

Date of issue: 11<sup>th</sup> June, 2014

<b>MEETING</b>	<b>PLANNING COMMITTEE</b> (Councillors Dar (Chair), Ajaib, Bains, M Holledge, Plenty, Rasib, Sidhu, Smith and Swindlehurst)
<b>DATE AND TIME:</b>	THURSDAY, 19TH JUNE, 2014 AT 6.30PM
<b>VENUE:</b>	FLEXI HALL, THE CENTRE, FARNHAM ROAD, SLOUGH, SL1 4UT
<b>DEMOCRATIC SERVICES OFFICER:</b> (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		
	<b>CONSTITUTIONAL MATTERS</b>		
2.	Declarations of Interest		

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*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.*

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| 3. | Guidance on Predetermination/Predisposition - To Note | 1 - 2 |  |
| 4. | Minutes of the Last Meeting held on 7th May, 2014     | 3 - 6 |  |
| 5. | Human Rights Act Statement - To Note                  | 7 - 8 |  |

**PLANNING APPLICATIONS**

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| 6. | P/11388/005 - Manor Farm, Poyle Road, Poyle, Slough, Berks, SL3 0BL | 9 - 18 | Colnbrook and Poyle |
|----|---|--------|---------------------|

***Officer Recommendation: Approve, with conditions***

- |    |  |         |                     |
|----|--|---------|---------------------|
| 7. | P/09961/003 - Brook House & Future House, Poyle Road, Colnbrook, Slough, SL3 0AA | 19 - 28 | Colnbrook and Poyle |
|----|--|---------|---------------------|

***Officer Recommendation: Delegate to Development Management Lead Officer***

**MISCELLANEOUS REPORTS**

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| 8. | Proposed Adoption Of The Slough Trading Estate Simplified Planning Zone (SPZ) | 29 - 80 | Baylis & Stoke;<br>Farnham;<br>Haymill and Lynch Hill |
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**MATTERS FOR INFORMATION**

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11. Date of Next Meeting  
Thursday 24<sup>th</sup> July, 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. Please contact the Democratic Services Officer shown above for further details.

The Council allows the filming, recording and photographing at its meetings that are open to the public. Anyone proposing to film, record or take photographs of a meeting is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

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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, 7th May, 2014.**

**Present:-** Councillors Carter (Chair), Hussain, Plenty, Rasib, Smith and Swindlehurst (until 7.55 pm)

**Also present under Rule 30:-** Councillor Chaudhry

**Apologies for Absence:-** Councillors Dar and O'Connor

**PART I**

**1. Apologies for Absence**

Apologies were received from Councillors Dar and O'Connor.

**2. Declarations of Interest**

Councillor Rasib declared an interest in respect of agenda item 7, P/06348/008, P/06348/008 - Lion House: Depot & No. 10, Petersfield Avenue, Slough, SL2 5D, in that he was a member of the Planning Committee which had originally approved the application. Councillor Rasib confirmed however that he had no further involvement since that application was determined, had an open mind, and would debate and vote on the item.

Councillor Hussain declared that she was the ward councillor for agenda item 7, P/06348/008, Lion House: Depot & No. 10, Petersfield Avenue, Slough, SL2 5D though had an open mind and would debate and vote on the item.

Councillor Smith declared an interest in respect of agenda item 9, P/14306/001, Disused Railway Line, Old Bath Road, Colnbrook, Slough, in that he was an elected member of Colnbrook Parish Council which had objected to the application. However, Councillor Smith advised that he was not present when the Parish Council had decided to raise an objection. He stated that he had an open mind and would debate and vote on the item.

**3. Guidance on Predetermination/Predisposition - To Note**

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

**4. Minutes of the Last Meeting held on 9th April 2014**

The minutes of the meeting of the Planning Committee held on 9<sup>th</sup> April, 2014, were approved as a correct record.

**5. Human Rights Act Statement - To Note**

The Human Rights Act statement was noted.

## Planning Committee - 07.05.14

### 6. Planning Applications

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

Councillor Chaudhry addressed the Committee in his capacity as Ward Member in respect of application P/006348/008 – Lion House: Depot & No. 10 Petersfield Avenue, Slough, SL2 5DN.

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

### 7. P/00440/008 - Slough Estates Plc, 234 Bath Road, Slough, SL1 4EE

Application	Decision
Part refurbishment and construction of three storey class B1(A) offices, means of access, re-configuration of surface and car park, cycle parking facilities, drainage, landscaping and ancillary works.	Delegated to the Strategic Lead Planning Policy

### 8. P/06348/008 - Lion House: Depot & No. 10 Petersfield Avenue, Slough, SL2 5DN

Application	Decision
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 93/5 storey) containing 90 apartments and a health centre, conversion of 10 Petersfield Avenue from flats to a house (3 bedroom) with parking and landscaping.	Defer the decision until the 24 <sup>th</sup> July, Planning Committee, for submission of a reviewed Heads of Terms that address Members concerns regarding the viability of S106 reductions and car parking management.

### 9. P/15673/002 - 3 The Grove & 258-268 High Street, Slough, SL1 1JU

Application	Decision
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 level following a successful prior notification for a	Delegated to the Development Management Lead Officer for consideration of any substantive objections, resolution of outstanding issues relating to daylight and sunlight, cycle parking and bin storage, possible S106 Agreement,



## Planning Committee - 07.05.14

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.	finalising condition. Officer to determine ownership of road and include maintenance and upkeep of road section congruent with site should applicant be owner of the road.
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Councillor Swindlehurst did not take part in the debate or vote on the above item as he was not present when the Planning Officer introduced the report.

### 10. P/14306/001 - Disused Railway Line, Old Bath Road, Colnbrook, Slough

Application	Decision
Change of use of land to open storage with associated provision of hardstanding	Refused

Councillor Swindlehurst did not take part in the debate or vote on the above item as he was not present when the Planning Officer introduced the report.

### 11. P/12247/001 - 52 Lynwood Avenue, Slough, SL3 7BH

Application	Decision
Single storey rear extension to utility room including new window to front elevation of utility room	Delegated to Development Management Lead Officer

Councillor Swindlehurst did not take part in the debate or vote on the above item as he was not present when the Planning Officer introduced the report.

### 12. Members Attendance Record

The Members attendance record was noted.

### 13. Date of Next Meeting

The date of the next meeting was confirmed as Thursday 19<sup>th</sup> June, at 6.30pm.

(Note: The Meeting opened at 6.30 pm and closed at 8.35 am)

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The Human Rights Act 1998 was brought into force in this country on 2<sup>nd</sup> 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

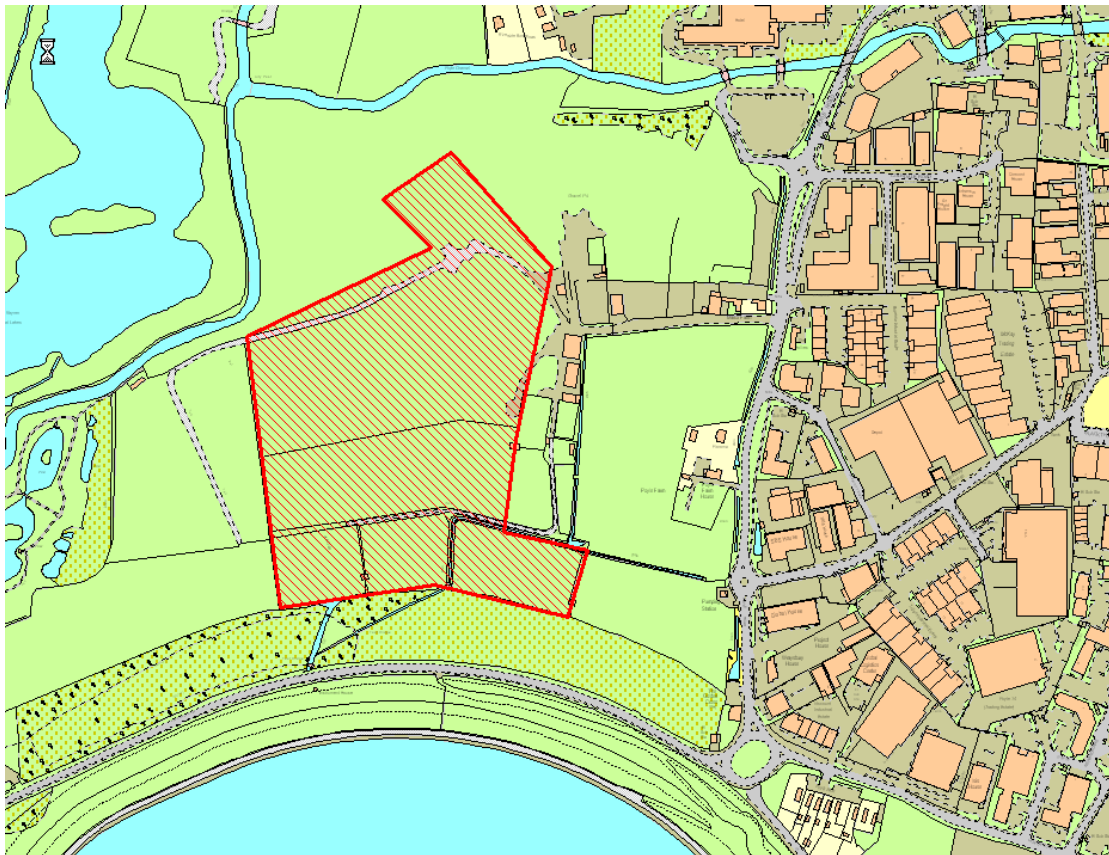
	<b>USE CLASSES – Principal uses</b>
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c )	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest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

	<b>OFFICER ABBREVIATIONS</b>
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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<b>Registration Date:</b>	30-Sep-2013	<b>Applic. No:</b>	P/11388/005
<b>Officer:</b>	Roger Kirkham	<b>Ward:</b>	Colnbrook-and-Poyle
<b>Applicant:</b>	Mr. Cecil Wiggins	<b>Applic type:</b>	Major
<b>Agent:</b>	Brett Incorporated Ltd Hamble House, Meadow, Godalming, Surrey, GU7 3HJ	<b>13 week date:</b>	30 <sup>th</sup> December 2013
<b>Location:</b>	Manor Farm, Poyle Road, Poyle, Slough, Berks, SL3 0BL		
<b>Proposal:</b>	REGRAIDING OF FIELDS TO RESTORE 1992 POST RESTORATION CONTOURS.		

**Recommendation:** Approve, with conditions



## **1.0 SUMMARY OF RECOMMENDATION**

- 1.1 This current application proposes regrading of the former landfill site, now in agricultural use, as an alternative to removing the deposited soil waste already on part of the site. The removal of the soil waste is now required by an Enforcement Notice. It would be returned back to pasture land. A previous planning permission had lapsed for a nine hole golf course (involving regrading) at a time when efforts were being undertaken to address the potential contamination in the soil waste deposits.
- 1.2 On the basis that the submitted soil sampling will be undertaken to deal with the contamination matter and the proposed topography only takes the volume of soil necessary to achieve this, with the remaining surplus taken away from the application site, it is recommended that permission is granted, subject to conditions.

## **PART A: BACKGROUND**

### **2.0 Proposal**

- 2.1 It is proposed to spread the large quantity of soil waste currently stored on part of this site across the larger site. The larger area would remain as pasture after regrading. The case is being made that the new soil levels reinstate previous soil levels after subsidence from those levels previously set by the landfill restoration. This application site is separate from the adjoining Poyle Recycling Centre.
- 2.2 If approved and fully implemented, this scheme can therefore overcome the Enforcement Notice served on this site. Now the planning status of the Concrete Recycling site on the neighbouring site has been settled, the applicant is addressing the current Enforcement Notice for this site. It is set in the context of previous planning permissions on this site for a nine hole golf course for which this waste spoil was originally intended. Belatedly, the soil contamination issues have been addressed and a submitted strategy covering soil sampling has been forthcoming.
- 2.3 It was necessary to align the site's boundaries for land to coincide with Slough BC boundaries. There is no outstanding planning application for land within RBWM.
- 2.4 The applicant has justified the scheme as follows:
- 1) the premise that the soil remains largely uncontaminated and where necessary, can either be treated, removed from site or alternatively safely buried.
  - 2) this proposed regrading can take place because of previous subsidence from those levels once restoration complete
  - 3) redresses the previous poor quality of restoration arising from shortfall in good soil material at the time of the restoration.
  - 4) its agricultural after use represents less of a health risk than a golf course use.
  - 5) no adverse impact upon the landfill.
  - 6) any surplus waste can be exported from the site to appropriate destinations,

- depending on soil quality or contamination.
- 7) their method statement sets out a properly managed programme to deliver the approved scheme
  - 8) the remaining part of the site up to Poyle Channel is pasture land previously restored after mineral extraction and part of the site in the Royal Borough of Windsor and Maidenhead has already been regraded (with planning permission) apparently using approximately 30k cubic metres from this soil waste.

### **3.0 Application Site**

- 3.1 This site is located next to an existing concrete recycling centre in the same ownership. The application site and the concrete recycling centre are on former restored landfill.
- 3.2 The neighbouring concrete recycling plant was previously subject to an Enforcement Notice. Planning permission was subsequently allowed on appeal for the concrete recycling centre and remains active with an Environment Agency permit in place.
- 3.3 The concrete recycling centre uses an existing access onto Poyle Road. An approved new access has not yet been constructed to comply with an imposed planning condition associated with the recycling centre. The application site shares the existing access.
- 3.4 Part of the application site has substantial amounts of soil material deposited on it. This soil waste appears to have fallen within exemption categories for non-hazardous waste for use in leisure and environmental improvement at the time of it being deposited. Very limited screening has sorted some material by size and type.
- 3.5 This site has been affected by changes in administrative boundaries. These sites were transferred to Berkshire (from Surrey CC), which meant the former Berkshire County Council was then the minerals and waste authority and upon its abolition, came under Slough BC jurisdiction.
- 3.6 Past renewals of planning permission were granted to provide a nine hole golf course following an initial Spelthorne BC planning consent but subsequently lapsed. It had been intended to use this deposited waste. It became necessary at that time to supply details of soil contamination. There is no separate planning permission granted for depositing waste and Enforcement Notice was served. Elsewhere on the Manor Farm site, a variety of unauthorised uses have been taking place, some removed as a result of Enforcement action and others by granting of Certificate of Lawful Development.
- 3.7 Subsequent action is reported in para 4.7 of the Site History section.
- 3.8 It was necessary to establish whether or not an Environmental Statement was required. Handling waste on a site close to controlled waters (Poyle Channel) qualifies it as category 2 in the Environmental Impact Assessment Regulations. This approach follows this Council's previous approach about remedial action over soil contamination. It has taken some time to obtain evidence. This council has verified

the soil sampling approach and produced a Screening Opinion deciding that no Environment Statement is necessary.

- 3.9 To the west of the site, there are open flat fields albeit with larger scale mineral workings elsewhere. To the east, the existing large business areas have a variety of large warehouse and office buildings.

#### **4.0 Site History**

- 4.1 The site was subject to gravel extraction beginning before 1947 and subsequent landfilling from the late 1950s to the middle of 1980s. During that time, enforcement action was taken to obtain final restoration to agricultural use in the late 1980s with the exception of the northeast corner which continues as a site for concrete crunching. The applicant has had an interest in this land since 1979.
- 4.2 Planning permissions have previously been granted for restoration of the landfill under ref SP/78/205 with extension of time granted on appeal (SP/80/333) for the restoration of the landfilled site by Surrey County Council.
- 4.3 Planning permission for a nine hole golf course was also granted by Spelthorne District Council in 1994(SP/93/0434)(Slough Ref C/00156/000) expiring on 1998. When planning permission was granted for a nine hole golf course by Slough BC in 2001(P/11388/000) , planning condition no. 3 imposed a requirement to remove all the stockpiled materials in Area B and the regrading of the land below 21 AOD to conform with the requirements of the Enforcement Notice already in place.
- 4.4 It is apparent that the previous planning assessment for SP/93/0434 largely covers the laying out the site as a golf course taking full account of its previous landfill and general condition of the site. The P/11388/000 application supplied supporting information with particular concern about the soil volumes and picked up on the landfill gas treatment and flood risk.
- 4.5 At the time of pursuing the golf course scheme, details about soil contamination revealed some soil samples containing asbestos in building waste. Planning permission required the entire removal of waste from this site. It was previously anticipated by the applicants the golf course construction would allow some contaminated material remaining but not close to the surface to avoid a health risk. Further evidence was then sought but the golf-course permission subsequently lapsed.
- 4.6 Slough BC served an Enforcement Notice requiring the complete removal of the deposited waste, where necessary to designated sites for contaminated waste.
- 4.7 The High Court has previously upheld the Enforcement Notice. Site inspections have continued to monitor this site. In late 2011, the then Interim Head of Planning accepted a further time extension to complete the removal of waste from the site. It should be noted that planning permission for depositing waste on adjoining land was granted by RBWM. It is likely that 30k cubic metres of soil waste were used on part of the site in Windsor. The Environment Agency had previously estimated some 120k cubic metres have been stored on site.



## 5.0 Neighbour Notification

- 5.1 1, 2, 3 Riverside Bungalows, Poyle Corner, Poyle Lodge; Dakota House, Wraysbury House, Global House, Golden Cross Public House, Poyle Road:

One letter has been received from the occupier of Florama indicating that the existing soil levels have subsided. The applicant has undertaken some new planting along the boundary and uses the grassland for grazing horses.

## 6.0 Consultation

- 6.1 Traffic and Road Safety/Highways Development:

No highways or transport objections relating to no vehicle movements arising if waste not imported or exported from site

- 6.2 On drainage matters, provided the land is returned to pre-existing levels, then it does not have a flood risk perspective.

- 6.3 Environmental Quality Officer:

A Preliminary Risk assessment has been submitted. After the Contaminated Land officer 's amendments have been incorporated into the report by the applicant, this document has been accepted along with the soil sampling strategy as the basis for handling the movement of soil.

- 6.4 Environment Agency:

The site is in Zone 1 of current flood maps and therefore no flood risk objection is raised.

### *Soil contamination:*

Raises no objection, subject to imposition of planning conditions about the following:

- soil contamination, including submission of verification report after completion of remedial works and long-term monitoring about soil contamination.
- add informative stating requiring for Environment Permit and monitoring of works close to controlled waters in liaison with Environment Agency.

A joint site visit and meeting with Slough BC and Environment Agency has taken place.

- 6.5 Royal Borough of Windsor and Maidenhead:

No response

- 6.6 Thames Water:

No response

6.7 Aircraft Safety:  
No safeguarding objection

6.8 Press and Site Notice:  
No objection received

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

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

National Planning Policy Framework and the Planning Practice Guidance

Waste Local Plan for Berkshire Adopted 1995

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

Core Policy 1 – Spatial Strategy  
Core Policy 7 – Transport  
Core Policy 8 – Sustainability and the Environment  
Core Policy 9 – Natural and Built Environment

The Local Plan for Slough, Adopted March 2004

EN1 – Standard of Design  
Policy EN3 – Landscaping Requirements  
Policy OSC8 – Green Spaces

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

- 1) Principle of development;
- 2) Potential impact on neighbouring properties and landscape setting;
- 3) Transport and highway safety.

### **8.0 Principle of Development**

8.1 The applicant has principally justified this scheme on the basis of improving the ground conditions for continued agricultural use, and the use of deposited waste to achieve this.

8.2 No definitive evidence has been submitted about the quality of the past restoration apart from references to the minor undulations across the site. However the previous

completion of the landfill scheme may not have been to the restoration quality that might have been expected of today's schemes.

- 8.3 Slough Council has previously accepted land profiling for the golf course when it granted a renewal of the golf course scheme. This proposed regrading scheme has a reduced profile to the one previously-approved for the golf course.
- 8.4 The landfill restoration scheme would normally produce a temporary engineered dome from deposited waste. It is understood that the final level will lower (through subsidence) to meet requirements for future agricultural and landscape requirements. There is a statement by the planning consultant that the soil waste is 'fit for purpose'. Minor topping up soil is recognised as good practice for drainage and profiling reasons. For earlier restoration schemes, which may not have delivered the same engineering standard, it means a case for remediation can be made. There is no longer a case for landraising because demand for inert waste, either by recycling or infill of other exhausted mineral sites can be met elsewhere.
- 8.5 The 1995 Waste Local Plan is largely out of date but the Saved local plan policies for development management purposes remain in force. There are no plans to prepare a new local plan. One of the Saved Local Plan policies discourages landraising. Where the Composite Local Plan policies for Slough maintain the green belt and strategic gap for this site, then the openness of this site should be treated as a material planning consideration. It is suggested this scheme will also bring about the removal of large soil waste heaps and incorporate it into the larger agricultural field albeit by raising the level of the remaining agricultural land.
- 8.6 For this site, a subsidence of 0.5m could have taken place across the whole site, greater where current undulations occur. The proposed topography generally rises by 0.5m with some soil depth being deeper. The proposed slopes will be at low gradients i.e. generally less than approved for the golf course in places. For the proposed 0.5m depth, then the requirement would be for 0.2m of sub-soil and 0.3m of topsoil when uncontaminated material is spread. For areas where a deeper soil depth is proposed, 0.3m topsoil will be placed on top. These new levels would similarly subside over time.
- 8.7 For the amount of unauthorised soil waste currently on site, then there is a very strong likelihood that the surplus soil waste would still remain in significant quantities after any regrading of soils of the first batch of areas re-profiled in accordance with the approved topography.
- 8.8 This Council should however oppose further landraising above the topography being proposed where it is really a means of disposal of waste. If accepted, then it would have an adverse impact upon the landscape character and possibly have adverse impact upon the integrity of the landfill engineering and the surface water drainage on the site.
- 8.9 When future soil screening takes place, it will probably mean some uncontaminated soils will transfer to the recycling centre site or if contaminated, removed from the site. Some uncertainty remains about the exact amount of soil waste currently on site, with the Council studies indicating larger amounts of stored waste (and now

confirmed by the applicant's submitted evidence). This could mean requiring removal of soil away from the site for the remaining balance being closer to the amount required for the proposed topography. If a surplus remains on site, there is a risk of landraising above the proposed topography.

- 8.10 A revised Method Statement gives seven work phases until completion. It would be important for this Council to ensure compliance with the approved topography by checks taking place after the completion of Areas 1-6 so as to ensure the way any surplus soils are disposed of.
- 8.11 As previously stated, part of site used for storage of three soil waste heaps. Area 6 has one of these waste spoils and be the last to be restored in accordance with the method statement.
- 8.12 If accepted, the implementation of the soil sampling strategy would facilitate the method of handling any contaminants found during the phased soil moving.
- 8.13 The Environment Agency has been aware of the planning history of this site. To date the Environment Agency has previously treated the deposited waste as an exemption. However current regulations require an Environment Permit to undertake new works on these. On the basis that this is uncontaminated inert waste, the Environment Agency is accepting this as a waste recovery operation. It is however requiring planning conditions to cover any soil contamination or groundwater pollution.
- 8.14 On other matters such as flood risk and drainage, the Environment Agency raises no objection.

## **9.0 Potential Impact on Neighbouring Properties and Landscaping**

- 9.1 This site is very close to the Aircraft Safety zone with its overflying planes. The site is set back from Poyle Road. Poyle Road is heavily trafficked by vehicles serving the trading estates and nearby Heathrow Airport. It has few residential properties nearby. The removal of these waste deposits and its return to open fields would remove a longstanding eyesore. Whilst there is still doubt that the amount of soil to be used for regrading is less than that deposited, the applicant is willing to remove any remaining surplus from the site. Once achieved it would comply with its Green Belt and Strategic Gap designations.
- 9.2 It is not anticipated that any undue dust or noise nuisance need occur whilst the soil moving operations are underway. Suitable planning conditions can cover these matters.
- 9.3 No objection is raised to its return to agricultural land. If completed in accordance with the topographical plan, it will be acceptable in landscaping terms.

## **10.0 Transport and Highway Safety**

- 10.1 The scheme does not lead to any increased traffic movement onto Poyle Road. Only if surplus soil remains will any new traffic generation arise. It is close to motorway

junction.

10.2 No transport or highway objection is being raised.

## **11.0 Summary**

11.1 This Council has long sought the removal of this unauthorised amount of soil waste on this site although many of the planning decisions were inherited from others. Regarding the Poyle Recycling Centre on the neighbouring site, the principle for the site's use as waste recovery has been established by the appeal allowed for its continuance.

11.2 The Inspector decided for this site that the recycling of secondary aggregates met waste planning policies as a way of substituting for primary aggregates, thereby minimising demand for new mineral sites. Weight was given to its location close to a mix of noise-generating activities close by, even though the site falls within the Metropolitan Green Belt and Strategic Gap.

11.3 This Council has always sought to ensure that no further extension to the recycling site was acceptable on land adjoining Poyle Recycling Centre and taken Enforcement action against the deposited waste once the planning permission for the golf course lapsed. It has been necessary for this Council to exercise proper care when some soil contamination was previously identified. This Council has accepted one extension of time set by the Enforcement Notice requiring removal of soil waste.

11.4 The current planning application proposes an alternative to the complete removal of soil from the site. It has been necessary for this Council to ensure all aspects of the engineering scheme are met with regard to matters such as soil contamination. On the basis of the evidence received after the submission of the planning application as well as the revised phasing plan and other planning documents, the proposed topography represents the maximum amount of landraising acceptable and no further increase in soil depth should be accepted. If implemented in full, it will lead to the removal of the soil heaps so that the previous level will be reinstated.

11.5 This scheme is capable of bringing this long outstanding enforcement matter to a successful and pragmatic closure. It has taken significant effort to require evidence which demonstrates that this scheme can deliver this in a properly managed way. This scheme is therefore recommended for conditional approval.

## **PART C: RECOMMENDATION**

**12.0 Approve, with conditions.**

## **PART D: LIST OF CONDITIONS - HEADINGS**

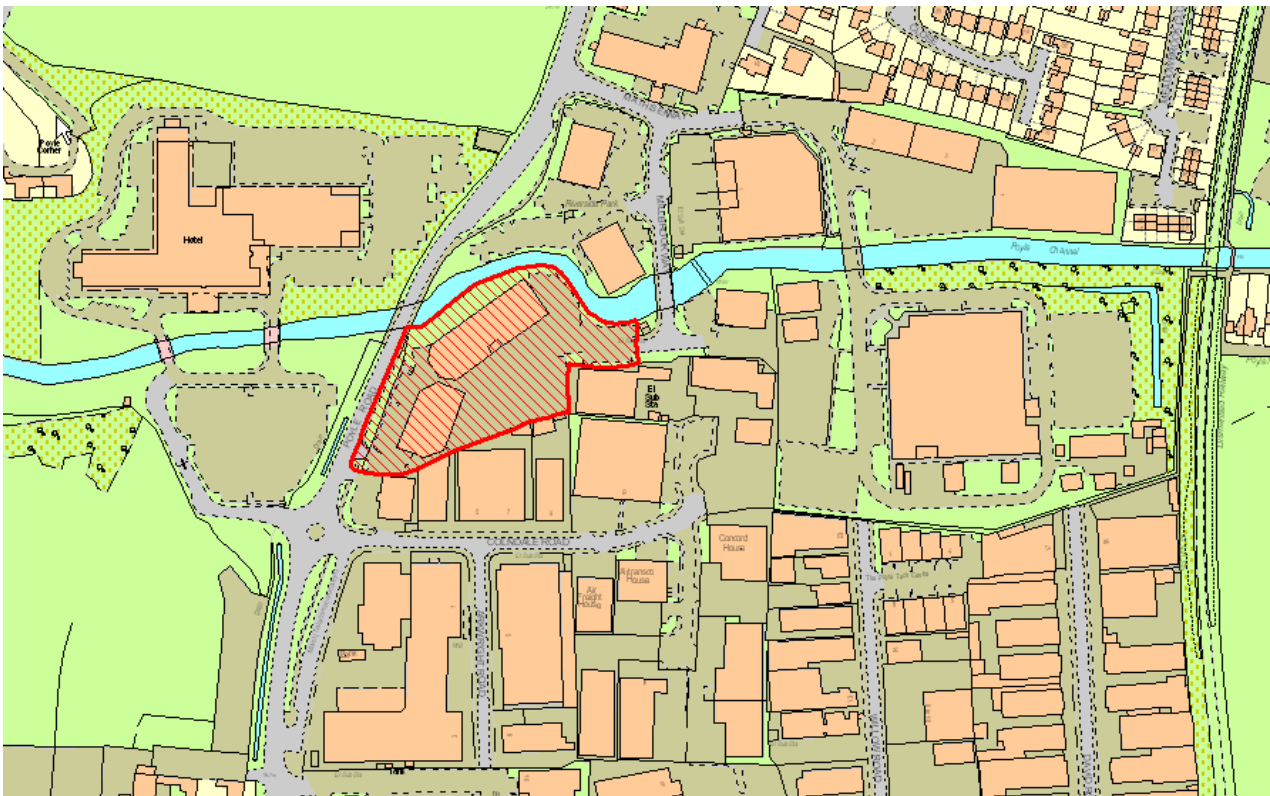
1. Commence within 18 months
2. Completion of Regrading Works no later than 2 years after date of commencement
3. Approved Plans only
4. Compliance with Method Statement
5. Soil contamination
6. Soil stripping Arrangements
7. Trigger for commencement of Area 6 restoration
8. Protection of Watercourses
9. Advance notice of commencement of soil-stripping
10. Silencing of machinery
11. Appoint supervising officer
12. Agricultural Aftercare
13. Dust measures
14. Deadline for submission of aftercare scheme
15. Provision of first aftercare scheme
16. Landfill gas monitoring
17. Hours of Operation
18. No plant or skip storage
19. Removal of large stones
20. No importing of new soil waste.

### **Informative**

21. Aircraft safeguarding-advice on cranes
22. Pollution Monitoring
23. Need for Environment Permit

<b>Registration Date:</b>	07-May-2014	<b>Applic. No:</b>	P/09961/003
<b>Officer:</b>	Ian Hann	<b>Ward:</b>	Colnbrook-and-Poyle
<b>Applicant:</b>	Kuig Property Investments (poyle)		
<b>Agent:</b>	Mr. David Graham, Indigo Planning 11, Worples Lane, Swan Court, London, SW19 4JS		
<b>Location:</b>	Brook House & Future House, Poyle Road, Colnbrook, Slough, SL3 0AA		
<b>Proposal:</b>	APPLICATION FOR RESERVED MATTERS RELATING TO APPEARANCE LANDSCAPING LAYOUT AND SCALE PURSUANT TO CONDITION 01 OF PLANNING PERMISSION REFERENCE P/09961/002 DATED 20/11/2012 FOR ERECTION OF A NEW BUILDING FOR CLASS B1 (B) ( RESEARCH, DEVELOPMENT, HIGH TECHNOLOGY) OR CLASS B1 (C) LIGHT INDUSTRIAL, AND OR A CLASS B2 (GENERAL INDUSTRY) AND OR CLASS B8 (STORAGE AND DISTRIBUTION) WITH IMPROVED ACCESS, NEW PERIMETER FENCE, PARKING AND LANDSCAPING (OUTLINE).		

**Recommendation:** Delegate to Development Management Lead Officer



## **1.0 SUMMARY OF RECOMMENDATION**

- 1.1 Delegate to Development Management Lead Officer for consideration of any substantive objections and responses from statutory consultees, finalising conditions and final determination for approval. In the event that the outstanding issues can not be satisfactorily resolved that the Development Management Lead Officer would retain the right to refuse planning permission.
- 1.2 This application is to be determined by the Planning Committee as it forms a major development.

## **PART A: BACKGROUND**

### **2.0 Proposal**

- 2.1 This is an application for reserved matters following the granting of outline planning permission in November 2012 for the erection of a building for use class B8 (storage and distribution) with the appearance, landscaping, layout and scale being accessed under this application. The access was agreed as part of the reserved matters approval. The previous outline planning application agreed the access element of the scheme. The outline permission also included class B1 (B) (research, development, high technology), B1 (C) (light industrial and B2 (general industrial) uses as well as class B8 (storage and distribution) but it has been decided to develop the site for B8 storage and distribution due to current market conditions, although the other uses would still be lawful under the outline approval.
- 2.2 The plans submitted with the application shows the site set out with a building measuring a width of 65m, depth of 50m and a height of 13.15m (where the previous outline application had a building of the same dimensions save for the height which is now 0.15m lower) and would comprise a ground floor area of 4,204.6m<sup>2</sup> for warehouse use with toilets and welfare facilities. Ancillary offices will also be provided on the first and second floor levels totalling 483.84m<sup>2</sup>. The building is shown to be finished in a metal cladding in various shades of grey / silver together with glazing, some of which will be full height.
- 2.3 The development would be accessed by a remodelled access off of Poyle Road for lorries as agreed under the outline permission, where parking would be provided for 8 lorries and the existing access from Milbrook Way will be utilised for entrance to a car park containing 33 parking spaces (a reduction from the previously indicated 41 spaces). Security fencing will be used to secure the site.
- 2.4 The application is accompanied by plans showing the site location, site layout, elevations, roof plans, floor plans and landscaping. The following is also submitted:
- Planning Statement
  - Landscape Management and Maintenance Plan
  - Bird Hazard Management Plan



2.5 A river maintenance/ ecological corridor is proposed to be reinstated between the development area and the Poyle Channel, with additional planting here and around the site along with hedging that will surround the site.

### **3.0 Application Site**

3.1 The application site is situated on the eastern side of Poyle Road, with access via Poyle Road to the west, Mathisen Way to the north and Millbrook Way to the east and forms part of the Poyle Industrial Estate, which is an Existing Business Area as identified in the adopted Local Plan. The site has an area of approximately 0.7 hectares and is roughly rectangular.

3.2 The site was occupied by 2no. vacant two storey offices before they were demolished. The buildings were located towards the front of the site surrounded by hard standing for access, parking for 183 cars and servicing. Brook House was occupied until 2006 and Future House was occupied until 2009 and have been vacant since then.

3.3 The site is bound by Poyle Road with the Hilton Hotel beyond to the west, and a mixture of industrial and office buildings to the north east, south east and south. To the north of the site lays the Poyle Channel with a river corridor either side of this.

3.4 The site falls within Flood Zone 1 as identified on the Council's Flood Map (Jan 2009). The site is also identified as being within a Public Safety Zone.

### **4.0 Relevant Site History**

4.1 Planning permission was granted for the current development on the site in 1988 when the site was within the authority boundaries of Spelthorne Borough Council before the local authority boundaries were redrawn and the site came under the authority of Slough Borough Council. Since this time two planning permission have been granted to allow the site to be used for B1 business purposes in April 1996 (P/09961/000) and for the provision of car parking spaces in May 1998 (P/09961/001).

4.2 Outline planning permission was granted for the erection of a building for use classes B1b (research and development of products, laboratories, high technology) and / or B1c (light industrial) and / or B2 (general industry) and / or B8 (storage and distribution) following the demolition of the existing buildings on the site with access agreed in November 2012 and the current application is the reserved matters relating to this approval (P/0996/002).

4.3 A planning application is currently being considered under delegated powers to vary condition 9 of the above mentioned outline planning permission so that the gross floor area of the development should be restricted to a maximum of 4,204.6m<sup>2</sup> rather than the 4,011m<sup>2</sup> as shown on the decision notice which is an error (P/0996/004).

### **5.0 Neighbour Notification**

5.1 Rentokil Initial Services Ltd, Bridge House, Mathisen Way, Colnbrook

Stocking Up Ltd, Bridge House, Mathisen Way, Colnbrook  
Bantech Ltd, Windsor House, Millbrook Way, Colnbrook  
C P K (INDUSTRIAL FINISHERS) LTD, C P K House, Colndale Road, Colnbrook  
Excels Ltd, 3, Colndale Road, Colnbrook  
Osteocare Implant System Ltd, 40729 Colndale Road, Colnbrook  
Auty Precision Products Ltd, 40729 Colndale Road, Colnbrook  
A M B Engineering Ltd, 40729 Colndale Road, Colnbrook  
Levant Uk Ltd, 9 Colndale Road, Colnbrook  
Speedwell Ltd, 9, Colndale Road, Colnbrook  
Cargobookers Ltd, Unit 8a Colndale Road, Colnbrook  
Transcend Distribution Specialist Ltd, 8a Colndale Road, Colnbrook  
8b Colndale Road, Colnbrook  
Spanish Courier Ltd 8a Colndale Road, Colnbrook  
Mark 3 International 8a Colndale Road, Colnbrook  
X1 Wholesale Ltd 8a Colndale Road, Colnbrook  
Hilton Hotel, Poyle Road, Colnbrook  
Motor Sports House, Riversdie Park, Poyle Road, Colnbrook

No comments have been received to date. Any comments will be reported on the Committee Amendment Sheet.

#### 5.2 Colnbrook with Poyle Parish Council

No comments have been received to date. Any comments will be reported on the Committee Amendment Sheet.

### **6.0 Consultation**

#### 6.1 Highways and Transport

No comments have been received to date. Any comments will be reported on the Committee Amendment Sheet.

#### 6.2 Environment Agency

No comments have been received to date. Any comments will be reported on the Committee Amendment Sheet.

#### 6.3 BAA Safeguarding

No comments have been received to date. Any comments will be reported on the Committee Amendment Sheet.

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

7.1 The application is considered alongside the following policies:

National Planning Policy Framework.

Planning Policy Guidance

Slough Local Development Framework, Core Strategy 2006 – 2026 Development Plan Document, December 2007:

Core Policy 1 - Overarching Spatial Vision,

Core Policy 5 - Employment,

Core Policy 7 - Transport,

Core Policy 8 - Sustainability and the Environment,

Core Policy 9 - Natural and Built Environment,

Core Policy 10 - Infrastructure.

Adopted Local Plan for Slough 2004 :

EMP2 - Criteria for Business Developments,

EMP9 - Poyle Estate,

EN1 - Standard of Design,

EN3 - Landscaping Requirements,

EN24 - Protection of Watercourses,

CG10 – Heathrow Airport Safeguard Area,

T2 - Parking Restraint,

T8 - Cycling Network and Facilities.

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
- Impact on Waterway/ Ecological Impact

### **Assessment**

#### **8.0 Principle of the redevelopment & land use**

8.1 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;”

- 8.2 Brook House and Future House is situated within the established Business Area of Poyle Industrial Estate with good access to Heathrow Airport, M25 and wider motorway network. The proposal is to construct a building to house a warehouse with an office content which (at first and second floor level) constitutes a small amount of the total gross floor space is therefore ancillary to the main warehousing use.
- 8.3 The proposed use of the building as a warehouse has previously been agreed in principle as approved under the outline application as it makes efficient use of previously developed employment land and sees the removal of an intensive office use from an area identified as a preferred location for storage and warehouse uses as defined in the adopted Core Strategy.
- 8.4 By reference to Circular 01/2010, use of the site for warehousing falls within category of development which can be acceptable within an airport public safety zone. It was previously agreed under the outline application that in order to allow for potential growth in the future a figure of 100 persons maximum was agreed and although the replacement building will have a greater floor area, there will be a reduction of the numbers of people present on the site. Notwithstanding this in line with Circular advice a condition was attached to the previous outline approval limiting the maximum number of employees to 119 persons at any one time and this could not be exceeded under the proposed reserved matters application.

## **9.0 Appearance, Layout and Scale**

- 9.1 The National Planning Policy Framework States that “Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”
- 9.2 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.

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

- 9.4 Policy EMP2 of the Local Plan requires that: “there is no significant loss of amenities for the neighbouring land uses as a result of noise, the level of activity, overlooking, or overbearing appearance of the new building”.
- 9.5 The plans which have been submitted under this reserved matters application are very similar to those that were submitted at the outline stage save for some changes to the fenestration in the East elevation and a small change in height of the roof line.
- 9.6 The footprint of the building is considered to be consistent with the size of other large industrial buildings found elsewhere within the Poyle Industrial Estate and can be accommodated within the site. The height of the building would be higher than the adjacent industrial/ warehouse premises however the site is considered to be a large enough site to support a building of slightly larger bulk and mass and would be in keeping with the Hilton Hotel which is opposite the application site. The site has a good level of landscaping and tree planting and will help to further break up the mass of the building and large areas of hard standing when viewed from surrounding areas.
- 9.7 The architectural style proposed for the development uses clean, simple lines and is modern fitting in with the style and appearance of many of the buildings, especially those warehouse type buildings, on the Poyle Estate. The finish has been shown as differing shades of grey and silver with roller shutter doors and glazing, some of which will be full height to break up the building. This would be considered to be in keeping with the industrial nature of the area and other buildings within the industrial estate have similar appearances.
- 9.8 It is proposed to fence all the boundaries of the site and although details of the fencing have not been provided a condition to the outline permission states that final details of the fencing will be agreed prior to the commencement of works.
- 9.9 The proposed layout of the site would bring the development closer to the southern and eastern boundaries than the previous buildings. The office building to the north east of the site on Millbrook Way will still have a separation distance of approximately 30m so that it will not have detrimental impact on this building. In terms of impacts on the building to the east, while the proposed building will come closer it will not have any impact on it being overbearing or resulting in a loss of light to an industrial unit. Furthermore planning permission was approved in February 2012 to redevelopment the site into an industrial / warehouse use with a blank elevation facing the application site. As such, it is considered that the development would not have a significant impact in terms of shading or overbearing on the building to the east.
- 9.10 The hotel premise to the west of the site is separated by approximately 60m and the proposed development will not have any significant impact on the hotel site.
- 9.11 In terms of environmental effects and lighting, no air conditioning or plant details have been shown on the indicative plans. A condition was attached to the outline

permission to require that no machinery, plant or ducts be allowed without the prior written approval of the LPA. In terms of lighting, no details have again been given at this stage and again a standard lighting condition was attached to the outline permission to be discharged prior to the commencement of the development.

- 9.12 It is therefore considered that the appearance layout and scale of the building is considered to be in keeping with the surrounding area and will not have a detrimental impact on the surrounding area and are considered acceptable.

## **10.0 Landscaping including Impact on Waterway / Ecological Impact**

- 10.1 Core Policy 9 (Natural and Built Environment) of the Slough Local Development Framework, Core Strategy 2006-2026, (Submission Document), sets out that “Development will not be permitted unless it protects and enhances the water environment and its margins, and enhances and preserves natural habitats and the bio-diversity of the Borough, including corridors between bio-diversity rich features.”
- 10.2 Policy EN24 of the Local Plan states “Development will not be permitted which will have a detrimental effect on water quality or the ecological, amenity or historical value of the watercourse. Where appropriate, measures to enhance or restore watercourses will be encouraged.”

The proposed landscaping of the site is considered appropriate in so far as it provides some break and relieve to the potentially harsh appearance of the building and provides landscaping along the boundary with Poyle Road to provide a buffer from publicly viewable points.

- 10.3 The plans for the development show that a corner of the building would be sited within the 8m buffer zone to the top of the watercourse (Poyle Channel) which the Environment Agency had previously requested. The applicants have stated that they have discussed the issue with the Environment Agency who advised that some encroachment was acceptable pursuant to it being demonstrated that the proposal would not cause erosion of the riverbank, increased flood risk, reduce areas for maintenance or cause unnecessary environmental damage. The applicant’s have considered that they have addressed these issues by providing dedicated maintenance access points, providing adequate and site responsive landscaping with a full maintenance plan and re-profiling the channel. The Environment Agency has been consulted on this encroachment and their response will be reported on the Committee Amendment Sheet.

## **11.0 Traffic and Highways Implications**

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

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

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

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 The supporting text to Policy EMP9 (Poyle Estate) notes that “on the Poyle Estate, provision for parking and servicing arrangements is limited, and in many cases does not meet current standards, resulting in congestion on the estate. Redevelopments will be expected to improve vehicular access and overcome road safety problems.” It acknowledges that there is very limited public transport provision, and therefore access to this area is mainly by car for the workforce and visitors, and goes on to say “The Borough Council will continue to encourage the location of B8 distribution/storage and freight activity within these three areas, and B1(b) research and development, B1(c) light industrial activity, and B2 general industrial would also be acceptable. As parking provision will be in accordance with Appendix 2, an increase in current parking provision may be required to overcome localised operational or road safety problems.”
- 11.3 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”.
- 11.4 It is proposed that the development would provide 36 car parking spaces to the rear of the site which will be a reduction from the current 183 parking spaces. The plans also show 8 lorry parking / loading bays. The car parking requirement under the Local Plan Parking Standards indicates a minimum of 1space per 200 m<sup>2</sup> of floor area, making a requirement 21, so that the policy complies with the policy in this regard. Lorry Parking requires a minimum of 1 space per 500m<sup>2</sup> upto 2,000 m<sup>2</sup> and then 1 per 1000 m<sup>2</sup> requiring a minimum of 7 lorry spaces and the provision of 8 spaces is also considered appropriate. To this end, the proposal is consistent with Council’s policy of no overall increase in the number of parking spaces permitted within commercial redevelopment schemes (Core Policy 7). The Council’s adopted Parking Standards would also be met.
- 11.5 Cycle parking would be provided for 20 cycles which would be in accordance with the Local Plan which would require 7 spaces and are appropriately placed within the

site in secure locations.

- 11.6 The Transport Assessment that was been submitted as part of the outline application states that the proposed use would generate significantly fewer vehicle movements from the existing lawful use and will not have any adverse impact on the capacity or the safety of the highway. The outline application also agreed the access arrangements for the site. Nothing in the reserved matters application change these issues.
- 11.7 The proposal is considered to be in accordance with Core Policy 7 and policy EMP2 of the adopted Local Plan and will not have a detrimental impact upon highway safety while providing a sufficient amount of parking.

## **12.0 Summary**

- 12.1 Having considered all of the relevant policies the comments of consultees received to date and all other material considerations, it is recommended that the application be:

Delegated to the Development Management Lead Officer for consideration of any substantive objections and responses from statutory consultees, finalising conditions and final determination for approval. In the event that the outstanding issues can not be satisfactorily resolved that the Development Management Lead Officer would retain the right to refuse planning permission.

## **PART C: RECOMMENDATION**

- 13.0 Delegate to Development Management Lead Officer for consideration of any substantive objections and responses from statutory consultees, finalising conditions and final determination for approval. In the event that the outstanding issues can not be satisfactorily resolved that the Development Management Lead Officer would retain the right to refuse planning permission.

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

### **14.1 Conditions:**

The heads of the following draft planning conditions are proposed in the event that planning permission is granted:

1. Approved drawings
2. Approved reports



**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Planning Committee **DATE:** 19<sup>th</sup> June 2014  
**CONTACT OFFICER:** Paul Stimpson, Planning Policy Lead Officer  
**(For all Enquiries)** (01753) 87 5820  
**WARD(S):** Haymill, Farnham and Baylis

PART I

**FOR DECISION**

**PROPOSED ADOPTION OF THE SLOUGH TRADING ESTATE SIMPLIFIED PLANNING ZONE (SPZ)**

**1. Purpose of Report**

1.1` The purpose of this report is to inform Members of the results of the public consultation on the Deposit Draft Simplified Planning Zone (SPZ) scheme for Slough Trading Estate, propose some minor amendments and recommend that Cabinet adopt the new SPZ scheme.

**2. Recommendation(s)/Proposed Action**

2.1 The Committee is requested to recommend:

- (a) That the consultation responses to the Deposit Draft Simplified Planning Zone (SPZ) be noted.
- (b) That the proposed minor amendments to the SPZ be agreed; and
- (c) That Cabinet adopt the new Slough Trading Estate Simplified Planning Zone Scheme which will come into effect on the 12<sup>th</sup> November 2014 for 10 years.

**3. The Slough Joint Wellbeing Strategy, the JSNA and the Corporate Plan**

**3a. Slough Joint Wellbeing Strategy Priorities –**

The SPZ forms part of the Council's planning framework which is an important element of Slough Joint Wellbeing Strategy and will help to contribute to the following emerging priorities:

- Economy and Skills
- Regeneration and Environment

Economy and skills and regeneration and environment are key priorities for the Council. Slough's Wellbeing Strategy names both of these with the following visions that:

Economy and Skills

“By 2028, Slough will be an accessible location, competitive on the world stage with a sustainable and varied business sector and strong knowledge economy, supported by a local workforce who have the skills to meet local businesses changing needs”

Regeneration and Environment

“By 2028, Slough will be distinctive from our competitors, harnessing the diversity and creativity of our people and our cultural and physical fabric to create an attractive local environment for our residents and businesses”

Regeneration of the Slough Trading Estate through the Simplified Zone Scheme will facilitate access to employment opportunities and improve the image of the town.

**Joint Strategic Needs Assessment**

The SPZ contributes to achieving one of the priorities of the Joint Strategic Needs Assessment:

- Increase skills and employment opportunities.

**Corporate Plan 2013-14**

The SPZ contributes to the priorities in the Corporate Plan by delivering local and national change through supporting economic growth through provision of high quality employment premises and maintaining and increasing employment opportunities in the town; and delivering high quality services to meet local needs though supporting the Aspire Centre and a range of sustainable transport measures.

**4. Other Implications**

(a) Financial

If the SPZ scheme is approved for adoption it will provide economic benefits to the local economy, and hence the Council, from increased business rates, local employment, and funds and delivery of planning obligations to mitigate its impacts.

(b) Risk Management

Recommendation	Risk/Threat/Opportunity	Mitigation(s)
None identified	None identified	None identified

(c) Human Rights Act and Other Legal Implications

There are no Human Rights Act Implications.

(d) Equalities Impact Assessment

An Equalities Impact Assessment (EIA) Initial Screening was carried out. The EIA did not identify any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.

(e) Workforce

Renewal of the SPZ is part of the current work programme for the Planning Policy Team.

## **5. Supporting Information**

5.1 Simplified Planning Zones (SPZs) were introduced in the Town and Country Planning Act 1990. The first SPZ for Slough Trading Estate ran from 1994 to 2004 and the second one is due to expire in November 2014.

5.2 An SPZ effectively grants planning permission in advance for specified types of development within defined areas. On the Trading Estate the permitted uses include industrial units, warehouses and data centres. Potentially inappropriate uses such as B1(a) offices, major retail or development at the power station are not permitted. Any development proposals which fall outside of the scope of the SPZ, either in terms of their scale, use or the permitted conditions have to apply for planning permission in the normal way.

5.3 Members will recall that the Planning Committee in November 2013 agreed the deposit draft Slough Simplified Planning Zone Scheme for public consultation.

### **5.4 Public Consultation Exercise**

5.5 The public consultation on the Deposit Draft SPZ scheme was open for seven weeks from 10<sup>th</sup> January- 28<sup>th</sup> February 2014. The consultation material highlighted the changes being proposed to the SPZ such as allowing a series of building height zones, with taller buildings (up to 23m) permitted in defined central areas. It also emphasised that the SPZ is effectively a ten year 'permitted development' permission which means residents will not be consulted on individual proposals.

5.6 A range of publicity for the consultation sought professional, statutory, and residents' views. A Public Notice was published in the London Gazette and Slough Observer; letters were sent to all statutory consultees and adjoining Boroughs; a leaflet was hand dropped to all residents that adjoin the SPZ are and SEGRO notified all of its tenants. The Council and SEGRO also made individual Press Releases and attended three Public Exhibitions on the SPZ proposals at the Aspire Centre in Slough Trading Estate (22<sup>nd</sup>, 23<sup>rd</sup> January and 3<sup>rd</sup> February 2014). Details of the consultation were also publicised on the Slough Borough Council and SEGRO websites.

### **5.7 Result of Public Consultation**

5.8 A total of 12 representations were received: 7 from statutory consultees, one from the Power Station, and 4 from local residents.

5.9 None of the representations were considered to be 'substantive objections' which means that legally there is no need to hold a local inquiry.

5.10 A table of the comments received and a considered response to them is provided in Appendix B. A summary is provided below.

### **5.11 Summary of responses**

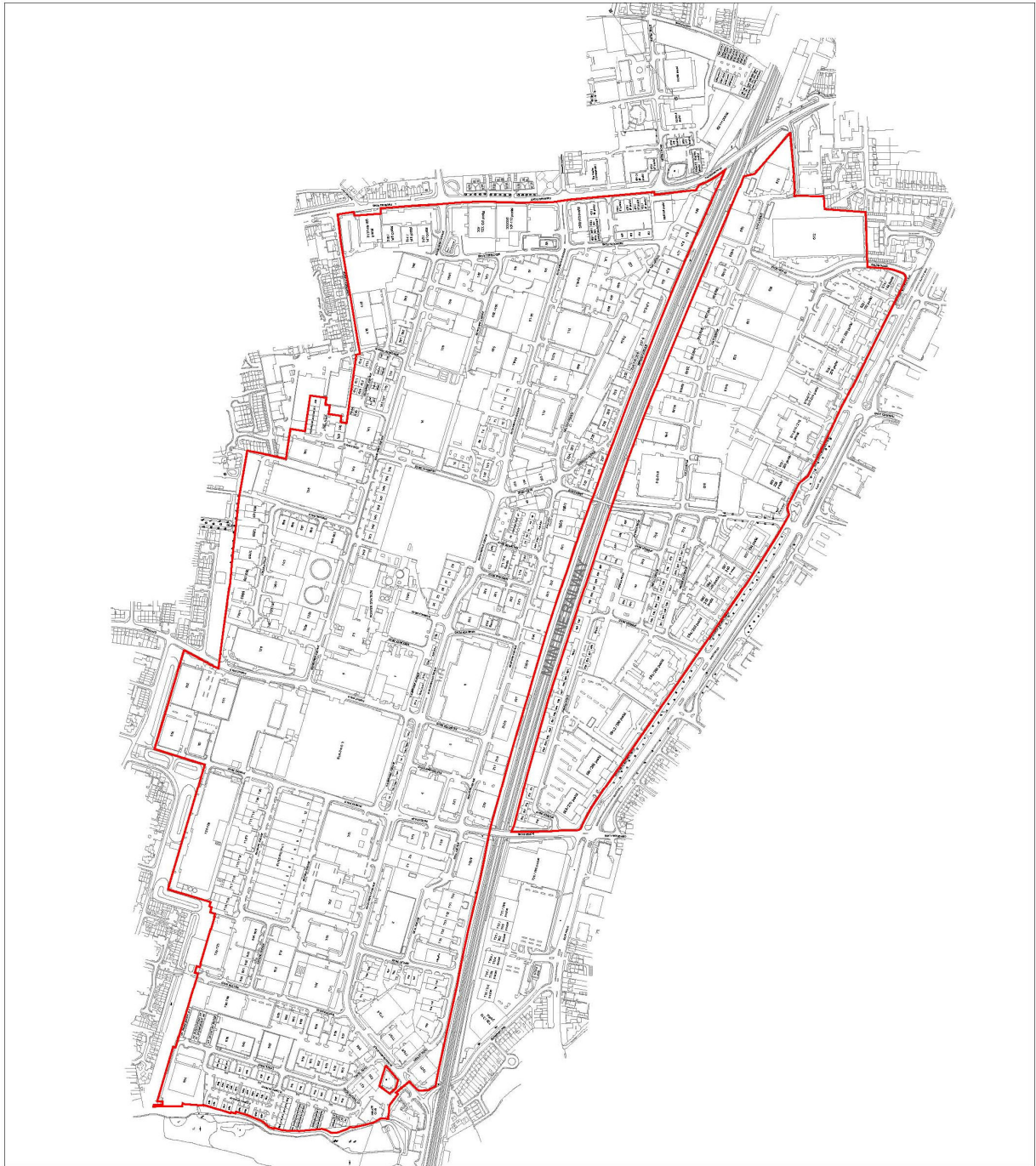
5.12 A letter was received from the Secretary of State for Environment at the **Department of Communities and Local Government** (DCLG) which acknowledged the Council's intention to renew the SPZ.

- 5.13 The **Environment Agency (EA)** requested a number of minor changes that have been integrated into the SPZ's conditions (see appendix A for details). The following condition has also been included at their request to address assessing the risk to groundwater from building foundations:
- 'Piled building foundations that penetrate through the superficial sand and gravel deposits into the underlying bedrock of the Lambeth Group and/or Chalk shall not be permitted until after it has been established that the risks to groundwater in the Chalk aquifer are acceptable to the Environment Agency'.
- 5.13 **Network Rail** did not make any fundamental comments. However revisions to an existing informative and two new informatives have been included in the SPZ relating to work near railway land, and maintaining a 2 metre gap between new buildings and Network Rail land. Further details of the new informative can be seen in Appendix A.
- 5.14 **English Heritage** made no objections but made a comment that provision should be made for consultation with the Councils conservation Officer if development affected a heritage structure. They also recognised the circumstances where their significance would be further harmed are likely to be rare.
- 5.15 **The Highways Agency** raised no objections but recommended the SPZ sought opportunities to encourage trips outside the peak periods both during construction and operation, and suggested Travel Plans as a way of achieving this.
- 5.16 The S106 package includes a Generic 'Umbrella' Travel plan for the whole of Slough Trading Estate and individual occupier Travel Plans for B2 and B8 uses if new development proposed exceeds the council's existing thresholds.
- 5.20 **Natural England (NE)** did not consider that the proposals pose any likely or significant risk to the natural environment. NE asked that protected species are considered before development commences.
- 5.21 Protected species would be considered as part of any development. Reference is currently included in the 'other permissions and licenses' Section to the need to obtain a licence from NE where development permitted by the SPZ may impact on protected species.
- 5.22 One comment of support for renewal of the SPZ was received from **Slough Heat and Power**.
- 5.23 Less than 10 representations were received from **local residents**. These were generally pragmatic or supportive, e.g. of the introduction of height zones, but raised concerns about the amenity impacts of the estate, e.g. noise, odour, security, and TV reception interference. These included issues that are not under control of the SPZ, or are appropriate for a trading estate.
- 5.25 Three comments were made at the SPZ exhibition with two from local residents. As a result SEGRO accepted a request to present their plans to Cippenham Residents Association.

### **Proposed Changes to the SPZ**

- 5.28 Appendix B includes the **general changes** made as a result of the consultation (in the last column). These were predominantly corrections to informatives and conditions requested by statutory consultees.
- 5.29 Discussions about **altering the boundary of the SPZ** have resulted in the decision to exclude all of the area currently in SEGROs ownership that falls to the east of the

Farnham Road and adjoins Whitby Road, including the former tax office building, the WHSmiths Depot and the Whitby Road sensitive sub-zone as below.  
**Plan showing boundary of SPZ 2014-2014**



Reproduced from the Ordnance Survey Map with the permission of the Controller of HMSO. Crown Copyright Reserved. Licence No. 100019279.  
3/2000 - 2099/2070 - 2099/2071 - 3000 SPZ Renewal/4 - Design Register/Harding/20712 - 20 - SPZ Site Boundary.dwg - Layout1

5.30 The flexibility in the SPZ can work well when the area is in single ownership as the developer can ensure development occurs comprehensively and takes account of adjoining occupiers' visual and operational amenity. This same flexibility may not be effective where there is multiple ownership as occupiers could build their sites out in isolation that does not deliver a balanced design and setting or intensity of use.

5.31 The approach to **archaeology** on the estate has involved extensive discussions between Berkshire Archaeology and SEGRO's specialist consultant. These centred on seeking to establish the likelihood of finding archaeological remains on sites within the SPZ scheme area, and building on work done for the LRCC.

- 5.32 This involved identifying areas for trenching and further investigation, but as the majority of the estate is built out and has been redeveloped numerous times it has been time consuming identifying suitable locations that suit SEGRO and Berkshire Archaeology's requirements.
- 5.16 The result has been a Condition that requires a written scheme of archaeological investigation to be undertaken/ implemented in identified areas, and an accompanying informative about the process behind the condition.

### **Section 106 Agreement**

- 5.33 Discussions on the Draft SPZ have focused upon how the impacts of the proposal could be suitably but simply addressed in a S106 to accompany the SPZ; and complement/ support the measures already agreed in the S106 for the LRCC.
- 5.44 The broad principles identified are currently being refined and drawn up with SEGRO and the Council in a joint legal agreement which both parties will sign up to. The key elements of this are as follows:
- (a) Continued financial support for the Hoppa Bus service (or equivalent) through the lifetime of the SPZ
  - (b) Improvements to pedestrian, cycle and bus access and signage into and around the estate, including around Burnham Station, and pedestrian and cycle routes in from the north and east
  - (c) Creation of Travel Plans to help deliver modal shift committed to in the LRCC and meet new development impacts.
  - (d) Continued support for the Skills, Training & Education centre (5 years) delivered ahead of the LRCC
  - (e) Agreement around supporting the car parking cap linked to the Core Strategy and LRCC.
- 5.45 The main contribution secured through the Sec 106 will be for the continued financial support of the Hoppa Bus service that routes between Slough and Burnham Stations. Provision is made for reviews to ensure that the most appropriate service frequency and routing is provided taking into account any changes in circumstances such as the introduction of the Crossrail service to Burnham station.
- 5.46 A contribution is also proposed for improvements to pedestrian, cycle and bus circulation around Burnham station in anticipation of increased use when Crossrail is introduced.
- 5.47 A financial contribution may also be offered towards delivering a number of outstanding measures within the current S106's Integrated Transport Strategy. This will not cover the entire cost, but in return SEGRO will not be prescriptive about which outstanding measures the Council wants to prioritise or deliver. . These could include improved pedestrian/cycle links to the residential areas north of Estate, the drawing up of preferred freight routes to access the estate and the upgrading of a pedestrian crossing.
- 5.48 There is also a requirement to prepare and implement occupier Travel Plans for larger developments as well as SEGRO having an "Umbrella" Travel Plan for the Trading estate as a whole.

- 5.49 Other sustainable transport measures will be provided such as on street cycle parking and financial support for a car sharing scheme and allocation of staff time to deliver travel plans.
- 5.50 The agreement requires SEGRO to continue to support the existing Skills, training and Education Centre for five years after which it is assumed that will be picked up by the requirements of the Leigh Road Commercial Core (LRCC2) permission which has not yet been implemented.
- 5.51 Finally the Sec 106 will ensure that the SPZ schemes do not result in a cumulative increase in the number of car parking spaces being made available on the Trading Estate which would be contrary to the parking cap set out in the Core Strategy and built into the LRCC2 planning permission. This would ultimately be enforced by preventing new SPZ schemes from being implemented if they have an increased number of parking spaces.
- 5.52 Various provisions for monitoring have been included in the Sec 106.

### 5.53 **Timetable**

- 5.54 Approval for the SPZ is being sought from Cabinet at its meeting on 21<sup>st</sup> June. This will be subject to the completion and signing of the Section 106 legal agreement with SEGRO who are the owners of the Trading Estate.
- 5.55 The regulations then require that the intension to adopt the SPZ has to be advertised for a minimum of six weeks. This will be carried out in time to adopt the SPZ on the 12<sup>th</sup> of November 2014 which is the day after current SPZ expires.
- 5.56 There will then be a six week period in which the adoption can be subject to a High Court Challenge.
- 5.57 Assuming there are no legal objections, the SPZ will then run for a period of 10 years unless it is revoked by the Council.

### 6. **Conclusion**

- 6.1 In order to finalise the new SPZ for Slough Trading Estate Members are being asked to note the responses to public consultation and the proposed changes and to recommend that Cabinet should adopt the new scheme which would come into effect on the 12<sup>th</sup> November 2014 for 10 years.

### 7. **Appendices Attached**

‘A’ Summary of deposit consultation representations and proposed responses

‘B’ Draft SPZ to be Adopted

### 8. **Background Papers**

‘1’ The Local Plan for Slough (2006)

‘2’ Slough Local Development Framework Core Strategy 2006–2026 (Adopted December 2008)

- '3' Slough Local Development Framework Site Allocations DPD (Adopted November 2010)
- '4' Simplified Planning Zone for Slough Trading Estate (2004)
- '5' Slough Borough Council Planning Committee Report of 19<sup>th</sup> June 2012  
Slough Borough Council Planning Committee Report of 28<sup>TH</sup> November 2013



**Appendix A- Slough Trading Estate – renewal of the Simplified Planning Zone**  
**Summary of deposit consultation representations and proposed responses**

<b>Consultee</b>	<b>Summary of key points</b>	<b>Comments</b>	<b>Alter SPZ?</b>	<b>Suggested changes</b>
1. Berkshire Archaeology	<ul style="list-style-type: none"> <li>- Notes that has been in contact with SEGRO's consultant and that matters are moving forward.</li> </ul>	<ul style="list-style-type: none"> <li>- Trial trenching underway and is expected to be completed by 15<sup>th</sup> March.</li> <li>- Subject to findings and completion of acceptable report, no further archaeology work should be required.</li> </ul>	- No	- None
2. Department of Communities and Local Government	<ul style="list-style-type: none"> <li>- Acknowledges the Council's intention to renew the SPZ.</li> </ul>	<ul style="list-style-type: none"> <li>- The response is an acknowledgement and no detailed comments are provided on the content of the SPZ.</li> </ul>	- No	- None
3. English Heritage	<ul style="list-style-type: none"> <li>- Note that both Leigh Road Bridge and a mile marker both lie outside the SPZ.</li> <li>- State provision should be made for consultation with the Council's Conservation Officer if development may affect the significance of these structures.</li> <li>- Acknowledge that given their existing setting, circumstances where their significance would be</li> </ul>	<ul style="list-style-type: none"> <li>- Noted</li> </ul>	- No	- None

Consultee	Summary of key points	Comments	Alter SPZ?	Suggested changes
	further harmed are likely to be rare.			
4. Environment Agency	<ul style="list-style-type: none"> <li>- Note that not all of their comments from the Pre-deposit consultation response have been incorporated.</li> <li>- Suggest additional wording to condition 15 so that it is explicit that there should be an 8 metre buffer zone along the boundary to the Haymill Valley.</li> <li>- Have commented that condition 42 is weak and that much of the data will not be scrutinized until 12 months after the completion of the development. Suggest changes to when the EA should be consulted where there is potential contamination of controlled waters.</li> <li>- Revised condition reads:</li> <li>- The Environment Agency (or equivalent regulatory body) shall be consulted <u>and an approved strategy agreed</u> when potential contamination to controlled waters including groundwater and surface water is found <u>in order to ensure all risks are adequately dealt with.</u></li> <li>- Notwithstanding our informative (viii) that relates to the use of piled foundations and carrying out</li> </ul>	<ul style="list-style-type: none"> <li>- Boundary fence is 8 metres from Chalvey ditch so suggested condition is acceptable</li> <li>- Agreed</li> </ul>	<ul style="list-style-type: none"> <li>- Yes</li> <li>- Yes</li> </ul>	<ul style="list-style-type: none"> <li>- Amend SPZ to read as: Any development adjacent to the Haymill Valley must maintain a minimum 2 metre high fence <u>and 8 metre buffer zone</u> along the boundary to the Haymill Valley. (underlined text is proposed additional text)</li> <li>-Change to: "The Environment Agency (or equivalent regulatory</li> </ul>

Consultee	Summary of key points	Comments	Alter SPZ?	Suggested changes
	<p>the relevant risk assessment to ensure groundwater is not at risk of pollution, the EA have suggested alternative wording to cover this issue, within Condition 42. The suggested wording is:</p> <ul style="list-style-type: none"> <li>- <u>'Building foundations that penetrate through the superficial sand and gravel deposits into the underlying bedrock of the Lambeth Group and/or Chalk shall not be permitted until after it has been established that the risks to groundwater in the Chalk aquifer are acceptable to the Environment Agency'</u>.</li> <li>- Address stated in informative iv) is incorrect</li> </ul> <p>Typo noted in informative vi) b</p>	<ul style="list-style-type: none"> <li>- The condition refers to development not being permitted, which is contrary to how the SPZ works in practice.</li> <li>- Include reference to piled foundations.</li> <li>- Correct address provided – update SPZ accordingly</li> <li>- Correct typo.</li> </ul>	<ul style="list-style-type: none"> <li>- Yes</li> <li>- Yes</li> <li>- Yes</li> </ul>	<p>body) shall be consulted and an approved strategy agreed when potential contamination to controlled waters including groundwater and surface water is found in order to ensure all risks are adequately dealt with”</p> <p>- Proposed change:</p> <p>'Piled building foundations that penetrate through the superficial sand and gravel deposits into the underlying bedrock of the Lambeth Group and/or Chalk shall not be permitted until after it has been established that the</p>

Consultee	Summary of key points	Comments	Alter SPZ?	Suggested changes
				<p>risks to groundwater in the Chalk aquifer are acceptable to the Environment Agency’.</p> <ul style="list-style-type: none"> <li>- Insert: Environment Agency Red Kite House Howbery Park Crowmarsh Gifford Oxfordshire OX10 8BD</li> <li>- Remove ‘al’ from Environmental Agency</li> </ul>
5. Highways Agency	<ul style="list-style-type: none"> <li>- Will be concerned if the proposals have the potential to impact on the M4, however they do not object to the proposed renewal.</li> <li>- Recommend we seek opportunities to encourage trips outside the peak periods during construction and operational phases.</li> <li>- Cite Travel Plans as one way of achieving this.</li> <li>- Suggest engaging with the HA for any proposed growth options at the SPZ that may have significant transport implications.</li> </ul>	<ul style="list-style-type: none"> <li>- Noted and ‘no objection’ welcomed</li> <li>- Generic Estate Wide Travel Plan has been drafted and individual occupier Travel Plans proposed if new development exceeds thresholds in SBC Developers Guide</li> </ul>	- No	- None

Consultee	Summary of key points	Comments	Alter SPZ?	Suggested changes
6. Natural England	<ul style="list-style-type: none"> <li>- NE do not consider that the proposals pose any likely or significant risk to those features of the natural environment.</li> <li>- Ask that protected species are considered before development commences</li> <li>- Ask that impacts on adjacent SINCS or LWS are considered.</li> <li>- Ask to consider whether there are opportunities to incorporate features which are beneficial to wildlife within new developments.</li> <li>- Notes that there may be opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment.</li> </ul>	<ul style="list-style-type: none"> <li>- Noted</li> <li>- Protected species would be considered as part of any development. Reference is currently included in the 'Other Permissions and Licenses' Section to the need to obtain a licence from NE where development permitted by the SPZ many impact on protected species.</li> </ul>	<ul style="list-style-type: none"> <li>- No</li> </ul>	<ul style="list-style-type: none"> <li>- None</li> </ul>
7. Network Rail	<ul style="list-style-type: none"> <li>- Suggested informatives to be updated to refer to Asset Protection Manager instead of Property Manager</li> <li>- State that no drainage soakways should be constructed within 20 metres of Network Rail's property.</li> <li>- Suggest revisions to informative (xiii) so that it reads as:  "If not already in place, the Developer/applicant</li> </ul>	<ul style="list-style-type: none"> <li>- Noted</li> <li>- Previously this had referred to 5 metres – suggested change is not acceptable</li> <li>- It is a more comprehensive informative and would require a higher fence if</li> </ul>	<ul style="list-style-type: none"> <li>- Yes</li> <li>- No</li> <li>- Yes</li> </ul>	<ul style="list-style-type: none"> <li>- SPZ to be updated to refer to Asset Protection Manager</li> <li>- No change proposed</li> <li>- As per Network Rail's suggestion</li> </ul>

Consultee	Summary of key points	Comments	Alter SPZ?	Suggested changes
	<p>must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed."</p> <p>- Two new informatives are proposed which read as:</p> <p>"No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. In particular, the demolition of buildings or other structures must be carried out in accordance with an agreed method statement. Care must be taken to ensure that no debris or other materials can fall onto Network Rail land. In view of the close proximity of these proposed works to the railway boundary the developer should contact Network Rail email <a href="mailto:AssetProtectionWestern@networkrail.co.uk">AssetProtectionWestern@networkrail.co.uk</a></p>	<p>development were to take place adjacent to Network Rail land</p> <p>Suggested informatives noted and are acceptable</p>	<p>Yes</p>	<p>- As per Network Rail's suggestion</p>

Consultee	Summary of key points	Comments	Alter SPZ?	Suggested changes
	<p>before works begin.”; and nd</p> <p>“It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.”</p>			
8. Mr Tim Lodge (local resident)	- Comments on existing noise, odour and TV reception issues.	- Existing issues that are not directly related to the SPZ	- No	- None
9. Mr and Mrs Cunningham	- Worried about security threat to Data Centres - Welcome taller buildings to be located in middle of the Estate away from residential properties.	- Noted	- No	- None

### SUMMARY OF COMMENTS FROM PUBLIC EXHIBITIONS

Consultee	Summary of key points	Comments	Alter SPZ?	Suggested changes
1. Mr Ken Houghton (local resident)	Suggested SEGRO arrange a meeting with Cippenham Residents	Following the Exhibition, SEGRO presented to Cippenham Residents Associated	No	None
2. Mr Alan Waite (local resident)	Welcomed progress but expressed concern about noise at unsocial times	Noise is an existing issues that is not directly related to the SPZ	No	None

3. Andrew Ellis – Slough Heat and Power (local employer)	Supported the renewal of the SPZ	Support welcome	No	None
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# DRAFT

## Simplified Planning Zone Scheme

2014-2024

Slough Trading Estate, Slough

Adopted 12 November 2014



# Slough Trading Estate, Slough, Simplified Planning Zone Scheme 2014-2024

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12 November 2014

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## Part 1 Simplified Planning Zone (SPZ) for the Slough Trading estate

### Introduction

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- 1.1 This document sets out the terms governing the implementation of the third Simplified Planning Zone (SPZ) for the Slough Trading Estate. SPZs are areas in which planning permission is granted in advance for defined types of development. Provided the development proposed complies with the SPZ scheme, there is no need to obtain planning permission in the normal way.
- 1.2 An SPZ was originally designated at the Estate in 1995 and was subsequently renewed in 2004. Since its inception, the SPZ has operated successfully and has helped to facilitate development on the Trading Estate. These developments have attracted a number of businesses to the area helping to create significant employment opportunities. Not only has the SPZ attracted new firms to the Trading Estate but it has enabled existing firms to expand and therefore retain and grow their existing workforce within the Borough.
- 1.3 The SPZ is shown in its regional context on **Plan 1**. It is located approximately 1.6 kilometres to the south west of Slough Town Centre. The Trading Estate dominates a large area of the town and is well located with the Bath Road (A4) to the south providing access to the M4 motorway and the Farnham Road (A355) to the east. The Trading Estate is also bisected by the London (Paddington) to Bristol Railway line. It covers approximately 156 hectares in area and currently includes a wide variety of business, industrial and warehouse uses with a limited but growing number of service activities, including shops and banks to predominantly meet the needs of employees working on the Estate. In June 2012, the council granted outline planning permission P/14515/003 for the Leigh Road Central Core Area (LRCC) on the Trading Estate for 152,800 square metres of new office, hotel, retail, health club and conference and crèche facilities.

- 1.4 The Estate is relatively self-contained and in the single ownership of SEGRO. The SPZ boundary is shown on **Plan 2** which defines the extent of the SPZ; the planning permission described in Part 2 applies within this designated area.

### Context

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#### Legal basis

- 1.5 The legal basis for the creation of an SPZ is found at Sections 82 to 87 of the Town and Country Planning Act 1990. The adoption procedures were streamlined by Section 28 of the Planning and Compensation Act, 1991, which came into force in November 1992.
- 1.6 Section 83 of the Town and Country Planning Act requires local planning authorities to consider whether part or parts of their area will benefit from designation of an SPZ, to prepare schemes and to keep the matter under review. Any person can request the Local Planning Authority to make or alter an adopted SPZ.

#### Key features of the SPZ scheme

- 1.7 The SPZ at the Slough Trading Estate provides potential occupiers on the Estate with the following benefits:
  - **Flexibility** - subject to compliance with the SPZ scheme, the developer is in a position to respond quickly and effectively to changes in market demands and tenants' requirements;
  - **Certainty** - the SPZ clarifies the types of development acceptable to Slough Borough Council and provided the proposal accords with the scheme, detailed planning approval will not be required. This helps foster confidence in investment at the Trading Estate;

- **Speed** - the developer/potential occupier does not have to obtain individual planning permissions for compliant proposals, thus reducing administrative burdens and assisting the overall redevelopment of the Trading Estate in a timely and cost effective manner; and
  - **Marketability** - the SPZ has been used and will continue to be used as an effective marketing tool, enhancing the perception of the Trading Estate as a focus for business and employment investment. Both SMEs and Blue Chip companies have chosen to locate their operations on the Trading Estate as a direct result of the existence of the SPZ.
- 1.8 The SPZ scheme comprises the Written Statement and Plan. The Written Statement (Part 2 in this document) specifies the types of development for which permission is granted. The Plan (Plan 2) confirms the extent of the SPZ scheme, and land use zonings within it.
- 1.9 The SPZ has conditions attached to take account of local factors.
- 1.10 If a type of development is proposed which does not fall within the SPZ permission, or does not fully comply with its conditions planning permission will have to be applied for in the normal way. Under these circumstances, such applications will be considered on their merits.
- 1.11 In Part 2, the details of the proposed SPZ scheme are set out. Only those uses indicated are permissible and these are subject to the various conditions described. The SPZ Plan (Plan 2) identifies a number of Sub-zones where special controls are to be implemented and which are subject to their own specific conditions in addition to those that apply across the whole SPZ.
- 1.12 Part 3 of the Written Statement provides further information on the operation of the SPZ and Part 4 outlines a range of requirements and guidance from statutory undertakers and other agencies with respect to development in the SPZ. The developer will be expected to have regard to these Informatives when considering new development at the Trading Estate.
- 1.13 It is important to note that the restrictions imposed under the SPZ scheme only relate to development implemented as a result of the scheme following its adoption. The SPZ only grants planning permission; all other legislative controls will remain and must be complied with (refer to Part 2).
- 1.14 At the date of adoption, there were no listed buildings, ancient monuments, conservation areas or tree preservation orders located within the area of the SPZ. The Leigh Road Bridge and Mile Marker located on Bath Road are both listed although they are not located within the SPZ. The SPZ does not permit works to a listed building and should any buildings be listed within the lifetime of the SPZ, development involving any of these would not fall within the SPZ permission and planning and other relevant consents would be required in the normal way.
- 1.15 In respect of environmental assessment, Regulation 28 of the 2011 Town and Country Planning (Environmental Impact Assessment) Regulations, states that the SPZ will not grant permission for EIA development or grant permission for Schedule 2 development.
- 1.16 As a result, the SPZ does not grant planning permission for these types of development for which separate planning applications accompanied by an environmental statement or statements would need to be submitted to the borough council.
- 1.17 At the end of the ten year operation period the scheme will cease to have effect except for development that has already commenced.

### Planning background

- 1.18 The Slough Borough Core Strategy was adopted by the council in December 2008 and covers the period 2006 to 2026. Two key strategic objectives of the council are:
- To ensure that the existing business areas continue to provide sufficient employment-generating uses in order to maintain a sustainable, buoyant and diverse economy and ensure that Slough residents continue to have access to a wide range of job opportunities; and

- To encourage investment and regeneration of employment areas and existing town, district and neighbourhood shopping centres to increase their viability, vitality and distinctiveness.
- 1.19 Whilst the spatial strategy seeks to focus new development in the town centre (Core Policy 1), it recognises that other areas of the Borough need to change and that an important element of the 'spreading the benefits' part of the strategy is that selected areas outside of the town centre should also be regenerated. Slough Trading Estate is specifically identified as a location that would benefit from being redeveloped in a comprehensive, properly planned and co-ordinated manner (paragraph 7.23).
- 1.20 Core Policy 5 (Employment) states that the location, scale and intensity of new employment development must reinforce the spatial and transport strategy, with intensive employment generating uses such as B1(a) offices located in the town centre. The policy states that B1(a) may also be located on the Slough Trading Estate, as an exception, in order to facilitate its comprehensive regeneration.
- 1.21 The supporting text to the policy notes at paragraph 7.95 that the Trading Estate has been specifically identified as an area for regeneration and that it will be implemented through the preparation of a master plan to identify the location of the proposed new offices within a new hub including other development.
- 1.22 Core Policy 6 (Retail, Leisure and Community Facilities) indicates that all new major retail, leisure and community development will be located in the shopping area of Slough town centre. The supporting text at paragraph 7.113 notes that the proposed new hub within the Trading Estate could contain retail, hotel and leisure uses provided that they are at a scale which would predominantly serve the needs of businesses and employees on the Estate.
- 1.23 Core Policy 7 (Transport) indicates that development proposals will make provision for the creation of a transport hub within the Trading Estate. The supporting text at paragraph 7.140 states that any proposals for the regeneration of the Trading Estate will include an integrated transport package which will reduce the reliance upon the private car and improve public transport.
- 1.24 The council subsequently adopted the Site Allocations DPD in November 2010, which identifies sites that can deliver the Spatial Vision, Strategic Objectives and policies in the Core Strategy. It includes detailed proposals for specific sites along with selected locations for comprehensive regeneration.
- 1.25 Proposal SSA4 relates to the Slough Trading Estate and is the most significant regeneration proposal outside of the town centre. Site Allocation Policy 1 identifies the Slough Trading Estate (including the Leigh Road Central Core Area) for mixed use development to include offices, research and development, light industrial, general industrial, storage and distribution, residential, retail, food and drink, hotels, conference facilities, educational facilities, recreation and leisure uses.
- 1.26 The site specific proposal at SSA4 includes a master plan which shows key components and proposed land use zonings across the Estate. The schedule identifies the main requirements as:
- 130,000 square metres (GIA) of additional new B1(a) offices in the Leigh Road Central Core area;
  - No overall increase in the total number of parking spaces upon the Trading Estate;
  - A package of public transport improvements to meet modal shift targets that will ensure there is no increase in the level of car commuting into the Estate; and
  - A package of skills training is provided in order to increase the number of Slough residents working on the Estate.
- 1.27 Furthermore, the proposal stipulates that the scale of the proposed retail, hotel and leisure uses should be of a scale that predominantly serves the needs of the Trading Estate.

- 1.28 The Adopted Site Allocations DPD states that relevant development may take place in accordance with the Simplified Planning Zone or Local Development Order. This confirms the council's recognition the existing SPZ could be replaced by an SPZ.
- 1.29 Following the adoption of the Core Strategy and Site Allocations DPD, outline planning permission P/14515/003 has now been granted for 152,800 square metres of new office, hotel, retail, health club and conference and crèche facilities in the Leigh Road and Central Core (LRCC) area within the Trading Estate, which is fully in accordance with the adopted policy and site specific allocation. The approved LRCC parameters plan will guide development in the LRCC area over the next 15 years and will facilitate the comprehensive regeneration of the Trading Estate.
- 1.30 SPZ developments are permitted within the LRCC area.
- 1.31 A new Section 106 Agreement [has been][will be] signed by SEGRO and the council, to implement the parking cap and facilitate the continued provision of the Hoppa Bus Service, which runs between the Trading Estate and the town centre or an equivalent contribution to a service locally. The legal agreement confirms that the service is to be funded for the lifetime of the SPZ i.e. to [date to be inserted].

### Summary

- 1.32 The SPZ will help enable the delivery of comprehensive regeneration of the Trading Estate as set out in Core Policy 1 and achieve the objectives set out in Core Policy 5 of the Adopted Core Strategy and SSA4 of the Adopted Site Allocations DPD. The SPZ therefore is in conformity with the policies of the Adopted Core Strategy and Site Allocations DPD.

## Part 2 The Slough Trading Estate Simplified Planning Zone - details of the proposed scheme

### The SPZ boundary

- 2.1 The boundary of the SPZ is shown on **Plan 2**. The permission granted by the SPZ relates to this area only.

### Period of operation

- 2.2 The SPZ Scheme was adopted on 12 November 2014 and is in operation for a ten year period ending on 12 November 2024. Further information on the operation of the SPZ Scheme is contained in Part 3.

### Types of development (permitted uses)

- 2.3 Planning permission is granted by the SPZ scheme for certain types of development set out below, and defined in The Town and Country Planning (Use Classes) Order 1987 SI No.764 (as amended by the Town and Country Planning (Use Classes) (Amendment) Orders 1991, 1992, 1994, 1995, 1999, 2005, 2006, 2010 and 2011). Subsequent changes to the Use Classes Order could result in new use classes being created or existing classes amended. For the avoidance of doubt these would not change the types of uses permitted by this scheme and listed below. If any of the changes affect the range of uses permitted by the SPZ, the Local Planning Authority will consider a focussed amendment to the SPZ to ensure consistency between it and the new Use Classes Order.
- 2.4 Planning permission is granted by the SPZ scheme for the following development (including the erection of buildings, operations and the use of land) subject to the conditions and sub-zone provisions set out below:

#### **1) Business Use (Class B1)**

Use for all or any of the following purposes:

- Research and development of products or processes B1(b); or

- Any industrial process, being a use which can be carried out in a residential area without detriment to amenity of that area by reasons of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit B1(c).

#### **2) General Industrial Use (Class B2)**

A use for the carrying on of an industrial process, other than one falling within Class B1 above.

#### **3) Storage or Distribution Use (Class B8)**

Use for storage or as a distribution centre.

#### **4) Colocation/Data Centres (Sui Generis)**

The electronic storage, receipt and transmission of data and information including (but not exclusively) Internet Service Provision, web hosting, disaster recovery and other server farm operations.

#### **5) Retail and Service Uses (Class A1-A5)**

Other uses which are ancillary and complementary to the site's primary use as an employment site:

- Retail (A1)
- Financial and Professional Services (A2)
- Restaurants and Cafés (A3)
- Drinking Establishments (A4)
- Hot Food Take-away (A5)

#### **6) Other development**

- Solar Photo Voltaic Panels (where attached to new or existing buildings)
- Walls and other means of enclosure
- CCTV Masts and associated equipment
- Demolition



## 2.5 Use of sub-zones within the trading estate as shown on Plan 2

- 1 **Business and industrial Use Sub-zone:** The Business and Industrial Use Sub-Zone covers most of the Estate. Within this area, planning permission is granted for Research and Development (B1(b)), Light Industry (B1(c)), General Industry (B2), Storage and Distribution (B8) and Colocation (Sui Generis) uses, subject to the relevant planning conditions included within this document.
- 2 **Service Use Sub-Zone:** To the north of Bedford Avenue, adjacent to Gresham Road, there is an existing service area which contains several banks and a block of small retail shops. Given the size of the Trading Estate, there is a need to maintain an adequate level of services for occupiers. Within this Sub-Zone, planning permission is granted for restaurants and cafes, drinking establishments and hot food take-aways (Class A3, A4 and A5), banks and other professional/financial services (Class A2) and A1 uses such as shops and Business Use (Class B1(b)/B1(c)).  
  
General industrial (Class B2), Storage and Distribution (Class B8) and Colocation (Sui Generis) are excluded from this area. No single retail unit (Class A1) or premises for the sale of food or drink (Classes A3 to A5) shall exceed 200 square metres gross floor area.
- 3 **Power Station Sub-Zone:** The Estate power station, located on Edinburgh Avenue, constitutes a special type of use which requires careful consideration. Existing planning control is therefore retained over the power station and all developments within its curtilage as defined by the sub-zone, where the provisions of the SPZ will not apply. The Power Station Sub-Zone is controlled by Scottish and Southern Energy.
- 4 **Highway Safeguarding Sub-Zones:** There are road improvement schemes proposed on Farnham Road and at the junction of Bath Road and Dover Road. Other works include those to Leigh Road Liverpool Road and Buckingham Avenue. Development will not be permitted in these sub-zones unless Slough Borough Council as the local highway

authority confirms they are no longer required for highway improvements. These areas are shown on Plan 2.

- 5 **Landscape Sub-Zones:** The scheme identifies three landscape areas, two of which are identified as sub-zones, within which there will be general landscaping requirements. The hierarchy of landscaping requirements is as follows:
  - a) Strategic Landscape sub-zone
  - b) Arterial Road Landscape sub-zone
  - c) Non arterial roads

All development permitted by the SPZ Scheme should take account of the Landscaping Guidance Note contained in Appendix 1, which covers the following:

- Landscape design and standards considerations
- Statutory undertakers' services and plant
- Management and retention of existing and new trees
- Replacing mature or dead trees
- New Trees
- Maintenance

- 6 **Sensitive Boundary Sub-Zones:** The specific conditions relating to these sub-zones aim to minimise the potential visual impact and nuisance to residential amenity adjacent to the Trading Estate. They are located at Stirling Road, Montrose Avenue, Galvin Road, and South of Whitby Road.

Within these Sub-Zones planning permission is granted for development for Business (Use Classes B1(b) and B1(c)), General Industry (Use Class B2) and Storage and Distribution (Use Class B8) and Colocation/Data Centre (sui generis) uses.

Specific conditions relating to the maximum height of development, hours of operation and deliveries apply in these Sub-Zones. The Sensitive Boundary Sub-Zones are shown on Plan 2.

**7 Height Controlled Zone:** The height controls applying to the northern boundary of the SPZ (from Yeovil Road to Stirling Road) aims to minimise the potential visual impact of industrial buildings on residential properties adjacent to the Trading Estate. The Height Controlled Zone is shown on Plan 2.

**8 Research and Development and Co-location/Data Centre Sub-Zones:** Within this Zone, R&D (Class B1(b)) and Colocation uses on sites over 1 hectare (2.47 acres) are permitted to be a maximum of 23 metres in total to include plant and machinery. The R&D and Colocation/Data Centre Sub-Zones are shown on Plan 2.

**9 Fairlie Road Sub Zone:** The specific condition relating to this sub-zone relates to the maximum height of development that is permitted within it. The Fairlie Road sub-zone is shown on Plan 2.

## ***2.6 Planning conditions applying within this SPZ***

All development permitted under this SPZ Scheme is subject to the following conditions:

### **Design**

1. Excepting the installation of Solar Panels on existing buildings, site coverage by buildings to be erected, or built "footprint" (including any retained buildings, subsequent extensions, or bridges/atriums between units but excluding any "deck" parking facilities) shall not exceed 50% of the total site area of any individual development plot.
2. Buildings to be a maximum of three floors. This includes mezzanines but excludes plant or basement levels.
3. For new units in excess of 1,000 square metres of floorspace, a minimum of 1 shower shall be provided.

4. The design and construction of new units should include the following measures:
  - On units in excess of 2,000 square metres of floorspace, the Principal Contractor shall comply with the "Considerate Construction Scheme";
  - The monitoring and recording of data on energy consumption from the use of construction plant, equipment and site accommodation;
  - The monitoring and recording of data on water consumption from the use of construction plant, equipment and site accommodation;
  - The monitoring and recording of data on transport from delivery of construction materials and removal of waste;
  - Site timber is sourced in accordance with the UK Government's Timber Procurement Policy;
  - Building User Guide to be prepared in the spirit of BREEAM. The Guide will give simple clear instructions to the optimum use of the heating, mechanical and ventilation plant;
  - Internal lighting levels are provided in accordance with the CIBSE code for Lighting;
  - External lighting to be controlled through a time switch;
  - Compliant Site Waste Management Plan to achieve a minimum 80% of waste recycled during construction;
  - The building does not require the use of refrigerant within installed plant/systems; and
  - Oil/Petrol separators to be used in the surface water drainage systems.

Details of such works shall be submitted to the council in the form of a post construction audit or its equivalent within 12 months of completion of the development.

5. The maximum height of development, including plant and machinery (including screening or enclosure) and solar panels shall not exceed those set out in Table 2 Building Heights.
6. Where proposed development sites are located across different building height zones, the building or part there of shall not exceed the maximum height specified for that zone.
7. No building on the Bath Road shall be situated forward of the existing building line.
8. On buildings over 16 metres, there shall be a minimum set-back of 14 metres from the back edge of pavement for building frontages and 4 metres from the back edge of pavement on the return frontages to the highway.
9. Where Class B1(b) (Research and Development) or Colocation/Data Centre uses are constructed that are taller than 16 metres in height, the principal elevation shall be constructed with at least 50% of the frontage made up with either a masonry design incorporating fenestration (e.g. a brick or terracotta construction system) or the use of curtain walling. Where curtain walling is proposed this should be constructed from a pallet of materials including brick, masonry and metal cladding amongst others in order to articulate the elevation and create visual interest in the street scene.

**Table 2: Buildings heights**

Location/use class	Maximum building height to ridge/apex, including plant and machinery
<b>Sensitive Boundary Sub-Zones (Stirling Road, Galvin Road, Montrose Avenue)</b>	7m
<b>Fairlie Road Sub Zone</b>	7m
<b>Height controlled zone</b>	12m
<b>Outside of the controlled height sub-zone</b>	16m
<b>Outside of the Sensitive Boundary Sub Zone and Height Controlled Zone, on sites over 1 hectare (2.47 acres) for Storage and Distribution uses (Class B8) only</b>	20m
<b>Within the Research and Development or Colocation/Data Centre Sub Zones, on sites over 1 hectare (2.47 acres) for Research and Development facilities (Class B1(b)) and Colocation/Data Centre uses (sui generis) only</b>	23m

10. Class B1(b) (Research and Development (R&D)) and Colocation/Data Centre uses on sites over 1 hectare (2.47 acres) within the R&D and Colocation/Data Centre Sub Zones shall not exceed 23 metres. All plant and machinery to be incorporated on the roofs of R&D and Colocation/Data Centre buildings taller than 16 metres within this Sub-zone shall be set back from the edge by at least 2 metres and screened appropriately.

11. All external plant and machinery for buildings constructed under the SPZ must be fully screened.

12. Walls up to 2 metres in height and all other means of enclosure up to a height of 3 metres are permitted under the SPZ consent, if they are to be carried out in conjunction with other major building works permitted under the SPZ consent.

13. Any development adjacent to the Haymill Valley must maintain a minimum 2 metre high fence and 8m buffer zone along the boundary to the Haymill Valley.

14. Independent entrance feature structures (such as totems) located at the entrance to buildings to identify the vehicular and pedestrian points of access and the identity of the occupiers will be permitted subject to them having a footprint not exceeding 2m x 2m and a height not exceeding 4m from ground level. Illumination of entrance signs must comply with the Slough Borough Council design criteria current at the time of the development including other relevant consents.

15. With the exception of alterations to existing buildings, the terms and provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (SI 2010 No 654)<sup>1</sup> and subsequent changes to it that affect the use classes permitted by this SPZ, no extension to a building shall be constructed without the express permission of the Local Planning Authority.

### Transport and Highways

16. No development will be permitted in the areas hatched purple on Plan 2, which are reserved for improvement works at the Liverpool Road/Buckingham Avenue junction and Edinburgh Avenue/ Farnham Road associated with the LRCC2 planning permission (P/14515/003).

17. All SPZ site boundaries must not include any adopted or proposed adoptable highway, unless the highway has been stopped-up or is being stopped-up.

Appropriate tracking provision shall be made for manoeuvring and servicing of all vehicles. These areas should be provided before the buildings/sites are occupied (as defined in Condition 26).

18. Parking provision for lorries, cars and bicycles within the maximum and minimum standards shown in Table 3 below must be met and marked out on site and, excepting Colocation/Data Centre uses, shall thereafter be maintained exclusively for that purpose in a useable condition to the satisfaction of the Local Planning Authority.

Colocation uses permitted under the SPZ are permitted lower operational car and lorry surface parking standards<sup>1</sup>. Any plant on allocated parking areas should be screened to minimise its impact on the street scene, and removed prior to another permitted use commencing.

19. The developer and individual occupiers shall have regard to and implement the provisions of the estate-wide Umbrella Travel Plan set out in Appendix 5.

20. An occupier Travel Plan shall be submitted to the Local Planning Authority within 6 months of occupation where an individual building in Use Class B2 exceeds 4,000 square metres gross external area or Use Class B8 exceeds 5,000 square metres gross external area. The Travel Plan shall contain the measures set out in Appendix 5 Travel Plans and be carried out and monitored in accordance with the details approved by the Council.

21. Where a decked car park is provided, it shall be constructed so that it is not taller in height than the principal building that it is intended to serve.

22. Any alteration to an existing vehicular access to an adopted highway<sup>2</sup> shall be agreed in writing by the Local Highways Authority. The Developer shall enter into the relevant highways agreement (S38, S278, Minor Highways works agreement or their equivalent) prior to implementation of the highway works.

23. Construction of new highways shall be to the council's adoptable standards in accordance with Slough Borough Council's current standard detailed design manual, DMRB or Manual for Streets 2, as appropriate.

The design and layout of all new highways and vehicular access points shall be in accordance with conditions and standards specified in the Slough Design Guide, DMRB or Manual for Streets 2 (as applicable) at the time of commencement of development. These shall incorporate suitable pedestrian and cycle facilities for all movements including those to and within the site itself. All redundant access points to be fully reinstated to standard footway construction.

24. All highways and vehicular access points shall be constructed before the relevant part of the development is occupied and shall thereafter be maintained exclusively for that purpose in a useable condition to the satisfaction of the Local Highways Authority. Occupation means the use of a building permitted by the SPZ but not including occupation by a person or persons engaged in construction or fitting out or occupation for marketing or display or occupation for security operations.

25. No new vehicular access points shall be created directly onto the Bath Road (A4) or Farnham Road (A355) unless otherwise agreed in writing by the council.

**Table 3 Minimum and maximum vehicle parking spaces required in SPZ developments**

Use Class	Parking spaces per Gross (External) Floor Area			
	Car - Minimum	Car - Maximum	Lorry Space	Cycle Spaces - Minimum
B1 (b)	1 per 250m <sup>2</sup> to 3,000m <sup>2</sup> then 1 for every 500m <sup>2</sup> over 3,000m <sup>2</sup>	1 per 50m <sup>2</sup>	1 per 500m <sup>2</sup> to 2,000m <sup>2</sup> then 1 for every 1,000m <sup>2</sup> over 2,000m <sup>2</sup>	2 per unit then 1 for every 500m <sup>2</sup> over 500 m <sup>2</sup>
B1 (c)	1 per 250m <sup>2</sup> to 3,000m <sup>2</sup> then 1 for every 500m <sup>2</sup> over 3,000m <sup>2</sup>	1 per 50m <sup>2</sup>	1 per 500m <sup>2</sup> to 2,000m <sup>2</sup> then 1 for every 1,000m <sup>2</sup> over 2,000m <sup>2</sup>	2 per unit then 1 for every 500m <sup>2</sup> over 500 m <sup>2</sup>
B2	1 per 250m <sup>2</sup> to 3,000m <sup>2</sup> then 1 for every 500m <sup>2</sup> over 3,000m <sup>2</sup>	1 per 50m <sup>2</sup>	1 per 500m <sup>2</sup> to 2,000m <sup>2</sup> then 1 for every 1,000m <sup>2</sup> over 2,000m <sup>2</sup>	2 per unit then 1 for every 500m <sup>2</sup> over 500 m <sup>2</sup>
B8	1 per 250m <sup>2</sup> to 3,000m <sup>2</sup> then 1 for every 500m <sup>2</sup> over 3,000m <sup>2</sup>	1 per 50m <sup>2</sup>	1 per 500m <sup>2</sup> to 2,000m <sup>2</sup> then 1 for every 1,000m <sup>2</sup> over 2,000m <sup>2</sup>	2 per unit then 1 for every 500m <sup>2</sup> over 500 m <sup>2</sup>
Co-location (Sui Generis)	1 per 250m <sup>2</sup> to 3,000m <sup>2</sup> then 1 for every 500m <sup>2</sup> over 3,000m <sup>2</sup>	1 per 50m <sup>2</sup>	Not normally required. Otherwise 1 per 500m <sup>2</sup> to 2,000m <sup>2</sup> then 1 for every 1,000m <sup>2</sup> over 2,000m <sup>2</sup>	2 per unit then 1 for every 500m <sup>2</sup> over 500 m <sup>2</sup>
A1 - A2	N/A	1 per 30m <sup>2</sup>	N/A	2 per unit
A3, A4, A5	N/A	1 per 5m <sup>2</sup> of public area	N/A	2 per unit

<sup>1</sup> It is recognised Colocation uses have a higher operational demand for plant and a reduced need for lorry or car parking compared with development for Business, General Industrial and storage and distribution uses (B1 (b)(c), B2 and B8).

## Landscaping

26. Each development site should set aside a minimum of six percent for landscape treatment. Landscaping on individual sites within the Trading Estate must comply with the hierarchy of landscaping requirements, (Strategic Landscape Sub-Zones, Arterial Road Landscape Sub-zones, and Non-Arterial Roads), as contained within the Landscape Guidance Note in Appendix 1.

27. All developments within the arterial landscape zones as defined on Plan 2, shall include tree planting (unless underground services dictate this is unviable) and a landscaping strip along the site's frontage. Trees shall be planted a minimum of 2 metres in from the back edge of the footpath/highway and shall be spaced at intervals of between 6 and 14 metres.

28. All developments over 16 metres in height within the arterial landscape zones as defined on Plan 2, shall be set back from the back edge of the footpath/highway by a minimum of 14 metres across the front of the site.

29. All new tree planting within the arterial landscape zones shall be located in front of any fencing or walling, between these and the back edge of footpath/highway.

30. Outside of the arterial landscape zones as defined on Plan 2, buildings up to 12 metres in height should incorporate a minimum of a 2 metre deep landscaping strip across the front of the site, and buildings over 12 metres should incorporate a minimum of a 3 metre deep landscaping strip across the front of the site. Security fencing or walls over 1m in height should be located behind the landscaping strip.

31. Within a two year period following the implementation of a landscape 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 size (at least) and species (or that more suitable to evolving site conditions).

32. There shall be no additional drainage to the highway. No works which will result in the discharge of ground or surface water from the site shall be commenced until drainage works have been completed.

## Solar Panels

33. Solar panels are to be treated as Plant, for the purposes of calculating the maximum building heights on new and existing buildings.

34. Solar panels are permitted under the SPZ on the roofs of new and existing buildings subject to them being set back by 2 metres from the edge and ensuring that the overall height of the building including the solar panels does not exceed the permitted height for the building's location in the different sub-zones or height restricted zones.

35. Conditions 1 and 23 do not apply to applications solely for the installation of solar panels on the roofs of existing buildings.

## General

36. With the exception of solar panels on building roofs, the SPZ does not permit external plant unless it is ancillary to development permitted under the SPZ.

<sup>2</sup> A highway is a way over which there exists a public right of passage, that is to say a right for all of Her Majesty's Subjects at all seasons of the year to freely and at their will pass and re-pass without let or hindrance. This includes private roads owned by SEGRO and public roads that are the responsibility of Slough Borough Council.

37. There shall be no additional drainage to the highway. No works which will result in the discharge of ground or surface water from the site shall be commenced until drainage works have been completed.

38. Development which requires specified potentially hazardous activities, the storage/manufacture of defined potentially hazardous substances, the carrying out of prescribed processes or laying or construction of a notifiable pipeline are not permitted under the SPZ.

39. Works to listed buildings are not permitted by the SPZ.

40. Development in Sensitive Boundary Sub-Zones must comply with the specific conditions relating to the hours of operation and deliveries set out in Table 1, unless otherwise agreed in writing by the Local Planning Authority.

41. The office element of SPZ development including mezzanines will be limited to an area not exceeding 49% of floor area (GEA).

42. Open storage is not permitted as part of any of the developments included within the SPZ consent, either as the main use or ancillary to the main use.

43. In the Service Use Sub-Zone, no single retail unit (Class A1) or premises for the sale of food and drink (Class A3) shall exceed 200 square metres gross floor area.

44. Drive-through restaurants within Use Class A3 and A5, are not permitted by the SPZ.

**Table 1: Sensitive Boundary Sub-Zone hours of operation and delivery and collection constraints**

Sensitive Boundary Sub-Zone	Permitted hours for:	
	Delivery and collection	Operation for general industrial or storage and distribution uses
A - Stirling Road	Monday to Saturday: 07:00 to 22:00 No operations on Sundays or Bank Holidays	
C - Galvin Road		
B - Montrose Avenue	Monday to Friday: 08:00 to 18:00 Saturday: 08:00-13:00 No operations on Sundays or Bank Holidays	



45. Due to the extensive industrial history of the Estate, a desk study assessment of the potential risks to human health and the environment from land contamination shall be completed and the developer shall submit this to the council within 12 months of completion of development.

If the desk study assessment identifies potentially significant risks, a comprehensive phased risk assessment of the extent of any land contamination shall be carried out. This will include evidence that suitable measures to remedy any contamination were carried out, where applicable, in order to make the site fit for use.

If the desk study assessment does not identify any significant risks, the developer shall notify the council of this and carry out a watching brief for unexpected contamination during construction. If any such contamination is encountered a programme of investigation and/or remedial work shall be implemented in order to make the site fit for use.

Details of any remediation works undertaken shall be submitted to the council in the form of a post construction audit or its equivalent within 12 months of completion of development.

The Environment Agency (or equivalent regulatory body) shall be consulted and an approved strategy agreed when potential contamination to controlled waters including groundwater and surface water is found in order to ensure all risks are adequately dealt with.

Piled building foundations that penetrate through the superficial sand and gravel deposits into the underlying bedrock of the Lambeth Group and/or Chalk shall not be permitted until after it has been established that the risks to groundwater in the Chalk aquifer are acceptable to the Environment Agency.

46. Suitable locations for CCTV masts and equipment are shown on Plan 3 and permitted as follows:

1. Only in locations within a diameter of 4 metres of the positions marked on Plan CCTV1.
2. Poles and camera fittings are to be no more than 10 metres high. This allows for a 9 metre pole plus camera fittings.
3. Poles are to be set so as not to interfere with sight lines, unless specifically agreed with Slough Borough Council.
4. Poles are to be freestanding or cabinet based, subject to the cabinets being no larger than 0.5 m square and 1.25 m high. (Total height no more than 10m - see point 2 above).

47. The installation and operation of CCTV shall adhere to the 'Surveillance Camera Code of Practice' (June 2013), or its successor.

48. Within areas defined in the Archaeology Plan no development shall commence until a programme of archaeological work has been implemented in accordance with a written scheme of investigation (WSI) which has been submitted and approved in writing by the local planning authority. The WSI shall include details of the investigation, project design, evaluation methods and provisions for further investigation work to be implemented in the event that archaeological remains are found. In accordance with the WSI provision will be made for analysis, publication and the dissemination of results. The finds and archive will be held by the archaeological contractor until such time as this can be deposited with a suitable museum.

## ***Other Permissions and Licences***

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- 2.7 The SPZ scheme grants planning permission only. It remains necessary for the development proposals within the SPZ area to comply with all relevant licences, permits and controls required under other legislation. These include the following:
- The statutory provisions and standards relating to health and safety, nuisance and pollution;
  - Consent for stopping up or diversion of an adopted highway or footpath;
  - Approvals under the Building Regulations and adherence to the Disability Discrimination Act;
  - Consent from the statutory undertakers where their plant or equipment may be affected;
  - Licences issued by Natural England where development permitted by the SPZ may impact on species protected under European or National legislation;
  - Approval, as appropriate, from the Environment Agency pursuant to the requirements of the Land Drainage Act 1991 and other relevant legislation;
  - Consent to display advertisements where required by the Town and Country Planning Act (Control of Advertisements) Regulations 2007;
  - Activities requiring consent under the Town and Country Planning (Hazardous Substances) Act, 1990;
  - Land Drainage Bye-Laws; and
  - Building on and adjacent to public sewers.

## Part 3 Additional information on the operation of the SPZ

- 3.1 To ensure adequate monitoring of SPZ developments the developer will supply Notification of Development to the council within three months of commencement of development.
- 3.2 When development is proposed the responsibility to contact statutory undertakers and other relevant bodies falls to the developer.
- 3.3 Under Section 69 of the Town and Country Planning Act 1990, as required by Article 36(8)(a) of the Town and Country Planning (Development Management Procedure) (England) Order, 2010 (SI 2010/2184, Slough Borough Council will maintain a register containing brief particulars of all SPZs in its area, including information on all proposals for the preparation and alteration of SPZs and a map showing the definitive boundary of any operative or proposed SPZ schemes.
- 3.4 The owner or developer will supply Slough Borough Council with details of all works to be carried out on the Estate which would fall within the SPZ consent. The developer shall submit a covering letter and other information set out in an agreed memorandum, to include SPZ notification form, fee cheque, location plan, site plan to include identification of a pedestrian route from the proposed building to the highway, floor plans, elevations plan and HGV tracking plan. This approach would help Slough Borough Council to monitor development progress and make this information available to the public in place of the Planning Register. Meetings will also be held with Slough Borough every 3 months to discuss progress on development undertaken under the SPZ scheme and any future proposals.
- 3.5 When a private service road or roads are proposed as part of an SPZ Notification, the owner or developer will provide an HGV Tracking Plan and visibility splay plan. Furthermore, where the road is to be gated, sufficient set back to allow at least 1 HGV to be parked up off the highway shall be provided.
- 3.6 The land shown within the red line on Plan 2 within the SPZ boundary is subject to a planning permission for the development of land, granted on an application or deemed to be granted under Part III of the Act (Control of Development). As such demolition is authorised by this SPZ.
- 3.7 The owner or developer may apply to Slough Borough Council for the Certificate of Lawful Use or Development under Section 192 of the Town and Country Planning Act 1990, as inserted by Section 10 of the Planning and Compensation Act 1991. There is a fee payable.
- 3.8 Any planning permission granted by the SPZ must be started within ten years of the date of adoption of the SPZ scheme. At the end of the ten year period the SPZ ceases to have effect except for the development that has already commenced (Section 56 of the Town and Country Planning Act 1990 clarifies when development in an SPZ is considered to have commenced). In relation to unfinished schemes, the developer shall provide details of these within 3 months of the expiry of the SPZ. The Local Planning Authority may serve a Completion Notice stating that the planning permission granted by the SPZ will cease to have effect after a further specified period of not less than 12 months.
- 3.9 For avoidance of doubt the term "developer" as used in the SPZ scheme includes any person or organisation that, in the case of a normal planning application, would be referred to as the applicant.

- 3.10 Development permitted under the SPZ scheme is not exempt from enforcement action. If any development fails to comply with the restrictions or conditions set out in the SPZ scheme, Slough Borough Council has the power to instigate enforcement procedures in the normal way.
- 3.11 If a developer or occupier does not wish to comply with the terms of a particular condition laid down in the SPZ scheme they will have to submit a planning application to Slough Borough Council for the proposed development, which will be determined in the normal way.
- 3.12 Slough Borough Council will charge a fee, payable on the submission of a notification seeking confirmation that a proposed development accords with the SPZ scheme.

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## Part 4 Informatives

- 4.1 In addition to Slough Borough Council, there are a range of statutory undertakers and other agencies that place requirements and publish guidance with respect to new development. It is the responsibility of individual developers or occupiers to ensure that they consult with statutory undertakers and other relevant organisations prior to the commencement of development. All development permitted under the SPZ Scheme should therefore take into account the following informatives:
- i) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) a change of use from a Class B1(b) and/or B1(c) use permitted by this SPZ to a primary use within Class B1(a) shall not be permitted. Ancillary Class B1(a) uses are, however permitted.
  - ii) Development (including any alterations to existing buildings and parking facilities) shall be suitable for use by people with disabilities, designed in accordance with Building Regulations and Slough Borough Council's parking standards current at the time of development.
  - iii) The granting of the SPZ consent does not prevent the Borough council from taking action under Environmental Health Legislation against activities resulting in noise, smoke, odours, smells, dust, grit or litter. Action can also be taken under other environmental legislation where infringements occur.
  - iv) If geotechnical investigation indicates the presence of significant contamination the developer should contact the Environment Agency (or their successors) at the current address.  
  
Red Kite House  
Howbery Park  
Crowmarsh Gifford  
Oxfordshire  
OX10 8BD
  - v) It is an offence to cause or knowingly permit any poisonous, noxious or polluting matter to enter groundwater or surface water, (Environment Permitting Regulations, 2010).
  - vi) In order to comply with the requirements of the Environment Agency (or their successors) development within the Trading Estate under the SPZ Scheme shall not result in:
    - a) Any increase in surface water discharge from the Trading Estate increasing peak flood discharge within the "main river" section of the Chalvey Ditch.And
    - b) Any site that has had previous industrial use shall be subject to a detailed site investigation prior to redevelopment to establish whether the site is contaminated; to assess the degree and nature of any contamination present, and to determine its potential for pollution of the water environment The method and extent of this investigation shall be agreed with the Environmental Agency in advance, and details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall be approved in writing by the Environment Agency before development commences. The development shall then proceed in strict accordance with the measures approved.
  - vii) Pursuant to the Land Drainage Act (1991) and the Environment Agency's Land Drainage Bylaws (1981), details of the following should be submitted for consideration by the Environment Agency (or their successors) prior to commencement of work.

- a) Any works affecting the bed, banks or bow of the Chalvey Ditch and Salt Hill Stream including details of any outfall structures discharging into the water course (Section 23, Land Drainage Act 1991).
- b) Details of any proposed culverts of control structures affecting the bed, banks or bow of non main rivers should be submitted to Slough Borough Council as the Lead Local Flood Authority (Flood and Water Management Act (2010) para.32-34 and Land Drainage Act 1991 Schedule 2 Section 23 (as amended)).
- c) The erection of any fence, post, pylon, wall or any other building or structure within 8 metres measured horizontally from the foot of any bank of the Chalvey Ditch on the landward side or, where there is no such bank within 8 metres measured horizontally from the top edge of the batter enclosing the river, (Bylaw 4, Land Drainage Bylaws 1981).
- viii) Where piled foundations are to be used, the developer will undertake the relevant risk assessment to ensure that groundwater is not at risk from pollution.
- ix) Any access required onto land owned by Network Rail (or their successors) should be the subject of prior application to the Asset Protection Manager at the current address:  
Network Rail  
First Floor  
Templepoint  
Redcliffe Way  
Bristol  
BS1 6NL
- x) No drainage/surface water must be discharged onto Network Rail's property or into any of Network Rail's existing drainage systems except by prior agreement with Network Rail's Property Manager.
- xi) No drainage soakaways should be constructed within 5 metres of Network Rail's property.
- xii) Developers must ensure that no pollution of Network Rail's property occurs.
- xiii) If not already in place, the Developer/ applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing/wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.
- xiv) No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. In particular, the demolition of buildings or other structures must be carried out in accordance with an agreed method statement. Care must be taken to ensure that no debris or other materials can fall onto Network Rail land. In view of the close proximity of these proposed works to the railway boundary the developer should contact Network Rail email AssetProtectionWestern@networkrail.co.uk before works begin.
- xv) It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

- xvi) If any development includes amenity areas, garage blocks, open spaces, areas which will be open to the public/children/animals, the developer is strongly advised to provide as minimum 1.8 metre high concrete post and weldmesh fence alongside the railway
- xvii) It would be advisable to construct a steel vehicle barrier next to the line side fencing; adjacent to all roads, turning circles and parking areas where the railway is situated at or below the level of the development site.
- xviii) All plant to be positioned in such a way that, in the event of failure, it will not encroach or fall nearer than 1 metre from the nearest running railway track. However, should this be unavoidable, Network Rail's Property Manager would require at least 3 months notice prior to the commencement of such works to enable the arrangement of any necessary protection.
- xix) Full details of any external lighting schemes should be submitted to Network Rail's Property Manager for prior approval, so as to ensure these do not interfere with Network Rail's own signalling equipment.
- xx) Details of any planting schemes should be sent to Network Rail's Property Manager for comment. No trees or climbing shrubs should be planted in such a way that they could create a nuisance to the Railway due to falling leaves or penetration of roots, or by providing a means of gaining access to the Railway or on reaching their mature height could fall within 3 metres of Network Rail's nearest running rail, building, or structure. The planting of broad leaved trees or any form of broad leaved planting, in the landscaping of areas adjacent to the railway should be particularly avoided.
- xxi) Thames Water Utilities (or their successors) should be contacted on all developments proposed for the estate, at the current address:  
  
Thames Water Utilities  
Development Control  
Asset Investment Unit  
Maple Lodge  
Denham Way  
Rickmansworth  
Hertfordshire WD3 9SQ
- xxii) Within 12 months of Practical Completion of an SPZ scheme, details of any drainage connections that have been agreed with Thames Water (or their successors) must be provided to the local planning authority.
- xxiii) Surface water drainage design for SPZ developments will manage the surface water run-off they generate for storm events up to and including the 1 in 100 year + 20% event within the plot boundary before discharging to the existing sewer system within the Trading Estate at a restricted rate. Where practicable SuDS utilising infiltration drainage will be implemented in addition to provision of attenuation measures to maximise source control measures and reduce the discharge rate and volume to the sewer system. Discharge rates will be at least equal the existing brownfield level or where practical a betterment will be achieved reducing the run-off rate to as close to the greenfield rate as possible.
- xxiv) When the new SuDS Approval body (SAB) is created under Schedule 3 of the Flood and Water Management Act no work, with the exception of demolition and/or remediation, will commence on-site until SAB consent is obtained for the proposed surface water drainage scheme.

- xxv) Surface water should be drained to soakaways wherever possible, and in any case no additional impermeable areas will be allowed to connect into surface water sewers unless satisfactory on-site balancing provisions have been agreed. Soakaways should not penetrate the water table or exceed 3 metres in depth below existing ground level unless in a form approved by the Environment Agency. No soakaway should be constructed in contaminated ground.
- xxvi) The developer will be prohibited from building over or close to an existing public sewer unless a satisfactory diversion can be achieved. There are exceptions for very small developments over some minor sewers.
- xxvii) Any industrial process resulting in the discharge of trade effluent to the public foul sewer will require a Trade Effluent Consent from Thames Water Utilities (or their successors).
- xxviii) Surface level car parks with 30 or more spaces shall drain via an approved oil interceptor. Permeable surfaces may be an acceptable solution in certain circumstances to facilitate drainage as an alternative to an approved oil interceptor.
- xxix) Covered car parks shall drain to the foul sewer via an interceptor.
- xxx) Any above ground fuel storage tank(s) or chemical storage tank(s) shall be sited on an impervious base and surrounded by bund walls. No drainage outlet should be provided. The bunded area should be capable of retaining at least 110% of the volume of the tanks and any spillages from fill or draw pipes. All fill pipes and sight gauges should be enclosed within its curtilage. The vent pipe should be directed downwards into the bund. Guidelines are available from the Environment Agency. Details of the containment system are to be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development.
- xxxi) The developer shall where possible re-use and recycle waste, including materials and waste arising from demolition; minimise the pollution potential of unavoidable waste; and dispose of unavoidable waste in an environmentally acceptable manner.
- xxxii) Occupiers will be encouraged to reuse and recycle materials where possible.
- xxxiii) Any hazardous waste generated during the demolition or construction process should be removed and disposed of in accordance with the relevant Hazardous Waste Regulations.
- xxxiv) Prior notification of demolition is not required. Where demolition of an existing building is planned, all redundant drains shall be grubbed up or sealed to prevent rodents gaining access to the public sewers.
- xxxv) No landscaping will be permitted on the public highway verges except under licence issued in accordance with the Highways Act 1980. Any landscaping proposed on the adopted highway will be subject to the Borough council granting a licence under Section 142 of the Highway Act.
- xxxvi) An environmental guidance note is included in Appendix 3 to assist developers in curbing any potential detrimental effects upon the environment.
- xxxvii) The construction details of access to an adopted highway, or highway that the developer proposes for adoption, should be in accordance with standard details current at the time of development provided by the Head of Highways. No work should be undertaken on the public highway without his or her permission.
- xxxviii) All development should take account of the provisions contained within Circular 01/03 with regard to the height restrictions on tall buildings within aircraft flight paths.

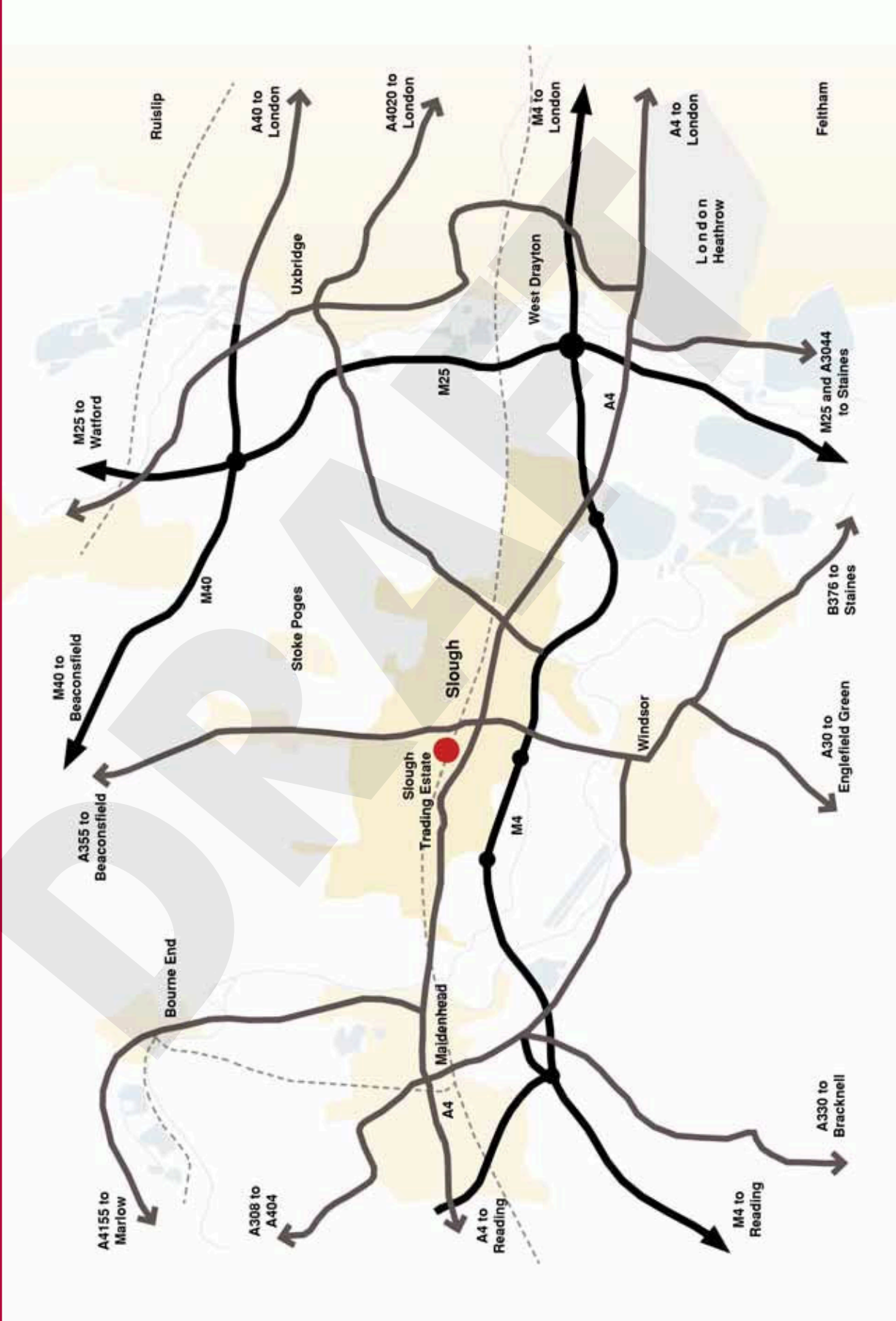


- xxxvix) The Environment Agency (or the relevant waste regulation authority) should be contacted by the developer with regards to all development which falls within the provisions included within Schedule 5(y) of the Town and Country Planning (Development Management Procedure) (England) Order (2010) which deals with development on or within 250m of landfill sites.
- xxxx) All development is expected to take into account the provisions of Section 17 of the Crime and Disorder Act 1998 regarding surveillance, structure, ownership, access and movement, physical protection, activity, adaptability, and management and maintenance, as well as current Government policy on these matters.
- xxxxi) All new development permitted by the SPZ must comply with Building Regulations including the requirements of Part L, which set out the requirements with respect to the conservation of fuel and power.
- xxxii) The contact addresses listed were correct at the time of adoption. These may be subject to change during the period of operation of the SPZ and consequently it is the responsibility of the developer to check that the addresses are still correct and if not, obtain the new contact details for the relevant body.
- xxxiii) All adopted roads and junction alterations to adopted roads require Road Safety Audits (Stages 1, 2, and 3) to be carried out in accordance with the Highways Authority's requirements.
- xxxiv) If a previously permitted SPZ building is lost through an insured risk, meaning:
- fire, lightning, earthquake, subsidence, heave, landslip, explosion, terrorism, aircraft, riot, storm, tempest, flood, burst pipes, malicious damage and impact damage;
- it can be re-built to its pre-existing height, notwithstanding the heights specified elsewhere in this SPZ.
- xxxv) SEGRO commissioned an assessment of the potential for finding archaeological remains across the Trading Estate; that concluded (i) the areas in Plan 4 would require further investigation prior to their redevelopment, as per condition 48, and (ii) outside of these areas SPZ developments will not require further investigation due to historic severe and widespread below ground disturbance.
- The assessment was carried out in 2013 and 2014 to support the renewal of the SPZ and considered past development and redevelopment in order to inform a model of archaeological survival. It included information from previous programmes of archaeological trenching at 260-266 Bath Road and the Leigh Road Commercial Core Area (LRCC2), and further archaeological trenching elsewhere on the estate in March and April 2014.

# Plan 1

Slough Trading Estate SPZ - regional and local context

DRAFT

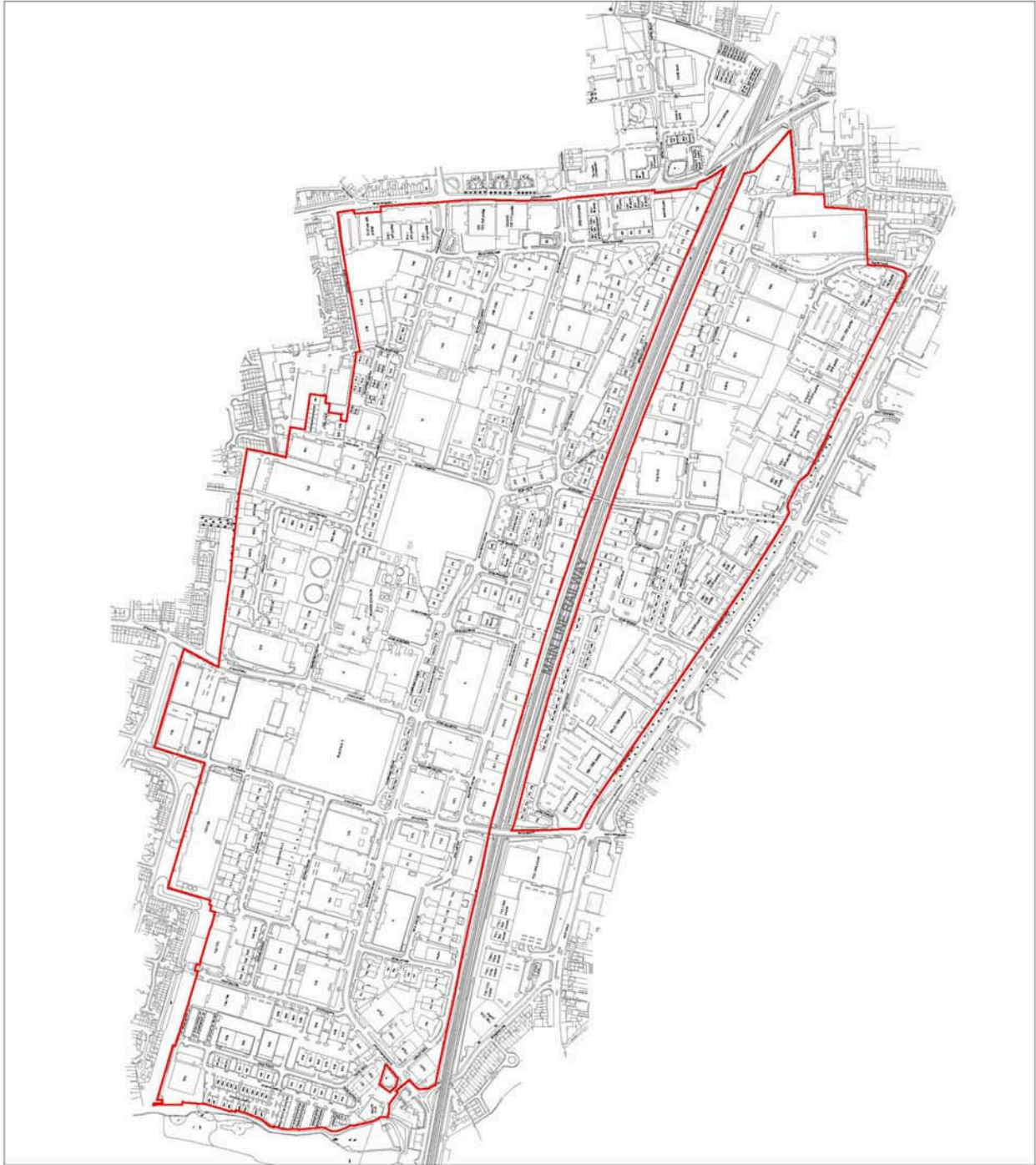


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Revision	Date	Drn	Ckd

Legend

	SPZ Site Boundary
---	-------------------



**Draft**  
Project  
**Slough SPZ**

Drawing Title  
**SPZ Site Boundary**

Date	02.06.14	Scale	NTS	Drawn by	M.S.	Checked by	J.P.
Project No	20712	Drawing No	20	Revision			

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3,330,000 - 50999,20700 - 20799,20712 - Slough SPZ Site Boundary.dwg - 20 - SPZ Site Boundary.dwg - 14/04/14














Office: 41 Reading, London: Bristol, Cambridge, Cardiff, Edinburgh, Glasgow, Leeds, Manchester, Saratoga

# Plan 2

Adopted SPZ boundary and zonings

The scaling of this drawing cannot be assured

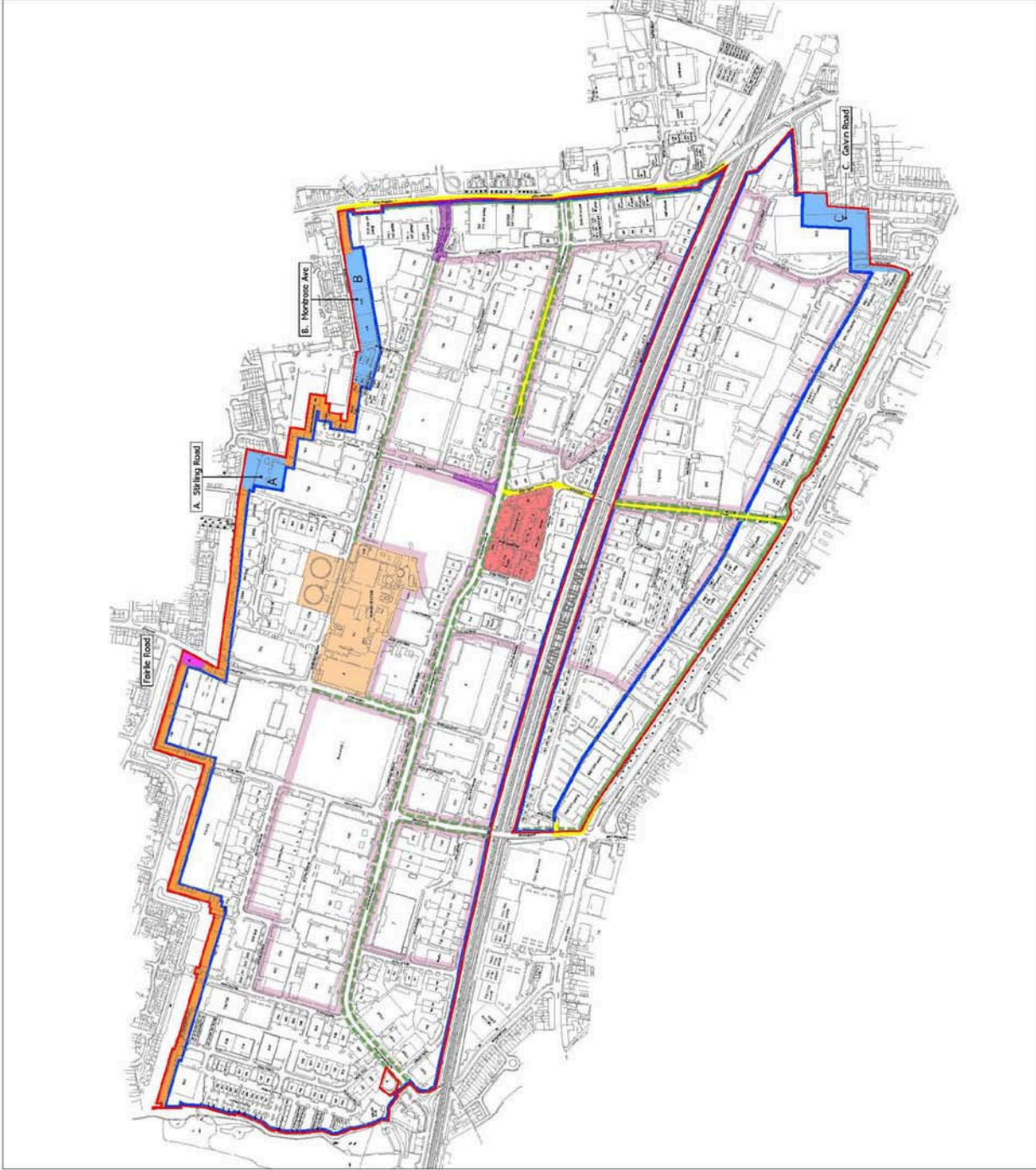
Revision	Date	Drn	Ckd

- Legend**
-  Proposed SPZ Boundary
  -  All SPZ Uses Permitted
    - Up to 16m (including plant)
  -  Service Use Sub-Zone
  -  Power Station Sub-Zone
  -  Strategic Landscape Sub-Zones
  -  Sensitive Boundary Sub-Zones
    - A. Sailing Road C. Galvin Road
    - B. Horseshoe Ave
    - Up to 7m (including plant)
  -  Faillie Road Sub-Zone
    - Up to 7m (including plant)
  -  Height Controlled Zone
    - Up to 12m (including plant)
  -  Warehouse and Distribution Uses on Sites Over 1 Hectare
    - Up to 20m (including plant)
  -  R, D and Colocation Sub-Zone
    - Up to 23m (including plant)
  -  Arterial Road Landscape Sub-Zones
  -  Highway Safeguarding Sub-Zones
  -  Areas of Land for Liverpool Road / Buckingham Avenue and Edinburgh Avenue / Farnham Road Junction Improvements

**Draft**  
 Project: **Slough SPZ**  
 Drawing Title: **SPZ Plan**

Date	Scale	Drawn by	Check by
12.05.14	NTS	M.S.	J.P.
Project No	Drawing No	Revision	
20712	12	E	

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 13.0000 - 2099920700 - 2079920712 - Slough SPZ Internal A4 - Draft & Regulatory Planning 2012 - 12E - SPZ Precast Map.dwg - Layer 3




# Plan 3

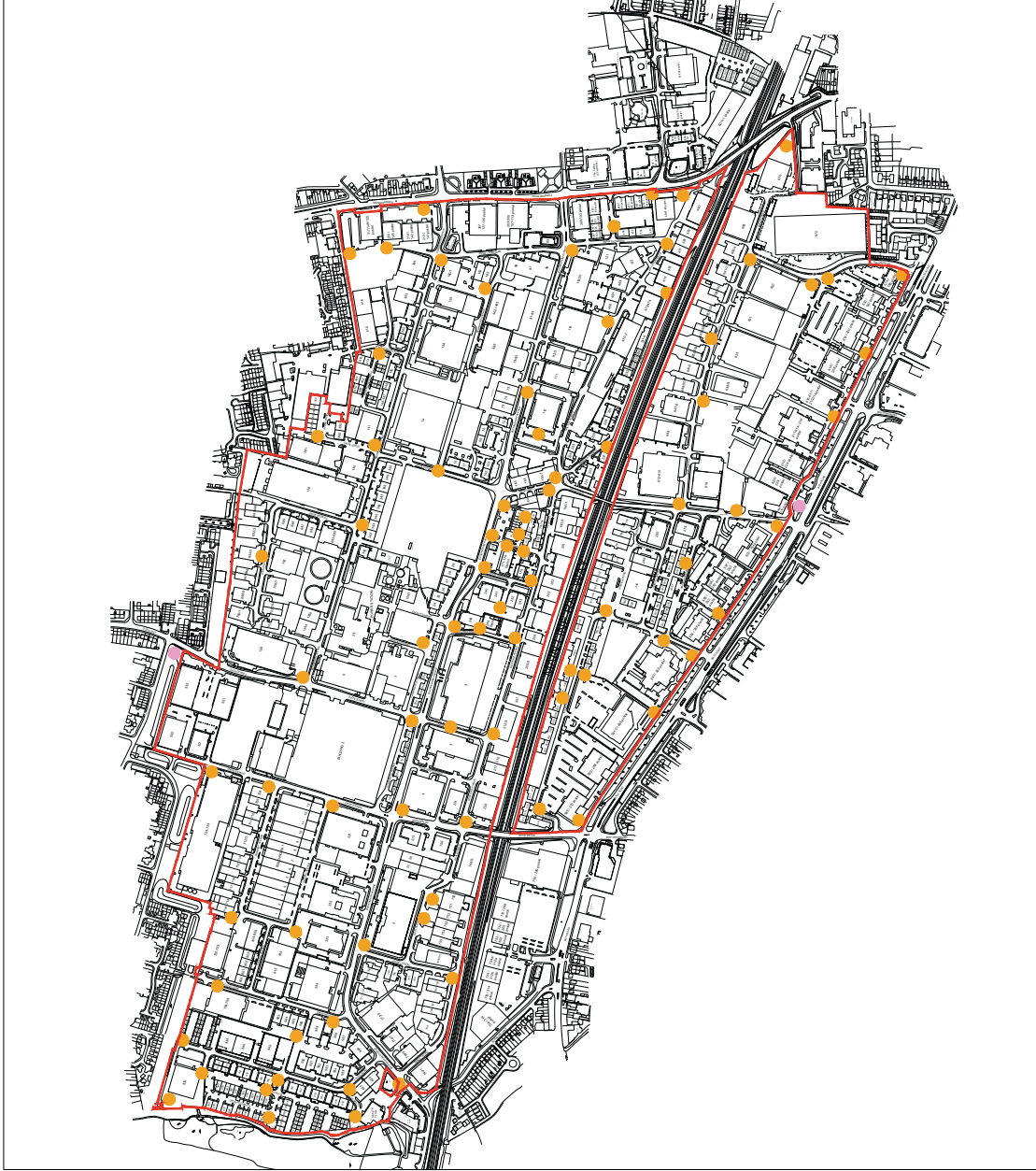
Location of CCTV cameras

DRAFT

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Revision \_\_\_\_\_ Date \_\_\_\_\_ Dm Cld \_\_\_\_\_

- Legend
-  Proposed SPZ Boundary
  -  Permitted Locations for CCTV
  -  Outside SPZ Boundary and would Require Planning Permission



Project  
Slough SPZ  
Drawing Title  
Permitted Locations for CCTV

Date	Scale	Drawn by	Check by
22.05.14	NTS	M.S.	J.P.
Project No	Drawing No	Revision	
20712	02	F	

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3/20/2006 - 20/09/2020 - 20/09/2012 - Slough SPZ scheme v14 - Dept 8 - Regeneration Planning 02/12 - 02F - Permitted Locations for CCTV.dwg - Layout

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# Plan 4



Archaeology (WSI locations)

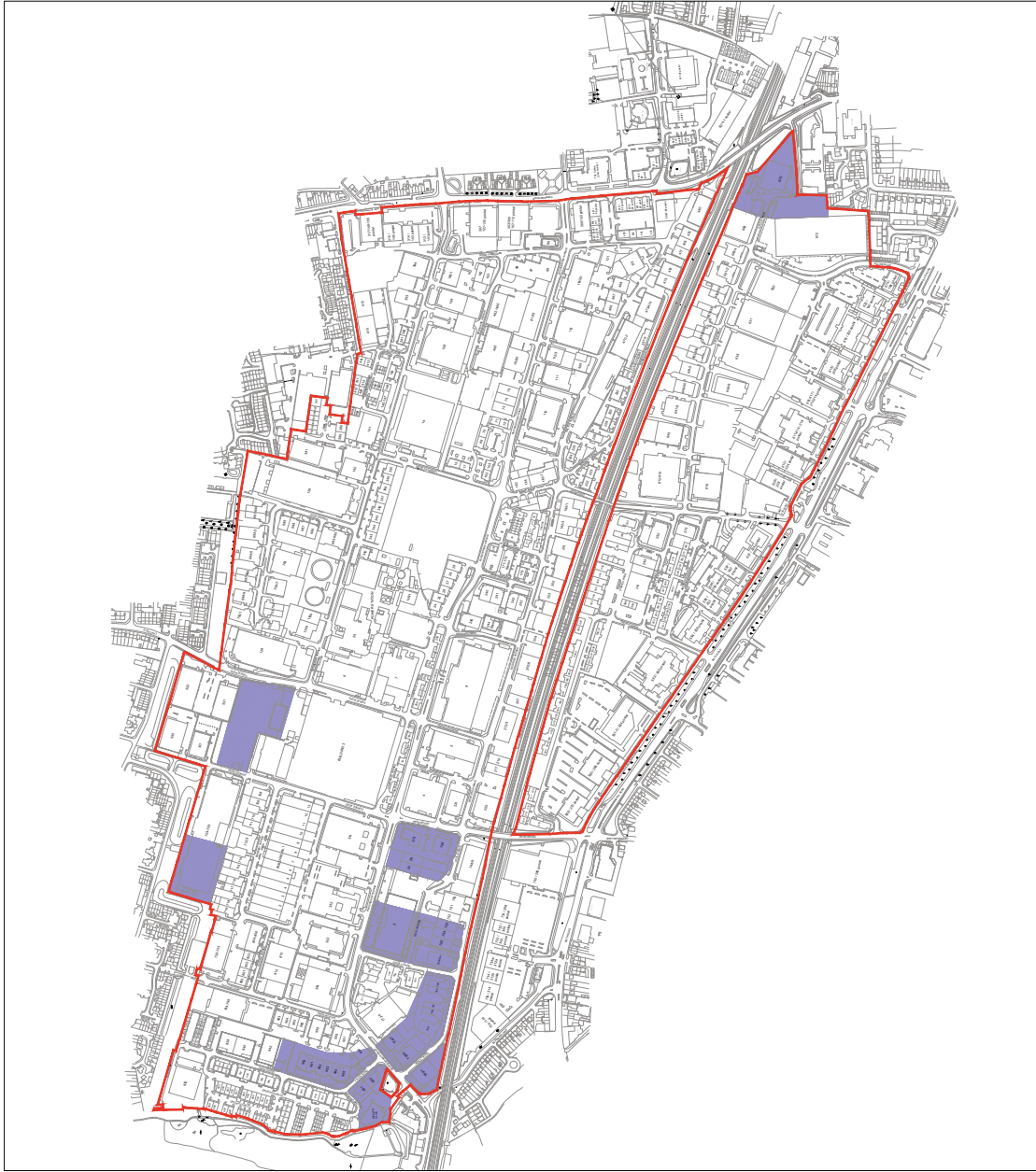
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Revision	Date	Drn	Ckd

Legend

-  Proposed SPZ Boundary
-  Areas where further archaeological investigation is required



**Draft**  
Project  
Slough SPZ

Drawing Title  
Archaeology Plan

Date	Scale	Drawn by	Checked by
12.05.14	NTS	M.S.	J.P.
Project No	Drawing No	Revision	
20712	18	-	

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1328000 - 2019/03/20 - 2019/03/21 - Slough SPZ Scheme - Drawn & Registered Planning 2012 - 18 - Archaeology Plan.dwg - Layout  
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## Simplified Planning Zone Scheme - Slough Trading Estate, 2014-2024

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** PLANNING COMMITTEE

**DATE:** 19<sup>th</sup> June 2014

**PART 1**

**FOR INFORMATION**

**Planning Appeal Decisions**

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

<b>WARD(S)</b>	<b>ALL</b>	
<b>Ref</b>	<b>Appeal</b>	<b>Decision</b>
<b>P/07482/009</b>	<p><b>38a, Harrow Road, Slough, SL3 8SQ</b></p> <p>ERECTION OF A SINGLE STOREY SIDE EXTENSION WITH A HIPPED ROOF. (REVISED SCHEME OF P/07482/008)</p> <p><b>Reasons for refusal:</b></p> <p>1. The proposed development will reduce the amount of useable amenity space to a level which would be insufficient to adequately serve a family dwelling. The development thereby represents an overdevelopment of the site and is contrary to Policy H14 of The Adopted Local Plan for Slough 2004, which seeks to ensure that an appropriate level of amenity space is provided having regard to the type and size of household likely to occupy the dwelling and EX48 of the Residential Extensions Guidelines Supplementary Planning Document Adopted Jan.2010.</p> <p>2. The proposed single storey side extension by virtue of its siting, design, excessive width, scale, massing and lack proportionality do not appear subordinate to and is out of keeping with the character and appearance of the original house and that of the general street scene. The issues of scale, massing and lack of proportionality are compounded by the excessive width, bulk and unbalance element which would detract from and upset the symmetry and balance of the wider terrace. The development is therefore contrary to the National Planning Policy and Framework (NPPF) 2012, Policies H15, EN1 and EN2 of The Adopted Local Plan for Slough 2004; Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008; (Incorporated in the</p>	<p><b>Appeal Granted</b></p> <p><b>14<sup>th</sup> April 2014</b></p>

Composite Local Plan for Slough 2013), the Slough Local Development Framework, and the Residential Extensions Guidelines, Supplementary Planning Document, Adopted January 2010.

The Inspector considered that the appeal property is a two storey, end of terrace dwelling. Whilst it is an extension of the original terrace, the form and appearance of the property is consistent with the formally laid out dwellings which characterise the area.

The property has a side garden enclosed by a substantial hedge, to the south of which is an area of grass and parking. This area provides fairly generous separation between the appeal property and the end of the next terrace along Harrow Road (number 36). It also allows views to Hampton Road to the rear.

The proposed side extension would, therefore, occupy a corner location in the street scene. To that extent it would be prominent. However, there are a number of other examples in the area of single storey extensions on the ends of terraces including, 36 Harrow Road, directly opposite the appeal site across the grass and parking area and 50 Hampton Road immediately to the rear.

Moreover, the northern end of the appeal property terrace has a hipped roof, single storey wing. As such, I consider that the siting and form of the proposed extension would be in keeping with the character of the area and would not unbalance the symmetry of the terrace. I also note that there is an extant planning permission for a slightly narrower side extension to the appeal property (Application ref P/07482/008).

Although the appeal proposal would be some 650mm wider than the permitted scheme, it would still be set in from the side boundary and single storey in height with a shallow pitched, hipped roof. Given the reasonably generous scale of the space around the appeal property, I consider that it would not dominate or have a materially enclosing effect on that space. Furthermore, the proposed extension's modest height, set back from the rear elevation and simple form would help ensure its subservience to the host property.

Therefore, I find that the proposal would not have a harmful effect on the character and appearance of the area or the host property. As such, it would comply with

The Local Plan for Slough (LP) policies H15, EN1 and EN2 and policy 8 of the Council's Core Strategy (CS) which, together, require residential extensions to achieve a high standard of design and be compatible with the original structure and the street scene. It would also accord with the Council's Residential Extensions Guidelines Supplementary Planning Document (SPD) insofar as it has similar aims and the National Planning Policy Framework (the Framework) insofar as it seeks high quality design.

The appeal property has external amenity space to the side and rear. Where it faces Harrow Road, the space to the side is enclosed by a 1.2m high fence. As a result, it does not provide occupiers with a high degree of privacy. The space to the rear has greater enclosure and appears to be more intensively used. The proposed extension would take up most of the space to the side of the existing building. Although the remaining space to the rear would be relatively small, it is the more useable area.

Moreover, the extant permission would result in the loss of the space to the side of the property. Whilst that extension would be slightly narrower, there is nothing to suggest that the space it would leave to the side of the property would provide useable amenity area. Consequently, the extant permission amounts to a relevant and realistic fallback position were this appeal to be dismissed. I am also mindful that the proposed extension would provide more living space for occupants, but no additional bedrooms. The level of occupation of the dwelling, therefore, would be unlikely to increase as a consequence of the proposal.

Having regard to these considerations, I conclude that the proposal would not conflict with the aims of LP policy H14. This policy requires the level of residential amenity space to be determined based on, among other things, the type and size of the dwelling and the privacy and usefulness of the space provided. The first reason for refusal also refers to guideline EX48 of the SPD.

The inspector also considered that although the guideline deals with rear, rather than side, extensions and therefore the suggested garden size dimensions are not directly applicable to the appeal proposal. Nevertheless, the proposal would be consistent with the underlying aim of ensuring that residential occupiers have an appropriately

	sized, useable amenity area.	
<b>P/15625/001</b>	<b>6, Salt Hill Avenue, Slough, SL1 3XP</b>  ERECTION OF A REAR OUTBUILDING WITH FLAT ROOF	<b>Appeal Dismissed</b>  <b>25<sup>th</sup> April 2014</b>
<b>P/11887/004</b>	<b>67-69, London Road, Slough, Berkshire, SL3 7RS</b>  ERECTION OF FIRST FLOOR REAR EXTENSION WITH FLAT ROOF ACROSS BOTH DWELLINGS.	<b>Appeal Dismissed</b>  <b>9<sup>th</sup> May 2014</b>
<b>2013/00070/ENF</b>	<b>9-10, Chapel Street, Slough, SL1 1PF</b>  UNAUTHORISED USE OF LAND AS SHISHA LOUNGE AND ERECTION OF MARQUEE AND NEW TOILET	<b>Appeal Dismissed</b>  <b>15<sup>th</sup> May 2014</b>
<b>2013/00070/ENF</b>	<b>9-10, Chapel Street, Slough, SL1 1PF</b>  AWARD OF COSTS FOR ABOVE	<b>Appeal Dismissed</b>  <b>15<sup>th</sup> May 2014</b>
<b>P/09057/003</b>	<b>38, Barnfield, Slough, SL1 5JW</b>  <b>ERECTION OF A TWO STOREY SIDE EXTENSION WITH MONO PITCHED ROOF</b>  Reason for refusal: The proposed two storey side extension does not allow sufficient separation distance between the host dwelling and the boundary with the adjacent flatted development and future development would close the visual gap between these two buildings which would have a detrimental impact on the character of the surrounding street scene. As such the proposal is contrary to policies: H15, EN1 and EN2 of The Adopted Local Plan for Slough 2004; Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008; The Slough Local Development Framework, Residential Extensions Guidelines, Supplementary Planning Document Adopted January 2010; and National Planning Policy Framework.  The Inspector identified the main issue as being the effect of the proposed development on the street scene.  The Inspector concluded that given there was no evidence to suggest that a future extension of the adjacent flatted development may further reduce the	<b>Appeal Granted</b>  <b>16<sup>th</sup> May 2014</b>



	separation between the two properties he was satisfied that the proposed extension would maintain a visual gap sufficient to preserve the established character of the street scene.	
<b>P/13700/007</b>	<b>17, Royston Way, Slough, SL1 6EP</b>  APPLICATION FOR LOFT CONVERSION AND TWO SIDE FACING DORMERS ONE WITH ONE WINDOW, THE OTHER WITH TWO WINDOWS AND CHANGE OF ROOF OF REAR ELEVATION TO FLAT.	<b>Appeal Dismissed</b>  <b>27<sup>th</sup> May 2014</b>

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**MEMBERS' ATTENDANCE RECORD 2014/15**  
**PLANNING COMMITTEE**

COUNCILLOR	19/06/14	24/07/14	03/09/14	16/10/14	27/11/14	08/01/15	17/02/15	01/04/15	29/04/15
Ajaib									
Bains									
Dar									
M. Holledge									
Plenty									
Rasib									
Sidhu									
Smith									
Swindlehurst									

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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