduce the risk of flooding both on and off site, in accordance with paragraph 100 of the National Planning Policy Framework.

13. No development shall commence until full details of both hard and Soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved before the development is first occupied, or the use hereby approved is commenced. The hard landscaping details shall include proposed finished ground levels or contours; the surfacing material to be used for the car parking area; other vehicle and pedestrian access and circulation areas; and hard surfacing areas. The soft landscape works details shall include planting plans; written specifications; schedules of plants noting species, plant sizes and proposed numbers/densities where appropriate; implementation plan. All hard and soft landscape works shall be carried out in full accordance with the approved details. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

REASON In the interests of visual and residential amenity.

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

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

15. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy

sources (Paragraphs 93 – 97 of the National Planning Policy Framework). 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, December 2008.

16. 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 and paragraphs 93 – 97 of the National Planning Policy Framework.

INFORMATIVES:

1. 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.
2. Prior to commencing works the applicant will need to enter into a Minor Highway Works Agreement with Slough Borough Council for the implementation of the works in the highway works schedule. The applicant should be made aware that commuted sums will be payable under this agreement for any requirements that burden the highway authority with additional future maintenance costs.
3. 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.
4. The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.

5. The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.
6. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the highways authority.
7. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new building.

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SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee **DATE** 28th November 2013

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

WARD(S): Haymill, Farnham and Baylis

PART I

DEPOSIT DRAFT OF THE SLOUGH TRADING ESTATE SIMPLIFIED PLANNING ZONE (SPZ)

1 Purpose of Report

The purpose of the report is to seek Members approval for the publication of the Deposit Draft Simplified Planning Zone (SPZ) Scheme for the Slough Trading Estate for public consultation.

Recommendation(s)/Proposed Action

1.1 The Committee is requested to resolve:

- That the content of the SPZ be agreed subject to any minor amendments which may be delegated to the Strategic Lead Planning Policy.
- That the Deposit Draft of the new Slough Trading Estate Simplified Planning Zone Scheme be published for public consultation.

2 Community Strategy Priorities

2.1 The SPZ forms part of the Council's planning framework which is an important spatial element of the Community Strategy and will help to contribute to the following emerging priorities:

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

3 Other Implications

(a) Risk Management

There are no specific issues directly arising from this report

(b) Human Rights Act and Other Legal Implications

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

(c) Equalities Impact Assessment

An Equalities Impact Assessment will be completed before any decision is made to approve the SPZ.

(d) Workforce

The proposed actions form part of the existing work programme.

4 Supporting Information

- 4.1 Simplified Planning Zones (SPZs) were introduced in the Town and Country Planning Act 1990 and Slough Trading Estate has been one of the few areas in the country to take advantage of this planning tool. The first SPZ for the Estate ran from 1994 to 2004 and the second one is due to expire in November 2014.
- 4.2 A SPZ effectively grants planning permission in advance for specified types of development within defined areas. On the Trading Estate the permitted uses include industrial units, warehouses and data centres. Potentially inappropriate uses such as B1(a) offices, major retail or development on the power station are not permitted. Any development proposals which fall outside of the scope of the SPZ, either in terms of their scale or use, have to apply for planning permission in the normal way.
- 4.3 Members will recall that at a meeting of the Planning Committee in September 2012 approval was granted for the preparation of a new SPZ Scheme for the Slough Trading Estate in order to replace the existing one which expires in November 2014.
- 4.4 Negotiations have subsequently taken place with SEGRO in order to allow them to produce a Pre-Deposit Draft of the new SPZ. This was used for initial consultation with the Environment Agency, Highways Agency, Natural England and English Heritage.
- 4.5 The results of this initial round of consultation are summarised in Appendix A. These show that English Heritage, the Highways Agency and Natural England had no major comments to make.
- 4.6 The Environment Agency raised a number of points which were not fundamental. Changes have therefore been made to the wording of the SPZ to take account of the comments from the EA and ongoing concerns that Officers have raised.
- 4.7 The result is that we have now reached the stage where it is considered that the Deposit Draft of the SPZ could be published for public consultation.
- 4.8 It is proposed that the consultation will take place for a six week period in the new year. The results will then be considered by this Committee before seeking Cabinet approval.

Purpose of the SPZ

- 4.9 Slough Trading Estate is the largest business area in the Borough and provides around a quarter of the jobs in Slough. As a result its continued success as an employment centre is important to the local economy and the prosperity of the town as a whole.

- 4.10 The original purpose of the SPZ was to allow uncomplicated development such as industrial and warehouse uses, with predictable planning and amenity impacts, to take place quicker than would be possible with a standard planning application.
- 4.11 As the nature of the Trading Estate has changed, however, the current SPZ has been used to allow Data Centres and High Tech development to take place. The role of the SPZ has thus evolved to become a tool which helps SEGRO to deliver bespoke premises which serve the needs of modern businesses and provide the sort of facilities that are necessary to continue to attract inward investment to the Trading Estate.
- 4.12 The SPZ provides SEGRO, the owners of the Estate, a number of commercial advantages which include:
- **Flexibility** to respond quickly and effectively to changes in market demands and tenants' requirements
 - **Certainty** for owners and occupiers about what development is acceptable to the Council under the scheme, and will therefore not require detailed planning approval
 - **Speed** of development being brought forward- as individual applications are not required and consistent parameters are established by the SPZ, they are not subject to the normal planning permission timeframes
 - **Marketability** of the Estate in a way which enhances the perception of the trading estate for investment, and has led directly to companies choosing to locate on the estate.
- 4.13 From a planning point of view it is considered that the SPZ will help to implement the objectives of the Core Strategy, the Site Allocation Document and the Master Plan which together form the planning framework for the Trading Estate. It will also compliment the planning permission granted for the Leigh Road Commercial Core Area (known as LRCC2).
- 4.14 The other advantage to the Council of having a SPZ is that it will not have to spend time processing planning applications.

The Contents of the SPZ

- 4.15 The purpose of the SPZ is to allow employment generating development to take place within the Trading Estate which does not conflict with the established planning objectives .As a result it excludes potentially inappropriate uses such a B1(a) offices, major retail or specialist development such as the power station.
- 4.16 The details of the SPZ scheme are set out in a specific policy document made up of four parts. The new SPZ follows the same format as the current: Part 1 sets the context for the SPZ; Part 2 contains the legal basis for the SPZ and the S106 integrated transport strategy commitments including parking standards; Part 3 sets out the planning details and Part 4 contains plans showing the regional context and geographical boundary. More detailed information is set out in a series of appendices.
- 4.17 The details of the scheme in part 3 define the area of the scheme, the uses permitted, and the planning conditions that apply to defined sub-zones within the SPZ. The SPZ only grants planning permission and so all other legislative

requirements (such as building regulations, advertisements consent) remain and must be complied with.

4.18 The key parts of the scheme that have been retained are as follows:

- Limited to new buildings for general industrial uses, storage and distribution, and data centres
- Limit to 50% built footprint, and 49% office floorspace (gross external area)
- No open storage permitted, and screening of all plant
- Requirement for minimum 6% green landscaping on every development
- Continued protection of Buckingham Avenue Retail area to serve employees
- Highways requirements including safe manoeuvring and servicing within the site boundary

Renewal of the SPZ

4.19 It is proposed that the SPZ will continue to grant planning permission for a range of business uses such as research & development, light industrial, general industrial and warehousing uses (Classes B1(b), B1(c) B2 and B8). It would also allow some retail, food and drink and financial and professional services within the existing Buckingham Avenue Centre (Classes A1, A2, A3, A4 and A5). There can also be Data Centres (Sui Generis Use).

4.20 As explained above, the nature of the Trading Estate has changed since the first SPZ was approved in 1994. At the same time the nature of planning has also changed with much more emphasis upon environmental matters and sustainability.

4.21 It is important that the new SPZ is “future proofed” as far as possible to ensure it remains viable for the Trading Estate but retains the necessary planning control to so we are not allowing development now which would not be permitted in ten years’ time.

4.22 In addition, for marketing reasons, SEGRO do not want to include any conditions in the SPZ that require subsequent approval by the Council. The area covered by the SPZ has also been updated to exclude the Bath Road Retail Park which is no longer in SEGRO’s ownership.

4.23 The new SPZ provides the opportunity for the Council to update the policy context and address issues that have arisen in applying the current scheme, notably the impact of taller buildings on adjoining residential areas.

4.24 It has also allowed SEGRO to extend the scope of the SPZ to accommodate the commercial demand for taller buildings for research and development (23m), datacentres (23m) and high bay warehouses (20m).

4.25 Potential problems have therefore been overcome by including more detailed conditions than the current SPZ. Additional information and good practice has also been provided in informatives.

4.26 The key aspects being delivered in the new scheme are as follows:

- Zoned areas to control maximum building height at the boundaries (set out below)
- Zoned area to allow taller buildings on larger plots in the central area.
- The requirement for minimum set backs from the road frontage including a set back of 13m from the main road frontage for all buildings over 16m.
- Improved landscaping
- Recognition that demolition can now be undertaken without the requirement for prior notification
- Updates to promote sustainable design and construction, and measures to address flood risk from rain water and insufficient drainage capacity.
- Improved and broader provision of information for monitoring purposes
- Protection of the land adjoining the junction of Liverpool Road and Buckingham Avenue for the Leigh Road Scheme
- Provision to install Solar Panels on existing buildings
- Agreed approach to archaeological assessment
- Update to sustainable transport measures including introduction of minimum car parking standards (details below) and high quality cycle parking.

Building Height Controls

- 4.27 The new SPZ introduces maximum building heights across the whole estate. These permit increased heights in the central area and reduced building heights at the perimeters, with a default maximum of 16m.
- 4.28 Concerns about the visual relationship of the trading estate with its residential neighbours areas are addressed through the introduction of a new Height Controlled Zone along the northern boundary (from Yeovil Rd to Stirling Rd) which restricts buildings to 12m; and the addition of a height limit to the existing Sensitive Sub Zones (at residential boundaries) (of 7m at Fairlie Road, Stirling Road, Galvin Road and Montrose Avenue; and 10m at Whitby Road).
- 4.29 It is recognised that there is a need for tall buildings over 16 metres in the Trading Estate. As a result it is proposed to allow single storey “High Bay” warehouses up to 20 metres in height, provided they are set in large sites over a hectare.
- 4.30 There is also a demand for single storey data centres up to 23 in height and three story high tech buildings which may also be up to 23 in height.
- 4.31 It is recognised that in townscape terms it is possible to accommodate buildings of these height in parts of the Trading Estate, especially in the area close to the Power Station. As a result Research and Development and Co-location Sub-Zones have been identified within the SPZ where these buildings could be built. This still raises the issue as to how these very tall buildings will fit in the street scene when the SPZ is unable to control the design appearance or spacing of these buildings.
- 4.32 In order to help to mediate this it is proposed to impose a condition that these buildings will have at least 50% of the front elevation as glazing/ curtain walling, be on sites of over 1ha, and set back from the road by at least 16m, including a 5m tree lined landscaping strip in front of them.
- 4.33 Fortunately, nearly all of the proposed locations for buildings up to 23m are on the existing ‘Arterial Landscape Sub Zones’ along roads such as Buckingham Avenue

and Edinburgh Avenue. These are also the roads that are identified as boulevards in the indicative Master Plan. Whilst some landscaping has gone in along these routes it has not always been to the standard expected. As a result it is proposed to strengthen the existing requirement for Arterial Landscape Sub Zones to include a condition in the SPZ that requires a 5m landscaped strip on all development.

4.34 SEGRO have not agreed to the detail of this condition, particularly the need for a 5m strip. However it is considered that buildings up to 23m should only be allowed within the SPZ on this basis.

Sustainable transport measures

4.35 The SPZ will deliver the following sustainable transport measures in line with the Core Strategy and the Leigh Road Commercial Core Regeneration Scheme:

- Hoppa bus - between Slough Train Station, Buckingham Avenue and Burnham Station.
- Minimum car parking standards and parking cap
- Cycle provision - secure storage and showers: quality over quantity
- Outstanding points on previous SPZ S106 -still being discussed

4.36 The new SPZ will be the subject of a Section 106 Legal Agreement. The existing SPZ funded the introduction of the 'Hoppa' bus service that runs from Slough train station through the Estate to Burnham or Britwell. This service has been secured up until 2015. As a result it is proposed that the new SPZ Section 106 agreement will provide for the 'Hoppa' bus service, or its equivalent, up until 2024.

4.37 The existing SPZ also has a number of transport measures that had to be provided as part of the Integrated Transport Strategy. Some of these will be carried forward in the new SPZ along with a requirement for Travel Plans.

4.38 The renewal of the SPZ has to be seen in the context of the planning permission that has been granted for the Leigh Road Commercial Core (LRCC) which will provide many of the complimentary uses on the Trading Estate. This has permitted 152,800 square metres of new development including high profile offices plus hotels, retail, a health club and conference and crèche facilities. This also has a Section 106 which will provide significant transport improvements as well as training and environmental improvements. The Leigh Road Commercial Core permission also effectively enforces the parking cap that has been applied to the Trading Estate for many years by preventing new office development taking place if the number of parking spaces has been exceeded through out the Estate as a whole.

4.39 There is no similar control in the SPZ which applies minimum and maximum parking standards for the different type of development but has no mechanism for ensuring that cumulatively the overall parking cap was not exceeded. This would not be a problem if the LRCC2 planning permission had been implemented but this has not happened so far. As a result an interim parking control mechanism will have to be included in the SPZ Section 106 Agreement until LRCC2 is implemented. Agreement about this has not, however, yet been reached with SEGRO.

4.40 There are a number of "environmental" controls that would normally be applied to all proposals that come forward for planning permission. These include how drainage, flooding, contamination, archaeology will be dealt with. This would normally be dealt

with by requiring the developer to submit details of how these have been dealt with to the Council for approval.

- 4.41 As explained above, in order to have a “hands free” SPZ it is not proposed to have and conditions which require approval by the Planning Authority. This means that we will be reliant upon a range of measures agreed with SEGRO including conditions, informatives and commercial prudence.

Timetable

- 4.42 In order to renew the SPZ under the 1990 Act a number of steps have to be followed.
- 4.43 The first formal step was Notification of the Secretary for the Environment of the intention to proceed with renewal. Acknowledgement of that was received on the 26th February 2013.
- 4.44 The SPZ then needs to be placed on Deposit for 6 weeks during which period objections can be made. If no objections are made the Local Authority can adopt the SPZ. However, if objections are made a Public Local Inquiry will need to be held and proposed modifications made as necessary.
- 4.45 The results of the Deposit consultation and any consequential alterations to the SPZ Scheme will be put to Planning Committee prior to a decision by Cabinet.

5 Conclusion

- 5.1 Members' approval is being sought for the approach in the SPZ, with approval to delegate minor issues outstanding to the Strategic Lead Planning Policy, and to place the new Draft SPZ on Deposit for a six week public consultation period early 2014. The results of this are expected to be reported back to Committee in spring 2014 for consideration.

6 Background Papers

1. The Local Plan for Slough (2006)
2. Slough Local Development Framework Core Strategy 2006–2026 (Adopted December 2008)
3. Slough Local Development Framework Site Allocations DPD (Adopted November 2010)
4. Simplified Planning Zone for Slough Trading Estate (2004)
5. Slough Borough Council Planning Committee Report of 19th June 2012

Appendix A Summary of Pre deposit comments from the statutory consultees

Summary of comments	Response to comments
English Heritage	
- Note that both Leigh Road Bridge and a mile marker both lie outside the SPZ. - State provision should be made for consultation with the Council's Conservation Officer if development may affect the	- Noted

<p>significance of these structures.</p> <ul style="list-style-type: none"> - Acknowledge that given their existing setting, circumstances where their significance would be further harmed are likely to be rare. 	
<p>Environment Agency</p>	
<ul style="list-style-type: none"> - Note that foundations that require deep piling could cause poor quality groundwater in the gravels to enter the chalk underlying the estate. Therefore suggest a condition to require a detailed groundwater risk assessment for all developments with the potential to require foundations below the River Terrace Deposits. - Suggest SUDS should be utilised in future developments. - Require a 2 metre high fence adjacent to the Haymill Valley boundary and request that no development occurs within an 8 metre buffer to the watercourse. - Suggest an informative to state that any hazardous waste generated during construction is removed and disposed of in accordance with the requirement of the relevant Hazardous Waste Regulations. - Condition 3 – suggest permeable surface may be favourable rather than oil separators. - Welcome condition 35 relating to not increasing drainage to the highway - Conditions 38 to 42 note that from a regulatory standpoint is that consultation on the potential effects of land and groundwater contamination is discretionary and may not need to be reported to SBC until 12 months after the event. Would like to see regulatory measures implemented prior to construction. - In respect of condition 39 they advise contacting the Agency so that any proposed remediation measures are acceptable. - The Act referred to informative v) is out of date and should refer to Environmental Permitting Regulations 2010 instead. - In relation to informative (vi) they are proposing that a comprehensive phased risk assessment is carried out on any site with previous industrial use. - The informative relating to SUDS is acceptable. - Repetition of informatives xxii and xxv - Review need for interceptors and whether 	<ul style="list-style-type: none"> - Piled foundations are not commonly used but where they are SEGRO undertake the requisite risk assessment in consultation with the EA. On this basis, the current procedures are working and we do not agree that a condition is necessary, although an informative could be proposed to reiterate the need to consider ground water contamination when using piled foundations. - Informative (xx) states that SUDS will be used to attenuate surface water runoff and reduce discharge rate and volume to the sewer system. - Condition 13 requires a fence on the boundary to Haymill Valley and informative (vii) sets out requirement for no development within 8 metres of the watercourse. - Agree that an informative should be added. - Retain need for oil interceptors but suggest new informative to state that permeable surfaces would also be acceptable. - We would look to draw on the operation of the SPZ to date and how SEGRO have liaised with the EA to address any issues of groundwater contamination. In our view the arrangements that are in place are working well and regulatory matters are being satisfactorily addressed. - If remediation is required, SEGRO consult the EA as a matter of course before starting any remedial works. - Agree with suggested change to the name of the Act/Regulations - As condition 35 refers to carrying out a phased risk assessment, this doesn't need to be repeated in the informatives. - Propose to delete one of the repeated informatives. - Review measures for draining car parks

<p>the same effect could be achieved through permeable paving for example.</p>	
<p>The Highways Agency</p>	
<ul style="list-style-type: none"> - Will be concerned if the proposals have the potential to impact on the M4, however they do not object to the proposed renewal. - Recommend we seek opportunities to encourage trips outside the peak periods during construction and operational phases. - Cite Travel Plans as one way of achieving this. - Suggest engaging with the HA for any proposed growth options at the SPZ that may have significant transport implications. 	<p>Noted and 'no objection' welcomed.</p> <ul style="list-style-type: none"> - Individual occupier Travel Plans are being Considered.
<p>Natural England</p>	
<ul style="list-style-type: none"> -NE do not consider that the proposals pose any likely or significant risk to those features of the natural environment. - Ask that protected species are considered before development commences. - Ask that impacts on adjacent SINCS or LWS are considered. - Ask to consider whether there are opportunities to incorporate features which are beneficial to wildlife within new developments. - Notes that there may be opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment. 	<ul style="list-style-type: none"> - Noted - Protected species would be considered as part of any development. Reference is currently included in the 'Other Permissions and Licenses' Section to the need to obtain a licence from NE where development permitted by the SPZ may impact on protected species.

Slough Trading Estate,
Slough,
Simplified Planning Zone Scheme

November 2013



PART 1: The Simplified Planning Zone (SPZ) for the Slough Trading Estate

- Introduction
- Context to the SPZ scheme
- Planning Background

PART 2: Details of the Proposed Scheme

PART 3: Additional Information on the Operation of the SPZ

PART 4: Informatives

PLANS AND APPENDICES

Plan 1: Slough Trading Estate SPZ – Regional Context

Plan 2: The Adopted SPZ Plan

Plan 3: Location of CCTV Cameras

- Appendix 1: Landscaping Guidance Note
Appendix 2: Environmental Guidance Note
Appendix 3: Approach to Archaeology
Appendix 4: Road widening lines

INTRODUCTION

This document sets out the terms governing the implementation of the third Simplified Planning Zone (SPZ) for the Slough Trading Estate. SPZs are areas in which planning permission is granted in advance for defined types of development. Provided the development proposed complies with the SPZ scheme, there is no need to obtain planning permission in the normal way.

An SPZ was originally designated at the Estate in 1995 and was subsequently renewed in 2004. Since its inception, the SPZ has operated successfully and has helped to facilitate development on the Trading Estate. These developments have attracted a number of businesses to the area helping to create significant employment opportunities. Not only has the SPZ attracted new firms to the Trading Estate but it has enabled existing firms to expand and therefore retain and grow their existing workforce within the Borough.

The SPZ is shown in its regional context on **Plan 1**. It is located approximately 1.6 kilometres to the south west of Slough Town Centre. The Trading Estate dominates a large area of the town and is well located with the Bath Road (A4) to the south providing access to the M4 motorway and the Farnham Road (A355) to the east. The Trading Estate is also bisected by the London (Paddington) to Bristol Railway line. It covers approximately 156 hectares in area and currently includes a wide variety of business, industrial and warehouse uses with a limited but growing number of service activities, including shops and banks to predominantly meet the needs of employees working on the Estate. In June 2012, the Council granted outline planning permission P/14515/003 for the Leigh Road Central Core Area (LRCC) on the Trading Estate for 152,800 square metres of new office, hotel, retail, health club and conference and crèche facilities.

The Estate is relatively self-contained and in the single ownership of SEGRO. The SPZ boundary is shown on **Plan 2** which defines the extent of the SPZ; the planning permission described in Part 2 applies within this designated area.

CONTEXT TO THE SIMPLIFIED PLANNING ZONE SCHEME

Legal Basis

The legal basis for the creation of an SPZ is found at Sections 82 to 87 of the Town and Country Planning Act 1990. The adoption procedures were streamlined by Section 28 of the Planning and Compensation Act, 1991, which came into force in November 1992.

Section 83 of the Town and Country Planning Act requires local planning authorities to consider whether part or parts of their area will benefit from designation of an SPZ, to prepare schemes and to keep the matter under review. Any person can request the Local Planning Authority to make or alter an adopted SPZ.

Key Features of the SPZ Scheme

The SPZ at the Slough Trading Estate provides potential occupiers on the Estate with the following benefits:

- **Flexibility** – subject to compliance with the SPZ scheme, the developer is in a position to respond quickly and effectively to changes in market demands and tenants' requirements;
- **Certainty** – the SPZ clarifies the types of development acceptable to Slough Borough Council and provided the proposal accords with the scheme, detailed planning approval will not be required. This helps foster confidence in investment at the Trading Estate;

- **Speed** – the developer / potential occupier does not have to obtain individual planning permissions for compliant proposals, thus reducing administrative burdens and assisting the overall redevelopment of the Trading Estate in a timely and cost effective manner; and
- **Marketability** – the SPZ has been used and will continue to be used as an effective marketing tool, enhancing the perception of the Trading Estate as a focus for business and employment investment. Both SMEs and Blue Chip companies have chosen to locate their operations on the Trading Estate as a direct result of the existence of the SPZ.

The SPZ scheme comprises the Written Statement and Plan. The Written Statement (Part 2 in this document) specifies the types of development for which permission is granted. The Plan (Plan 2) confirms the extent of the SPZ scheme, and land use zonings within it.

The SPZ has conditions attached to take account of local factors.

If a type of development is proposed which does not fall within the SPZ permission, or does not fully comply with its conditions planning permission will have to be applied for in the normal way.

In Part 2, the details of the proposed SPZ scheme are set out. Only those uses indicated are permissible and these are subject to the various conditions described. The SPZ Plan (Plan 2) identifies a number of Sub-zones where special controls are to be implemented and which are subject to their own specific conditions in addition to those that apply across the whole SPZ.

Part 3 of the Written Statement provides further information on the operation of the SPZ and Part 4 outlines a range of requirements and guidance from statutory undertakers and other agencies with respect to development in the SPZ. The developer will be expected to have regard to these Informatives when considering new development at the Trading Estate.

It is important to note that the restrictions imposed under the SPZ scheme only relate to development implemented as a result of the scheme following its adoption. The SPZ only grants planning permission; all other legislative controls will remain and must be complied with (refer to Part 2).

At the date of adoption, there were no listed buildings, ancient monuments, conservation areas or tree preservation orders located within the area of the SPZ. The Leigh Road Bridge and Mile Marker located on Bath Road are both listed although they are not located within the SPZ. The SPZ does not permit works to a listed building and should any buildings be listed within the lifetime of the SPZ, development involving any of these would not fall within the SPZ permission and planning and other relevant consents would be required in the normal way.

In respect of environmental assessment, Regulation 28 of the 2011 Town and Country Planning (Environmental Impact Assessment) Regulations, states that the SPZ will not grant permission for EIA development or grant permission for Schedule 2 development.

As a result, the SPZ does not grant planning permission for these types of development for which separate planning applications accompanied by an environmental statement or statements would need to be submitted to the Borough Council.

At the end of the ten year operation period the scheme will cease to have effect except for development that has already commenced.

Planning Background

The Slough Borough Core Strategy was adopted by the Council in December 2008 and covers the period 2006 to 2026. Two key strategic objectives of the Council are:

- To ensure that the existing business areas continue to provide sufficient employment-generating uses in order to maintain a sustainable, buoyant and diverse economy and ensure that Slough residents continue to have access to a wide range of job opportunities; and
- To encourage investment and regeneration of employment areas and existing town, district and neighbourhood shopping centres to increase their viability, vitality and distinctiveness.

Whilst the spatial strategy seeks to focus new development in the town centre (Core Policy 1), it recognises that other areas of the Borough need to change and that an important element of the 'spreading the benefits' part of the strategy is that selected areas outside of the town centre should also be regenerated. Slough Trading Estate is specifically identified as a location that would benefit from being redeveloped in a comprehensive, properly planned and co-ordinated manner (paragraph 7.23).

Core Policy 5 (Employment) states that the location, scale and intensity of new employment development must reinforce the spatial and transport strategy, with intensive employment generating uses such as B1(a) offices located in the town centre. The policy states that B1(a) may also be located on the Slough Trading Estate, as an exception, in order to facilitate its comprehensive regeneration.

The supporting text to the policy notes at paragraph 7.95 that the Trading Estate has been specifically identified as an area for regeneration and that it will be implemented through the preparation of a master plan to identify the location of the proposed new offices within a new hub including other development.

Core Policy 6 (Retail, Leisure and Community Facilities) indicates that all new major retail, leisure and community development will be located in the shopping area of Slough town centre. The supporting text at paragraph 7.113 notes that the proposed new hub within the Trading Estate could contain retail, hotel and leisure uses provided that they are at a scale which would predominantly serve the needs of businesses and employees on the Estate.

Core Policy 7 (Transport) indicates that development proposals will make provision for the creation of a transport hub within the Trading Estate. The supporting text at paragraph 7.140 states that any proposals for the regeneration of the Trading Estate will include an integrated transport package which will reduce the reliance upon the private car and improve public transport.

The Council subsequently adopted the Site Allocations DPD in November 2010, which identifies sites that can deliver the Spatial Vision, Strategic Objectives and policies in the Core Strategy. It includes detailed proposals for specific sites along with selected locations for comprehensive regeneration.

Proposal SSA4 relates to the Slough Trading Estate and is the most significant regeneration proposal outside of the town centre. Site Allocation Policy 1 identifies the Slough Trading Estate (including the Leigh Road Central Core Area) for mixed use development to include offices, research and development, light industrial, general industrial, storage and distribution, residential, retail, food and drink, hotels, conference facilities, educational facilities, recreation and leisure uses.

The site specific proposal at SSA4 includes a master plan which shows key components and proposed land use zonings across the Estate. The schedule identifies the main requirements as:

- 130,000 square metres (GIA) of additional new B1(a) offices in the Leigh Road Central Core area;
- No overall increase in the total number of parking spaces upon the Trading Estate;
- A package of public transport improvements to meet modal shift targets that will ensure there is no increase in the level of car commuting into the Estate; and
- A package of skills training is provided in order to increase the number of Slough residents working on the Estate.

Furthermore, the proposal stipulates that the scale of the proposed retail, hotel and leisure uses should be of a scale that predominantly serves the needs of the Trading Estate.

The Adopted Site Allocations DPD states that relevant development may take place in accordance with the Simplified Planning Zone or Local Development Order. This confirms the Council's recognition the existing SPZ could be replaced by an SPZ.

Following the adoption of the Core Strategy and Site Allocations DPD, outline planning permission P/14515/003 has now been granted for 152,800 square metres of new office, hotel, retail, health club and conference and crèche facilities in the Leigh Road and Central Core (LRCC) area within the Trading Estate, which is fully in accordance with the adopted policy and site specific allocation. The approved LRCC parameters plan will guide development in the LRCC area over the next 15 years and will facilitate the comprehensive regeneration of the Trading Estate.

SPZ developments are permitted within the LRCC area.

A new Section 106 Agreement [has been][will be] signed by SEGRO and the Council, to implement the parking cap and facilitate the continued provision of the Hoppa Bus Service, which runs between the Trading Estate and the town centre or an equivalent contribution to a service locally. The legal agreement confirms that the service is to be funded for the lifetime of the SPZ i.e. to **[date to be inserted]**.

Summary

The SPZ will help enable the delivery of comprehensive regeneration of the Trading Estate as set out in Core Policy 1 and achieve the objectives set out in Core Policy 5 of the Adopted Core Strategy and SSA4 of the Adopted Site Allocations DPD. The SPZ therefore is in conformity with the policies of the Adopted Core Strategy and Site Allocations DPD.

PART 2 THE SLOUGH TRADING ESTATE SIMPLIFIED PLANNING ZONE – DETAILS OF THE SCHEME

THE SPZ BOUNDARY

The boundary of the SPZ is shown on **Plan 2**. The permission granted by the SPZ relates to this area only.

PERIOD OF OPERATION

The SPZ Scheme was adopted on **[date to be inserted]** and is in operation for a ten year period ending on **[date to be inserted]**. Further information on the operation of the SPZ Scheme is contained in Part 3.

THE PLANNING PERMISSION

Planning permission is granted by the SPZ scheme for certain types of development set out below, and defined in The Town and Country Planning (Use Classes) Order 1987 SI No.764

(as amended by the Town and Country Planning (Use Classes) (Amendment) Orders 1991, 1992, 1994, 1995, 1999, 2005, 2006, 2010 and 2011). Subsequent changes to the Use Classes Order could result in new use classes being created or existing classes amended. For the avoidance of doubt these would not change the types of uses permitted by this scheme and listed below. If any of the changes affect the range of uses permitted by the SPZ, the Local Planning Authority will consider a focussed amendment to the SPZ to ensure consistency between it and the new Use Classes Order.

Planning permission is granted by the SPZ scheme for the following development (including the erection of buildings, operations and the use of land) subject to the conditions set out below:-

1) Business Use (Class B1)

Use for all or any of the following purposes:-

- Research and development of products or processes B1(b); or
- Any industrial process, being a use which can be carried out in a residential area without detriment to amenity of that area by reasons of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit B1(c).

2) General Industrial Use (Class B2)

A use for the carrying on of an industrial process, other than one falling within Class B1 above.

3) Storage or Distribution Use (Class B8)

Use for storage or as a distribution centre.

4) Colocation (Sui Generis)

The electronic storage, receipt and transmission of data and information including (but not exclusively) Internet Service Provision, web hosting, disaster recovery and other server farm operations.

5) Retail and Service Uses (Class A1-A4)

Other uses which are ancillary and complementary to the site's primary use as an employment site:

- Retail (A1)
- Financial and Professional Services (A2)
- Restaurants and Cafés (A3)
- Drinking Establishments (A4)

6) Other development

- Solar Photo Voltaic Panels (where attached to new or existing buildings)
- Walls and other means of enclosure
- CCTV Masts and associated equipment
- Demolition

USE OF SUB-ZONES WITHIN THE TRADING ESTATE as shown on PLAN 2

- Business and industrial Use Sub-zone: The Business and Industrial Use Sub-Zone covers most of the Estate. Within this area, planning permission is granted for Research and Development (B1(b)), Light Industry (B1(c)), General Industry (B2),

Storage and Distribution (B8) and Colocation (Sui Generis) uses, subject to the relevant planning conditions included within this document.

- Service Use Sub-Zone: To the north of Bedford Avenue, adjacent to Gresham Road, there is an existing service area which contains several banks and a block of small retail shops. Given the size of the Trading Estate, there is a need to maintain an adequate level of services for occupiers. Within this Sub-Zone, planning permission is granted for restaurants and cafes, drinking establishments and hot food take-aways (Class A3, A4 and A5), banks and other professional/financial services (Class A2) and A1 uses such as shops and Business Use (Class B1(b)/B1(c)).

General industrial (Class B2), Storage and Distribution (Class B8) and Colocation (Sui Generis) are excluded from this area. No single retail unit (Class A1) or premises for the sale of food or drink (Classes A3 to A5) shall exceed 200 square metres gross floor area.

- Power Station Sub-Zone: The Estate power station, located on Edinburgh Avenue, constitutes a special type of use which requires careful consideration. Existing planning control is therefore retained over the power station and all developments within its curtilage as defined by the sub-zone, where the provisions of the SPZ will not apply. The Power Station Sub-Zone is controlled by Scottish and Southern Energy.
- Highway Safeguarding Sub-Zones: There are road improvement schemes proposed on Farnham Road and at the junction of Bath Road and Dover Road. Other works include those to Leigh Road Liverpool Road and Buckingham Avenue. Development will not be permitted in these sub-zones unless Slough Borough Council as the local highway authority confirms they are no longer required for highway improvements. These areas are shown on Plan 4.
- Landscape Sub-Zones: The scheme identifies three landscape areas, two of which are identified as sub-zones, within which there will be general landscaping requirements. The hierarchy of landscaping requirements is as follows:
 - a) Strategic Landscape sub-zone
 - b) Arterial Road Landscape sub-zone
 - c) Non arterial roads

All development permitted by the SPZ Scheme should take account of the Landscaping Guidance Note contained in Appendix 1, which covers the following:

- Landscape design and standards considerations
 - Statutory undertakers' services and plant
 - Management and retention of existing and new trees
 - Replacing mature or dead trees
 - New Trees
 - Maintenance
- Sensitive Boundary Sub-Zones: The specific conditions relating to these sub-zones aim to minimise the potential visual impact and nuisance to residential amenity adjacent to the Trading Estate. They are located at Stirling Road, Montrose Avenue, Galvin Road, and South of Whitby Road.

Within these Sub-Zones planning permission is granted for development for Business (Use Classes B1(b) and B1(c)), General Industry (Use Class B2) and Storage and

Distribution (Use Class B8) and Colocation (sui generis) uses, but excludes the installation of Solar Panels on existing buildings.

Specific conditions relating to the maximum height of development, hours of operation and deliveries apply in these Sub-Zones. The Sensitive Boundary Sub-Zones are shown on Plan 2.

Height Controlled Zone: The height controls applying to the northern boundary of the SPZ (from Yeovil Road to Stirling Road) aims to minimise the potential visual impact of industrial buildings on residential properties adjacent to the Trading Estate. The Height Controlled Zone is shown on Plan 2.

- Research and Development and Co-location Sub-zone: Within this Zone, R&D (Class B1(b)) and Colocation uses on sites over 1 hectare (2.5 acres) are permitted to be a maximum of 23 metres in total to include plant and machinery. The R&D and Colocation Sub Zone is shown on Plan 2.
- Fairlie Road Sub Zone: The specific condition relating to this sub-zone relates to the maximum height of development that is permitted within it. The Fairlie Road sub-zone is shown on Plan 2.

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SLOUGH BOROUGH COUNCIL**REPORT TO:** Planning Committee**DATE:** 28TH November 2013**CONTACT OFFICER:** Wesley McCarthy, Development Control Manager
(For all Enquiries) (01753) 875832**WARD(S):** All**PART I****FOR INFORMATION****DESIGNATION OF LOCAL PLANNING AUTHORITIES**1. **Purpose of Report**

To inform Members of changes to the Town and Country Planning Act, 1990, that enables the 'designation' of poor performing Local Planning Authorities.

2. **Recommendation**

This report is for information only and to make members aware of the changes to the Town and Country Planning Act, 1990, and the actions that the Planning Section will take to deal with these changes.

3. **The Slough Joint Wellbeing Strategy, the JSNA and the Corporate Plan**3a. **Slough Joint Wellbeing Strategy Priorities**

When a Local Planning Authority (LPA) is 'designated', it will give the option to developers to submit their planning applications directly to the Secretary of State for Communities and Local Government ("Secretary of State"), in stead of the LPA. This means that the Council will loose the opportunity to influence and determine the application. It does however not mean that the LPA or residents will not have any input.

The decision process will be similar than the current process for determining Major Applications, but in stead of the Planning Committee making the decision, a Planning Inspector, appointed by the Secretary of State will chair a meeting, after which he/she will make the decision. Residents will retain the opportunity to comment on applications and will also have the opportunity to address the Inspector in the same manner as permitted by the current Planning Committee procedures.

In terms of the Council's priorities, the designation of the LPA could in theory have an impact on the Council's regeneration aspirations and ability to provide housing. However it is important to note that designation of the LPA does not result in applications automatically being determined by the Secretary of State. It is the option that developers have, but in taking this option, developers will also loose the right to appeal to the Secretary of State. The Planning Inspector will therefore make the final decision. The Planning Inspectorate has prepared a

team to deal with these applications, but do not expect that many applications will be submitted directly to them.

4. **Other Implications**

(a) **Financial**

The Council could experience a loss in planning fee income if developers decide to submit applications directly to the Secretary of State, instead of the Local Planning Authority. During the previous assessment period for designation (June 2011 to July 2013), the Planning Section dealt with 53 major applications. Although this represents a small percentage of all the applications that have been determined, it does make the largest contribution to the section's planning fee income.

(b) **Risk Management**

There are no significant risks.

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

None

(d) **Equalities Impact Assessment**

None

(e) **Workforce**

Major applications are dealt with by a small number of planning officers. These officers undertake the work as part of the normal case-load and it is therefore not anticipated that it will have a significant impact on the overall workforce of the LPA. As stated above, even if 'designated', developers will still have the option to submit application directly to the LPA. It is anticipated that in the unlikely event that LPA is 'designated', that the majority of developers will proceed to submit applications to the LPA, due to positive approach to the development in town.

5. **Supporting Information**

5.1 The Government has introduced Sections 62A, B and C to the Town and Country Planning Act 1990, by means of the Growth and Infrastructure Act 2013. Section 62A allows that applications for major developments to be made directly to the Secretary of State where the local planning authority has been 'designated'. Section 62B requires that the criteria for any such designation or for revoking a designation should be set out and published by the Secretary of State. The attached document has been published in response to Section 62B.

5.2 In accordance with Section 62B a local planning authority can be designated only if "the Secretary of State considers that there are respects in which the authority are not adequately performing their function of determining applications" in accordance with the attached document. The

DCLG document states that performance of local planning authorities will be assessed in two ways:

- (1) On the basis of the **speed** with which applications for major developments are dealt with and
- (2) The extent to which such decisions are overturned at appeal (as an indicator of the **quality** of the decisions made by LPA's).

- 5.3 The document also states that the performance of authorities in dealing with 'district matter' applications (i.e. major applications) and 'county matter' applications (i.e. minerals and waste applications) will be assessed separately. This means that an authority with responsibility for both district and county matters, which is the case for Slough Borough Council, could be designated on the basis of its handling of either category (or both). It does however mean that the ability for applicants to apply directly to the Secretary of State would apply only to the category of applications (district, county or both) for which the authority had been designated.
- 5.4 In terms of the "speed" performance measurement, this will be calculated over a two year period and by using the average percentage of decisions on applications for major development made within the 13-week period. The Government has made provision for an option to agree an extended determination period with the applicant. The threshold for designation is **30%** or less of an authority's decisions made within the statutory determination period of 13-weeks or such extended period that has been agreed in writing with the applicant.
- 5.5 The measurement of performance in terms of "quality" is the average percentage of decisions on applications for major development that have been overturned at appeal. The threshold for designation is **20%** or more of an authority's decisions on applications for major development made during the assessment period being overturned at appeal.
- 5.6 Once every year the Secretary of State will decide whether any designations should be made and the initial designations were made in October this year. The Secretary of State will also decide once each year whether any designations should be lifted, at around the same time as deciding whether any new designations are to be made. A designation will be revoked if the Secretary of State is satisfied that the designated LPA has provided adequate evidence of sufficient improvement against areas of weakness identified in an initial assessment, is not eligible for further designation at the time of making the decision on de-designation and has worked with Secretary of State during the time of designation.
- 5.7 Slough Borough Council has not been designated and achieved **43.6%** for 'district' matters applications and **50%** for 'county' matters applications. For last-mentioned category Slough Borough Council dealt with only two applications during the two year period. In order to ensure that Slough Borough Council does not get designated in future, it is has been decided to take the following approach:
 - I. Undertake deemed withdrawals of very old applications, where there has been no progress,
 - II. Extension of Time Agreements with applicants where Section S106's are required,

- III. Work with the Highway and Transports Engineers to meet statutory consultation deadline;
- IV. Work with Legal Services to improve the speed of completion of Section 106 agreements;
- V. Accept that a small number of difficult applications will not be done in 13 weeks or with an Extension of Time agreement, which means that these should be refused within the 13 week deadline.

5.8 The above strategy will only be successful if officers ensure that Planning Committee Members are fully aware of the 13-week deadlines and have all the information to make informed decisions when applications are presented to Committee. Officers will also provide regular updates at Committee in terms of the LPA's performance in terms of criteria for designation.

5.9 In a related development, the Government has also amended the fee regulations in line with the 'Planning Guarantee', in order to improve performance of LPA's. This amendment requires a refund of the planning application fee if a planning application has not been decided within 26 weeks. This could potentially have further financial implications for the Council, if applications are not determined within the 26 week period. The above mentioned strategy will also be applied in order to avoid this from taking place.

6. **Comments of Other Committees**

None

7. **Conclusion**

It is concluded that current performance figures for determining major applications are satisfactory at the moment, in that Slough Borough Council has not been designated. The LPA will proceed with the strategy outlined above in order to avoid being designated in future and also to avoid the loss of income, which would be associated with designation.

8. **Appendices Attached**

None

9. **Background Papers**

Department of Communities and Local Government: Improving planning performance - Criteria for designation

SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: 28th November 2013

PART 1

FOR INFORMATION

Planning Appeal Decisions

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

WARD(S)

ALL

Ref	Appeal	Decision
P/02840/008	<p>30 Huntercombe Lane North</p> <p>CHANGE IN SHAPE AND HEIGHT OF EXISTING ROOF TO ACCOMMODATE LOFT CONVERSION INSTALLATION OF 10 NO. VELUX WINDOWS AND REAR DORMER WITH PITCHED ROOF.</p> <p>Reason for refusal: The proposed alterations in shape and height of the main roof would, by reason of its height and bulk, constitute an overly dominant and visually intrusive feature in the street scene, the impact of which is exacerbated by virtue of the properties prominent location within the street and would result in an overly dominant height compared to the immediate adjoining dwellings which would be detrimental to the character and appearance of the locality. The proposal is therefore contrary to Policies EN1, EN2 and H15 of The Adopted Local Plan For Slough, 2004; Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008; The Slough Local Development Framework Residential extension Guidelines Supplementary Planning Document January 2010; and the National Planning Policy Framework.</p> <p>The Inspector considered that "the increase in size is not considered disproportionate given the substantial scale of the existing dwelling, including an extensive roof that spans across most of the plot. Furthermore the height and bulk of the proposal would be visually disguised due</p>	<p>Appeal Allowed subject to conditions</p> <p>14th October 2013</p>

	<p>to the proposed pitched and hipped design which would soften the visual impact within the street scene and would visually integrate with the host dwelling without overwhelming its form or design. Although the Inspector concluded that the proposal would result in a dwelling greater in height and bulk than surrounding neighbouring properties, as the difference in height and bulk is a common feature between properties along Huntercombe Lane North, and as a difference in height and bulk with neighbouring properties already exists the inspector considered that this proposal would not substantially add to this and not stand out markedly in the streetscene.</p> <p>The Inspector also concluded that the increase in roof height is not substantial and disproportionate to cause a significant impact on privacy, overshadowing or outlook.</p>	
P/15367/001	<p>24, Mansel Close, Slough, SL2 5UG</p> <p>ERECTION OF A PART SINGLE STOREY/PART TWO STOREY SIDE EXTENSION WITH MONO PITCH ROOF/ PITCHED ROOF AND SINGLE STOREY REAR EXTENSION WITH MONO PITCH ROOF.</p>	<p>Appeal Dismissed</p> <p>30th October 2013</p>
P/01753/005	<p>Land adjacent to 26-27 Salt Hill Way, Slough, SL1 3TR</p> <p>ERECTION OF A PAIR OF SEMI DETACHED DWELLINGS COMPRISING TWO BEDROOMS WITH ASSOCIATED CAR PARKING SPACES AND AMENITY SPACE FOLLOWING DEMOLITION OF EXISTING COMMERCIAL UNIT.</p> <p>The development proposed was the demolition of an existing commercial engineering works and the erection of 2 no. two bedroom semi-detached dwellings in chalet style.</p> <p>The Inspector identified that the main issues were (a) the effects of the proposal on the character of the area and (b) whether the development would provide acceptable living conditions for future occupiers, in regard to outlook and aspect.</p> <p>Whilst it was considered that the proposed dwellings would not follow the same pattern of residential development in the surrounding area, the appeal scheme was considered to represent an opportunity to improve the character and appearance of the area.</p>	<p>Appeal Allowed subject to conditions</p> <p>7th November 2013</p>

	With regard to living conditions, it was considered that the use of rooflights for main bedrooms would not comprise the living conditions of future residents through inadequate outlook and aspect.	
P/00046/004	48, Alpha Street South, Slough, SL1 1QX ENLARGEMENT OF EXISTING BASEMENT INCLUDING CREATION OF FRONT LIGHT WELL WITH STRUCTURAL WALL UPSTAND AND RAILINGS, ENLARGEMENT OF EXISTING REAR LIGHT WELL AND ERECTION OF SINGLE STOREY EXTENSION WITH 2 NO. FLANK WALL WINDOWS TO FACILITATE THE CREATION OF A 4 NO. BEDROOM SPLIT LEVEL FLAT. REPLACEMENT OF EXISTING FLAT ROOF OVER THE EXISTING SINGLE STOREY REAR EXTENSION WITH A PART HIPPED/PART FLAT ROOF INCLUDING A ROOF OVERHANG TO PROPOSED BIN STORAGE AREA. INSERTION OF GROUND FLOOR REAR WINDOW.	Appeal Dismissed 11th November 2013
P/13721/003	35, Mansel Close, Slough, SL2 5UG ERECTION OF A TWO STOREY END OF TERRACE 2-BED DWELLING WITH A FLAT TOP PITCHED ROOF.	Appeal Dismissed 14th November 2013

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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	P					
Dar	P	P	P					
Hussain	P	P	P					
Mittal	P	P	P					
Plenty	P	P	P					
Rasib	P	P	P					
Sandhu	Ap	P**	Ab					
Smith	P	P	P					
Swindlehurst	P	P	P					

P = Present for whole meeting P* = Present for part of meeting
 Ap = Apologies given Ab = Absent, no apologies given
 P** = Present but unable to participate
 as had not attended required training

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