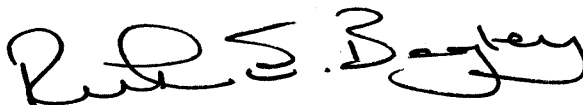


Date of issue: 28th April, 2014

MEETING	PLANNING COMMITTEE (Councillors Carter (Chair), Dar, Hussain, O'Connor, Plenty, Rasib, Sandhu, Smith and Swindlehurst)
DATE AND TIME:	WEDNESDAY, 7TH MAY, 2014 AT 6.30PM
VENUE:	FLEXI HALL, THE CENTRE, FARNHAM ROAD, SLOUGH, SL1 4UT
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	TERESA CLARK 01753 875018

NOTICE OF MEETING

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



RUTH BAGLEY
Chief Executive

AGENDA

PART 1

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

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

All Members who believe they have a Disclosable Pecuniary or other Pecuniary or non pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 3 paragraphs 3.25 – 3.27 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 3.28 of the Code.

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

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

- | | | | |
|----|---|--------|--|
| 3. | Guidance on Predetermination/Predisposition - To Note | 1 - 2 | |
| 4. | Minutes of the Last Meeting held on 9th April 2014 | 3 - 8 | |
| 5. | Human Rights Act Statement - To Note | 9 - 10 | |

PLANNING APPLICATIONS

- | | | | |
|----|--|---------|---------|
| 6. | P/00440/008 - Slough Estates Plc, 234 Bath Road, Slough, SL1 4EE | 11 - 36 | Farnham |
|----|--|---------|---------|

Officer Recommendation: Delegate to Strategic Lead Planning Policy

- | | | | |
|----|--|---------|---------|
| 7. | P/06348/008 - Lion House: Depot & No. 10 Petersfield Avenue, Slough, SL2 5DN | 37 - 54 | Central |
|----|--|---------|---------|

Officer Recommendation: Delegate to Development Management Lead Officer for S106

- | | | | |
|----|--|---------|-------|
| 8. | P/15673/002 - 3 The Grove & 258-268 High Street, Slough, SL1 1JU | 55 - 70 | Upton |
|----|--|---------|-------|

Officer Recommendation: Delegate to Development Management Lead Officer

- | | | | |
|----|--|---------|----------------------|
| 9. | P/14306/001 - Disused Railway Line, Old Bath Road, Colnbrook, Slough | 71 - 84 | Colnbrook with Poyle |
|----|--|---------|----------------------|

Officer Recommendation: Refuse

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
10.	P/12247/001 - 52 Lynwood Avenue, Slough, SL3 7BH	85 - 90	Kedermister

*Officer Recommendation: Delegate to
Development Management Lead Officer*

MATTERS FOR INFORMATION

- | | | | |
|-----|--------------------------------------|---------|--|
| 11. | Members Attendance Record | 91 - 92 | |
| 12. | Date of Next Meeting | | |
| | Thursday 19 th June, 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 Wednesday, 9th April, 2014.

Present:- Councillors Carter (Chair), Dar (Vice-Chair), Hussain, O'Connor, Plenty, Rasib and Swindlehurst

Also present under Rule 30:- Councillors Munawar, Sharif, Strutton, and Wright

Apologies for Absence:- Councillor Smith

PART I

93. Apologies for Absence

Apologies were received from Councillor Smith.

94. Declarations of Interest

Councillor Swindlehurst declared in respect of Planning Application P/00850/012: 1 Whittle Parkway, Slough, that following an enquiry from the Trustees, he had contacted the Planning Officer to find out why there was a delay in the processing of the application. The Officer had advised that the delay was due to the complexity of the application. Councillor Swindlehurst confirmed he had had no further involvement in the matter, had an open mind and would debate and vote on the item.

95. Guidance on Predetermination/Predisposition - To Note

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

96. Minutes of the Last Meeting held on 20th February, 2014

The minutes of the meeting of the Planning Committee held on 20th February, 2014, were approved as correct record.

97. Human Rights Act Statement - To Note

The Human Rights Act statement was noted.

98. Planning Applications

Details were tabled in the amendment sheet of alterations and amendments received to applications since the agenda was circulated, together with further representations and/or petitions received. The Committee adjourned to allow Members the opportunity to read the amendment sheet.

Oral representations were made to the Committee by Objectors and Applicants or their Agents under the Public Participation Scheme and local

Planning Committee - 09.04.14

Members prior to the planning applications being considered by the Committee as follows:-

P/00850/012 - 1, Whittle Parkway, Slough, SL1 6DQ – Two Objectors, two Haymill Ward Councillors and the Applicant's Agent addressed the Committee.

P/02114/021 - Slough & Eton C Of E School, Ragstone Road, Slough, SL1 2PU- Two Objectors, a Chalvey Ward Councillor, and a Rule 30 Member addressed the Committee.

Resolved – that the decisions be taken in respect of the 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.

99. P/00850/012 - 1, Whittle Parkway, Slough, SL1 6DQ

Application	Decision
Change of use of existing office building (Class B1) to a multi functional community centre and place of worship (class D1)	Delegated to the DM Lead Officer.

100. P/02114/021 - Slough & Eton C Of E School, Ragstone Road, Slough, SL1 2PU

Application	Decision
Erection of a two storey pitched roof building for use as a science block to provide 8 no. science laboratories and associated offices, meeting rooms and preparation rooms following demolition of existing single storey buildings.	Refused:-The proposed development in terms of its scale and sitting in close proximity to the boundary with the residential properties in Ragstone Road, would result in a significant overbearing impact and an unacceptable level of overshadowing, thereby resulting in a significant loss of amenity for these residents, contrary to the National Planning Policy Framework, 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.

101. Car Parking Policy In Slough Town Centre

Following a request made by the Committee at its meeting on 20th February, the Strategic Lead, Planning and Policy Projects, introduced a report

Planning Committee - 09.04.14

explaining how the Council's current policy for car parking in Slough town centre operated. Concerns had been expressed regarding the number of proposals being submitted for the development of flats or change of use from offices to flats in the town centre.

It was highlighted that the purpose of the current policy was to actively promote housing in the town centre, without adding to congestion. The issue of air quality and pollution was also raised, wherein it was confirmed that the policy was to ensure air quality was not further affected negatively.

The Officer discussed the current parking policy, strategy, and the possible affect of these on the quality and type of flats being built in the town centre. Concerns were raised by Members that the currently policy to promote building residences without car spaces could lead to problems in the future. It was felt that it was likely that prospective property buyers would want to have cars, and so there was a risk that the properties would remain unsold, or that new buyers would instead park their cars in inappropriate spaces and thereby inconvenience existing residents and further add to traffic congestion. It was also reported that current residents did not wish to have to buy parking permits. It was noted that in Central Ward, existing residents had significant difficulties parking in their roads and accessing their properties- there was a concern that their parking should be safeguarded.

It was confirmed by the Officer than there was currently permit car parking available within Queensmere, which commuters could purchase for a weekly fee. However it was felt that prospective home buyers would enter into a purchase in full knowledge that car parking spaces were restricted.

It was also pointed out that the Council's policy for a number of years had been to not require parking in the town centre, and there had been no specific problems. The controlled town centre parking zone could be expanded should there be a requirement to increase the area. It was also highlighted that the policy did not prohibit applications with parking, but allowed applications without parking.

In summary, it was felt that there remained concerns that the policy, although designed to reduce traffic in the town centre and promote alternative transport, could cause long term problems. It was acknowledged that the required debate went beyond the remit of the Planning Committee and creative solutions around pricing, section 106s, visitor permits and air quality management were required. Officers were requested to be mindful of these matters when discussing the policy moving forward.

It was also suggested that that the Town Centre Car Parking Policy be considered by the Overview and Scrutiny within its future work programme in the next Municipal Year.

Resolved – That the Overview and Scrutiny Committee be recommended to consider the Town Centre Car Parking Policy in its future work programme.

Planning Committee - 09.04.14

102. Draft Further Alterations To The London Plan

The Strategic Lead, Planning Policy and Projects introduced a report, informing Members of the public consultation on the Draft Further Alterations to the London Plan which ended on 15th April 2014.

The Officer advised that the London Plan was adopted in July 2012 and set out the social, economic and environmental framework for London for the next 20-25 years. It formed part of the Development Plan for the London Boroughs and their plans need to conform with it.

The 'Draft Further Alterations to the London Plan' were being consulted for 12 weeks ending on 15th April 2014 and would propose major changes to the plan. It was highlighted that there was no statutory duty to cooperate with the London Plan but Slough BC was invited to provide comment on the draft alterations. The alterations were prepared following the release of new census data on housing and employment since the publication of the Plan, which had indicated that the population growth would lead to a housing shortage. The Plan update was needed to help deliver the home and jobs required for the rapidly growing city.

The Officer highlighted that the increase in London's population and requirement for additional housing would likely impact on Slough.

Members commented on the report and felt that the requirement for "affordable" housing at up to 80% market rent was not as affordable as "social housing".

Resolved – That the Strategic Lead Planning Policy and Projects convey Member comments to the Mayor of London.

103. Former Total Oil Terminal, Langley

The Strategic Lead, Planning Policy and Projects introduced a report, seeking Member views as to whether the former Total Oil terminal could be redeveloped for higher density housing as part of a new hub around Langley Railway Station.

Members were advised that it was anticipated a planning application may be submitted for residential development on the former Total Oil depot and it was possible that the proposal would be for family housing. The site was identified in the Site Allocations DPD as an area where the preferred use would be residential. The Officer discussed the location of the site, being next to the Langley railway station (and the future Crossrail), within walking distance of the Harrow market District Shopping Centre.

The Committee was advised that the key issue was whether the site should be developed for family housing or whether it should be utilised for more intensive development which could increase the supply of housing in the Borough. In view of this Member's views were sought so that Officers' could

Planning Committee - 09.04.14

engage in discussions with the owners of the site to see whether a medium or high density scheme would be appropriate.

The Committee discussed the report and in principle, Members were in agreement that the site could be used for a hub, provided that there was a mix of housing (i.e. not only high density). It was also requested that any such housing should fit in with its surroundings.

Resolved- That the report and Member's views be noted.

104. Planning Appeal Decisions

Resolved – That the Planning Appeal Decisions be noted.

105. Members Attendance Record

Resolved – That the Members Attendance Record for 2013/14 be noted.

106. Date of Next Meeting - Wednesday 7th May, 2014

Resolved – That the date of the next Planning Committee be confirmed as 7th May, 2014.

(Note: The Meeting opened at 7.00 pm and closed at 9.15 pm)

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

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

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

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

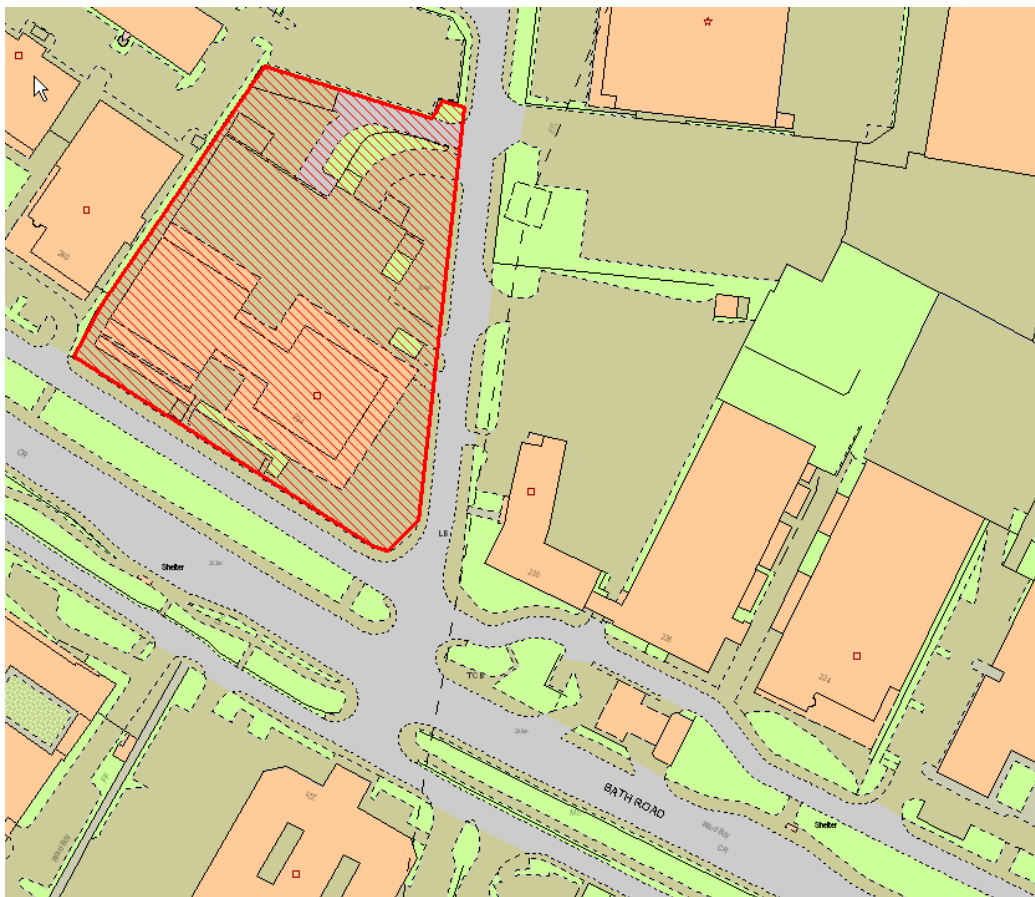
	USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House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

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

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Registration Date:	17-Mar-2014	Applic. No:	P/00440/008
Officer:	Mr. J. Dymond	Ward:	Farnham
Applicant:	Mr. Graeme Slough Trading Estate Limited		
Agent:	Mr. Benjamin Taylor, Barton Willmore Regent House, 4, Homer Road, Solihull, B91 3QQ		
Location:	Slough Estates Plc, 234, Bath Road, Slough, SL1 4EE		
Proposal:	PART-REFURBISHMENT AND CONSTRUCTION OF THREE STOREY CLASS B1(A) OFFICES, MEANS OF ACCESS, RE-CONFIGURATION OF SURFACE CAR PARK, CYCLE PARKING FACILITIES, DRAINAGE, LANDSCAPING AND ANCILLARY WORKS		

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 as the application is for a major development.
- 1.2 Having considered the relevant policies set out below, the comments from consultees received to date 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 further details/amendments relating to transport and highway matters, finalising of conditions and completion of a Section 106 Agreement.

PART A: BACKGROUND

2.0 Proposal

- 2.1 This is a full planning application for the proposed part-refurbishment and construction of a high quality B1(a) office building which will form an important gateway to the Trading Estate.
- 2.2 The proposed building is three storeys in height and includes a triple height glazed atrium. The proposed building will have a Gross External Area (GEA) of 8,434m² with a Gross Internal Area (GIA) of 7,746m².
- 2.3 The proposal involves the re-use of the existing floor plates of the western building. The eastern building would be demolished as the applicant considers that it is unsuitable and does not meet modern office requirements.
- 2.4 The proposed building has been designed to provide efficiency and flexibility to accommodate the needs of future occupiers.
- 2.5 The office floors would be laid out in an arrangement that will provide for either a single occupier or multiple tenants.
- 2.6 The proposal also involves the upgrading of the existing surface car park access on to Leigh Road and the reconfiguration of this car park, the provision of cycle parking facilities, drainage, landscaping and ancillary works.
- 2.7 The proposed development has been the subject of pre-application advice. Changes have been undertaken to the proposed development during the course of pre-application discussions in response to the advice provided by officers.

3.0 Application Site

- 3.1 The site comprises 0.91 hectares of land situated within Slough Trading Estate, which is located approximately 1.6 kilometres to the west of Slough Town Centre. The Trading Estate covers an area of 162.4 hectares and the Great Western Main line runs east to west through the southern part of the Trading Estate.

- 3.2 The site lies in the central southern part of the Trading Estate, on the corner of Leigh Road and Bath Road. Leigh Road provides one of five accesses into the Trading Estate from Bath Road.
- 3.3 The site is bounded to the north by office car parking (occupied by LG), to the south by Bath Road and corresponding Service Road; to the east by Leigh Road and to the west by office buildings (the adjacent building is currently occupied by Fiat).
- 3.4 The site comprises two office buildings of three storeys in height, with a glazed reception area linking the two. Both eastern and western buildings were occupied by the applicant and have now both been vacated. The existing basement and surface level car parks provide a total of 223 spaces. Hard and soft landscaping surrounds the building.
- 3.5 It is considered that the predominant character of office buildings located on the northern side of Bath Road are typified by grand entrances created by substantial open space, soft and hard landscaping, as well as canopies supported on full height columns.
- 3.6 The immediate surroundings of the site, to the west, north and east, comprise Slough Trading Estate which include primarily industrial and warehouse uses. There are commercial uses on the southern side of Bath Road
- 3.7 It is understood that the Estate currently accommodates approximately 17,500 employees working within around 400 companies.
- 3.8 The site is considered to benefit from good pedestrian and cycle links. Pedestrian access to the application site is currently provided by two metre footways on the service road and Leigh Road, which flank the southern and eastern boundaries of the site, respectively. The opportunity to walk and cycle on Bath Road is good, with two shared footway/cycle-ways provided along the southern and northern side of Bath Road. There are signalised pedestrian and cycle crossings provided across Bath Road.
- 3.9 A cycle hire hub has recently been provided by Slough Borough Council opposite the application site on Bath Road. This provides the opportunity to hire bicycles to link with journeys via Burnham and Slough railway stations. The nearest bus stops to the application site are located on Bath Road, with eastbound and westbound stops both within a 170 meter walk.
- 3.10 Burnham Station is the nearest railway station to the application site and is located approximately 1.6 kilometres to the west of the site.

4.0 Site History

- 4.1 Previous applications of relevance to the site and the surrounding area are considered to be as follows:

P/14515/007 SUBMISSION OF DETAILS PURSUANT TO CONDITION 6 (DETAILS OF THE NEW BRIDGE) OF OUTLINE PLANNING PERMISSION
P/14515/003 DATED 18/06/ 2012 FOR OUTLINE APPLICATION FOR

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

Conditions Complied With 23-Dec-2013

P/14515/006 SUBMISSION OF DETAILS TO DISCHARGE CONDITION 16 OF PLANNING PERMISSION P/14515/003, DATED 18/06/2012 RELATING TO ARCHAEOLOGICAL EVALUATION

Conditions Complied With; Informatives 05-Aug-2013

P/14515/005 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; Informatives 10-Sep-2013

P/14515/004 NON-MATERIAL AMENDMENTS TO AMEND THE APPROVED PARAMETERS PLAN PL/01/03, LISTED IN CONDITION 4 OF PLANNING PERMISSION P/14515/003, DATED 18TH JUNE 2012 (OUTLINE APPLICATION FOR MEANS OF ACCESS (IN PART FOR CHANGES TO LEIGH ROAD/BATH ROAD JUNCTION, ACCESS AND RE-ALIGNMENT OF LEIGH ROAD, AND CHANGES TO AND NEW ROADS OFF LEIGH ROAD, CHANGES TO IPSWICH ROAD/BATH ROAD, GALVIN ROAD/BATH ROAD AND SERVICE ROAD AND EDINBURGH AVENUE/FARNHAM ROAD JUNCTIONS AND ACCESS), DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES AND REDEVELOPMENT OF THE LEIGH ROAD CENTRAL CORE, CONSISTING OF OFFICES (B1A), HOTELS (C1), RETAIL (A1), FINANCIAL AND PROFESSIONAL SERVICES (A2), RESTAURANTS (A3), DRINKING ESTABLISHMENTS (A4), HOT FOOD TAKEAWAY (A5), CONFERENCE FACILITIES, SKILLS AND LEARNING CENTRE, CRÈCHE (ALL D1) HEALTH CLUB/GYM (D2), TRANSPORT HUBS, NEW LEIGH ROAD BRIDGE, PARKING, HARD

AND SOFT LANDSCAPING, CCTV, LIGHTING, STREET FURNITURE, BOUNDARY TREATMENT AND ALL ENABLING AND ANCILLARY WORKS).

Approved with Conditions; Informatives 23-Jan-2013

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

Approved with Conditions; Informatives 18-Jun-2012

P/00440/006 APPLICATION FOR PRIOR NOTIFICATION OF PROPOSED DEMOLITION OF 234 BATH ROAD

Prior Approval Not Required 29-Jul-2011

P/14515/000 OUTLINE APPLICATION FOR MEANS OF ACCESS (IN PART FOR CHANGES TO LEIGH ROAD/BATH ROAD JUNCTION AND ACCESS AND REALIGNMENT OF LEIGH ROAD), DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF THE LEIGH ROAD CENTRAL CORE, CONSISTING OF OFFICES (B1A), HOTEL (C1), RETAIL (A1), FINANCIAL AND PROFESSIONAL SERVICES (A2), RESTAURANTS (A3), DRINKING ESTABLISHMENTS (A4), HOT FOOD TAKEAWAYS (A5), CONFERENCE FACILITY, SKILLS AND LEARNING CENTRE, CRÈCHE (ALL D1), HEALTH CLUB/GYM (D2), TRANSPORT HUB, NEW LEIGH ROAD BRIDGE, PARKING HARD AND SOFT LANDSCAPING, CCTV, LIGHTING, STREET FURNITURE, BOUNDARY TREATMENT AND ALL ENABLING AND ANCILLARY WORKS.

Approved with Conditions; Informatives 30-Sep-2010

P/00440/005 ERECTION OF EXTENSION TO EXISTING BUILDING. (AMENDED PLANS 16.8.95)

Approved with Conditions; Informatives 08-Sep-1995

5.0 Neighbour Notification

- 5.1 Citroen Uk Ltd, 221, Bath Road, Slough, SL1 4BA, Lonza Biologics Plc, 224-230, Bath Road, Slough, SL1 4DX, Artemis Management Systems Ltd, Artemis House, 219, Bath Road, Slough, SL1 4AA, Matalan Retail Ltd, 217a, Bath Road, Slough, SL1 4AA, L G Electronics, 250-252, Bath Road, Slough, SL1 4DX, 275, Leigh Road, Slough, Berkshire, 240, Bath Road, Slough, Berkshire, 816, Leigh Road, Slough, SL1 4BD, Unilever, 225, Bath Road, Slough, Berkshire, SL1 4AA

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

- 5.2 No representations received.

6.0 Consultation

- 6.1 Thames Water

No comments received.

- 6.2 Environmental Protection

No comments received.

- 6.3 Tree Officer

I would not object to the application but to ensure the survival of the existing landscaping and to insure the new landscaping is enforceable I would recommend that if planning permission is granted that conditions are applied to require full details of the proposed landscaping and to require detail of tree protection methods which should be in accordance with BS5837:2012 Trees in relation to Design Demolition and Construction and include a plan.

- 6.4 Transport/Highway Safety

Trip Generation

Trip rates have been agreed and they show that the development will generate an additional 319 vehicle movements per day of which 96 will fall within the AM and PM peak periods.

Car Parking

The existing site has 223 car parking spaces and there is no proposed increase, which is in accordance with Slough Local Plan Policies. The existing office has parking provision of 1 space per 28m² and the new building will provide parking at 1 space per 38m², which is still below the 1 space per 40m² which is the adopted parking standard for new B1 office. So on the assumption there is no overspill parking created then this can be considered as a benefit of the development.

Revisions to aisle widths and the location of disabled spaces are required.

Access

Revised drawings are required in relation to the proposed alterations to the northern access point. Landscaping should be reinstated and a smaller overrun should be incorporated. It is important not to forget the importance of the Leigh Road as a pedestrian corridor and therefore a high quality pedestrian route is necessary and therefore the access does not need to be this large.

Details will be required of internal car park access arrangements – PBA Drawing 17563/478/002 shows that the northern access will be completely removed if the LRCC2 Masterplan improvements are implemented along Leigh Road.

The increased width of the existing accesses serving the ground floor car park is acceptable.

Cycle Parking

68 cycle parking spaces are shown which is in accordance with the Slough Local Plan cycle parking standard of 1 space per 125m² of floor area. The racks are space 0.9m to 1m apart which is considered acceptable. There is also space to increase cycle parking provision if required. 8 showers and 32 lockers are proposed at basement level and this provision is welcomed.

Travel Plan

The travel plan does not currently meet the standard required and must be updated. Should the application be approved, it is recommended that a £6,000 Travel Plan Contribution is sought.

Mitigation

Whilst there is an increase in vehicle and person trips related to this development, it is recognised that this development forms part of the LRCC2 floor area and therefore will in due course trigger the wider mitigation package and therefore further mitigation aside from the travel plan is not required in this instance.

Conclusion

In summary, the following revisions are required:

- Modifications to the northern access bellmouth;
- Revised drawings showing 6m wide car park aisle widths;
- Revised drawings showing LRCC2 layout with stopping up of northern access and car ramp between ground floor and basement car park;
- Clarification on disabled parking;
- Clarification on access barrier location;
- Clarification on car parking on access;
- Revised drawings showing cycle ramp to basement;
- Updated and revised travel plan to meet acceptable standard.

No objection.

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 Planning Practice Guidance

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 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 EMP2 – Criteria for Business Developments

Policy EMP7 – Slough Trading Estate

Policy EN1 – Standard of Design

Policy EN3 – Landscaping Requirements

Policy EN5 – Design and Crime Prevention

Policy EN34 – Utility Infrastructure

Policy T2 – Parking Restraint

Policy T7 – Rights of Way

Policy T8 – Cycling Network and Facilities

Policy T9 – Bus Network and Facilities

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

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

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

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

Other Relevant Documents/Guidance

Local Development Framework Site Allocations Development Plan Document
Slough Borough Council Developer's Guide Parts 1-4

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) Parking and highway safety;
- 4) Heads of terms.

8.0 Principle of Development

8.1 A presumption in favour of sustainable development lies at the heart of the National Planning Policy Framework. It is recognised that sustainable development has economic, social and environmental dimensions that are mutually dependent. The National Planning Policy Framework also sets out the Government's commitment to securing economic growth in order to create jobs and prosperity and states that the planning system should help to facilitate this.

8.2 Development plan policies relevant to the consideration of the principle of the proposed development are as follows:

8.3 Core Policy 1 of the Core Strategy sets out the overarching spatial strategy for development within the Borough. This policy requires that the scale and density of development will be related to the site's current or proposed accessibility, character and surroundings.

8.4 Core Policy 5 of the Core Strategy states:

Intensive employment-generating uses such as B1(a) offices will be located in the town centre in accordance with the spatial strategy.

B1(a) offices may also be located on the Slough Trading Estate, as an exception, in order to facilitate the comprehensive regeneration of the estate.

8.5 Policy EMP2 sets out criteria for business developments and Policy EMP7 relates to the Slough Trading Estate. This policy states:

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

a) major independent B1(a) office developments being located on the Bath Road frontage in accordance with the application of a sequential approach under Policy EMP1; and

b) there being no overall increase in the number of car parking spaces within the estate.

- 8.6 The Trading Estate is identified as an Existing Business Area. Whilst a Simplified Planning Zone Scheme is in operation for the Trading Estate, the proposed development would fall outside of the scope of this and as such planning permission is required.
- 8.7 Demolition of eastern building**
- 8.8 There is considered to be no objection to the demolition of the existing eastern building. A Certificate of Immunity was issued in respect of this building at 234 Bath Road in February 2012. The effect of the certificate is to preclude the Secretary of State from listing 234 Bath Road (East Building) as a building of special architectural or historic interest for a period of five years (i.e. till 29th February 2017), and to preclude the Local Planning Authority from serving a Building Preservation Notice on the building during that time.
- 8.9 Proposed part-refurbishment and construction**
- 8.10 In assessing the acceptability of the principle of the proposed development, regard should be had to the relevant policy context set out above and the recent planning history. It is important to note that the Trading Estate is identified as an area for comprehensive regeneration in the Core Strategy to enable it to continue to attract inward investment, create jobs and offer opportunities for improving skills and training to local people.
- 8.11 Outline planning permission was granted in September 2010 for the re-development of the core area of the Trading Estate, known as the Leigh Road Commercial Core (LRCC1) under application P/14515/000.
- 8.12 Following this approval, the Site Allocations Development Plan Document was adopted in November 2010. The site falls within site allocation SSA4 as set out in the Site Allocations Development Plan Document. This allocation seeks to ensure that the comprehensive regeneration of the Trading Estate takes place in accordance with the masterplan and continues to provide employment opportunities and inward investment. A site planning requirement is for 130,000 square metres (GIA) of additional new B1 (a) offices to be built out in the Leigh Road Central Core area.
- 8.13 Outline planning permission was subsequently granted under application P/14515/003 in June 2012 to provide a hub for the Trading Estate. This planning permission is known as LRCC2 and included an amended masterplan. This masterplan comprises a series of development plots. The development of each plot is underpinned by an approved Parameters Plan that was the subject of a Non Material

Amendment (P/14515/004) that was approved in January 2013.

- 8.14 The approved LRCC1 and LRCC2 applications have established the principle of delivering a gateway office building at the entrance to the regeneration area.
- 8.15 Whilst the application under consideration is a full planning application, it should be noted that the proposed building falls within the approved parameters for the plot established by the LRCC2 outline planning permission.
- 8.16 Under this outline permission, the parameters for the approved office building on this site (referred to as 'OB 01') were as follows:

8.17	Max area	25,000 sqm GIA
	Ground	+31.2 m AOD
	Min height	+ 43.5 m AOD (3 storey)
	Max height	+ 54.7 m AOD (5 storey + plant)

- 8.18 The building proposed under this current application is considered to accord with these parameters. The proposed ground floor level would be set at +31.740 m AOD and the height of the building, including plant screen would be + 49.360 m AOD.
- 8.19 The recent reserved matters approval in September 2013 under application P/14515/005 approved the detailed design of a five storey 'V' shaped gateway building on this site which would have been occupied for office purposes.
- 8.20 The applicant has marketed the approved five storey 'V' shaped building unsuccessfully for a period of three years. The applicant is therefore considering alternative options that provide the flexibility to respond to current market conditions. The current proposal is considered to constitute a sustainable, practical and deliverable response to current market and economic signals.
- 8.21 Whilst smaller in scale, it is accepted that the proposal would better respond to current market conditions and would assist in improving the attractiveness of the site through a deliverable, high quality landmark building, which would ensure that the site is utilised and this strategic location is enhanced.
- 8.22 Furthermore, it is considered that the proposed development would provide direct and indirect employment opportunities for the local area, during both the construction and end user phases.
- 8.23 The applicant, Slough Trading Estate Limited formerly occupied the site; however they have relocated to their new premises at 258 Bath Road in January 2014. The existing buildings on the site are therefore currently vacant and bringing forward the redevelopment of this site with a building of high quality is considered to be desirable.
- 8.24 It is considered that the proposal would play a key part in the comprehensive regeneration of the Trading Estate, as sought by development plan policies, and also assist in attracting inward investment, creating jobs and offering opportunities for improving skills and training to local people. The principle of the proposal is thus considered acceptable.
- 8.25 In light of recent changes to permitted development rights, a condition is

recommended to ensure that the building shall only be used for office purposes in the interests of ensuring that there may be no loss of the defined Existing Business Area to non-employment generating uses in the future.

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 and should reflect the character and appearance of the surrounding area. Policy EN1 of the Adopted Local Plan for Slough sets out detailed design criteria which development proposals are required to comply with and Core Policy 8 of the Core Strategy states the following:

High Quality Design:

All development will:

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

b) Respect its location and surroundings;

c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and

d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.

9.2 The National Planning Policy Framework recognises the indivisibility of good planning and good design. Development proposals should be of a high quality and be inclusive.

9.3 The Planning Practice Guidance acknowledges that good quality design is an integral part of sustainable development. The Guidance states:

Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations.

Good design responds in a practical and creative way to both the function and identity of a place.

Layout

9.4 The applicant submits that the layout of the building has been influenced by a number of factors, including the on-site constraints and opportunities, as well as the character of existing buildings along the Bath Road frontage.

9.5 It has been stated that the site layout is designed to maximise the prominent gateway location of the site and is responsive to the geometry of Leigh Road with an angled return on Leigh Road including a triple height glazed pedestrian entrance and canopy feature. Locating the entrance on the south east elevation will make it visible to

visitors. It also provides an opportunity for making a grand architectural gesture towards the junction and enhances the gateway to the Trading Estate.

- 9.6 The Design and Access Statement sets out that the roof line of the proposal along the Bath Road has been studied carefully throughout the design process. The current proposal is positioned on the site so as to not significantly breach the existing building line.
- 9.7 The south western corner of the proposed glazed façade would be inline with the position of the existing fin feature forming the south western corner of the western building. The proposed building is considered to be acceptable in terms of the impact on the Bath Road building line. Furthermore, it would appear that the proposed development would be set back from the building line established by the LRCC2 parameters plan and the reserved matters approval.
- 9.8 Whilst the entrance is built over the main sewer, the scheme has been designed in such a way that access to it is maintained. It is understood that this matter has been agreed with Thames Water prior to the submission of the application. Thames Water have been consulted and no objections have been received.
- 9.9 The proposal maintains car parking and areas of landscaping to the rear and the proposed layout is considered to be acceptable.

Scale

- 9.10 The building is three storeys in height and includes a triple height glazed atrium, which creates a functional and visual link across all floors.
- 9.11 It is considered that the scale of the triple height glazed entrance and canopy feature would provide a striking pedestrian entrance. It is considered that the continuation of the canopy parapet and surfacing within the glazed entrance would appear seamless and architecturally impressive. A freestanding staircase from ground to second floor is proposed which will be both functional and would provide a strong sculptural element.
- 9.12 The building will have a Gross External Area (GEA) of 8,434m² with a Gross Internal Area (GIA) of 7,746m². As noted above, the proposed building would accord with the parameters established by the outline planning permission for LRCC2. In this context, the proposal is therefore considered to be of an acceptable scale.
- 9.13 It is also considered that the relationship of the proposed development with a future development on the site of 230 Bath Road, located on the opposite side of Leigh Road would likely be acceptable.
- 9.14 The parameters for 230 Bath Road established by the outline planning permission for LRCC2 were for either an office building of between three storeys and five storeys plus plant (maximum height of +54.7 m AOD); or for a hotel development between two storeys and seven storeys plus plant (maximum height of +59.4 m AOD).
- 9.15 It is considered that the scale of the proposal under consideration would relate well to the likely scale of development on this adjacent plot and that a gateway relationship would be achieved.

Appearance

- 9.16 The applicant submits that the building represents a functional, aesthetic and sustainable design solution that incorporates high quality architecture and appropriate materials.
- 9.17 The Design and Access Statement states that proposed materials would be as follows:
- Vertical fins, parapets and plinths to be clad in panels mounted on a concealed steel frame. Colour to be white;
 - Aluminium Curtain walling system. Colour to be dark grey;
 - Backpainted glass over insulated spandrel panel;
 - Glass to be Guardian Sunguard HP (or similar). Neutral.
- 9.18 Aluminium horizontal louvers coloured dark grey were initially proposed, however amendments have been undertaken to the scheme and these have since been omitted. The vertical emphasis provided by the white fins would remain and this design feature is supported.
- 9.19 The Design and Access Statement provides some design precedents taken from the local area which have been reinterpreted to provide an appropriate response to the local distinctiveness. Consequently, the building form is considered to be well proportioned and responds to the adjacent buildings in terms of height and colour.

Landscaping

- 9.20 A proposed landscaping scheme has been submitted in support of the application.
- 9.21 The Council's Tree Officer has raised no objection to the application. It has been recommend that if planning permission is granted that conditions are applied to require full details of the proposed landscaping and to require detail of tree protection methods which should be in accordance with BS5837:2012 Trees in relation to Design Demolition and Construction and include a plan.
- 9.22 The proposal is considered to comply with Policy EN3 of The Adopted Local Plan for Slough 2004 and Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

Sustainability

- 9.23 The Energy Analysis submitted in support of the application states that a BREEAM Pre-Assessment has been undertaken and that the development can achieve a BREEAM rating of 'Very Good'. It has also been stated that there will be considerable building efficiency and fabric improvements. Further information is to be provided with respect to renewable and low carbon technology – the submitted Energy Statement states that photovoltaic's and biomass are to be considered. The revised plans received show the indicative location of photovoltaic's at roof level. The Developer's Guide states that major developments must include renewable or low carbon energy equivalent to 10% of the developments carbon emissions.

- 9.24 Core Policy 8 requires that developments must be designed and constructed in a sustainable manner to help reduce carbon emissions, pollution, flooding and limit depletion of natural resources, etc. Whilst further information will be submitted and considered in relation to sustainability and an update will be provided regarding this on the Committee amendment sheet, it is considered that the development would comply with this policy in terms of BREEAM rating, subject to a planning obligation.

Summary

- 9.25 In summary, it is considered that the proposed development has been designed to a high quality which responds sympathetically to its context through the careful consideration of the layout, scale, appearance and landscaping treatments. Consequently, the scheme is considered to provide improvements to its surroundings, and the building will create a legible landmark at the gateway to the Trading Estate.

10.0 Parking and Highway Safety

- 10.1 Development plan policies relevant to the assessment of these matters is as follows:
- 10.2 Core Policy 5 of the Core Strategy states that the location, scale and intensity of new employment development must reinforce the Spatial Strategy and Transport Strategy. This includes the application of a parking cap upon new developments unless additional parking is required for local road safety or operational reasons.
- 10.3 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.
- 10.4 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.
- 10.5 Policy T8 of The Adopted Local Plan for Slough relates to Cycling Network and Facilities. This policy states that permission will not be granted for proposals which do not include suitable cycle access to and through the site and cycle parking racks and other facilities for cyclists as an integral part of the development.
- 10.6 The applicant has submitted a Transport Statement and Framework Travel Plan in support of their application. The Council's Transport consultant has been consulted.
- 10.7 There will be no overall increase in parking provision as the 223 existing spaces will be retained as part of the proposals. No overall increase in spaces is therefore proposed and the new building will provide parking at 1 space per 38m², which is still below the 1 space per 40m² which is the adopted parking standard contained within the Adopted Local Plan for Slough for new B1(a) office development. It is therefore considered that parking provision would be acceptable and compliant with Development Plan policies.
- 10.8 A total of 68 cycle parking spaces will be provided. This level of provision is considered to be acceptable and would accord with Policy T8 of the Adopted Local

Plan for Slough. The provision of lockers and shower facilities is welcomed.

- 10.9 The existing basement car park is to be retained and the proposal also involves the upgrading of the existing surface car park access on to Leigh Road and the reconfiguration of this car park. Whilst revisions and clarification has been requested regarding access and layout, it is considered that the proposal is generally acceptable.
- 10.10 The Transport Statement includes a plan showing the proposed accesses to the site in the context of the highway alterations that will be undertaken in the vicinity of the site through the LRCC2 permission.
- 10.11 The northern access to the site from Leigh Road would be stopped up and access to the site would be via the southern access points. Details will therefore be required of the proposed means of access to the basement car park from the surface car park. It is understood from pre-application discussions that this may be achieved through the construction of a new vehicular ramp adjacent to the western boundary of the site, however details will be required to be submitted for approval.
- 10.12 Turning to the Travel Plan, it has been commented that this does not currently meet the standard required and must be updated. Should the application be approved, it is recommended that a £6,000 Travel Plan Contribution is sought. Revisions to this document are required.

11.0 Other Issues

- 11.1 The applicant has submitted a written scheme of investigation for a programme of archaeological evaluation in support of their application. Berkshire Archaeology have been consulted and a response has been received raising no objections to the proposal. It is considered that the proposal would have no adverse impacts on archaeology and would comply with Core Policy 9 of the Core Strategy.

12.0 Heads of Terms

- 12.1 Core Policy 10 of the Core Strategy states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new infrastructure must be sustainable. Where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements.
- 12.2 The developer has indicated that they are willing to enter into a Section 106 Agreement and a draft Heads of Terms has been submitted as part of the application. Relevant matters are considered to be as follows:
- 12.3
- Travel Plan Monitoring fee of £6,000;
 - Mechanism to deduct the floorspace created as result of the development from that approved under the LRCC1 and LRCC2 Outline Planning Permissions (The GIA of the building would count towards the overall floorspace threshold);
 - Enter into Section 278 Agreement/Minor Highways Works Agreement for modifications to the accesses;
 - BREEAM rating of at least 'Very Good'.

12.4 Based on the information assessed to date, such obligations would be considered to comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 in that the obligations are considered to be:

- (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.

The need for relevant obligations will be reviewed in light of any further comments received and any updates will be provided on the Committee Amendments Sheet.

13.0 Process

13.1 In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner. Pre-application advice has been provided and the applicant amended the proposal in light of this advice. The development is considered to be sustainable and in accordance with the requirements of the National Planning Policy Framework.

14.0 Summary

14.1 Having considered the relevant policies set out below, the comments from consultees received to date 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 further details/amendments relating to transport and highway matters, finalising of conditions and completion of a Section 106 Agreement.

PART C: RECOMMENDATION

15.0 Recommendation

15.1 Delegate to Strategic Lead Planning Policy for final determination following consideration of further details/amendments relating to transport and highway matters, finalising of conditions and completion of a Section 106 Agreement.

PART D: CONDITIONS

16.0 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:

Drawing No. Site Location Plan (Drawing PL 000), Dated 14.03.14, Recd On 19/03/2014

Drawing No. Existing Condition: Site Plan (Drawing PL 001), Dated 14.03.14, Recd On 19/03/2014

Drawing No. Existing Condition: Basement Floor Plan (Drawing PL 002), Dated 14.03.14, Recd On 19/03/2014

Drawing No. Existing Condition: Ground Floor Plan (Drawing PL 003), Dated 14.03.14, Recd On 19/03/2014

Drawing No. Proposed Condition: Site Plan (Drawing PL 010), Dated 14.03.14, Recd On 19/03/2014

Drawing No. Proposed Condition: Basement Plan (Drawing PL 099), Dated 14.03.14, Recd On 19/03/2014

Drawing No. Proposed Condition: Ground Floor Plan (Drawing PL 100), Dated 14.03.14, Recd On 19/03/2014

Drawing No. Proposed Condition: First Floor Plan (Drawing PL 101), Dated 14.03.14, Recd On 19/03/2014

Drawing No. Proposed Condition: Second Floor Plan (Drawing PL 102), Dated 14.03.14, Recd On 19/03/2014

Drawing No. Proposed Condition: Roof Plan (Drawing PL 103 Rev 01), Dated 14.03.14, Recd On 17/04/2014

Drawing No. Proposed Condition Section AA (Drawing PL 200), Dated 14.03.14, Recd On 19/03/2014

Drawing No. Proposed Condition Section BB-CC (Drawing PL 201 Rev 01), Dated 14.03.14, Recd On 17/04/2014

Drawing No. Proposed Condition: North East & South West Elevations (Drawing PL 300 Rev 01), Dated 14.03.14, Recd On 17/04/2014

Drawing No. Proposed Condition: North West & South East Elevations (Drawing PL 301 Rev 01), Dated 14.03.14, Recd On 17/04/2014

Drawing No. Proposed Condition: Detailed Elevation Section Plan (Drawing PL 400 Rev 01), Dated 14.03.14, Recd On 17/04/2014

Drawing No. Landscape Proposals Plan (Drawing ASA-415-DR-001) Dated 14.03.14, Recd On 19/03/2014

Drawing No. Foul and Surface Water Drainage Strategy (Drawing 018975-CA-0-B01-DSP-SE-015), Dated Mar 2014, Recd On 19/03/2014

REASON To ensure that the site is developed in accordance with the submitted

application and to ensure that the proposed development does not prejudice the amenity of the area and to comply with the Policies in the Development Plan.

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

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

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

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

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

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

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

6. No development shall commence until tree protection measures during construction of the development for existing retained trees (as identified on the approved landscaping scheme) in accordance with BS5837:2012 Trees in relation to Design Demolition and Construction have been submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented prior to works beginning on site and shall be provided and maintained during the period of construction works.

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

7. No development shall commence on site until details of the proposed boundary

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

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

8. Notwithstanding the provisions of Schedule 2, Part 41, Class A of The Town and Country Planning (General Permitted Development) Order 1995 (as amended), no extension or alteration to the office building shall take place without the express permission of 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.

9. Notwithstanding the provisions of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended), the building shall only be used for office purposes falling within Class B1(a) 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.

REASON In the interests of ensuring that there is no loss of the defined Existing Business Areas to non-employment generating uses in accordance with Core Policy 5 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

10. Prior to the first occupation of the development hereby permitted, a scheme shall be submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

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

11. Before the northern access to Leigh Road is stopped up, full details of the means of access to the basement car park from the surface car park (which shall include plans, elevations, sections and swept path analysis) shall be submitted to the Local Planning Authority and approved in writing. Once approved, the means of access to the basement car park shall be constructed and made available for use before the northern access to Leigh Road is stopped up.

REASON In the interests of providing access to the basement car park in light of future highway alterations in the vicinity of the site in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

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

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

13. At least 10% of the energy supply of the development shall be secured from renewable and low carbon energy (as described in the glossary 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.

14. The development shall not commence until a Construction Method Statement has been submitted to and approved by the Local Planning Authority. This shall include measures to:

- (a) Minimise, re-use and re-cycle waste, including materials and waste arising from demolition;
- (b) Minimise the pollution potential of unavoidable waste; and
- (c) Dispose of unavoidable waste in an environmentally acceptable manner.

The approved details shall be implemented during the course of building operations and the subsequent use of the building.

REASON In the interests of highway safety and operation in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

15. The development shall not commence until details of refuse storage, refuse collection and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON To ensure that adequate onsite servicing can take place and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

16. A Service Management Plan shall be submitted to and approved in writing prior to the occupation of the development hereby permitted. The Service Management Plan shall be carried out in accordance with the approved details.

REASON To ensure that adequate onsite servicing can take place and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

17. The development shall not take place until a plan showing the new CCTV locations within the site has been submitted to and approved by the Local Planning Authority. Thereafter no occupation of the development shall take place until details of the new CCTV within the site, if any, have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details. This shall include details of:

- The specification, transmission and monitoring of the CCTV cameras to be installed;
- The method of connecting the CCTV cameras to the existing SEGRO CCTV Network; and
- The ongoing maintenance of the CCTV cameras.

REASON To reflect the permitted CCTV locations in the Adopted Simplified Planning Zone, November 2004. To ensure the public's safety throughout all stages of the development in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

18. Full details of the surface water collection and conveyance for all hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development, excluding any demolition works. The development shall be carried out in accordance with the approved details.

REASON In the interest of the safety and amenity of both public highway and adjoining properties in accordance with Core Policies 7 and 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

19. Details of loading/unloading and turning areas of demolition vehicles shall be submitted to and approved in writing by the Local Planning Authority before demolition is commenced on site and the works shall be carried out in accordance with the details approved.

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 Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

20. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall include details of the loading/unloading and turning area of construction vehicles, wheel wash facilities, arrangements for construction worker parking and a HGV routing strategy. The development shall be carried out in accordance with the approved details.

REASON In the interests of highway safety and operation in accordance with

Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

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

- control of noise;
- control of dust (a suitable continuous water supply shall be provided in order to minimise the formation and spread of dust and the perimeter of the site shall be screened to a sufficient height to prevent the spread of dust).
- smell and other effluvia;
- control of surface water run off;
- site security arrangements including hoardings;
- proposed method of piling for foundations;
- construction and demolition working hours, and
- when delivery vehicles taking materials are allowed to enter or leave the site.

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

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

22. Phase 1 Desk Study

Development works shall not be commenced until a phased risk assessment shall be carried out by a competent person in accordance with Government, Environment Agency and Department for Environment, Food and Rural Affairs (DEFRA) guidance and approved Codes of practices, including but not limited to, the Environment Agency model procedure for the Management of Land Contamination CLR11 and Contaminated Land Exposure Assessment (CLEA) framework, and CIRIA Contaminated Land Risk Assessment Guide to Good Practice C552. Phase 1 shall incorporate a Desk Study (including a site walkover) to identify all potential sources of contamination at the site, potential receptors and potential pollutant linkages (PPLs) to inform the site preliminary Conceptual Site Model (CSM). The Desk Study shall be submitted to and approved in writing by the Local Planning Authority prior to development commencement.

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

23. Phase 2 Intrusive Investigation Method Statement

Should the findings of the desk study identify the potential for contamination, then the development shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be designed in accordance with current

guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA 665 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

REASON To ensure that the type, nature and extent of contamination present, and the risks to receptors are adequately characterised, and to inform any remediation strategy proposal in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

24. Phase 3 Site Specific Remediation Strategy

The remediation works shall not commence until a Site Specific Remediation Strategy (SSRS) has been submitted to and approved by the Local Planning Authority. The SSRS shall, as a minimum, contain details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM), the precise location of the remediation scheme and/or monitoring proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

REASON To ensure that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

25. Remediation Validation

No development (within or adjacent to any area(s) subject to remedial work) shall be commissioned and/or occupied until a full validation report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

REASON To ensure that remedial work is adequately validated and recorded, in the interest of safeguarding public health and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

26. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

REASON In accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008. Given the industrial history of the development site, there is a potential for contamination to be present. Infiltrating surface water can remobilise contaminants present in shallow soils/made ground that could ultimately enter the underlying groundwater resulting in pollution.

27. Piling or any other foundation designs using penetrative methods shall only be permitted with the express written consent of the Local Planning Authority, where it has been demonstrated by the developer that there is no resultant unacceptable risk to groundwater.

REASON In accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008. Piling has the potential to create migration pathways for contaminants which could increase the risk to the groundwater in the Major Aquifer.

28. No development, excluding any demolition works, shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles, assessment of the hydrological and hydrogeological context of the development and risks to ground water from historical contamination, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON To prevent the increased risk of flooding and to additional risks to groundwater by considering the risks due to infiltration of surface water grounds where both land and groundwater may be contaminated in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

29. No development, excluding any demolition works, shall commence until a drainage strategy detailing any on and off-site works to the public and private sewerage system together with any phasing arrangements, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No phase of the development shall be occupied until any associated drainage diversion and/or upgrade works recommended by the strategy has been completed.

REASON To ensure that sufficient capacity is made available to cope with new development and in order to avoid adverse environmental impact upon the community in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

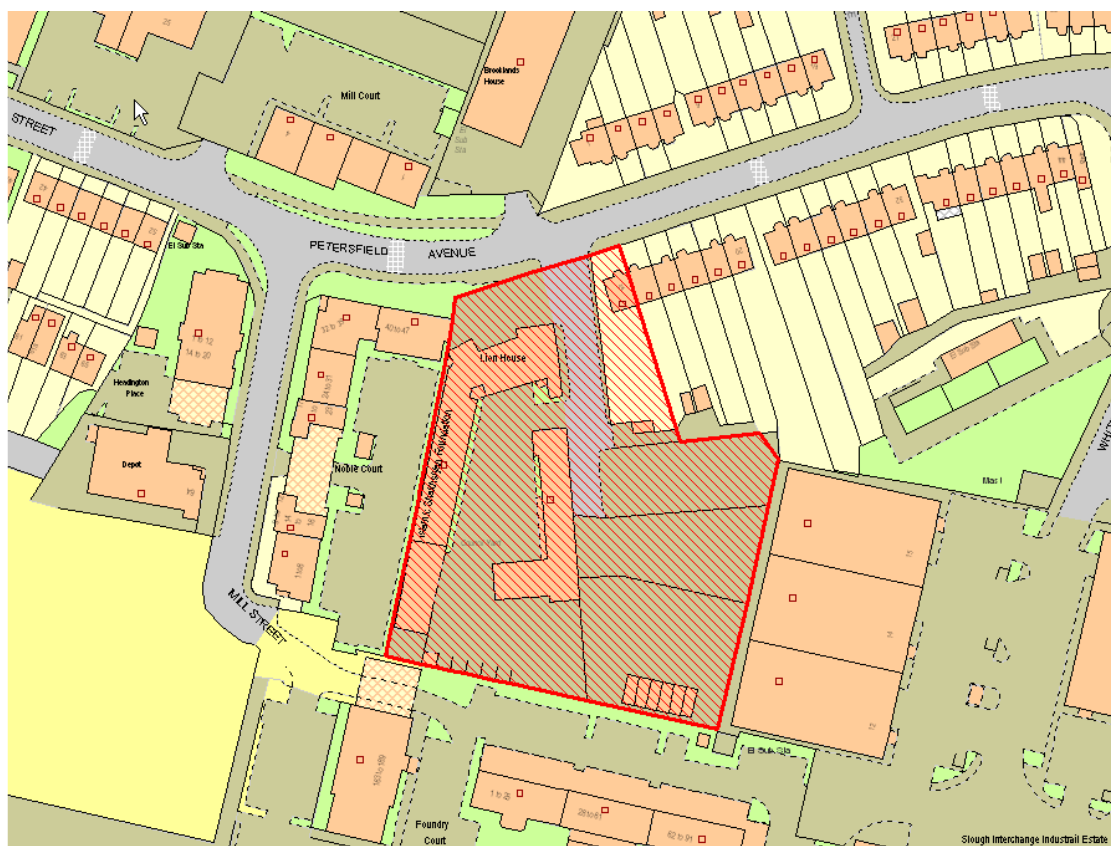
INFORMATIVES:

1. The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
2. It is the view of the Local Planning Authority that the proposed development does

improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

Registration Date:	01-Sep-2011	Application No:	P/06348/008
Officer:	Mr. Albertini	Ward:	Central
Applicant:	O.F Chaudhry and OC Ventures Ltd acting by J Pitt and B Moon, Joint Fixed Charge Receiver of the Property.		
Agent:	Miss Lisa Bowden, BNP Paribas Real Estate 5, Aldermanbury Square, London, EC2V 7PB		
Location:	Lion House: Depot & No. 10, Petersfield Avenue, Slough, Berks, SL2 5DN		
Proposal:	APPLICATION FOR AN EXTENSION OF TIME FOR THE IMPLEMENTATION OF AN EXISTING PLANNING PERMISSION (REF. P/06348/007 DATED 23/10/2008) DEMOLITION OF BUILDINGS; ERECTION OF BUILDING (3 / 5 STOREY) CONTAINING 90 APARTMENTS AND A HEALTH CENTRE; CONVERSION OF 10 PETERSFIELD AVENUE FROM FLATS TO A HOUSE (3 BEDROOM) WITH PARKING AND LANDSCAPING		

Recommendation: Delegate to Development Management Lead Officer for S106



1.0 SUMMARY OF RECOMMENDATION

Delegate to Development Management Lead Officer for a Section 106 planning obligation.

PART A: BACKGROUND

2.0 Background

2.1 This application was presented to the December 2011 Planning Committee. It was recommended for approval subject to the existing Section 106 planning obligation being linked to the new permission. The applicant requested, immediately prior to the Committee meeting, a decision be deferred to a future meeting pending discussion about revisions to the Section 106. They said the development was not viable with the existing Section 106 package. Negotiations on key elements of the reduced package have recently been concluded.

2.2 For this category of application the scheme of delegation allows for the Development Management Lead Officer to decide it however a Ward Councilor has asked (in 2011) for it to be presented to the Planning Committee.

3.0 Proposal

3.1 This is an application by receivers to extend the time limit for implementation of development originally approved in October 2008. The development proposed remains the same as the 2008 permission and descriptions below are based upon the previous 2008 Committee report (as amended) with updates to reflect the renegotiated Section 106 planning obligation.

3.2 The renegotiated Section 106 provides for 30% affordable housing on the site instead of 40%. The revised proposal comprises 14 one bedroom and 13 two bedroom flats 20 of which are social rent and 7 shared ownership tenure.

3.3 The 2008 permission had 40 % affordable housing comprising 17 one bedroom and 18 two bedroom flats plus a 3 bedroom house for rent. (26 for social rent and 10 shared ownership flats).

3.4 The renegotiated Section 106 package provides for a financial contribution towards education, transport and recreation infrastructure. The total sum will be 50 % of the original sum in the 2008 Section 106.

3.5 A viability study has been submitted and assessed by Asset Management to establish that the reduced Section 106 package is justified if the development is to be viable in the current economic climate.

4.0 The proposed development (2008 permission)

4.1 The scheme comprises 40 one bedroom and 50 two bedroom flats in a U shaped building. In addition a house, currently two flats, will be converted back to a three bedroom house. The ground and first floor of the front of the building are designed

for a health centre with 5 consulting rooms. The rear of the building will be 5 storey stepping down on each wing to four then three at the Petersfield Ave end with a very small two storey portion on the west wing (part of the health centre).

- 4.2 Parking at a ratio of 0.8 spaces per flat plus cycle storage is accommodated mostly in a basement but with some surface parking on the east side of the site. Parking for the health centre will be a combination of basement parking, for staff, and 5 surface parking places for patients. In addition two spaces are allocated to the house. The existing site access will be reformed to serve the site. It will also serve some existing garages located at the rear of adjacent houses.
- 4.3 Amenity space for the flats is proposed at the rear of the site, adjacent to the flats on the east side and a small area near the entrance between the two wings. All flats have balconies. Part of the garden for existing flats at 10 Petersfield Ave. will be used for parking and screen tree planting. The remainder will serve the converted house.
- 4.4 Existing trees near adjacent gardens are to be replaced with new trees. New trees are proposed around the outside edge of the site
- 4.5 The elevational treatment will be contemporary in style using buff bricks at lower level, cedar cladding above and silver cladding at upper levels. A mono pitch roof is proposed with a shallow pitch.
- 4.6 The west wing is parallel to the Noble Court flats to the west about 26/28 metres away. The rear is parallel to Foundry Court flats off Mill St. Separation distance is 28.5 m. The east façade is 17.6 metres from adjacent industrial units. Distances to adjacent houses are referred to below.
- 4.7 The supporting information submitted includes design information, transport assessment, planning statement, day light study, archaeology, drainage and ground investigation. The transport assessment concludes that traffic flows will be less than the existing use.

5.0 Application Site

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

6.0 Site History

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

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

2008 (P/6348/5).

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

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

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

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

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

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

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

Lack of adequate landscape setting.

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

- 6.2 90 flats (3/5 storey) and conversion of 2 flats to a 3 bedroom house. Approved 23 October 2008 (P66348/7). This permission expired October 2011. However it can be resurrected if this 2011 extension of time application is approved it having been submitted before the permission expired.

7.0 Neighbour Notification

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

- 7.2 3 letters of objection received raising issues of:
Appeal rejected re previous proposal
- Developments near the station provide housing demand – this proposal is unnecessary.
 - No consideration of spill over issues likely to impact residents.

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

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

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

Traffic Generation

Parking

Pollution

Effect on Trees

Loss of amenities

Noise

Design

Ask Council to consult Thames Valley police

8.0 Consultation

8.1 Traffic:

Request existing Sec 106 obligations and conditions applied.

8.2 Highways:

Request existing Sec 106 obligations and conditions applied

8.3 Environmental Protection:

Existing conditions to be applied but with updates to take account of change guidelines.

8.4 Housing:

Request existing Sec 106 obligations applied but with updating of out of date definitions. Reduced amount of affordable housing accepted if justified by viability study and if social rent provided for rather than affordable rent proposed by applicant.

8.5 Education:

Request existing Sec 106 obligations applied

PART B: PLANNING APPRAISAL

Sections 9, 11, 12 below are extracts of the 2008 Committee report (as amended) which are still relevant. Section 14 addresses the extension of time issues.

9.0 Policy Background (re 2008 permission scheme)

9.1 The site is an existing business area. The adopted Local Development Framework

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

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

10.0 Transport and Highway Matters

- 10.1 There are no vehicle traffic impact problems compared to the existing use of the site. To help reduce car use convenient and attractive pedestrian and cycle links to the town centre (and other local facilities) are important.
- 10.2 The parking ratio of 0.8 spaces per dwelling is acceptable subject to the enhancements to non car modes of travel referred to above. The appeal Inspector was happy with this ratio. The site is quite accessible but not highly accessible because of the walk distance to the town centre. By condition a parking management plan will be agreed to ensure affordable housing, visitors and health centre users will each have acceptable levels of parking.
- 10.3 The requested financial contribution to enhance non car modes of travel is important. However, as indicated in Section 13 & 14 below the renegotiated Section 106 package means these payments are less than originally proposed to make the scheme viable. Affordable housing has been prioritised over financial sums for infrastructure at the request of the Council.

11.0 Design Matters (re 2008 permission scheme)

- 11.1 The scale of the scheme fits in with the completed schemes to the south and adjacent to the station but it will contrast with the 2 storey houses along Petersfield Ave. This site is on the edge of the area promoted as an area for redevelopment because of its sustainable location near the station. The submitted scheme can be considered acceptable in terms of overall scale as the separation distances for adjacent dwellings are acceptable and the narrow frontage means the overall bulk of the scheme will not be so noticeable when passing along Petersfield Ave.
- 11.2 This proposal addresses the appeal Inspectors concerns by reducing bulk on the frontage above two storey height. However the two storey health centre will project forward more than the previous schemes but it will not come forward of the building line formed by Petersfield Ave. houses.

- 11.3 Retention of existing boundary trees between the site and the garage access of adjacent houses is impractical because of root disturbance through construction. Bearing in mind they are not good specimens the proposed replacement and additional tree planting is supported.
- 11.4 Regarding appearance the contemporary design fits in with some of the schemes near the station. It will however contrast with the more traditional designs on Petersfield Avenue. The site does however have a limited frontage onto the road and the use of cedar cladding is softer in appearance than metal cladding such that overall the appearance of the flats is acceptable. The inquiry Inspector did not think contemporary design a problem.
- 12.0 Residential Amenity (re 2008 permission scheme)**
- 12.1 The east wing will be three storey at the point behind Petersfield Ave. homes. This is the same as the previous smaller scheme but half of the previous stepped flank wall (containing stairwell windows) will be set back between 1 and 2.5 metres further away from the rear of Petersfield Ave houses and the window area reduced. The overall distance between the building and the rear of 10 Petersfield Avenue will be between 33.5/35.5 metres (previously 33 metres) to the now stepped flank.
- 12.2 The west wing, at third storey level, will not come as far forward compared to the previous larger scheme such that it will have less effect on Petersfield Ave. homes. Compared to the previous smaller scheme the building will come forward a few metres at this level only. Immediately adjacent to number 10 Petersfield Avenue the new building (three storey) will be 8 metres away; this is less than the previous scheme.
- 12.3 The flats will significantly change the view from nearby houses but the separation distances are adequate for privacy. The distance (diagonally) to houses opposite is 35m at third storey (as before) or 30 m at two storey level. Rear gardens will feel overlooked because of the height of the new buildings but this relationship is not unusual for an edge of town centre site.
- 12.4 The distance to adjacent flats is reasonably acceptable for high density development in terms of overlooking. Within the scheme some windows are 21m apart on the 3 and 4 storey element. The applicants study indicates rooms will still have acceptable levels of light. The proximity of the 5 storey block to the recently built 7 storey block to the south may result in some less desirable conditions in terms of light to lower rooms.
- 12.5 Flats on the east side might suffer if noisy equipment, that does not require planning permission, is mounted on the adjacent industrial building. Consequently a condition will be added to ensure adequate insulation and ventilation is incorporated within the affected flats.
- 13.0 Section 106 matters**
- 13.1 The applicant's unilateral section 106 planning obligation was accepted by the Council when planning permission was granted in 2008. The renegotiated package provides for :

- Affordable Housing package provides for 30 % as described in paragraph 3.2.
- A reduced financial contribution to education; transport (pedestrian/cycle links including; station (north) forecourt enhancement) and recreation.
- Provision for the reduced Section 106 package to not apply long term if development does not progress beyond floor level during the life of the planning permission. Planning permissions normally last 3 years but the Council needs to guard against a token start being made on site and then development delayed to a later date when values are rising. Extra payments and affordable housing apply if this threshold is breached.

These items remain unchanged :

- Sustainable Development; build to the Code for Sustainable Homes level 3 standard.
- Offer the health centre to a health care provider. If no agreement reached within a period of one year after starting development developer can offer space to an education/training provider.

13.2 The reduced package is supported by a viability study that has been checked by the Asset Management Section. Bearing in mind the considerations in Section 14 below the package is acceptable in principle. On the basis that there is only a limited sum available for all Section 106 items Affordable Housing has been prioritised above the financial contributions for education, transport and recreation as it provides a significant benefit to the Borough. The reduced financial contribution is split pro-rata in line with the original split of Section 106 money i.e. 67 % education 27 % transport 6% recreation.

13.3 The obligation needs to be varied to make it apply to the current 'extension of time' application, update some references which are out of date and accommodate the renegotiated package.

14.0 Considerations regarding extension of time

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

14.2 The full adoption of the Core Strategy in November 2008 is a new material consideration. However the relevant policies relating to loss of business use and seeking predominantly family housing outside the town centre (policy CS4) were considered in their draft form before the 2008 permission was granted. See section 9 above.

14.3 It is also relevant to point out that the appeal Inspector for the earlier applications was aware of the 'family housing' policy in the then draft Core Strategy but he did not think it justified refusal of a flatted scheme in this location.

- 14.4 Because of the particular circumstances of this site in particular it being adjacent to the Town Centre boundary where, within it, higher density development is encouraged the significance of this now adopted policy is reduced.
- 14.5 Furthermore in the current economic conditions the development is most unlikely to be viable if the amount of saleable development on the site reduces. If the site was developed with houses the amount of saleable floor space would be less than that proposed.
- 14.6 The 2010 Proposals Map identifies the area north of the Station, including this site, as a selected key location where some policies can be relaxed if proposals provide comprehensive regeneration in particular residential or mixed uses.

15.0 Objectors observations

- 15.1 With regard to the objectors comments most were raised and considered in connection with the approved development. Whilst some comments are clearly relevant and need to be addressed as part of the development (e.g. by condition or planning obligations) none are significant new material considerations that would justify a different recommendation from that made previously. This approach is in line with Government guidance referred to in paragraph 16.1.
- 15.2 Objectors highlight that the appeal Inspector rejected a scheme of flats and expect that decision to influence a decision on this new application. The existing planning application was submitted and approved after the appeal decision. The appeal decision related solely to the earlier schemes. The permitted scheme, whilst still a very substantial building next to houses, addressed the specific concerns raised by the Inspector when rejecting the earlier proposals.
- 15.3 One matter that has changed in recent years is the opening of a Church in one of the former commercial buildings off Mill Street. Residents refer to overflow parking taking place on Petersfield Avenue. However this is not considered a significant issue bearing in mind the proposed flats scheme has a reasonable amount of parking on site for its location near the town centre.

16.0 Summary

- 16.1 This proposal has not changed since 2008 other than the Section 106 package. Taking account of material considerations that have changed since 2008 the building is still acceptable in terms of use and design. Regarding the Section 106 package Government guidance regarding extension of time applications indicates Council's should be positive about them during the economic downturn. The applicants say the original Sec. 106 makes the development unviable in the current market. The renegotiated Section 106 package is backed up by a viability study. Compared to the original Section 106 it provides for 75% of the affordable housing and 50 % of financial contributions. The reduced package will only be applicable if a substantial start is made on the development within the life of the permission. The recommendation of approval is however subject to a satisfactory variation of the existing planning obligation being completed. of some items in the viability study and agreement of provision for long term restrictions on the reduced Section 106 package.

PART C: RECOMMENDATION

17.0 Recommendation

- 17.1 Delegate a decision to the Development Management Lead Officer for the signing of a satisfactory Section 106 planning obligation and updating of soil quality conditions.
- 17.2 Having considered the relevant policies and comments from consultees and those notified the development is considered to be acceptable subject to conditions and the completion of a planning obligation.

18.0 PART D: CONDITIONS

18.1 CONDITION(S)

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

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

2. Approved plans

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

- (a) Drawing No. 1680-09 C SITE LAYOUT AND ROOF PLAN
- (b) Drawing No. 1680-18H GROUND FLOOR
- (c) Drawing No. 1680-19C FIRST FLOOR
- (d) Drawing No. 1680-20D SECOND FLOOR
- (e) Drawing No. 1680-21E THIRD FLOOR
- (f) Drawing No. 1680-22D FOURTH FLOOR
- (g) Drawing No. 1680-17D BASEMENT1
- (h) Drawing No. 1680-35 A Ramp Detail
- (i) Drawing Nos. 1680-23B 24 25C 26C 27 28C 16C Elevations
- (j) Drawing Nos. 1680-31A Sections
- (k) Drawing Nos. 1680-10 11 12 13a 14 floor plans.
- (l) Drawing Nos. 1680- 34 Store
- (m) Drawing Nos. 1680-29 and 30 (floor plans for house)
- (n) Drawing No. 1680-32A (Elevations of House)

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

3. Samples of materials

Details and samples of external materials to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced on site and the development shall be carried out in accordance with the details approved. (Please liaise with the planning department regarding which samples are required).

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

4. Lighting Scheme

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

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

5. Bin storage

The bin stores on the approved drawings shall be completed prior to first occupation of the development and retained at all times in the future for this purpose.

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

6. Noise attenuation and ventilation.

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

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

7. Soil - Site Characterisation

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

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

(ii) an assessment of the potential risks to:

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

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

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

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

8. Soil - Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and

other offsite receptors in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

9. Soil - Implementation of Approved Remediation Scheme

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

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

10. Soil - Reporting of Unexpected Contamination

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

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

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

11. Landscaping Scheme

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

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

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

12. Boundary treatment

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

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

13. Alterations to existing access and sightline

No development shall commence until details of the alterations to the existing point of access between the application site and the highway have been submitted to and approved in writing by the Local Planning Authority and the access alterations shall be implemented in accordance with the details approved prior to occupation of the development. The details shall include sightlines of 2.4m by 43m. The sightlines shall be kept free of all obstructions higher than 600 mm above the adjoining carriageway level.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway in accordance with Policy 7 of the Local Development Framework Core Strategy 2006-2026 adopted 2008.

14. Off Site Highway Works

No development shall be occupied until off site highway works have been carried out in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority prior to commencement of any development. The off site works shall comprise Installation of access on Petersfield Avenue, reinstating redundant access to 10 Petersfield Avenue as standard footway construction, drainage connections, dedication of sight line areas, if required .

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

15. Internal access roads

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

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety on the local highway network in accordance with Policy 7 of Local Development Framework Core Strategy 2006-2026 adopted 2008.

16. Cycle parking

No development shall be begun until details of the cycle parking stand details have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details and the storage areas on the approved drawings prior to the occupation of the development and shall be retained at all times in the future for this purpose.

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

17. Car Park Allocation

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

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

18. Surface Water Drainage

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

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

19. Security

Each entry point to the building (including bin and cycle stores and basement car park), the entry to the main surface car park and the access to the two parking spaces for number 10 Petersfield Avenue shall have installed a secure

entry system prior to occupation of any dwelling served by its associated entry point. The system shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority.

REASON In the interest of crime prevention.

20. External Appearance Details

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

REASON In the interest of visual amenity.

21. Archaeology

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

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

INFORMATIVE(S):

1. The applicant is reminded that a planning obligation under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
2. Highway Matters

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

The access road will be subject to Section 219/220 of the Highways Act 1980. It is recommended that the road is designed and built under a Section 38 Agreement of the said Act for its ultimate adoption.

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

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

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

The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.

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

3. The developer is asked to ensure that purchasers of flats are fully aware of the limited parking space on the development and that they purchasers should not expect to park on the public highway nearby. This is to help ensure flat owners do not have more cars than parking spaces available to them on site.
4. 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.

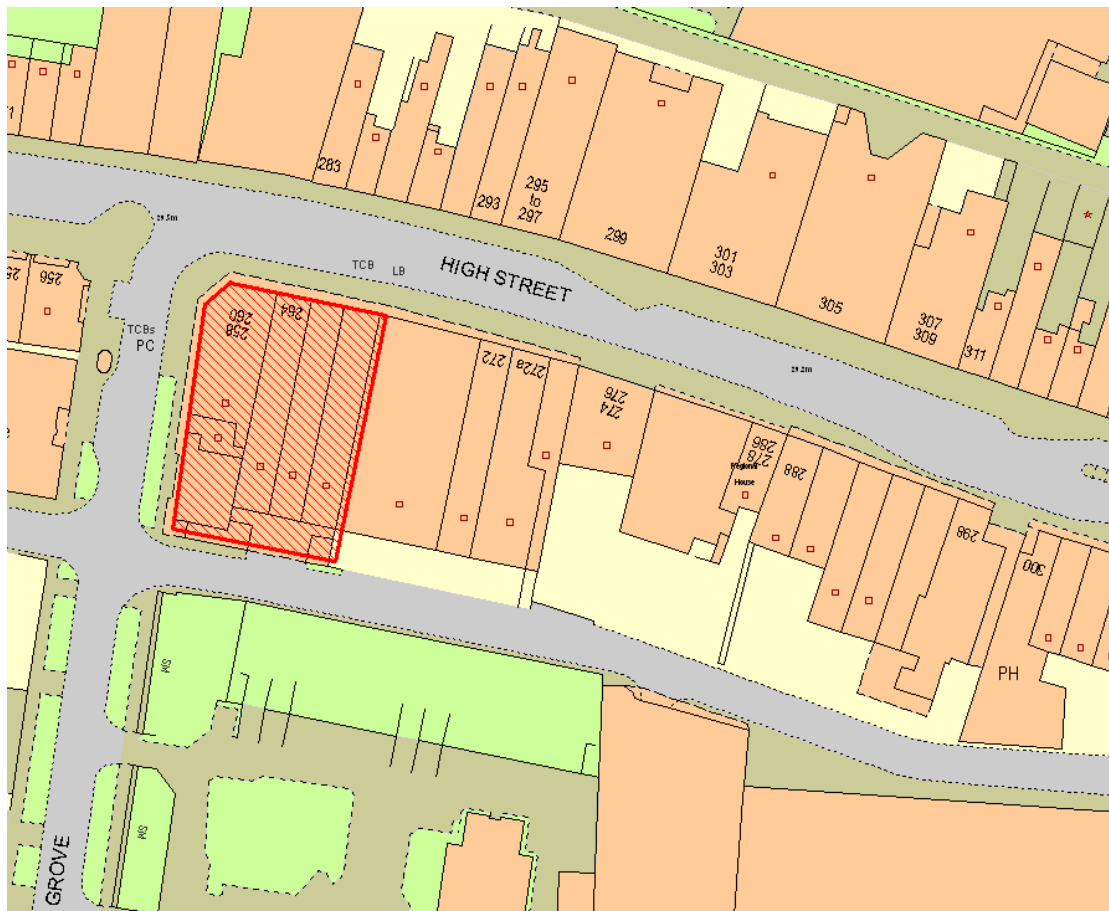
Informative

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

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Registration Date:	05-Mar-2014	Applic. No:	P/15673/002
Officer:	Mr Smyth	Ward:	Upton
Applicant:	Mr. Jonathan Miller, Mardan (Norwich) Ltd		
Agent:	Mr. Malcolm Howdle, M M Howdle 5, Police Houses, Cliff Road, Stamford, PE9 1AB		
Location:	3 The Grove & 258-268, High Street, Slough, SL1 1JU		
Proposal:	CHANGE TO THE EXTERNAL APPEARANCE OF THE EXISTING BUILDING INVOLVING A COMPLETE AND RE-CLADDING AND CHANGES TO THE PATTERN AND CONFIGURATION OF EXISTING FENESTRATION ABOVE GROUND FLOOR LEVEL FOLLOWING A SUCCESSFUL PRIOR NOTIFICATION FOR A CHANGE OF USE FROM CLASS B1(A) OFFICES TO CLASS C3 RESIDENTIAL TO PROVIDE 24 NO. FLATS AND THE ERECTION OF A TWO STOREY EXTENSION ABOVE THE TWO STOREY ELEMENT OF THE BUILDING TO PROVIDE A FURTHER 12 NO. FLATS.		

Recommendation: Delegate to Development Management Lead Officer



1.0 SUMMARY OF RECOMMENDATION

- 1.1 Having considered the relevant policies, the comments received and all other relevant material considerations, it is recommended that the application be delegated to the Development Management Lead Officer for consideration of any substantive objections, resolution of outstanding issues relating to room sizes, daylight and sunlight, cycle parking and bin storage, possible Section 106 Agreement, finalising conditions and final determination.

PART A: BACKGROUND

2.0 Proposal

- 2.1 The proposal is for change to the external appearance of the existing building involving a complete re-cladding and changes to the pattern and configuration of existing fenestration above ground floor level following a successful prior notification for a change of use from Class B1(a) offices to Class C3 residential to provide 24 no. flats and the erection of a two storey extension above the two storey element of the building to provide a further 12 no. flats.
- 2.2 The application is accompanied by full plans and a planning design and access statement.

3.0 Application Site

- 3.1 The site is located within the Town Centre Commercial Core and accommodates a four-storey high building with shops on the ground floor and offices on the upper floors at 258-268 High Street and a two-storey building with a shop on the ground floor and offices on the first floor at 3 The Grove. The building is located on the corner of the High Street and The Grove. It has a concrete canopy over the shops. Above the canopy the building is dominated by horizontal bands of glazing, with concrete panels between. The two-storey building at 3 The Grove has a similar treatment to the front elevation facing The Grove. The side elevation of this building is finished in buff brick.
- 3.2 The building adjoining at 270 – 272 High Street has been extended and converted to flats and the High Street frontage has been re-clad to improve its overall appearance. The character of the area changes from retail on the High Street frontage to commercial offices along the Grove.

4.0 Planning Background

- 4.1 On 23rd January 2014 a prior notification application for the conversion of the existing building above ground floor level for conversion of offices to flats in accordance with Part 3 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended) was determined by the Council on the basis that prior approval was not required. The submitted plans showed a total of 24 no. flats being provided.

- 4.2 A separate planning application (P/15673/001) is being considered by the Council for the external cladding and changes to fenestration and doors following that prior approval determination. There is a degree of overlap between that application, which is being determined under powers of officer delegation and this submission.

5.0 Neighbour Notification

- 5.1 The Occupier, Carpetmart, 270, High Street, Slough, SL1 1NB
The Occupier, 289a High Street, Slough, SL1 1BD
The Occupier, Kebab Land, 289, High Street, Slough, SL1 1BD
The Occupier, 287a, High Street, Slough, SL1 1BD
The Occupier, 285a, High Street, Slough, SL1 1BD
The Occupier, 283a, High Street, Slough, SL1 1BD
The Occupier, Oxfam, 283, High Street, Slough, SL1 1BD
The Occupier, 281, High Street, Slough, SL1 1BD
The Occupier, A B D Carpets & Furniture, 279, High Street, Slough, SL1 1BN
The Occupier, Orchard & Shipman, 256, High Street, Slough, SL1 1JU
The Occupier, Campsie, 256, High Street, Slough, SL1 1JU
The Occupier, Pechiney (uk) Ltd, Pechiney House, The Grove, Slough, SL1 1QF
The Occupier, Mycom Uk Ltd, Hatfield Road, Slough, SL1 1QE
The Occupier, Zensar Technologies Uk Ltd, Hatfield Road, Slough, SL1 1QE
The Occupier, Thames Central, Hatfield Road, Slough, SL1 1QE
The Occupier, 254, High Street, Slough, SL1 1JU,
The Occupier, Blue Arrow, 252, High Street, Slough, SL1 1JU
The Occupier, 40635, The Grove, Slough, SL1 1QP
The Occupier, In Touch, 272, High Street, Slough, SL1 1NB
The Occupier, Assets, Mda House, The Grove, Slough, SL1 1RH
The Occupier, 258, High Street, Slough, SL1 1JU
The Occupier, Totesport, 264, High Street, Slough, SL1 1NB
The Occupier, 266, High Street, Slough, SL1 1NB
The Occupier, 268, High Street, Slough, SL1 1NB
The Occupier, 291a, High Street, Slough, SL1 1BD
The Occupier, H S S Hire Group Plc, 291, High Street, Slough, SL1 1BD
The Occupier, So Asia, 277, High Street, Slough, SL1 1BN
The Occupier, Perfect Pizza, 275, High Street, Slough, SL1 1BN
The Occupier, Flats 1 – 24, 270 – 272 High Street, Slough, SL1 1NB

Site Notice and Press Notice placed.

The consultation period expires on 2nd May 2014. At the time of writing this report, no objections had been received, however if any objections are received before the Meeting, these will be reported on the Amendment Sheet.

6.0 Consultation

6.1 Transport & Highways

This is a proposal to construct an additional 12 flats in the town centre on top of an existing office building that has already received permitted development consent for conversion to 24 flats. On the Ground floor of the building is an existing restaurant (Nandos).

Trip Generation

12 one bedroom flats are being created which will lead to an additional 64 person trips per day.

Car Parking

No car parking is being provided which accords with the minimum parking standards as set out in the Slough Local Plan. However there will need to be either a s106 obligation (preferably) or planning condition preventing future occupiers from being eligible for applying for car parking permits on-street in any existing or future residents parking zones. This would not prevent a resident from a purchasing a car parking permit in a town centre car park.

Cycle Parking

Under Slough Local Plan parking standards the developer is required to provide a minimum of one space per flat. Given that there is no car parking provided then the cycle parking should be of a high quality provision. The store proposed is too small. It assumes that bikes measure only a metre in length when they measure 1.8m.

The cycle store must be enclosed, covered and secured in a well overlooked and accessible location. Ideally the cycle store should be subdivided internally to achieve independently lockable cycle store units (similar to greyhound traps). For internally provided cycle parking the cycle stands such as Sheffield must be located where they are 550mm clear of any wall and 900mm between each cycle stand. (Manual for Streets fig 8.5&8.6).

The proposed store will only be able to accommodate a maximum of 4-6 bikes when a minimum of 12 is required.

The bike store is also located in area which does not benefit from good security as members of the public can easily access the area. The store opens out into the delivery and service area for restaurant use and therefore from a health and safety perspective it is not an appropriate area to site a cycle store.

Taking account of these issues I have suggested that the developer makes a contribution of £10,000 to fund a cycle hire docking station with a minimum of 4 bikes, so that this could be provided on Grove Road outside of the development, as this would better provide provision for cycling for residents than the substandard store in an unsafe location as currently proposed.

Refuse

No information has been provided as to where the refuse and recycling bins are sited for the 24 permitted development flats. As there are another 12 flats that require refuse and recycling storage one would expect one large refuse store for all the flats. Just four bins have been proposed for refuse and recycling and this is clearly insufficient for the 36 flats. If the 4 bins are just for the 12 flats then they would be sufficient. However the bin store is not large enough for bins to be manoeuvred in and out of the doors nor is it large enough for residents to be comfortably place their waste in the bins, as the corridor space is just 0.6m wide.

No provision has been made for commercial waste. The commercial waste bins

are currently stored in the covered service area, but now that a new residential use is being proposed the commercial waste needs to be stored in a store so that there is clear separation between residential and commercial otherwise there will be a risk from contamination.

It is not clear from the proposed plans which of the two entrance lobbies residents will emerge from. If it is from the main entrance lobby, which it would appear to be so, then the walk distance between the proposed refuse store and the entrance is 40m this exceeds the maximum 30m walk distance as set out by Manual for Streets 6.8.9. The 40m walk distance is an unacceptably long and may encourage residents to dump waste in on-street refuse bins and this is unacceptable.

Door Opening Over Public Space

I note on the plans that there is a door from the yard opening onto Grove Road. This is unacceptable as it poses a safety risk and hazard to pedestrians on Grove Road and will need to be changed to either an inward opening door or if it is a fire door it will need to be set back within the building.

Recommendation

This application should be refused for the following reasons:

The development fails to provide cycle parking in accordance with adopted Slough Borough Council standards and therefore does not comply with the Council's Integrated Transport Strategy and is therefore contrary to Slough Borough Council Local Plan Policy T8.

The development fails to provide refuse storage in accordance with the standards set out in the Slough Borough Council Developers Guide Part 4 Refuse and Recycling Storage.

If the applicant is able to overcome the issues described above with a satisfactory solution, subject to the submission of further plans then I may be willing to withdraw my recommendation of refusal. In this case the following conditions would be applicable.

Conditions

1. No occupier of the residential development hereby approved shall be entitled to a car parking permit from the Council to park on the public highway within the local controlled parking zone or any such subsequent zone.

Reason: In order to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street parking stress in the area in accordance with residential properties in accordance with Core Policy 7 of the Slough LDF 2006-2026.

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

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

3. No development shall be begun until details of the refuse stores (including location, housing and store dimensions have been submitted to and approved in writing by the Local Planning Authority. The refuse stores 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 and convenient refuse storage available at the site in accordance with the Developers Guide Part 4 Refuse and Recycling Storage.

Informatives

Should the application be revised in accordance with my comments the following informative(s) will apply.

The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.

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

The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.

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

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

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

6.2 Thames Valley Police Crime Prevention Design Adviser

Although there are no police objections to this application there are still some concerns over the potential crime risk from its location within the town centre. Slough High Street does suffer from a high level of crime and anti social behaviour as can be expected in a large, busy town centre. The main office block conversion to 24 flats has already been permitted but the below advice is applicable to this as well and if implemented would make for a more secure and

safer development resulting in a better quality of life for the residents.

Access Control - The communal entrances to the block should form a line of defence acting as a physical barrier to access for outsiders and in this case should be fitted with an access control system with an electronic lock release with audio 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 they also act as a line of defence against bogus callers.

I can't see any detail in the application as to how mail will be delivered but the normal procedure would for there to be a bank of mail boxes in the entrance foyer. Tradesman buttons are no longer acceptable and must not be used.

These are now required to be operational for much of the day which negates the security benefit of the access control and leaves the flats very vulnerable to crime. The local Royal Mail sorting office will accept a fob to allow them access for mail delivery.

Door Security - Key to the security of this development and the well being of residents will be the physical standard of the doors.

The communal entrance doors, and the individual flat doors should be security tested to BS PAS24 and any glazing within or immediately adjacent should include a laminate pane.

These are the minimum entry level security standards for the Secured by Design scheme. Continuing national research shows that Secured by Design developments suffer at least 50% less burglary, 25% less vehicle crime and 25% less criminal damage and help to provide safe and secure environments.

New External Fire Escape – The above standards are particularly important here as this is situated in a rear street which will be quiet at night with little formal or informal surveillance. Inferior standard doors could quickly be forced or damaged exposing the whole block to anti social or criminal behaviour.

If this proposal is permitted on this site then I would request that consideration be given to imposing a condition on the applicant to ensure that it is built to the Secured by Design physical standards.

The following condition has previously been tested and approved by the Planning Inspector at appeal and is suggested as a template for this application:

Condition

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

Reason

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

I hope the above comments are of use to you in your deliberations to determine

the application and will help the development achieve the aims of the National Planning Policy Framework (NPPF) para 17 – re high quality design and para 58 – re function and designing against crime and fear of crime, The National Planning Practice Guidance para 10,11 and Secured by Design principles.

6.3 Land Contamination Officer

Not consulted on the current planning application, but provided comments on the previous prior notification application as follows:

“Since there are no potentially contaminative historical land uses recorded at this site, and the residential use is not proposed for the ground floor, I do not have any objection to this in terms of land contamination”.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 National Planning Policy Framework (NPPF) & Planning Practice Guidance

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 8 (Sustainability & the Environment).
Core Policy 12 (Community Safety)

Adopted Local Plan for Slough 2004

Policy H7 (Town Centre Housing}
Policy H11 (Change of Use to Residential)
Policy H14 (Amenity Space)
Policy S12 (Change of Use from A1 to A3)
Policy EN1 (Standard of Design)

7.2 The Principle of Housing Design & Street Scene Impact Impact on Neighbouring Occupiers Quality of Housing Access Servicing & Parking Amenity Space Designing Out Crime

8.0 The Principle of Development

8.1 In its overarching Core Principles the National Planning Policy Framework encourages the effective use of land by reusing land that has been previously developed (brownfield land) provided that it is not of high environmental value. Local planning authorities should ensure deliverance of a wide choice of high

quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

- 8.2 Core Policy 1 requires that all development complies with the Spatial Strategy to include proposals for high density housing to be located in the appropriate parts of Slough Town Centre.
- 8.2 Core Policy 4 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008, reaffirms that high density housing should be located in Slough Town Centre.
- 8.3 No objections are raised the principle of development in relation to the National Planning Policy Framework nor Core Policies 1 and 4 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008

9.0 Design and Street Scene Issues

- 9.1 The Core Principles of the National Planning Policy Framework requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and futures occupiers. The NPPF further 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 Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008, states that:

All development will:

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

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.

- 9.3 Policy H13 (Backland/infill Development) of the Adopted local plan states: Proposals for small scale infilling, including backland development, will not be permitted unless they comply with all of the following criteria: the type, design, scale and density of the proposed new dwelling or dwellings are in keeping with the existing residential area; appropriate access, amenity space and landscaping are provided for the new dwellings; appropriate car parking provision is made in line with the aims of the integrated transport strategy; the scheme is designed so that existing residential properties retain appropriate garden areas, they do not suffer from overlooking or loss of privacy, and there is no substantial loss of amenity due to the creation of new access roads or parking areas;

the proposal is not located within a residential area of exceptional character; and
f the proposal optimises the potential for more comprehensive development of the area and will not result in the sterilisation of future residential land

9.4 Policy EN1 (Standard of Design) 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:

scale;
height;
massing/Bulk;
layout;
siting;
building form and design;
architectural style;
materials;
access points and servicing;
visual impact;
relationship to nearby properties;
relationship to mature trees; and
relationship to water courses.

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

9.5 The proposals to externally clad the building and replace the existing fenestration, can only add to the quality and appearance of the existing building which is looking very tired and out dated. These external works will also compliment similar treatment which has been undertaken to the upper stories of the converted residential scheme abutting the site at 270 – 272 High Street.

9.6 The proposed extension at first and second floors above the existing offices fronting the service road follows the footprint of the existing building and will be finished in the same external materials as the rest of the building.

9.7 The existing extraction flue which serves the ground floor restaurant will require re-siting and this is being designed into the new scheme with amended plans to be submitted.

9.8 No objections are raised on grounds of design or street scene impact subject to an appropriate condition covering external materials and amended plans being submitted to show a re-siting of the existing extraction flue, in accordance with guidance in the NPPF, 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.

10.0 Impact on Neighbours

10.1 The overarching Core Principles of the NPPF state that: Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

10.2 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.

- 10.3 Policy H13 of the Adopted local Plan for Slough states: the scheme is designated so that existing residential properties retain appropriate garden areas, they do not suffer from overlooking or loss of privacy, and there is no substantial loss of amenity due to the creation of new access roads or parking areas. Policy EN1 states that : Development proposals must be compatible with and/or improve their surroundings in terms of relationship to nearby properties.
- 10.4 The main issues identified relate to the potential impacts upon the occupiers of the rear flats within the neighbouring block at 270 – 272 High Street, window to window separation distances within the development itself and the re-siting of the extraction flue.
- 10.5 Within a 45 degree arch, the separation distances between the rear of the closest habitable room windows within the rear elevation of the flats at 270 – 272 High Street and the nearest north facing second and third floor flats within the extension, fall short of the Council’s normal requirements for a minimum of 15 metres. However, given the existence of an external stair serving the existing neighbouring flats at 270 – 272 High Street, coupled with the proposed enclosed stair serving the proposed flats, this is effectively negated.
- 10.6 A window to window separation of only 13.5 metres is achieved between the north facing habitable windows within the second and third floors of the proposed extension and the entrance corridor serving those flats to the north which have prior approval. The same issues also arise at first floor level. A minimum separation distance of 18 – 21 metres is normally required to ensure no loss of privacy/amenity. To address this issue it is proposed that the existing windows serving the south facing corridor be obscurely glazed and an appropriately worded condition will be imposed.
- 10.7 At present the existing extraction flue extends from the rear of the building and across the flat roof and then vertically to protrude above the third floor. The construction of the extension will necessitate a re-siting of the flue and care will need to be taken to ensure that it impacts minimally upon the amenity and outlook of both existing occupiers within the neighbouring flats at 270 – 272 High Street and the future occupiers of the flats within the development itself. Amended plans have been requested to show the re-siting of the flue. This will be reported on the Amendment Sheet.
- 10.8 Subject to the imposition of appropriate conditions and submission of amended plans, no objections are raised on grounds of adverse impact on neighbours in relation to the NPPF, LDF Core Strategy or the adopted Local Plan.

11.0 Quality of Housing

- 11.1 This assessed against the following criteria: Aspect, Daylight and Sunlight and Room Sizes.

Aspect

11.2 The 2 no. flats on each of the second and third floors with a northern aspect looking into the “courtyard” have a limited aspect looking to the rear of the existing building onto High Street with a separation distance of between 13.5m and 16.5m. However, this is a high density residential development scheme within the town centre where some flexibility is required in the application of normal standards and guidelines.
Whilst a similar scenario exists at first floor level, this relates to a prior approval notification and is outside the scope of this application.

11.3 The remainder of the flats which are the subject of this application have a good aspect either with a southerly view over the rear service road or westerly view onto The Grove.

Daylight & Sunlight

11.4 Some concerns have been expressed about levels of daylight and sunlight in relation to the flats as described in paragraph 11.2 above and whether or not those flats meet the BRE guidelines. The applicant has advised that a daylight/sunlight study is to be commissioned to consider these issues in relation to the 4 no. flats in question. It is considered that the remaining flats within the development would receive adequate day light and sunlight, necessary to meet the BRE requirements.

Room Sizes

11.5 The bedroom within 6 no. of the flats falls below the Council’s guidelines for flat conversions which is used as a guide to minimum room sizes. The applicant has been advised of the issue and is proposing to submit amended plans aimed at addressing this issue. All other rooms comply with the Council’s guidance.

12.0 Transport, Highways & Parking

12.1 Core Policy 7 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 states that:

Maximum restraint will be applied to parking for residential schemes within the town centre.

12.2 Policy T2 of the Adopted local Plan for Slough 2004 states:
Residential development will be required to provide a level of parking appropriate to its location and which will overcome road safety problems, protect the amenities of adjoining residents, and not result in an adverse visual impact upon the environment.

12.3 Members will be aware that a report was submitted to the previous Meeting of Planning Committee which covered car parking policy within the Town Centre. That report sought to re-inforce the current policy for car parking in Slough, that being that there is continuing need to apply some restraint to the amount of parking provided for new flats in the town centre and the overall supply of parking as a whole. Some refinement of the policy could be considered to ensure that the policy does not impact upon the quality or type of residential accommodation that is being provided.

- 12.4 This is a car free scheme which in total will provide a total of 36 no. flats, although 24 no. of which have been secured through the prior approval process.
- 12.5 The main issues identified relate to the provision of secure cycle parking and bin storage (including travel distances), although these issues are confined only to the 12 no. additional flats which are being proposed as part of this application.
- 12.6 The plans submitted show insufficient parking for 12 no. cycles and the proposed bin store does not work. Amended plans have been sought which are also required to show bin storage for the ground floor commercial scheme and travel distances which will comply with the maximum travel distances as required under the building regulations. Any amendments received will be reported on the Amendment Sheet.
- 12.7 The Council's transport and highways engineer has raised concerns that the applicant may not be able to provide high quality cycle parking on site and that a financial contribution should be sought to fund an extension to the bike hire scheme in Slough. This would involve the provision of a bike docking station and provision of approximately 4 no. cycles. This could be sited within the Grove, replacing the existing cycle stands that currently exist. In the event that an acceptable cycle parking provision can not be made on site then a financial contribution to wards the cost of the extension to the bike hire scheme will be sought through a S106 Agreement.
- 12.8 On the basis of the current submission concerns are raised as to the adequacy and quality of proposed cycle parking and refuse storage in relation to Core Policy 7 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 Council's Planning Guidance on Refuse and Recycling Storage for New Dwellings and as stated in paragraph 12.6 above further amendments have been sought to address these concerns.
- 13.0 Designing Out Crime**
- 13.1 The NPPF states that "decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion".
- 13.2 Core Policy 12 (Community Safety) of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 states: All new development should be laid out and designed to create safe and attractive environments in accordance with the recognised best practice for designing out crime. Activities which have the potential to create anti-social behaviour will be managed in order to reduce the risk of such behaviour and the impact upon the wider community.
- 13.3 Policy EN5 (Design and Crime Prevention) of the Adopted local Plan All development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour. Planning permission will not be granted unless all the following criteria have been adequately considered in drawing up a scheme:

limited number of access points;
provision of secure boundaries such as fences, walls or landscaping around private and public spaces;
well lit external areas subject to maximum natural surveillance without any potential hiding areas;
use of suitably robust materials; and
use of defensive landscaping to deter intruders.

- 13.4 Thames Valley Police have raised no objections to the proposals, but recommends the following condition:

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

Reason

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

To achieve the aims of the National Planning Policy Framework (NPPF) para 17 – re high quality design and para 58 – re function and designing against crime and fear of crime, The National Planning Practice Guidance para 10,11 and Secured by Design principles

- 13.5 No objections are raised on grounds of crime or fear of crime in relation to the NPPF, LDF Core Strategy or Local Plan.

PART C: RECOMMENDATION

14.0 Recommendation

Delegate to the Development Management Lead Officer for consideration of any substantive objections, resolution of outstanding issues relating to room sizes, daylight and sunlight, cycle parking and bin storage, possible S106 Agreement, finalising conditions and final determination.

15.0 PART D: LIST OF CONDITIONS OR REFUSAL REASONS

Set out below are the main heads for proposed conditions:

Time 3 Years

Approved Plans:

External Materials

Obscure glazing to south facing windows within existing building

Bin Store
Construction Management Plan
Construction traffic
Working Hours.
Cycle Parking
Future Occupiers to be excluded from applying for Residents Parking Permits
Noise Insulation
No flank wall windows
No access to courtyard roof other than for maintenance purposes

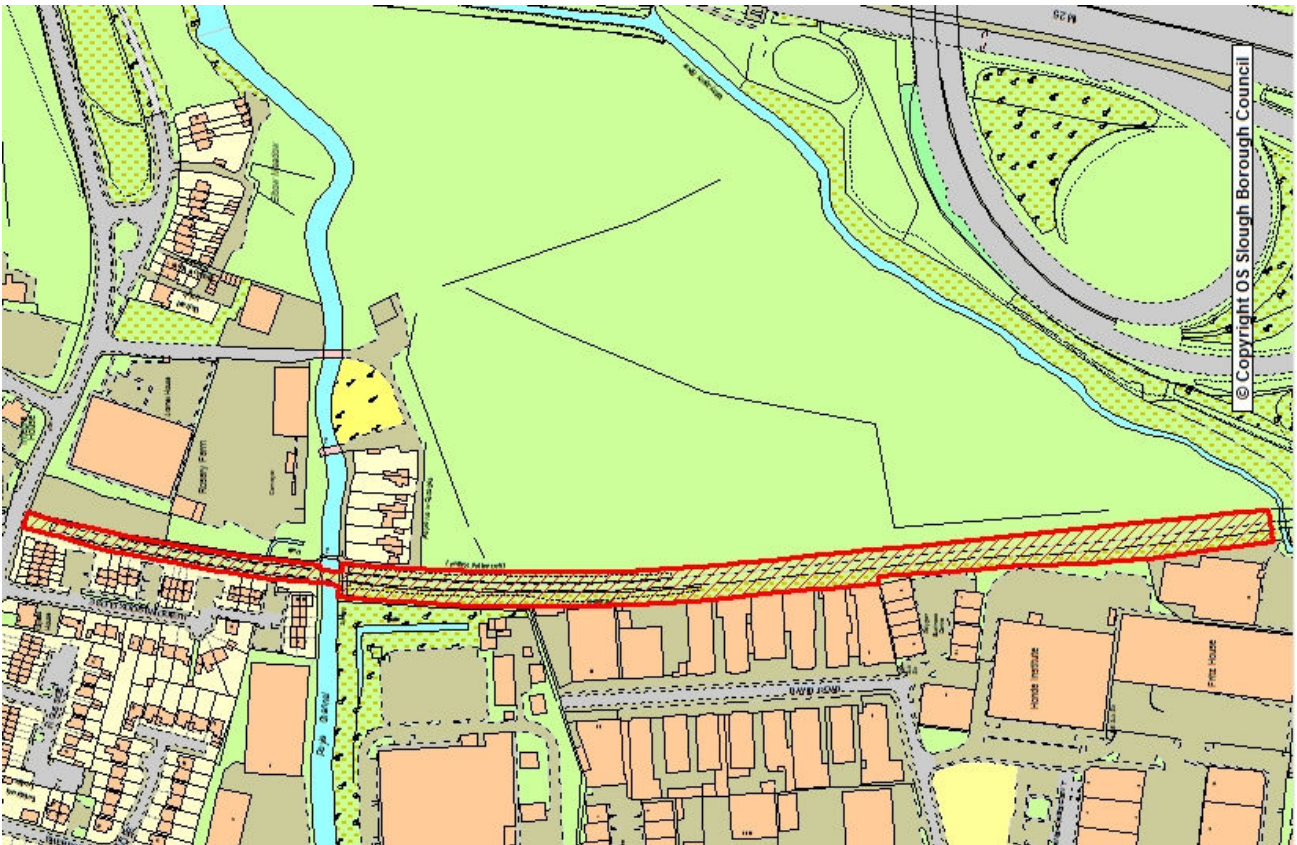
Informatives

1. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.
2. No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.
3. The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.
4. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
5. The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.
6. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.

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Registration Date:	25-Feb-2014	Application. No:	P/14306/001
Officer:	Ian Hann	Ward:	Colnbrook-and-Poyle
Applicant:	Mr. Harmehar Kleir	Application type:	Major
Agent:	Mr. Ian Whitworth, Progressive Design and Build The Office, Marsden Gate Farm, Sowood, Halifax, HX4 9LD	13 week date:	27 th May 2014
Location:	Disused Railway Line, Old Bath Road, Colnbrook, Slough, Berks		
Proposal:	CHANGE OF USE OF LAND TO OPEN STORAGE WITH ASSOCIATED PROVISION OF HARDSTANDING.		

Recommendation: Refuse



1.0 SUMMARY OF RECOMMENDATION

- 1.1 Refuse, for the reasons set out at the end of this report.
- 1.2 This application is to be decided at Planning Committee as it is a major development.

PART A: BACKGROUND

2.0 Proposal

- 2.1 This is a full planning application for the change of use of 96,000 square metres of the site to open air storage with associated turning areas and the provision of a portacabin for staff on the site. Proposals to change the existing access have also been provided. The application is accompanied by plans showing the site location and site layout as well as a Design and Access Statement
- 2.2 The plans that have been submitted show the northern part of the site being used for storage at a total depth of 376m. The site will be laid out with 6 separate storage areas measuring 45m x 6m, 50m x 6m and 35m x 6m in the northern part of the application site and 41m x 15m and 2no. 40m x 15m in the southern part of the site. Turning areas will be provided between each of the storage areas.
- 2.3 The plans show that the existing fencing around the site will be replaced or made good with solid acoustic fencing being provided alongside the neighbouring residential properties. No details have been provided with regards to the proposed portacabin bar the fact that it will be positioned to the north of the application site by the entrance.
- 2.4 The development would be accessed by the existing access which will be modified to provide visibility splays via widened foot paths. The existing foot bridge over the Poyle Channel within the site will be repaired although details concerning how it will be repaired have not been submitted.
- 2.5 The submitted plans show the southern part of the site as being unaffected by these proposals but labelled it as “expansion area in the same manner as first phase of the site”. However any such expansion is not considered under this application as planning permission would be required for any such expansion.

3.0 Application Site

- 3.1 The application site is situated on the southern side of Old Bath Road in Colnbrook and is part of the abandoned West Drayton to Staines railway line. The site is a long narrow piece of land which the Poyle Channel flows through. The southern part of the site is located within the Green Belt and the Strategic Gap separating Slough from Greater London but is not included under this application. The site is however located within the Colne Valley Regional Park.
- 3.2 The site is bound by Bath Road to the north with the continuing rail way line, commercial and residential properties beyond. There are residential properties to the north western and eastern boundaries of the site, commercial and industrial properties to the west of the site and open green land to the east of the site.

4.0 Relevant Site History

- 4.1 Planning permission was refused for the use of the land to station a catering van to sell hot and cold food in June 2008 for the following reasons (reference P/14306/000);

The proposed development would result in an intensification of use of an existing access at a point where visibility is substandard and would lead to danger and inconvenience to people using it and to highway users in general. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.

The applicant has not included adequate provision for a satisfactory turning space within the site. The resultant reversing of vehicles onto or off of the highway would lead to conditions of danger and inconvenience to other highway users. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.

As far as can be determined from the submitted information, the development fails to provide sufficient car parking and if permitted is likely to lead to additional on street parking or to the obstruction of the access to the detriment of highway safety and convenience. The development is contrary to Slough Borough Council Local Plan Policies T2 and Core Strategy 2006-2026 Core Policy 7.

- 4.2 Planning permission was also refused for the temporary use of the land for the sale and display of motor vehicles in conjunction with the neighbouring car sales site in May 2003 for the following reason (reference P/12338/000):

The proposal fails to comply with Policy T11 of the Review of the Local Plan for Slough as modified 2002 as it would prejudice the use or operation of the West Drayton to Staines railway for future passenger or freight services.

5.0 Neighbour Notification

- 5.1 25, 30, 31, 32, 33, 37, 38, 39, 40, 45, 46, 47, 48, 58, 64, Meadow Brook Close, Colnbrook, Slough

G D S K, 2, 4, 6, 8, 10, 10a, 12, 16, 18, David Road, Colnbrook, Slough

Unit 6, 7 Polygon Business Centre, Fritz House, Honda Institute, Blackthorne Road, Colnbrook, Slough

Unit A1, A2, B1, B2, B2x, C Skyway 14, Calder Way, Colnbrook, Slough

Travelodge, Calder Way, Colnbrook, Slough

Travelodge Hotels Ltd, Horton Road, Colnbrook, Slough

Station Cottage, Station House, Cargopoint-heathrow, 1, 2 Poyle New Cottages Old Bath Road, Colnbrook, Slough

Two letters of objection have been received from neighbouring occupiers raising the following issues:

The traffic is a major concern - the road is very dangerous and no traffic calming measures have been added despite several authorities insisting they would help. Adding to this by allowing vehicle access on a blind corner is asking for fatalities.
RESPONSE: This is a material planning consideration and is discussed in the report below.

The noise is terrible and should not be added to and the acoustic fence will provide no alleviation at all.
RESPONSE: This is a material planning consideration and is discussed in the report below.

This application destroys surrounding wildlife and trees. Stag Beetles that are on the endangered list and Bats frequent the gardens and the reconstruction of the trees (and bridge where they nest / live) will kill this off.
RESPONSE: This is a material planning consideration and is discussed in the report below.

The permission discusses how the land provides no benefit to the local area. Putting this storage in gardens - ruining privacy and habitat - destroys the value of property accepting will ruin the lives of Council Tax payers.
RESPONSE: The issue with regards to property prices are not a material planning consideration unlike economic growth and the use of land to help provide economic growth which is a material planning considerations and are encouraged by the Government.

Overlooking and loss of privacy.
RESPONSE: This is a material planning consideration and is discussed in the report below.

Inadequate security fencing will result in security issues.
RESPONSE: This is a material planning consideration and is discussed in the report below.

Concerns over gas main which more vehicles will drive over.
RESPONSE: This is a material planning consideration and is discussed in the report below.

6.0 Consultation

6.1 Slough Local Access Forum

It is proposed to use the site for storage purposes, which would mean the clearance of existing vegetation/ habitat and also prevention of the existing pedestrian access adjacent to and over the site.

The Local Access Forum remit includes advising the Council as a Section 94 (4) body under The Countryside and Rights of Way Act 2000 on access for the purpose of open air recreation and the enjoyment of the area and also as amended by the Local Access Forum (England) Regulations 2007 on functional access. This includes access undertaken for the purposes of going to work, school, shops or local amenities. The members of the Local Access Forum view this planning proposal as detrimental to the walking and cycling access network in Colnbrook. It would mean the closure of an

existing route used by residents of Colnbrook living at the north of the site to access the Poyle Industrial Estate to the south for work and also for those residents who use the route for recreation and to enjoy the open air and natural environment.

It is known that this access has been used for a number of years because complaints were received by the Council's Public Rights of Way Officer several years ago when Network Rail attempted to gate the route. Residents of Poyle New Cottages were concerned at the time to the extent that they were prepared to submit an application to claim the route as a public right of way. On that occasion access remained open so a claim wasn't necessary. It is clear therefore that the loss of this route will impact negatively on local residents. Though the status of the route is not recorded currently on the definitive map and statement of public rights of way, a presumption of dedication may have arisen through use. The LAF in conjunction with the Council's Rights of Way Officer consider the dedication of this route as a public right of way would enhance the rights of way network in Colnbrook and would like to object to its closure.

This position is supported in the Council's strategic plans; the Local Plan for Slough and the Rights of Way Improvement Plan 2007 which seek to improve opportunities for informal recreation and improvements to the rights of way network. Though this site is described as an urban site and the developers view the trees and pedestrian access as a problem, the alternative view is that the disused railway line has become a valuable natural wildlife corridor in the urban environment which ought to be protected. It also enables sustainable access opportunity to the workplace (Poyle Industrial Estate) which is highlighted as a Council objective in the LDF Strategic Objectives (1 – To reduce the need to travel and create a transport system that encourages sustainable modes of travel such as walking, cycling and public transport)

The site is located within the Colne Valley Park and there are planning restrictions imposed under the Council's Local Development Framework, Core Strategy to prevent development within the countryside or open areas in the Colne Valley Park unless they provide opportunities for countryside recreation which do not compromise the landscape and nature conservation.

Members of the LAF contend that this site though narrow and small in size does constitute a pocket of countryside and that since it already provides opportunities for recreational access these benefits need to be enhanced not withdrawn.

In light of the above, the Slough Local Access Forum strongly objects to this planning proposal on the grounds as explained.

6.2 Transport and Highways

It is proposed to use the site for unspecified storage purposes. The current sub standard vehicular access is to be widened to 5 metres and the sightlines improved by widening the public footway into the carriageway.

I have no objection in principle with the proposed improvement to the sightline and would suggest that at this location a reduced standard of 2.4m x 43m could be accepted. A detailed drawing demonstrating the practicality of these works is required.

The site must be entered and exited by vehicles in forward gear and although the proposal shows some turning areas within the site these have not been demonstrated by tracking and I have concerns that larger vehicles will not be able to turn within the site.

The proposed gates should be set back a sufficient distance from the public highway to allow vehicles entering the site to be able to stop off the highway.

There is a pedestrian route adjacent to and over the site. The status of this is not clear it does not appear to be a 'public right of way' although I suspect this may be challenged. The applicant must either demonstrate that no rights of passage exist or make acceptable provision for them.

Mindful of the above significant amendments are required before this application could be supported. If the applicant considers that they can address the comments that have been made then I would be pleased to consider additional information supplied. Alternatively, should you wish to determine this application as submitted then I would recommend that planning permission be refused for the reason given below.

The applicant has not demonstrated adequate provision for a satisfactory turning space within the site. The resultant reversing of vehicles onto or off of the highway would lead to conditions of danger and inconvenience to other highway users. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.

However should you be minded to approve the proposal please include the requirement for the applicant to enter into a s278 agreement for the vision splay requirements on the highway in the s106 Agreement. The following conditions and informatives should also be included:

Condition

The development shall not commence until the new means of access has been altered in accordance with the approved drawing and constructed in accordance with Slough Borough Council's Design Guide.

Reason:

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

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

Reason:

To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

No vehicle access gates, roller shutters doors or other vehicle entry barriers or control systems shall be installed without first obtaining permission in writing from the Local

Planning Authority

Reason:

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

Informatives

The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.

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

The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.

6.3 Environment Agency

Is any further information about what sort of items will be stored there and how it is likely to be stored? Any information about where the site crosses the river would also be useful for our review of the application.

This information has been requested from the applicant and further information is awaited and Members will be updated of any further information via the amendment sheet.

6.4 Environmental Quality

The only historical potentially contaminative land use at the site is the former railway itself. The disused railway site does not appear on our contamination prioritisation list and is therefore not considered likely to pose a significant risk. In addition, the proposed end use is not highly sensitive, with the majority of the development comprising storage areas and access road, with one portacabin in the north of the site and no permanent buildings or structures. The addition of hardcore surfacing to the site will also provide protection to site users from any potentially contaminated soil associated with the former railway.

However, there are several landfill sites within 250 m of the site, therefore the following condition should be placed on any planning permission granted:

The land is situated within 250 m of a landfill site and buildings may therefore require gas protection measures to be incorporated into their design.

Prior to development either:-

- a) A site investigation and/or risk assessment in line with appropriate guidance such as CIRIA 665 shall be submitted for approval by the Local Planning Authority. Where unacceptable levels of gaseous contamination are identified, a proposal for remediation/mitigation shall be submitted and approved in writing by the Local Planning Authority. Any scheme of remediation that requires the fitting of landfill gas protection, such as a protective membrane shall be carried*

out by a person(s) competent to carry out that work.

All work shall be validated by a competent person and report submitted for the approval of the Local Planning Authority. All approved gas protection measures shall be implemented in full and confirmation of satisfactory installation obtained in writing from a Building Control Regulator.

Or

(b) In situations where there is a low risk from gas contamination, details of proposed gas protection measures shall be submitted to the Local Planning Authority for written approval before the development commences. All approved gas protection measures shall be implemented in full and confirmation of satisfactory installation obtained in writing from a Building Control Regulator.

Reason: In order to safeguard the health and safety of future occupants/and or site users.

6.5 Thames Valley Police

There are no police objections in principle to this proposed change of use but of course the crime implications will vary depending on exactly what is stored on site. The types of fencing described in the application would provide a good level of security but if the crime risk increased with desirability of items stored then stronger and more varied security measures would need to be implemented. These measures could include manned guarding, CCTV, intruder alarms etc.

6.6 Colnbrook with Poyle Parish Council

Consulted although no comments received to date. If comments are received these will be reported on in the Amendment Sheet.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The application is considered alongside the following policies:

National guidance

- National Planning Policy Framework and technical guidance notes.
- National Planning Practice Guidance.

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

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

Adopted Local Plan for Slough

- EN1 (Standard of Design)
- EN3 (Landscaping Requirements)
- EN5 (Design and Crime Prevention)
- EMP2 (Criteria for Business Developments)
- T2 (Parking Restraint)
- T11 (Protection of the West Drayton to Staines Line)

7.2 The main planning considerations are therefore considered to be:

- Principle of the redevelopment & land use
- Design and appearance
- Impact on adjoining sites
- Traffic and Highways Implications

Assessment

8.0 Principle of the redevelopment & land use

8.1 The NPPF states that unless material considerations dictate otherwise development proposals that accord with the development plan should be approved without delay. 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.

8.2 Policy EMP2 (Criteria for Business Developments) states:

“Proposals for business developments will only be permitted if they comply with all of the following criteria:

- a) the proposed building is of a high quality design and is of a use and scale that is appropriate to its location;
- b) it does not significantly harm the physical or visual character of the surrounding area and there is no significant loss of amenities for the neighbouring land uses as a result of noise, the level of activity, over- looking, or overbearing appearance of the new building;
- c) the proposed development can be accommodated upon the existing highway network without causing additional congestion or creating a road safety problem;
- d) appropriate servicing and lorry parking is provided within the site;
- e) appropriate contributions are made to the implementation of any off-site highway works that are required and towards other transport improvements such as pedestrian and cycle facilities, that are needed in order to maintain accessibility to the development without increasing traffic congestion in the vicinity or in the transport corridors serving the site;
- f) the proposal incorporates an appropriate landscaping scheme;
- g) the proposal would not significantly reduce the variety and range of business premises;”

8.3 Policy T11 (Protection of the West Drayton to Staines Line) states that “development will not be permitted if it would prejudice the use or operation of the West Drayton to Staines railway line for future passenger or freight services”. The pre ample to the

policy further states “if it is demonstrated that parts of the line will not be required for rail purposes, the Council would wish to safeguard it as a recreational route for cyclists, horse riders and walkers as to provide access to the countryside north and south of Colnbrook and Poyle”.

- 8.4 The principle for any type of development on this site is not supported in policy terms as there is a desire to keep the site free of development and uses so that it can be used for future rail infrastructure. The proposed use will see large areas of hard standing be laid across the site and the site developed for storage purposes which flies in the face of the policy to keep the site open for future rail uses. Although it is accepted that the proposed use will not result in new structures on the site the presence of a new use will cause difficulty in bringing the site forward for its intended use as it will result in additional issues in clearing the site as well as increasing the cost of any potential compulsory purchase which will make bringing forward the proposed use more problematic.
- 8.5 There are currently two rail schemes that may use this site. The Western Access to Heathrow Scheme is a proposed new rail link to reduce journey times between Heathrow and the Thames Valley and will look to tunnel under the application site. This scheme has the backing of Government. A further scheme which is currently being considered involves the Windsor Link Railway which is a private initiative looking to fund a private railway providing services to Heathrow that may also use the application site. Therefore it is clear that there are projects that could use the site in order to provide additional rail services and with the proposed expansion of Heathrow further schemes could also come forward for which this area of disused railway land could be used for. Therefore the current policy is considered to be required and justified and the site should be retained for the possibility of future rail use.
- 8.6 The applicant has stated that the land was purchased by him from Network Rail who “deemed it surplus to requirements”. While no evidence of this has been produced with the application, it is irrelevant in planning terms as planning policy is not based on land ownership but rather what purpose the land can be put to and the Local Planning Authority has no control of land ownership. The policy regarding the safeguarding of the land for rail use is within the Local Plan and is a publicly available document.
- 8.7 If the land could not be used for rail use, which is not a position currently supported under planning policy, the policy goes further to state that the application site should be safeguarded to provide a recreational route for cycling, walking and horse riding. The proposed laying of hard standing and fencing the site off for the proposed use would restrict the site being used for its fall back position and would again fly in the face of local planning policy. The Local Access Forum currently state that the site has been used for access for a number of years but no formal application to claim the route as a right of way has been made to date. So although no protection of the site can be given in planning terms, as it is not a formal right of way, it goes to show that the site has been used for public access and would be an area where a formal public right of way could be supported.
- 8.8 Therefore policy objections are raised to the principle of development and the change of use on the application site which is safeguarded as an area to be used for rail transport purposes and would fail to comply with Local Plan Policy T 11.

- 8.9 The application site has various differing levels across it and in some areas there is quite a large drop in levels. These levels will of course need to be levelled out prior to the site being used as a storage area and due to the level differences in proximity to the Poyle Chanel it is expected that this would be done by building up the levels to match the existing highest height. Therefore materials will need to be brought onto the site to for this and no details have been given by the applicant to confirm how this would be done and full details would need to be provided prior to the granting of permission.
- 8.10 No details have been given with regards to what will be stored on the site save that it will only be used for open storage. Without these details there is some concern over whatever will be stored on site could result in contamination for the land and the watercourse where the Poyle Chanel flows through the site and full details of what is being stored along with pollution control measures will need to be submitted before the application could be looked upon favourably.

9.0 Design and Appearance

- 9.1 The National Planning Policy Framework states that “great importance to the design of the built environment. 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 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.
- 9.3 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.
- 9.4 The proposals will see the existing area of self seeded overgrown trees and shrubbery removed and the area laid to hard standing and while this would look more harsh upon the street scene than the current situation on the site it would not be out of keeping with the industrial area in which the site is located and would not have a detrimental impact upon the character or appearance of the area. A condition for appropriate landscaping could be secured if planning permission was to be granted to provide some landscaping at the entrance and around the site which would help to break up the harsh appearance of the site if it was to be laid to hard standing.
- 9.5 Although no details have been provided with regards to the portacabin on the site details could be conditioned should planning permission be granted although due to the small nature of such a structure and the surrounding area in which it would be located it is not considered to be harmful to the character or appearance of the area.

- 9.6 It has been noted that the comments received from the public consultation states that the site contains several species of wildlife and had the application been supported the applicant would have been requested to commission a walk over ecological survey to be carried out prior to final determination being made.
- 9.7 The design and appearance of the development is considered to be consistent with the relevant policies and government guidance.
- 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”.
- 10.2 Core Policy 8 states “Development shall not give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise”.
- 10.3 The proposed layout of the site would see the storage area moved to the opposite sides of the site from the residential properties in an attempt to reduce any disturbance to the properties with the use of acoustic fences to further protect the residential properties from noise and disturbance although a noise report would be required to demonstrate that the acoustic fence would be sufficient to reduce noise nuisance. However some of the residential properties will only be 4m from the site boundary and 7m from the storage areas and have their amenity areas adjacent to the boundary fence of the application site. It is therefore considered that they will suffer from noise and disturbance from the proposed use due to the minimal distances between the proposed use and the neighbouring houses or their amenity areas. While steps and efforts have been recommended to overcome this issues of noise and disturbance it is considered that these would not overcome the issues of noise and fumes from passing traffic that would impact on neighbouring amenity. Furthermore with no details given as to what will be stored at the site there is a danger that the height of the items stored would be visible from the nearby residential properties and would have a further detrimental impact upon the residential amenity of these properties.
- 10.4 It should also be noted that planning permission was approved on the land adjacent to the east of the application site for the erection of a three storey building containing 6no. X one bedroom flats and 2no.X four storey buildings each containing 3no. X three bedroom houses in August 2008 with an extension for the time for implementing the scheme approved in September 2011 and now needs to be implemented by September 2014. This scheme would see additional residential properties in very close proximity to the proposed use with 2 storage areas on the immediate boundary with the consented residential properties and further exacerbates the issues set out above.
- 10.5 The proposals would not result in any additional overlooking or loss of privacy.
- 10.6 The proposal is considered to be in accordance with Core Policy 8 and policy EMP2 of the adopted Local Plan.
- 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.

There will be no overall increase in the number of parking spaces permitted within commercial redevelopment schemes unless this is required for local road safety or operational reasons.”

11.2 Policy EMP2 (Criteria for Business Developments) of the Local Plan states that: “Proposals for business developments will only be permitted if they comply with all of the following criteria:

- c) the proposed development can be accommodated upon the existing highway network without causing additional congestion or creating a road safety problem;
- d) appropriate servicing and lorry parking is provided within the site;
- e) appropriate contributions are made to the implementation of any off-site highway works that are required and towards other transport improvements such as pedestrian and cycle facilities, that are needed in order to maintain accessibility to the development without increasing traffic congestion in the vicinity or in the transport corridors serving the site”.

11.3 The application fails to mention how many parking spaces will be provided for the proposed use but with the lay out as proposed with turning and open areas between each area of storage it is considered that appropriate parking can be supported on the site.

11.4 The proposed alterations to the site entrance are considered to be acceptable subject to final drawings being provided and appropriate visibility splays also being provided, which should be achievable.

11.5 The application fails to provide full details as to how vehicles would turn onsite and with the site being quite narrow in places (between 10m to 12m in some places) details would need to be provided to show that the vehicles using the site would be able to turn on the site. This in turn could result in vehicles reversing onto or off of the site which in turn would result in danger and to other highway users which is not acceptable and forms a reason for refusal.

12.0 Summary

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

PART C: RECOMMENDATION

13.0 Recommendation

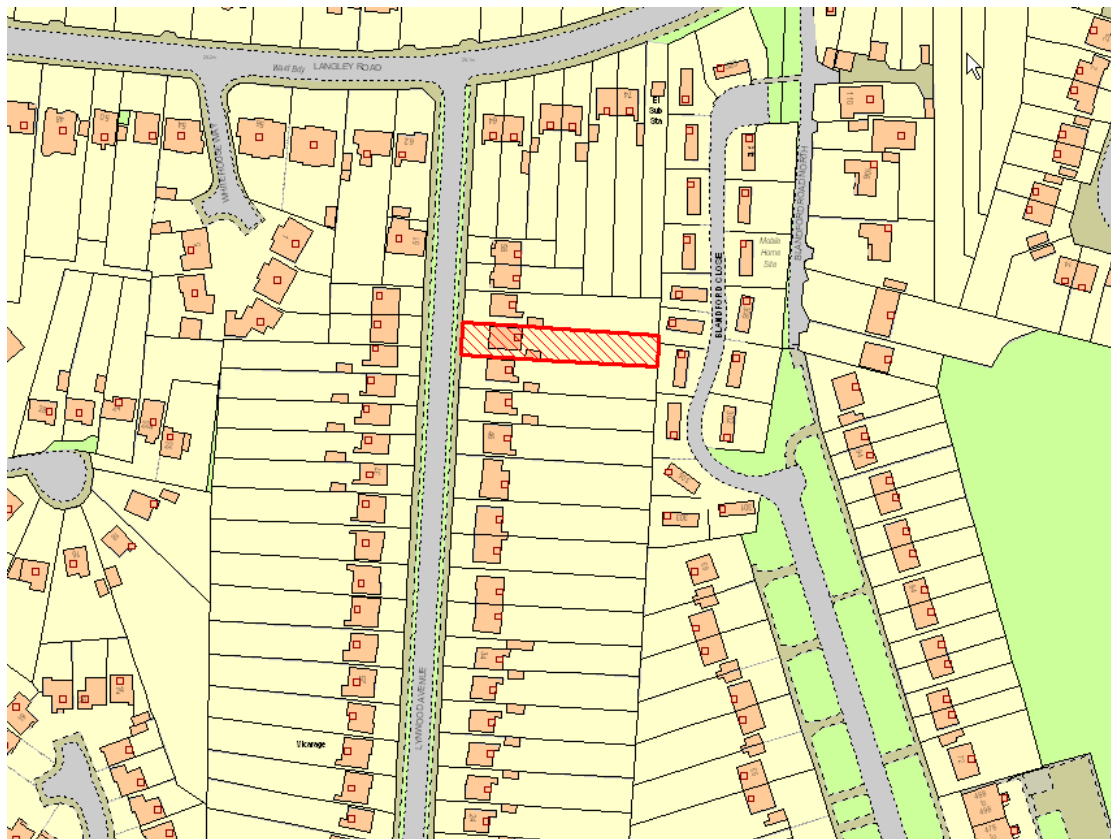
Refuse, for the reasons set out below.

14.0 PART D: REASONS

- 14.1
1. The proposal would prejudice the use or operation of the West Drayton to Staines railway line for future passenger or freight services and would therefore be contrary to policy T11 of The Local Plan for Slough, March 2004.
 2. The proposed use would have a detrimental impact upon the amenities of the neighbouring residential properties and gardens in terms of noise and disturbance, vehicle fumes and outlook and would be contrary to Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008 and policy EN1 of The Local Plan for Slough, March 2004.
 3. The applicant has not demonstrated adequate provision for a satisfactory turning space within the site. The resultant reversing of vehicles onto or off of the highway would lead to conditions of danger and inconvenience to other highway users. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.
 4. A holding objection is raised on the grounds that the applicant has failed to indicate what would be stored on the site and any issues of contamination from them or how the differing levels on the site will be dealt with contrary to Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008 and policy EN24 of The Local Plan for Slough, March 2004.

Registration Date:	27-Mar-2014	Applic. No:	P/12247/001
Officer:	Neetal Rajput	Ward:	Kedermister
Applicant:	Mr. Sanjay Dhuna	Applic type:	
Agent:		13 week date:	
Location:	52, Lynwood Avenue, Slough, SL3 7BH		
Proposal:	SINGLE STOREY REAR EXTENSION TO UTILITY ROOM INCLUDING NEW WINDOW TO FRONT ELEVATION OF UTILITY ROOM		

Recommendation: Delegate to Development Management Lead Officer



1.0 SUMMARY OF RECOMMENDATION

- 1.1 This application is a householder application which would normally be determined by Officers under the approved scheme of delegation. It is however being referred to the Planning Committee for a decision, as the applicant is Mr Sanjay Dhuna, Head of Planning and Building Control.
- 1.2 Having considered the relevant policies set out below and all other relevant material considerations, it is recommended that the application be delegated for approval, subject to not receiving any substantive objections.

PART A: BACKGROUND

2.0 Proposal

- 2.1 This is a full planning application for the construction of a single storey rear extension to the utility room including new window to the front elevation of utility room.
- 2.2 The existing shed will be demolished, which currently measures 3.4m in depth, 2m in width and 2.75m in height with a pitched roof. The proposed single storey rear extension measures 1.85m in depth, 2.8m in width and 3.4m in height with a pitched roof. The proposal also involves replacement of the garage door with a window.

3.0 Application Site

- 3.1 The application site is a two storey, 3 bedroom detached dwelling, located on Lynwood Avenue. The area is a suburban residential area comprising predominantly large detached dwellings set in large rear gardens. The site has an existing utility room set back by 11.1 m from the front building line of the main dwelling house. The rear garden measures approximately 40m in length and is bordered by timber fencing. The front of the dwelling is laid to block paving for the provision of three car parking spaces.

4.0 Site History

- 4.1 P/12247/000 ERECTION OF FIRST FLOOR PITCHED ROOF REAR EXTENSION AND SINGLE STOREY FLAT ROOFED REAR EXTENSION.

Approved with Conditions 25-Mar-2003

5.0 Neighbour Notification

- 5.1 309, Blandford Close, Slough, SL3 7UE, 311, Blandford Close, Slough, SL3 7UE, 50, Lynwood Avenue, Slough, SL3 7BH, 54, Lynwood Avenue, Slough, SL3 7BH.
- 5.2 No objections received.

PART B: PLANNING APPRAISAL

6.0 Policy Background

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

6.2 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 8 - Sustainability and the Environment

The Local Plan for Slough. Adopted March 2004
Policy EN1 - Standard of Design
Policy EN2 – Extensions

Other Relevant Documents/Statements
Residential Extensions Guidelines, Supplementary Planning Document,
Adopted January 2010

6.2 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:

- Design and appearance
- Impact on neighbour amenity
- Amenity space

7.0 Design and Appearance

7.1 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.

7.2 The design of the single storey rear extension complies with the requirements of DP2 in that it is considered visually subordinate to the original house. The proposed rear extension is considered to reflect the architectural form of the existing utility room, therefore complying with DP1 of the Residential Extensions Guidelines. The pitched roof is proposed at 3.5m in height which is in line with the Residential Extensions Guidelines as it does not exceed 4m. Given the siting of the proposed extension, it will not be seen from the street scene and thus no visual impact at the front of the property.

7.3 The replacement of the garage door with a window is considered to be acceptable, the design of the window is similar to that of the main dwelling house and as such the proposal is considered to be in character.

8.0 Impact on neighbour amenity

- 8.1 As the proposal seeks to replace the existing shed in the rear garden, it is considered that the impact on neighbouring properties is minimal, especially as the height remains the same as the existing utility room.
- 8.2 The neighbouring property, No. 54 Lynwood Avenue benefits from a garage which abuts the boundary and their main dwelling (No. 54) is sited off the shared boundary, this distance provides some form of relief in terms of sense of enclosure and outlook.
- 8.3 In terms of the impact on No. 50 Lynwood Avenue, as there is a reduction in depth of the proposed extension in comparison with the proposed extension and the height does not exceed the height of existing utility room, it is considered that the proposed development would not cause any significant overshadowing or have an overbearing impact. There is also an extant planning permission for a single storey rear extension to no. 50, which measures 6m in depth on the boundary with the application site.
- 8.4 There are no windows proposed in the flank elevation and as such there are no issues with regard to outlook in the form of loss of privacy to the neighbouring occupiers. This has been further secured by condition.

9.0 Amenity space

- 9.1 EX48 of the Residential Extensions Guidelines, Adopted January 2010 states that for a 3 bedroom dwellinghouse 9m depth of rear amenity space is required. The rear garden at the site measures 40m in length and is considered acceptable. It is therefore considered that the proposal complies with the requirements of EX48.

10.0 Process

- 10.1 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 is considered to accord with the requirements of the National Planning Policy Framework.

11.0 Summary

- 11.1 The design and footprint of the proposal is considered acceptable and will not be to the detriment of the amenities of adjoining neighbours. The amenity space is considered to be appropriate for the type and size of dwelling and the household likely to occupy it. It is therefore considered that the development complies with the National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework, Core Strategy and Policies EN1 and EN2 of the Local Plan for Slough, 2004.

PART C: RECOMMENDATION

- 12.0 Delegated for approval, subject to not receiving any substantive objections.

PART D: LIST OF CONDITIONS

13.0 CONDITIONS:

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

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

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

- (a) Site Location Plan, Recd On 27103/2014
- (b) Drawing No. SD/01 Sheet 1 of 3, Dated March 2014, Recd On 27103/2014
- (c) Drawing No. SD/01 Sheet 2 of 3, Dated March 2014, Recd On 27103/2014
- (d) Drawing No. SD/01 Sheet 3 of 3, Dated March 2014, Recd On 27103/2014

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

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

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

4. No window(s), other than those hereby approved, shall be formed in the flank elevation of the development without the prior written approval of the Local Planning Authority.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Policy H 15 of The Adopted Local Plan for Slough 2004.

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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	09/04/14	07/05/14
Carter	P	P	P	P	P	P	P	
Dar	P	P	P	P	P	P	P	
Hussain	P	P	P	P	P	P	P	
Mittal	P	P	P	Ap	P	-	-	-
O'Connor	-	-	-	-	-	Ap	P	
Plenty	P	P	P	P	P	P*	P	
Rasib	P	P	P	P*	P	P	P	
Sandhu	Ap	P**	Ab	Ab	Ab	Ab	Ab	
Smith	P	P	P	P	P	Ap	Ap	
Swindlehurst	P	P	P	P*	P	P*	P	

P = Present for whole meeting
 Ap = Apologies given
 P** = Present but unable to participate as had not attended required training
 P* = Present for part of meeting
 Ab = Absent, no apologies given

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