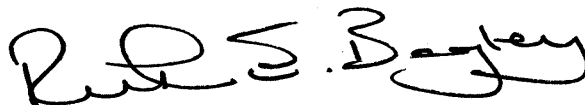


Date of issue: 19<sup>th</sup> November, 2014

<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, 27TH NOVEMBER, 2014 AT 6.30 PM
<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

AGENDA  
ITEM

REPORT TITLE

PAGE

WARD

1. Apologies for Absence

**CONSTITUTIONAL MATTERS**

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
2.	Declarations of Interest  <i>All Members who believe they have a Disclosable Pecuniary or other Pecuniary or non pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 3 paragraphs 3.25 – 3.27 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 3.28 of the Code.</i>  <i>The Chair will ask Members to confirm that they do not have a declarable interest.</i>  <i>All Members making a declaration will be required to complete a Declaration of Interests at Meetings form detailing the nature of their interest.</i>		
3.	Guidance on Predetermination/Predisposition - To Note	1 - 2	
4.	Minutes of the Last Meeting held on 16th October, 2014	3 - 8	
5.	Human Rights Act Statement - To Note	9 - 10	
<b>PLANNING APPLICATIONS</b>			
6.	P/06865/008 - 9-15, High Street, Slough, SL1 1DY  <b>Officer Recommendation:</b> Delegate to Acting Planning Manager	11 - 24	Chalvey
7.	P/15809/000 - 412-426, Montrose Avenue, Slough  <b>Officer Recommendation:</b> Delegate to Acting Planning Manager	25 - 46	Farnham
8.	P/10697/009 - Rosary Farm, Bath Road, Colnbrook, Slough, Berkshire  <b>Officer Recommendation:</b> Refer to the Secretary of State	47 - 64	Colnbrook with Poyle
9.	P/01163/006 - Rogans Garage, 585, London Road, Colnbrook By Pass, Colnbrook, SL3 8QQ  <b>Officer Recommendation:</b> Delegate to the Acting Planning Manager	65 - 102	Colnbrook with Poyle

**AGENDA**  
**ITEM**

**REPORT TITLE**

**PAGE**

**WARD**

**MISCELLANEOUS REPORTS**

- |     |   |           |         |
|-----|---|-----------|---------|
| 10. | 81-127 Windsor Road - Selected Key Location For Comprehensive Redevelopment | 103 - 108 | Chalvey |
|-----|---|-----------|---------|

**MATTERS FOR INFORMATION**

- |     |                           |           |  |
|-----|---------------------------|-----------|--|
| 11. | Planning Appeal Decisions | 109 - 110 |  |
| 12. | Members Attendance Record | 111 - 112 |  |
| 13. | Date of Next Meeting      |           |  |

8<sup>th</sup> January, 2015

**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 Thursday, 16th October, 2014.**

**Present:-** Councillors Dar (Chair), Ajaib (Vice-Chair), Bains, M Holledge, Plenty, Rasib, Sidhu, Smith and Swindlehurst (from 6.38 pm)

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

**PART I**

**39. Apologies for Absence**

None.

**40. Declarations of Interest**

It was highlighted that planning application P/15909/000 - Land rear of former Town Hall and, No.s 8 &10, Ledgers Road, Slough, was submitted by Slough Regeneration Partnership on behalf of the Local Authority. None of the Planning Committee Members were a Member of the Board and would retain an open mind when deciding the application. Councillor Swindlehurst declared that he was the Cabinet Member at the time a decision was made to dispose of the Town Hall site for regeneration but had an open mind and would debate and vote on the item.

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

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

**42. Minutes of the Last Meeting held on 3rd September, 2014**

**Resolved -** That the minutes of the meeting of the Planning Committee held on 3<sup>rd</sup> September 2014 be approved as a correct record.

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

The Human Rights Act statement was noted.

**44. Planning Applications**

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

Oral representations were made to the Committee by objectors and applicants or their agents under the Public Participation Scheme and local members prior to the planning applications being considered by the Committee as follows:-

## Planning Committee - 16.10.14

Application P/01049/021: 370-386 Farnham Road, Slough- A registered Objector, the Applicant's Agent and Councillor Bal (as Ward Councillor) addressed the Committee.

**Resolved** – That the decisions be taken in respect of the planning applications as set out in the minutes below, subject to the information, including conditions and informatives set out in the report of the Head of Planning Policy and Projects and the amendments sheet tabled at the meeting and subject to any further amendments and conditions agreed by the Committee.

### 45. P/01049/021 - 370-386 Farnham Road, Slough, Berkshire, SL2 1JD

Application	Decision
Alteration, extension and conversion of existing building to provide A1 food supermarket plus erection of mezzanine and new second floor to provide 7 no. two bedroom flats and 6 no. one bedroom flats plus associated parking and servicing via Essex Avenue.	Delegated to the Acting Planning Manager for the signing of a satisfactory Section 106 Agreement, to agree any minor amendments to the planning application, draft conditions and Section 106 planning obligation matters.

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

### 46. P/15909/000 - Land rear of former Town Hall and, No.s 8 &10, Ledgers Road, Slough, Berkshire

Application	Decision
Demolition of 8 & 10 Ledgers Road and construction of 73 dwellings (2 & 3 bedroom houses; 1 & 2 Bedroom Flats) and associated parking, landscaping and highway works.	Delegated to the Acting Planning Manager for the signing of a satisfactory Section 106 planning obligation and to agree any minor amendments to the planning application, draft conditions and Section 106 planning obligation matters.

### 47. S/00709/000 - 145 Elliman Avenue, Slough, SL2 5BD

Application	Decision
Construction of a 4 storey building for 11 social rented flats on vacant site of former Eschle Court.	Approved.



## Planning Committee - 16.10.14

### 48. Technical Consultation on Planning

Wesley McCarthy, Acting Planning Manager, outlined a report informing the Committee of the representations submitted to Department for Communities and Local Government (DCLG) on the recent Technical Consultation on Planning. It was noted that the six week consultation ended on the 26<sup>th</sup> September, 2014 and proposed major changes to the planning system intended to make the planning process easier and more streamlined.

It was highlighted that this was the third package of new permitted development rights which had been introduced by the Government with the desire to see a reduction in the number of developments requiring a full planning application. The Officer discussed the specific changes to the regulations and advised that Slough BC had made representations in respect of Sections 2 and 3 as these changes would have an impact on the planning service and implications for Local Plan policies. The Officer discussed the impact of these changes and highlighted that there should be a limit on the amount of floor space that could be changed from employment use to residential so that the Council could have some control over the reduction in business floor space. Other impacts were discussed including the loss of fees and resources needed to deal with the increase in permitted development right notifications.

The Officer discussed the possible negative impact of allowing permanent permitted development rights for larger extensions to houses and related burden of administration and potential enforcement. Members noted the increase in flexibility for High Street uses and the resulting need to delete Saved Local Plan Policies on Primary and Secondary frontages. The changes to Mezzanine Floors regulations, Maximum Car Parking Standards and changes of use to a betting shop or a pay day loan premises were highlighted.

The Committee noted the Section 3 changes that would improve the use of planning conditions at the decision-making stage, and delays in discharging conditions. Members were advised that a further update report would be presented to the Committee if the proposed measures come into force.

**Resolved-** That the representations submitted to Department for Communities and Local Government (DCLG) on the recent Technical Consultation on Planning be noted.

### 49. Local Development Framework: Annual Monitoring Report 2013/14

Paul Stimpson, Planning Policy Lead Officer, outlined a report seeking the Committee's approval for publication of the tenth Annual Monitoring Report (AMR) for publication on the Council website. It was highlighted that for the first time in a number of years there had been an increase in the number of houses built in Slough with 396 net completions in 2013/14. Outstanding commitments indicated that Slough still had a 5, 10 and 15 year supply of housing land.

## **Planning Committee - 16.10.14**

The Officer discussed the purpose and content of the AMR which included progress up to August 2014 and advised that the document would be published on the Slough BC website together with a copy of the Residential and Employment Commitment documents for 2013/14. Members noted key results from the Monitoring Report regarding the increase in housing in the Borough and that the percentage of flats built in Slough in 2013/14 was 54%, and 63 new build dwellings were 'affordable'. There was a net gain of 1,948 square metres of employment floor space in 2013/14 as a result of the implementation of planning permissions. The Officer discussed changes in the amount of retail, leisure and office floor space during the relevant period and the outcome of Planning Appeal Decisions where 26% were allowed.

Members were reminded that the Core Strategy 2006-2026 was adopted in November 2008 and the Site Allocations DPD was adopted in November 2010. These documents alongside the Local Plan Saved Policies (2004) form the development plan for Slough. Slough had a well established policy framework for the future.

The Officer advised that Cabinet had approved the new Simplified Planning Zone scheme for adoption at its meeting on 14<sup>th</sup> July, 2014 and this would come into effect on 12<sup>th</sup> November for 10 years. Members also noted the position on Minerals and Waste Planning following the closure of the Berkshire Joint Strategic Planning Unit and the abolition of the South-East Plan.

Members asked a number of questions of detail and it was:

### **Resolved-**

- a) That the Local Development Framework Annual Monitoring Report 2013/14 be approved for publication on the Council website.
- b) That the Council should continue to produce and publish future monitoring reports that are focused upon important local issues as well as meeting statutory requirements.
- c) That the Council monitor the need to review the development plan for Slough through the Annual Monitoring Report.

## **50. Planning Appeal Decisions**

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

## **51. Members Attendance Record**

**Resolved-** That the Members Attendance Record for 2014/15 be noted.

**Planning Committee - 16.10.14**

**52. Date of Next Meeting**

The date of the next meeting was confirmed as 27<sup>th</sup> November, 2014.

Chair

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

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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

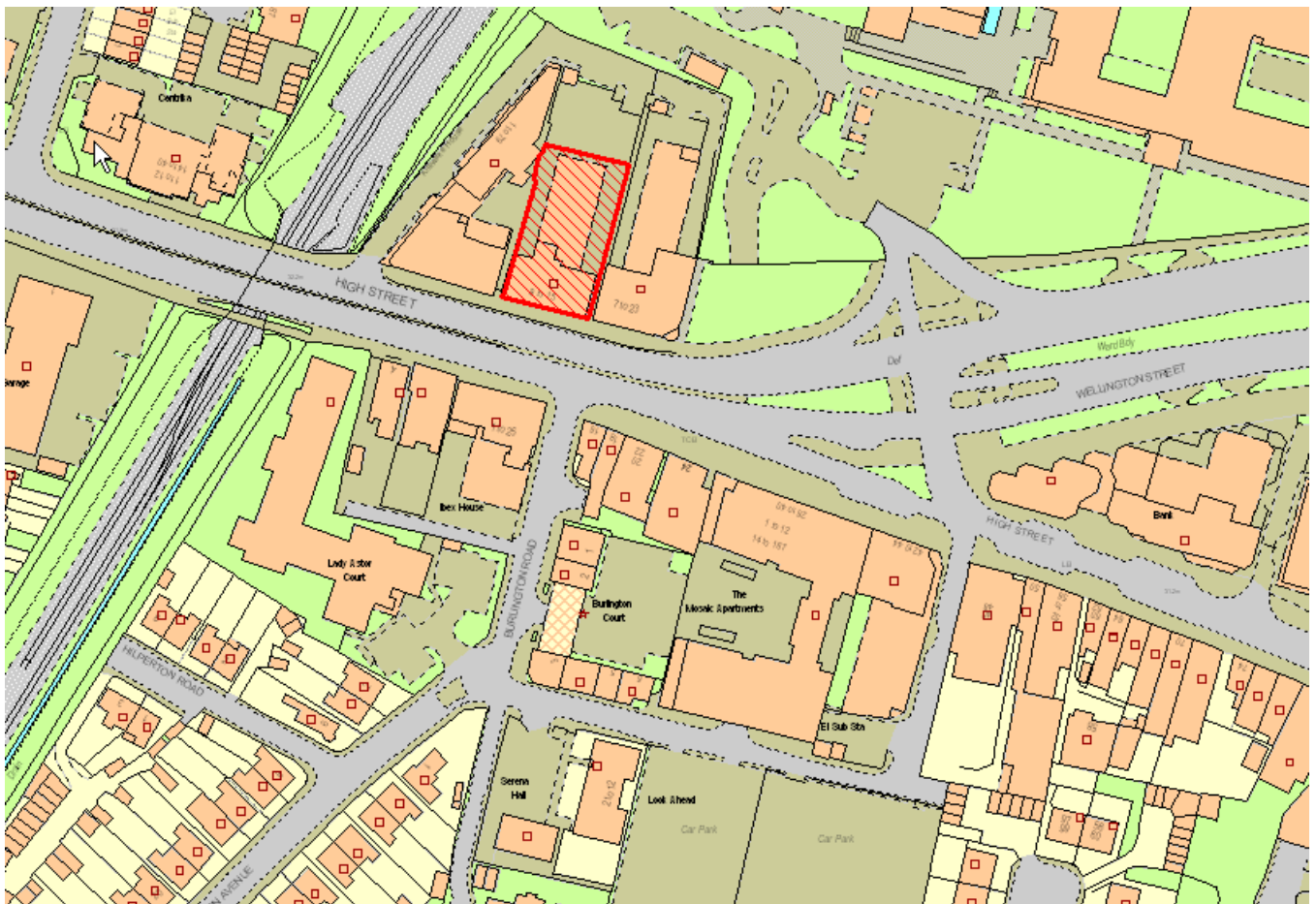
	<b>USE CLASSES – Principal uses</b>
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest 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>	07-Oct-2014	<b>Applic. No:</b>	P/06865/008
<b>Officer:</b>	Mr. J. Dymond	<b>Ward:</b>	Chalvey
<b>Applicant:</b>	Upton Developments		
<b>Agent:</b>	Mr. Neil Oakley, Danks Badnell Architects Ltd 3-4, Osborne Mews, Windsor, Berkshire, SL4 3DE		
<b>Location:</b>	9-15, High Street, Slough, SL1 1DY		
<b>Proposal:</b>	CHANGE OF USE OF BUILDING FROM CLASS B1 (a) OFFICES TO CLASS C3 RESIDENTIAL TO PROVIDE 42 NO. FLATS (32 NO. ONE BEDROOM AND 6 NO. TWO BEDROOM), CONSTRUCTION OF TWO ADDITIONAL FLOORS AND ASSOCIATED ALTERATIONS.		

**Recommendation:** Delegate to Acting Planning Manager



1.0 **SUMMARY OF RECOMMENDATION**

1.1 This application has been referred to the Planning Committee for consideration as the application is for a major development.

1.2 Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations, it is recommended to:

Delegate a decision to the Acting Planning Manager for the signing of a satisfactory Section 106 Agreement (or unilateral planning obligation) as necessary; to agree revised drawings requested; to consider any further observations from neighbours / consultees; to agree the outstanding matters referred to in the report; and to agree any minor amendments to the planning application, draft conditions and Section 106 planning obligation matters.

PART A: BACKGROUND

2.0 **Proposal**

2.1 This is a full planning application for the change of use of building from class B1 (a) offices to class C3 residential to provide 42 no. flats (32 no. one bedroom and 6 no. two bedroom), construction of two additional floors and associated alterations. The proposal would also involve the retention of the front two units on the ground floor as offices.

2.2 Associated car parking provision would be provided at ground floor level to the rear of the building.

2.3 Pre-application advice has been sought. The applicant is in the process of amending the scheme.

3.0 **Application Site**

3.1 The site is situated to the north of the High street, within Slough town centre.

3.2 The existing building is three storeys in height and has a pitched roof. The building is understood to be in use for B1(a) office purposes. The main entrance is to the front, and there is a car park to the rear.

3.3 It is understood that there are 22 no. spaces within the existing car park.

3.4 To the north of the site is the access road and a neighbouring car park, beyond which is the railway line.

3.5 To the south of the site on the opposite side of the High Street is IbeX House.

3.6 An office development known as Keypoint is located to the east.

3.7 To the west of the site is Kittiwake House. Kittiwake House comprises retail units at ground floor level fronting the High Street and 78 no. flats (36 no. one bedroom and 42 no. two bedroom) flats above.

3.8 In terms of the constraints affecting the site, 9-15 High Street is located within flood zone 1



and as such there would be a low probability of flood risk. The site is located outside of a Conservation Area. There are no statutorily listed buildings in the immediate vicinity of the site.

3.9 It should be noted that Wellington Street is covered by Slough Borough Council Designated Air Quality Management Area 4 (Air Quality Management [No4] Order 2011) which covers the A4 Bath Road from the junction with Ledgers Road/Stoke Poges Lane in an easterly direction along Wellington Street, up to the Sussex Place junction.

3.10 The area has been designated as such in relation to a likely breach of the nitrogen dioxide (annual mean) objective as specified in the Air Quality Regulations. The site is also subject to reasonably high levels of noise as a result of its proximity to the A4.

#### 4.0 **Site History**

4.1 Previous applications considered to be of relevance relating to the site are as follows:

F/06865/007 PRIOR APPROVAL FOR CHANGE OF USE FROM CLASS B1 (A) TO CLASS C3 RESIDENTIAL.

Prior Approval Not Required/Informatives 07-Aug-2014

P/06865/006 INSTALLATION OF 2x PROJECTING BANNERS

Approved with Conditions; Informatives 01-Sep-2006

P/06865/005 RETENTION OF ILLUMINATED FASCIA SIGN AND 2 DOUBLE SIDED PROJECTING ILLUMINATED SIGNS.

Approved with Conditions 08-Jul-1992

P/06865/004 SUBMISSION OF DETAILS FOR EXTERNAL BUILDING MATERIALS PURSUANT TO CONDITION NO. 2 OF PLANNING PERMISSION P/06865/003 DATED 12.10.88.

Approved with Conditions 11-Feb-1989

P/06865/003 ERECTION OF A THREE STOREY OFFICE BUILDING WITH REAR ACCESS AND PARKING (AS AMENDED ON 11.10.88)

Approved with Conditions 12-Oct-1988

P/06865/002 SUBMISSION OF DETAILS OF MATERIALS AND LANDSCAPING AS REQUIRED BY CONDITIONS NO. 2 AND 5 OF PLANNING CONSENT P/6865/01 DATED 23 JUNE 1987.

Approved with Conditions 20-Nov-1987

P/06865/001 ERECTION OF A 4-STOREY OFFICE BUILDING WITH PARKING AT THE REAR.(AMENDED PLANS RECEIVED 22/5/87)

Approved with Conditions 23-Jun-1987

P/06865/000 ERECTION OF A FOUR STOREY OFFICE BUILDING WITH ANCILLARY CAR PARKING AT REAR. (AMENDED PLANS DATED 18TH

SEPTEMBER 1985).(AMENDED PLANS RECEIVED 17/6/87 FOR ALTERATIONS TO GROUND FLOOR PARKING AREA ONLY)

Approved with Conditions 09-Jun-1986

5.0 **Neighbour Notification**

- 5.1 1-75 Kittiwake House, High Street, Slough, SL1 1AG  
Keypoint 17-23, High Street, Slough, SL1 1DY  
B S M Ltd, 16, High Street, Slough, SL1 1EQ  
Action For Employment, Princes House, 15, High Street, Slough, SL1 1DY  
S Dogra, 6-8, 6, High Street, Slough, SL1 1EE  
1-19 Ibex House, Burlington Road, Slough, SL1 2BY

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

- 5.2 No representations received.

6.0 **Consultation**

6.1 **Transport and Highways**

- 6.2 Comments are as follows, in summary:

- The proposed development will generate a similar number of vehicle trips to the existing use of the building;
- 19 spaces are proposed but based on the re-designed car park it does not appear all of the spaces are accessible;
- Revised plans are required showing autotracking of the scheme drawings;
- Compared to the car park for the existing office development, the size of the site has been reduced such that there are 21 fewer spaces;
- As no parking is provided for a number of the flats there is a risk that residents in vicinity of the development that are not covered by residents parking zones and this will cause amenity issues for existing residents and therefore I would request a S106 obligation is included on the application that would makes ineligible to receive permits in any existing or future residents parking scheme in the vicinity of the development;
- The applicant proposes to provide 48 cycle spaces (24 racks), but the design of the spaces means that none of the racks will be undercover;
- The proposed cycle parking is not fit for purpose and will need to be completely re-designed if it is considered acceptable;
- It would now appear that a refuse / recycling vehicle would not be able to access the site and leave in a forward gear. Therefore the applicant will need to demonstrate this by providing tracking drawings showing that it can work.

- 6.3 Reasons for refusal recommended. The applicant has advised that they are proposing to issue revised drawings to address the matters raised.

6.4 **Environmental Protection**

No comments received.

6.5 **Thames Water**

No comments received.

6.6 **Crime Prevention Design Advisor**

No comments received.

6.7 **Environmental Quality**

Request for details of air quality and noise mitigation, the provision of electric vehicle charging points, a planning obligation relating to air quality monitoring.

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

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

Core Policy 1 – Spatial Strategy  
Core Policy 3 – Housing Distribution  
Core Policy 4 – Housing  
Core Policy 5 – Employment  
Core Policy 6 – Retail, Leisure and Community Facilities  
Core Policy 7 – Transport  
Core Policy 8 – Sustainability and the Environment  
Core Policy 9 – Natural and Built Environment  
Core Policy 10 – Infrastructure  
Core Policy 11 – Social Cohesiveness  
Core Policy 12 – Community Safety

The Local Plan for Slough, Adopted March 2004

Policy EN1 – Standard of Design  
Policy EN3 – Landscaping Requirements  
Policy EN5 – Design and Crime Prevention  
Policy EN17 – Locally Listed Buildings  
Policy H9 – Comprehensive Planning  
Policy H11 – Change of Use to Residential  
Policy H14 – Amenity Space  
Policy OSC15 – Provision of Facilities in new Residential Developments  
Policy S1 – Retail Hierarchy  
Policy S8 – Primary and Secondary Frontages  
Policy S17 – New Shop Fronts  
Policy S18 – Security Shutters  
Policy T2 – Parking Restraint  
Policy T8 – Cycling Network and Facilities  
Policy TC2 – Slough Old Town

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

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

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

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

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

#### Other relevant documents

Slough Local Development Framework, Site Allocations, Development Plan Document (adopted November 2010)

Slough Local Development Framework Proposals Map

Slough Borough Council Developer's Guide Parts 1-4

Guidelines for the Provision of Amenity Space Around Residential Properties (January 1990)

Guidelines for Flat Conversions (April 1992)

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

- 1) Principle of development;
- 2) Design and Impact on the street scene;
- 3) Relationship with and potential impact on neighbouring properties;
- 4) Amenity space for residents;
- 5) Parking and highway safety.

#### 8.0 **Principle of Development**

- 8.1 Core Policy 1 of the Core Strategy sets out the overarching spatial strategy for development within the Borough. This policy requires that the scale and density of development will be related to the site's current or proposed accessibility, character and surroundings.
- 8.2 Core Policy 4 of the Core Strategy sets out the Council's approach to the consideration of proposed housing development within the Borough.
- 8.3 Core Policy 5 of the Core strategy states that outside Existing Business Areas, the change of use or redevelopment of existing offices to residential will be encouraged where this is considered appropriate. Policy H11 of The Adopted Local Plan for Slough states that

proposals for the conversion and change of use of existing commercial properties to residential use will be permitted subject to the proposal meeting relevant criteria.

8.4 It is considered that the proposed change of use and extension of the existing offices to provide Class C3 flats would be acceptable in principle having regard to the above policies. It should also be noted that the change of use of offices to flats can be carried out under permitted development, and the applicant has previously applied for a determination as to whether the prior approval of the Local Planning Authority will be required. Prior approval was not required and the application submitted indicated that a scheme for 28 no. flats could be delivered under permitted development.

8.5 The total number of flats proposed, the mixture and size of units would be acceptable in this location.

8.6 The applicant has stated that they are proposing to retain the front two units on the ground floor as offices. Such a use is considered to be acceptable in this location having regard to Core Policy 6 of the Core Strategy.

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

9.1 Policy EN1 of the Adopted Local Plan for Slough and Core Policy 8 of the Core Strategy requires that the design of proposed residential development should be of a high standard of design and reflect the character and appearance of the surrounding area.

9.2 The proposal involves the erection of extensions to the building. These extensions would form a third and fourth floor.

9.3 This design approach is considered to be acceptable, and the proposed extensions would be inkeeping with the character and appearance of the existing building and surrounding area. It is noted that the height of the fourth floor would appear to line through with the neighbouring Keypoint building to the east and this is considered to be acceptable in street scene terms.

9.4 Turning to the living conditions for future occupiers, the applicant has submitted a noise assessment and an air quality assessment. These assessments consider potential impacts on the living conditions of future occupiers.

9.5 Environmental Quality have been consulted. Concerns have been raised regarding the potential impacts of the development on noise and air quality grounds and details of measures to mitigate potential impacts have been requested. The provision of electric vehicle charging points is also requested.

#### 10.0 **Relationship With and Potential Impact on Neighbouring Properties**

10.1 It is considered that the main area for consideration in relation to the potential impact on neighbouring occupiers would be with respect to the potential impact of the proposed extensions on Kittiwake House to the west in terms of overshadowing, loss of light and over dominance; as well as the relationship of the proposal with a potential future change of use of Keypoint to the east.

#### 10.2 *Relationship with Kittiwake House*

10.3 Core Policy 8 of The Core Strategy states that all development will be of a high quality and respect its location and surroundings.

- 10.4 The proposal was amended following pre-application discussions in order to address potential impacts on Kittiwake House. The third and fourth floors have been sited an additional 1 metre away from Kittiwake House.
- 10.5 The daylight and sunlight assessment submitted in support of the application indicates that the affect of the proposal on one window to the rear of Kittiwake House would fall marginally below the recommended 0.8 ratio (this ration is calculated as being 0.78). The remaining windows would appear to meet the recommended standards.
- 10.6 It is noted that the affected window referred to above appears to serve a lounge/diner. There appear however to be two additional windows in the flank wall which also serve this room and would provide light. Given that secondary windows would also provide light to this room, it is not considered that the impact on this room would be such that refusal of the proposal could be sustained on this ground.
- 10.7 The proposed third and fourth floors do not include any additional windows to proposed habitable rooms and the relationship with Kittiwake House is considered to be acceptable.
- 10.8 *Relationship with Keypoint*
- 10.9 Turning to the potential future redevelopment of Keypoint, the proposed third and fourth floors include balconies and windows serving habitable rooms.
- 10.10 Policy H9 of the Adopted Local Plan for Slough states that a comprehensive approach should be taken in any residential development scheme to ensure that adjoining land which is capable of development is not sterilised.
- 10.11 Angled bay windows would be used to direct views away from Keypoint. It is considered that this would ensure that the potential future change of use of Keypoint is not adversely impacted through overlooking. It is also considered that the proposal would not lead to unacceptable undue overshadowing or loss of light.
- 10.12 *Relationship Between the Retained Commercial and Residential Uses*
- 10.13 The applicant has advised that they are proposing to retain the front two units on the ground floor as offices.
- 10.14 It would appear that there is scope for access and servicing to be separated and this would be considered appropriate.
- 10.15 It is considered that the proposed development would be acceptable and would comply with Core Policy 8 of the Core Strategy and the National Planning Policy Framework.
- 11.0 **Amenity Space for Residents**
- 11.1 Balcony areas would be provided for use by future occupiers of the third and fourth floors.
- 11.2 The design of the proposed balconies is such that they would have the potential to provide a small usable outside area and the level of provision is considered to be acceptable given the location of the site.
- 11.3 It is considered that the proposal would comply with Core Policy 8 of the Core Strategy, Policy H14 of The Adopted Local Plan for Slough and the National Planning Policy Framework.

12.0 **Parking and Highway Safety**

12.1 Core Policy 7 of the Core Strategy sets out the Planning Authority's approach to the consideration of transport matters. The thrust of this policy is to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel.

12.2 Policy T2 of The Adopted Local Plan for Slough 2004 seeks to restrain levels of parking in order to reduce the reliance on the private car through the imposition of parking standards.

12.3 The site is located within the town centre and the Parking Standards within the Adopted Local Plan for Slough allow for nil car parking spaces to be provided in the case of residential development.

12.4 The Council's Highway and Transport consultant has been consulted. Concerns have been raised and these concerns have been relayed to the applicant to address. A summary of these concerns is set out in the above consultation section. It is expected that amended plans will be received prior to the Committee. These amendments will be reported on the Committee amendments sheet.

13.0 **Planning Obligations**

13.1 Core Policy 10 of the Core Strategy states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new infrastructure must be sustainable. Where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements.

14.0 **Affordable Housing and Education**

14.1 On sites of 1 hectare or 25 dwellings or more, 30% of dwellings in a development shall normally be social housing to meet those in most need as defined by the Council. The Developer's Guide sets out that in the case of developments comprising 15 or more dwellings, a financial contribution for education would be sought for each dwelling.

14.2 Whilst the proposal would be for 42 no. flats, the permitted development scheme was for up to 28 no. flats. As such, the net increase in flats proposed through the planning application scheme would be 14 no. This would fall below the normal 15 no. unit threshold where contributions for education and affordable housing would normally be sought. It is considered that it would be unreasonable to seek contributions for affordable housing and education on this basis. This approach has been taken in relation to other similar developments, such as Cornwall House and Wellington House.

15.0 **Environmental Quality**

15.1 A contribution will be requested for air quality monitoring.

15.2 In principle, it is considered that such contributions would be reasonable and would comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 in that it would be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

16.0 **Process**

16.1 In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner. Pre-application advice has been provided and amendments have been undertaken to the proposed development. The development is considered to be sustainable and in accordance with the requirements of the National Planning Policy Framework.

17.0 **Summary**

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

PART C: RECOMMENDATION

18.0 **Recommendation**

18.1 Delegate a decision to the Acting Planning Manager for the signing of a satisfactory Section 106 Agreement (or unilateral planning obligation) as necessary; to agree revised drawings requested; to consider any further observations from neighbours / consultees; to agree the outstanding matters referred to in the report; and to agree any minor amendments to the planning application, draft conditions and Section 106 planning obligation matters.

**PART D: CONDITIONS**

19.0 CONDITIONS:

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

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

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

TBC

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

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



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

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

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

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

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

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

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

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

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

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

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

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

REASON In order to ensure that the development does not harm the amenities of the occupiers of neighbouring residential properties by adding to on-street parking demand in the area in accordance with Policy T2 of The Adopted Local Plan for Slough 2004 and Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

10. Prior to the first occupation of the development hereby approved, details of electric vehicle charging points (to include the location, type and technical specification) shall be submitted to the Local Planning Authority and approved in writing. Once approved, the electric vehicle charging points shall be fully implemented prior to the first occupation of the development hereby approved and not subsequently altered thereafter, unless otherwise agreed in writing with the Local Planning Authority.

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

11. The car parking spaces shall only be used by the occupiers of 9-15 High Street and not for any separate commercial use.

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

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

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

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

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

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

14. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- (i) control of noise
  - (ii) control of dust, smell and other effluvia
  - (iii) control of surface water run off
  - (iv) site security arrangements including hoardings
  - (v) proposed method of piling for foundations
  - (vi) construction and demolition working hours, hours during the construction and demolition phase, when delivery vehicles taking materials are allowed to enter or leave the site.

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

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

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

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

16. No development shall commence until details of mitigation measures that will be implemented to protect the internal air quality of the development have been submitted to the Local Planning Authority and approved in writing. Once approved, the mitigation measures shall be fully implemented prior to the first occupation of the development and retained in that form thereafter unless otherwise agreed in writing with the Local Planning Authority.

REASON In the interests of air quality and the living conditions for future occupiers in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development.

17. No development shall commence until a scheme for protecting the future occupiers of the flats hereby approved from road traffic noise (which shall include details of window and ventilation specifications) has been submitted to the Local Planning Authority and approved in writing. Once approved, all measures that form part of the scheme approved by the Local Planning Authority shall be implemented prior to the first occupation of the development, and retained in that form thereafter unless otherwise agreed in writing with the Local Planning Authority.

REASON In the interests of the living conditions for future occupiers in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document.

INFORMATIVES:

1. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.
2. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
3. No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.
4. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.
5. The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
6. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

**PLANNING**  
**COMMITTEE**  
**27<sup>th</sup> November 2014**

THE FOLLOWING ALTERATIONS AND AMENDMENTS HAVE BEEN  
RECEIVED SINCE THE PLANNING OFFICER'S REPORT WAS  
PRESENTED TO MEMBERS

**P/06865/008 - 9-15, High Street, Slough, SL1 1DY**

Amended plans have been received and the description of the development has been amended accordingly:

CHANGE OF USE OF PART OF BUILDING FROM CLASS B1 (a) OFFICES TO CLASS C3 RESIDENTIAL TO PROVIDE 41 NO. FLATS (32 NO. ONE BEDROOM, 6 NO. TWO BEDROOM FLATS AND 3 BEDSIT/STUDIOS) RETAINING TWO SELF CONTAINED OFFICES AT GROUND FLOOR LEVEL, CONSTRUCTION OF TWO ADDITIONAL FLOORS AND ASSOCIATED ALTERATIONS.

The proposal is to retain two self contained offices at ground floor level and the number of flats has reduced from 42 no. to 41 no.

In response to the amended plans, further comments have been received from the Transport Consultant:

*Further plans have been submitted by the developers architect on 13/11/14. The revised plans address the concerns with the layout of the parking spaces – a total of 18 spaces are now proposed and these can all now be properly accessed.*

*The cycle parking has been improved and is now considered acceptable, although the siting of the Sheffield racks will probably need to be on a 45 degree angle within the store so that there is adequate manoeuvring space. This may be best addressed through the standard cycle parking condition.*

*Amendments to the bin store have been made and this is now acceptable.*

*Whilst further information has been provided on the refuse vehicle manoeuvring, the issues have not yet been resolved. The architect is seeking a solution with his client in view of potentially securing a right way over part of the access of the adjoining development to the east to allow for a refuse vehicle to use part of this access road to assist manoeuvring in and out of the development site in order collect the refuse / recycling etc. The problem with the existing arrangement is that if the gates to the adjoining development were permanently closed (say for example if the site was no longer in occupation) then the security gates would be permanently closed and therefore a refuse vehicle would not be able to turn and leave in a forward gear from 9-15 High Street and would then have to reverse all the way back to the A4, which would be a very hazardous manoeuvre. Therefore until this issue can be satisfactorily resolved the highway objection will need to be maintained. If it was resolved then the highway objection would be withdrawn.*

Condition 2 on page 20 should have the following drawing numbers:

- (a) Drawing number: 14/16/50a; Dated September 2014; Received: 13 November 2014
- (b) Drawing number: 14/16/51a; Dated September 2014; Received: 13 November 2014
- (c) Drawing number: 14/16/52a; Dated September 2014; Received: 13 November 2014

The above drawings might be subject to further minor changes in order to resolve the refuse delivery issue, as stated above. No comments have been received from neighbouring occupiers. In light of the this and the comments above, there is a change to the recommendation.

**CHANGE TO RECOMMENDATION**

**Delegate a decision to the Acting Planning Manager for the signing of a satisfactory Section 106 Agreement (or unilateral planning obligation) as necessary; to agree the outstanding matter relating to refuse collection and any other minor amendments to the planning application, draft conditions and Section 106 Planning Obligation.**

**P/15809/000 - 412-426, Montrose Avenue, Slough**

The Committee Report makes reference on page 26 of the fact that a SPZ notification that has been submitted on 11<sup>th</sup> September 2014. This date is incorrect and the notification was received on 11<sup>th</sup> November 2014, which was the day before the previous SPZ expired. In light of the fact that this notification has not been implemented prior to the expiry of the previous SPZ, as required in the document, it will not be possible for Segro to implement the scheme that has been submitted. Any future SPZ scheme will have to comply with the latest scheme, which means the new height restrictions apply in this 'Sensitive Boundary Zone' i.e. no buildings (including plant) exceeding 7m in height.

**NO CHANGE TO RECOMMENDATION**

**P/10697/009 - Rosary Farm, Bath Road, Colnbrook, Slough**

With respect to the Lanz presentation and open day, Members are advised that only 3 people attended.

With respect to the size of the larger vehicles which will be servicing the site, these will be 25 tonnes and carry approximately 26 bales.

Members are advised that plans have been submitted showing enhanced boundary landscaping within the vicinity of the proposed building, to improve the screening available for existing residential occupiers.

Following further discussions with the Council's Transport and Highway Engineers the following additional requirements are sought:

A lorry routing agreement to be secured through a Section 106 Agreement which will ensure that lorries only access and egress the site from and to the east on the A4 Bath Road, meaning left turn in and right turn out only.

To improve the potential conflicts which existing between vehicles and pedestrians using the access road, it is further proposed that the following condition be attached :

Details of additional or replacement footpath provision along the access road and which shall extend beyond the southern boundary of the site shall be submitted to and approved in writing the Local Planning Authority and implemented prior to works commencing on site.

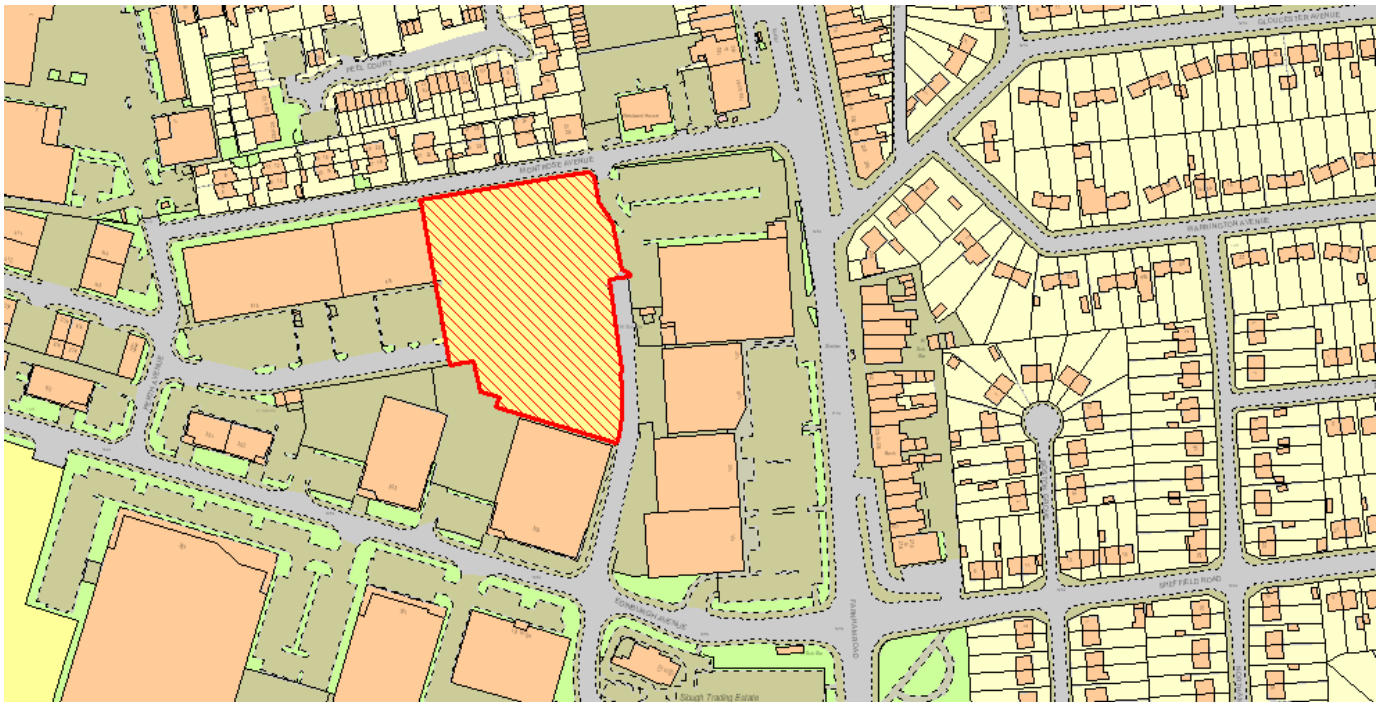
REASON: In the interest of pedestrian and highway safety in accordance with Core Policy 7 of the Slough Local Development Framework Core Strategy Development Plan Document December 2008.

**NO CHANGE TO RECOMMENDATION**



<b>Registration Date:</b>	16-May-2014	<b>Applic. No:</b>	P/15809/000
<b>Officer:</b>	Mr. J. Dymond	<b>Ward:</b>	Farnham
<b>Applicant:</b>	Mr. Mark Snow, Slough Trading Estate Limited		
<b>Agent:</b>	Mr. Mark Sitch, Barton Willmore Barton Willmore, Regent House, 4, Princes Gate, Homer Road, Solihull, West Midlands, B91 3QS		
<b>Location:</b>	412-426, Montrose Avenue, Slough		
<b>Proposal:</b>	ERECTION OF A 2,995 SQM (GROSS EXTERNAL AREA) CLASS A1 BUILDING, COMPRISING TWO INDIVIDUAL RETAIL UNITS OF 2,285 SQM AND 710 SQM, NEW CAR PARKING, ACCESS, LANDSCAPING AND ALL ASSOCIATED WORKS		

**Recommendation:** Delegate to Acting Planning Manager



## **SUPPLEMENTARY REPORT TO PLANNING COMMITTEE**

### **Background**

At the Meeting of Planning Committee on 24th July 2014, the Committee resolved to defer the application to allow provision of improved revised access and car park provision. A copy of the original officer's report to Planning Committee (Appendix A) and associated amendments (Appendix B) are attached for information purposes.

### **Access and Car Park Provision**

Following the Committee meeting on 24th July 2014, the applicant has rigorously explored options for the provision of improved revised access and car park provision involving the delivery of a shared car park.

The applicant has advised that due to lease arrangements, any shared access solutions could only be delivered with full agreement of Sainsbury's. The applicant contacted Sainsbury's regarding the matter following the Committee meeting and communication has been ongoing.

The applicant has submitted a detailed note summarising the discussions that have taken place and this is contained within Appendix C.

Various options have been tabled for discussion and meetings were held with officers on 7th August 2014 and 24th September 2014 regarding the issue. A representative from Sainsbury's attended the meeting held on 24th September 2014 along with the applicant and their planning and transport consultants.

The applicant subsequently formerly submitted a revised layout plan. Reconsultation was undertaken with neighbouring occupiers; however officers have since been informed that formal agreement has not been secured and as such, the revised access and car park provision envisaged cannot be delivered.

As agreement between the parties has not been forthcoming, the applicant has had to revert back to the original site layout.

### **Unit Size**

The applicant has increased the floor area of Unit 2 from 648 square metres to 742 square metres (an increase of 64 square metres). The net sales area will increase from 475 square metres to 520 square metres.

An addendum to the Planning and Retail Statement has been submitted for consideration. Consultation has been undertaken with Planning Policy and it is considered that the increase in floor area would not have a significant negative impact on the vitality and viability of Farnham road.

Reconsultation has been undertaken on this change in the context of the original site layout as discussed above.

### **SPZ Notification**

An SPZ notification was received on 11th September 2014 for the proposed erection of a detached and two semi-detached units. The proposal would provide 3,775 square metres of floor space for B1(b), B1(c), B2, B8 or collocation uses.

## Consultation

Further representations have been received following reconsultation, as follows:

### Occupier of Montrose House – Object for the following reasons in summary:

- The junction is already a traffic stress point – plans for improvements require land to the north edge of the junction which has not thus far been secured;
- There would be an additional volume of over 1,700 vehicle movements every day;
- The development would present a considerable and unacceptable addition to the already overburdened Montrose Avenue-Farnham Road junction.

### Occupier of 21 Montrose Ave – Object for the following reasons in summary:

- Very strong objection to the placement of the entrance opposite my drive – this would cause major congestion;
- Highway safety issues and loss of privacy will only add to the already awkward access;
- Huge increase in volume of traffic;
- Yellow parking lines cease and cars are parked there all day restricting the traffic to a single lane;

### Occupier of 22 Montrose Avenue – Object for the following reasons in summary:

- This road can not take two entrances, this is a residential road and we are already having parking and use of premises issue at the present time with the Al Quaim Mission Centre.

## Other Issues

The concerns regarding highway and transport issues are noted and the Council's consultant has identified the need for mitigation.

With regard to Section 106 matters, the applicant has agreed to contribute towards highway improvements; parking regulations along Montrose Avenue; Travel Plan Monitoring and provide land for cycle parking.

The highway improvements would relate to a junction improvement scheme at Montrose Avenue / Farnham Road. The applicant would contribute towards this scheme and additional funds and land may be required to implement the necessary improvements.

It is considered that these obligations would be reasonable and would comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 in that it would be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

## RECOMMENDATION

Delegate a decision to the Acting Planning Manager for satisfactory Section 106 Agreement; to consider any further observations from neighbours / consultees; to agree any minor amendments to the planning application, draft conditions and Section 106 planning obligation matters.

## **Appendix A**

### **1.0 SUMMARY OF RECOMMENDATION**

- 1.1 Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations, it is recommended that the application be delegated to Development Management Lead Officer for consideration of consultee responses and further consideration of relevant issues, formal determination following completion of a Section 106 Agreement and finalising of conditions.
- 1.2 This application has been referred to the Planning Committee for consideration as the application is for a major development.

#### PART A: BACKGROUND

### **2.0 Proposal**

- 2.1 This is a full planning application for the proposed erection of a 2,995 sqm (gross external area) Class A1 building, comprising two individual retail units of 2,285 sqm and 710 sqm respectively, the formation of new car parking, access, landscaping and associated works.
- 2.2 The floorspace of the units would be as follows:

Unit	Floorspace (sq m gross)	Floorspace (sq m net)	Goods Type
Unit 2	678	427 47	Convenience Comparison
Sub-Total	678	475	-
Unit 1	2,230	663 1,232	Convenience Comparison
Sub-Total	2,230	1,895	-
Total Convenience	-	1,091	-
Total Comparison	-	1,279	-
Total	2,908	2,370	-

- 2.3 The proposed development has been the subject of pre-application advice. Changes have been undertaken to the proposed development in response to the advice provided by officers.
- 3.0 Application Site
- 3.1 The site is 0.75 hectares in area and is situated to the west of the existing Sainsbury's Farnham Road store. The site is currently vacant following the demolition of the industrial and commercial buildings that formerly stood on the site.
- 3.2 To the north of the site, on the opposite side of Montrose Avenue are the semi-detached properties of numbers 5-30 Montrose Avenue and 37-38 Montrose Avenue, a building comprising of four flats. Numbers 21-38 Montrose Avenue are opposite the site. To the north

east is Westward House, a three storey building currently in use as a place of worship/non-residential education and training centre and offices. A three storey building located at 155-161 Farnham Road is situated adjacent to the junction with Montrose Avenue and Farnham Road.

- 3.3 To the south of the site are the industrial units of 393 and 394 Edinburgh Avenue. To the south east are the retail units of 144, 143, 145 and 147 Farnham Road. These units front Farnham Road and are serviced from the rear. Access to the rear service road is from Edinburgh Avenue.
- 3.4 To the east of the site is the existing Sainsbury's supermarket. This store is understood to have a gross floor area of 2,596 sq m, with a net sales area of 1,596 sq m. The car park associated with the supermarket is located to the front of the store, adjacent to Montrose Avenue. The access to the car park is situated to the north eastern corner of the car park. The entrance to the store is from the north, and the store frontage faces towards Montrose Avenue.
- 3.5 To the west of the site are the industrial units of 415-416 Montrose Avenue. The units are accommodated within a building erected under the Simplified Planning Zone Scheme. The building is sited adjacent to Montrose Avenue and extends along the northern boundary towards the junction with Perth Avenue. The car park and turning areas associated with these units is situated to the south of the building. Access to the site is from the realigned service road.
- 3.6 The application site is located with Slough Trading Estate Existing Business Area and within the area covered by the Slough Trading Estate Simplified Planning Zone Scheme. The development however falls outside the scope of this Scheme and requires planning permission.
- 3.7 The site forms part of allocation SSA5 in the Site Allocations Development Plan Document. The allocation is for retail purposes for the extension or redevelopment of the existing supermarket with car parking.
- 3.8 Farnham Road is identified as a district centre under Policy S1 of The Adopted Local Plan for Slough. Within the district centre, there are primary and secondary retail frontages.
- 3.9 The site is located within Flood Zone 1 and the site therefore is considered to comprise land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%).
- 3.10 There appear to be no listed buildings on or near the site and the site is not located within a Conservation Area.

#### **4.0 Site History**

- 4.1 The site is currently vacant following the demolition of the industrial/commercial buildings formerly occupying the site. A previous application relating to the site is as follows:

##### 448, Perth Avenue

P/01404/010 RENEWAL OF TEMPORARY PLANNING PERMISSION TO USE BUILDING FOR CLASS D1 AND D2 USES (NON RESIDENTIAL, INSTITUTIONS, ASSEMBLY AND LEISURE). – Approved with Conditions 22-Feb-2005

Other applications in the vicinity of the site of relevance are considered to be as follows:

145-147, Farnham Road

P/00488/035 VARIATION OF CONDITION 2 OF PLANNING PERMISSION P/00488/034 FOR DEMOLITION OF EXISTING B2 INDUSTRIAL UNIT AND REPLACEMENT WITH TWO CLASS A1 RETAIL UNITS INCLUDING CAR PARKING, SERVICING AND LANDSCAPING TO INCORPORATE MINOR ALTERATIONS TO THE EXTERNAL APPEARANCE OF THE BUILDING (COMPRISING THE REMOVAL OF GLAZING AND ENTRANCE DOORS TO THE FRONT OF THE BUILDING AN REMOVAL OF A LOADING DOOR TO THE REAR) TO CREATE A SINGLE CLASS A1 RETAIL UNIT AND THE INSERTION OF A 464.5 SQ. METRE MEZZANINE FLOOR. – Approved with Conditions 04-Aug-2011

141-143, Farnham Road

P/07074/011 REMOVAL OF CONDITION NO. 7 OF PLANNING PERMISSION P/07074/002 DATED 29/05/96 FOR THE DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 2 NO. RETAIL UNITS WITH CAR PARKING – Approved with Conditions 02-Feb-2012

P/07074/010 CHANGE OF USE OF PART OF RETAIL WAREHOUSE TO PET CARE AND TREATMENT FACILITY (SUI GENERIS). – Approved with Conditions 24-Aug-2010

Westward House, 39, Montrose Avenue

P/00913/026 CHANGE OF USE FROM OFFICES (B1) TO A PLACE OF WORSHIP / NON RESIDENTIAL EDUCATION AND TRAINING CENTRE (D1) AND OFFICES (B1) – Approved with Conditions 14-Dec-2010

**5.0 Neighbour Notification**

- 5.1 Black Horse Ltd, Montrose House 155-161, Farnham Road, Slough, SL1 4XP, 12, Montrose Avenue, Slough, SL1 4TN, 11, Montrose Avenue, Slough, SL1 4TN, 23, Montrose Avenue, Slough, SL1 4TN, 24, Montrose Avenue, Slough, SL1 4TN, 9, Montrose Avenue, Slough, SL1 4TN, 10, Montrose Avenue, Slough, SL1 4TN, Global Crossing, 394, Edinburgh Avenue, Slough, SL1 4UF, Amtred Ltd, 393, Edinburgh Avenue, Slough, SL1 4UF, 22, Montrose Avenue, Slough, SL1 4TN, 21, Montrose Avenue, Slough, SL1 4TN, 415-416, Montrose Avenue, Slough, SL1 4TJ, 155a, Farnham Road, Slough, SL1 4XP, 15, Montrose Avenue, Slough, SL1 4TN, 16, Montrose Avenue, Slough, SL1 4TN, 13, Montrose Avenue, Slough, SL1 4TN, 14, Montrose Avenue, Slough, SL1 4TN, 27, Montrose Avenue, Slough, SL1 4TN, 28, Montrose Avenue, Slough, SL1 4TN, 6, Montrose Avenue, Slough, SL1 4TN, 7, Montrose Avenue, Slough, SL1 4TN, 8, Montrose Avenue, Slough, SL1 4TN, 26, Montrose Avenue, Slough, SL1 4TN, 25, Montrose Avenue, Slough, SL1 4TN, 17, Montrose Avenue, Slough, SL1 4TN, 18, Montrose Avenue, Slough, SL1 4TN, 20, Montrose Avenue, Slough, SL1 4TN, 145-147, Farnham Road, Slough, SL1 4XB, 5, Montrose Avenue, Slough, SL1 4TN, 29, Montrose Avenue, Slough, SL1 4TN, 30, Montrose Avenue, Slough, SL1 4TN, 31, Montrose Avenue, Slough, SL1 4TN, 32, Montrose Avenue, Slough, SL1 4TN, Petsmart, 141, Farnham Road, Slough, SL1 4XB, Staples Ltd, 143, Farnham Road, Slough, SL1 4XB, 19, Montrose Avenue, Slough, SL1 4TN

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

- 5.2 Two objections have been received, as follows:

21 Montrose Ave – Object on the following grounds in summary:

- The placement of the entrance to the proposed car park which will be exactly opposite my drive;
- There are cars parked from my drive down to end of road turning that part of the road into a single lane, having the entrance there would cause major congestion in front of my drive turning my life into a nightmare;
- The entrance should not change my access in any way - highway safety issues and loss of privacy will only add to the already awkward access.

22 Montrose Avenue – Object on the following grounds in summary:

- Volume of Traffic;
- Noise and disturbance;
- The width of the present road and the volume of traffic that use it to gain access to the trading estate and also who will be trying to gain/leave said new site;
- There is already a Sainsbury car park and entrance on that side of the road and at various times does cause a great deal of traffic on this road;
- Opposite to the Sainsbury car park and on the residential side of Montrose Avenue there was an office building, Westwood House which was allowed to be changed over to the Al Quaim Islamic Mission which has also got a new planning application in at the present time.

## **6.0 Consultation**

### 6.1 Environmental Protection

6.2 No comments received. An update will be provided on the Committee amendments sheet if necessary.

### 6.3 Environmental Quality

6.4 No comments received. An update will be provided on the Committee amendments sheet if necessary.

### 6.5 Transport and Highways

6.6 No comments received. An update will be provided on the Committee amendments sheet if necessary.

## PART B: PLANNING APPRAISAL

## **7.0 Policy Background**

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

The National Planning Policy Framework and the Planning Practice Guidance

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

Core Policy 1 – Spatial Strategy

Core Policy 5 – Employment

Core Policy 6 – Retail, Leisure and Community Facilities

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment  
Core Policy 10 – Infrastructure  
Core Policy 11 – Social Cohesiveness  
Core Policy 12 – Community Safety

The Local Plan for Slough, Adopted March 2004

Policy EN1 – Standard of Design  
Policy EN3 – Landscaping Requirements  
Policy EN5 – Design and Crime Prevention  
Policy S1 – Retail Hierarchy  
Policy S3 – Major Non-Food Retail Development  
Policy S6 – Food Superstores  
Policy S18 – Security Shutters  
Policy T2 – Parking Restraint  
Policy T8 – Cycling Network and Facilities  
Policy T9 – Bus Network and Facilities  
Policy EMP2 – Criteria for Business Developments  
Policy EMP7 – Slough Trading Estate  
Policy EMP12 – Remaining Existing Business Areas

Slough Local Development Framework Site Allocations Development Plan Document

SSA5 – 149-153 Farnham Road and 415-426 Montrose Avenue and 427-448 Perth Avenue

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

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

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

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

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

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

- 1) Principle of development;
- 2) Impact on the vitality and viability of existing centres;
- 3) Design and Impact on the street scene;
- 4) Potential impact on neighbouring properties;
- 5) Parking and highway safety;



- 6) Planning obligations;
- 7) Other issues.

## **8.0 Principle of Development**

### **8.1 Relationship with Site Allocation**

8.2 The site forms part of a larger area allocated for retail, for the extension or redevelopment of the existing Sainsbury's supermarket with car parking in the Site Allocations Development Plan Document (site reference SSA5).

8.3 It is important to note the background to the site allocation. The reason for the allocation was to reinforce the role of the Farnham Road district shopping centre and enhance its vitality and viability. In addition, it sought the implementation of part of the Trading Estate Masterplan.

8.4 The proposal to expand the supermarket was considered in part through the production of the Core Strategy and was supported at the time by a Retail Impact Assessment. The Retail Impact Assessment, prepared in October 2007, demonstrated that a quantitative need existed for additional convenience floorspace in this location at that time. The principle to extend the supermarket was supported given the qualitative need for an anchor store in this location to enhance the retail offer of the Farnham Road Centre.

8.5 The site planning requirements state that development proposals should:

- Relocate the store to the west of the site towards the proposed Leigh Road hub (away from the Farnham road, between Montrose Avenue and Perth Avenue);
- Provide a car park on the east of the site fronting Farnham Road that is accessible to both users of the supermarket and to persons wishing to use the Farnham Road shopping centre and allows parking for long enough to undertake joint trips;
- Allow for access to the site off Montrose Avenue; making provision for the necessary transport and highway improvements along the Farnham Road and all other affected roads and junctions;
- Improve pedestrian and cycle access to Farnham Road and include a design and layout attractive and accessible to pedestrians and cyclists;
- Improve pedestrian and cycle access to Slough Trading Estate in accordance with the Masterplan and ensure that the design and layout is attractive and accessible to pedestrians and cyclists coming from the Estate.

8.6 Following advice given by officers, suitable pedestrian links are now shown adjoining the Sainsbury store. Also the car park at the proposed development is now able to be used by shoppers using the Farnham Road, which allows linked trips.

8.7 This allocation includes the land to the west of the application site, and the existing supermarket and car park to the east.

8.8 Whilst the allocation allows for the extension or redevelopment of the existing supermarket, the applicant has stated that Sainsbury's have confirmed that they no longer intend to either redevelop or extend their store. Therefore, notwithstanding any planning applications for alterations or extensions which may be submitted in the future, it is understood that the supermarket will continue to trade in its current form for the time being.

8.9 Furthermore, an industrial building has been erected at 415-416 Montrose Avenue, under the Simplified Planning Zone Scheme. Retail development on that part of the site, pursuant to the site allocation has therefore not been pursued.

- 8.10 As a result, the site the subject of this application constitutes the remainder of the area covered by the allocation for retail purposes.
- 8.11 The proposed development is not for the extension or redevelopment of the existing supermarket, however additional retail floorspace is proposed. Against the background of site allocation SSA5, it is considered that a proposal for additional retail floorspace could be considered acceptable in principle.
- 8.12 Considerations relating to the impact on the vitality and viability of existing centres are discussed below. Notwithstanding this assessment, the key issue in considering the acceptability of the principle of the proposal is considered to be the extent to which this proposed retail development would achieve relevant aims and enhance the retail offer of the Farnham Road Centre. It is considered that opportunities for linked trips and pedestrian movements can be provided. Whilst the site is in an edge of centre location, it is considered that the proposal would provide an important contribution to the centre and effectively function as part of it.
- 8.13 Employment
- 8.14 The applicant has stated that the proposal would provide employment for 141 full time equivalent employees.
- 8.15 Core Policy 5 of the Core Strategy relates to employment. The site is located with the Slough Trading Estate Existing Business Area. There is a general presumption against the loss of employment generating uses within the Existing Business Areas.
- 8.16 This policy sets out that the continued success of the Trading Estate as an employment centre is of great importance to the local economy and the prosperity of the town as a whole. It is also recognised that retailing, leisure, education, health and other service industries are an important source of jobs. As a result they are all classed as “employment” uses for the purposes of this policy
- 8.17 It is considered that the proposal would bring employment benefits through the creation of a significant number of jobs. A currently vacant site would be brought back into employment use and the continued success of the Existing Business Area would be supported. The proposed development would be acceptable in terms of employment and compliant with Core Policy 5 of the Core Strategy.

## **9.0 Impact on the vitality and viability of existing centres**

- 9.1 The site allocation acknowledges that since the time that the original Retail Impact Assessment was undertaken in October 2007, there have been a number of planning proposals for new supermarkets and convenience floorspace that collectively will have the potential to increase the amount of convenience floorspace within Slough over the plan period.
- 9.2 As such, it was stated that any planning application to extend the supermarket will need to recognise this and a revised Retail Impact Assessment will need to be prepared in support of the planning application. This will be used to identify the scale of development appropriate for the site.
- 9.3 The applicant has prepared and submitted a Planning and Retail Statement in support of the application. This statement includes a Retail Impact Assessment. Having regard to this, it is therefore necessary to assess the impact of the proposal to identify the scale of development

appropriate for the site.

- 9.4 The National Planning Policy Framework requires that Local Planning Authorities should plan positively to ensure the vitality and viability of town centres is supported. A 'town centre first' approach should be adopted.
- 9.5 The National Planning Policy Framework sets out two key tests that should be applied when planning for town centre uses which are not in an existing town centre and which are not in accord with an up to date Local Plan: the sequential test and the impact test.
- 9.6 The Planning Practice Guidance states that the sequential test should be considered first as this may identify that there are preferable sites in town centres for accommodating main town centre uses. The sequential test will identify development that cannot be located in town centres, and which would then be subject to the impact test. The impact test determines whether there would be likely significant adverse impacts of locating main town centre development outside of existing town centres (and therefore whether the proposal should be refused in line with policy).
- 9.7 Planning Policy have been consulted and the applicant's Planning and Retail Statement has been assessed.
- 9.8 Sequential Assessment
- 9.9 A sequential test has been undertaken to establish whether or not there would be sequentially preferable sites for accommodating the proposed use.
- 9.10 Following advice given by Officers at the pre-application stage, the applicant has considered two sites in the Farnham Road district centre as part of the sequential test: 193-199 Farnham Road and 370-386 Farnham Road.
- 9.11 The sequential assessment within the Planning and Retail Statement submitted by the applicant has identified that the retail units at 193-199 are too small to accommodate the proposed development. These units are therefore not considered to be suitable. A planning application is currently under consideration in relation to the other site at 370-386 Farnham Road. The proposed scheme is too small to accommodate the proposed development.
- 9.12 The other vacant units in Farnham Road District Centre are all small individual units and could not accommodate the proposed development.
- 9.13 It is considered that compliance with the sequential approach under National Planning Policy Framework has been demonstrated as there are no sequentially preferable sites within Farnham Road District Centre which are available, suitable and viable for the proposed development.
- 9.14 Retail Impact Assessment
- 9.15 With regard to retail impact, as noted above, this is necessary in order that the scale of development appropriate for the site can be identified.
- 9.16 In any event, the quantum of floorspace to be created would appear to exceed the default threshold set out in the National Planning Policy Framework of 2,500 sq.m. There is no locally set threshold and it is therefore considered that consideration of retail impact on existing, committed and planned investment in the retail catchment would generally be required for any additional retail floor space.

9.17 Two units are proposed: Unit 1 (to the western end of the building); and Unit 2 (to the eastern end of the building). There are therefore two components to the scheme, as follows:

- Unit 1 would be occupied by a non-food retailer and would sell primarily non-food products across a range of sectors with a focus generally on homewares and seasonal products;
- Unit 2 would comprise a new convenience store and would sell primarily convenience goods.

9.18 The following table sets out the scheme turnover:

9.19

Unit	Floorspace (sq m gross)	Floorspace (sq m net)	Goods Type	Turnover (£ per sq m)	Total Turnover (£m)
Unit 1	2,230	663 1,232	Convenience Comparison	4,500 4,500	2.98 5.54
Sub-Total	2,230	1,895	-	-	8.53
Unit 2	678	427 47	Convenience Comparison	7,000 7,000	2.99 0.33
Sub-Total	678	475	-	-	3.32
Total Convenience	-	1,091	-	-	5.98
Total Comparison	-	1,279	-	-	5.98
Total	2,908	2,370	-	-	2,370

9.20 With regard to trade diversion, the estimated trade diversion for convenience goods from the proposed development shows that the greatest impact in percentage terms falls on stores in Farnham Road District Centre, such as Lidl and Iceland. However, this impact would be below 6% which is not considered to be significant.

9.21 For comparison goods, the estimated trade diversion from the proposed development will have an impact mainly on Farnham Road – identified impacts are at or below 4%. Impact on the town centre is not considered to be significant at 1.55%, which includes convenience stores with a comparison goods element.

9.22 Overall, it is considered that the impacts identified will not have a significant adverse impact on the Farnham Road district centre.

9.23 Turning to planned investment, the Retail Impact Assessment identifies that the only planned investment in Farnham Road that the proposed development could have an impact on is the proposed store at 380-396 Farnham Road. It is understood that this development would be occupied by a specialist retailer and as such there may be minimal impact on this proposed development.

9.24 It is noted that Farnham Road is a healthy centre with a low vacancy rate. It is considered that the proposed development should not have an adverse impact on the vitality and viability

of the centre.

- 9.25 The Retail Impact Assessment shows that the proposal would not likely lead to significant adverse impacts on Farnham Road District Centre or other defined centres in terms of investment, trade/turnover and overall vitality and viability. Subject to controls regarding the use, the proposal would be acceptable and would comply with the National Planning Policy Framework and Core Policy 6 of the Core Strategy.

## **10.0 Design and Impact on the Street Scene**

- 10.1 The proposed building would be single storey with no mezzanine floor. The proposed building would be 71 metres in width and 45 metres in depth. The height of the proposed building would be 7.5 metres to parapet level and 8.6 metres high to the ridge of the roof. The roof would have a shallow pitch and would be set behind a parapet.
- 10.2 The proposed building would be sited 44 metres to the south of Montrose Avenue. The customer car park would be situated between the proposed building and Montrose Avenue. The front elevation of the building is broadly in line with the front elevation of the neighbouring Sainsbury's store.
- 10.3 The proposed building would have two customer entrances. These entrances would be expressed with brick surrounds. The elevations would be clad with aluminium cladding. Glazed curtain walling has been incorporated at ground floor level either side of the entrance to Unit 1.
- 10.4 The neighbouring building at 415-416 Montrose Avenue is finished in similar materials. The front of the Sainsbury's store is predominantly glazed. It is considered that the proposed building would be in keeping with surrounding development in terms of the materials to be used and the appearance of the proposed building. Furthermore, the form, scale, height and massing of the proposal is considered to be acceptable.
- 10.5 In this context, it is considered that the design of the proposal would be acceptable. There is an opportunity to provide landscaping to soften the appearance of the car park and store when viewed from Montrose Avenue and a condition will be recommended regarding the submission and approval of a landscaping scheme.
- 10.6 It is considered that the proposed development would comply with Core Policy 8 of the Core Strategy and Policies EN1 and EN3 of The Adopted Local Plan for Slough.

## **11.0 Potential Impact on Neighbouring Properties**

- 11.1 It is considered that the main areas for consideration in relation to the potential impact on neighbouring occupiers would be with respect to the separation distance between the proposed building and neighbouring properties in terms of overshadowing, overdominance and loss of light; hours of operation and noise; and light pollution. Concerns have also been raised in representations received regarding the position of the access.
- 11.2 Separation Distance
- 11.3 The separation distance between the front elevation of the proposed building and the residential properties on Montrose Avenue to the north would appear to be 55 metres.
- 11.4 The applicant submits that the height of the proposed building would be equivalent to the height of a two storey commercial building. It has been sited to the rear of the site to maximise the separation distance between the residential properties opposite the site and

the front of the proposed building.

11.5 It is considered that the siting of the proposed building would not give rise to unacceptable impacts in terms of overshadowing, overdominance and loss of light. The customer car park would be situated between the proposed building and Montrose Avenue.

11.6 Hours of Operation and Noise

11.7 The stated hours of opening of the proposed stores would be as follows:

Monday to Friday		Saturday		Sunday and Bank Holiday	
Start	End	Start	End	Start	End
07:00	21:00	07:00	21:00	10:00	17:00

11.8 It is considered that these hours of use would be acceptable and would be commensurate with the hours of operation of the Sainsbury's store.

11.9 Sources of noise which could potentially impact nearby residential properties would include vehicular traffic entering and exiting the site and manoeuvring in the car park, and pedestrian activity. A Noise Assessment has been submitted in support of the proposed development. This Assessment concludes that the proposed development will not have a significant adverse impact on health or quality of life through increased noise.

11.10 As noted above, the proposed retail units would operate between 07:00 – 21:00 Monday-Saturday and 10:00 – 17:00 on Sundays and Bank Holidays.

11.11 The access to the proposed car park is situated to the north western corner of the site. The access to the Sainsbury's supermarket is situated to the east. Whilst the concerns of neighbouring residents are noted, it is considered that the proposed access arrangements would not give rise to unacceptable adverse impacts.

11.12 Staff parking is located to the rear of the building. Deliveries would also take place to the rear of the building and a condition is recommended regarding the hours of deliveries.

11.13 Light Pollution

11.14 The front elevation of the building includes glazing at ground floor level. The extent of this glazing would however be limited and light spill from within the building would unlikely be significant.

11.15 A condition is however recommended with respect to the submission of a lighting scheme for the site including the car park area, as the design of external lighting will be important in ensuring that any potentially light pollution is controlled.

11.16 Signage would be subject to control under the Town and Country Planning (Control of Advertisements) Regulations 2007.

11.17 It is not considered that the proposal would have the potential to give rise to noise levels that would be undue and should give rise to the refusal of the application.

## 12.0 Parking and Highway Safety

12.1 Core Policy 7 of the Core Strategy sets out the Planning Authority's approach to the consideration of transport matters. The thrust of this policy is to ensure that new development

is sustainable and is located in the most accessible locations, thereby reducing the need to travel.

12.2 Policy T2 of The Adopted Local Plan for Slough seeks to restrain levels of parking in order to reduce the reliance on the private car through the imposition of parking standards.

12.3 Policy T8 of The Adopted Local Plan for Slough relates to Cycling Network and Facilities. This policy states that permission will not be granted for proposals which do not include suitable cycle access to and through the site and cycle parking racks and other facilities for cyclists as an integral part of the development.

12.4 A Transport Assessment and Travel Plan has been submitted in support of the proposal. The Council's Transport consultant has been consulted and comments are awaited. An update will be provided on the Committee amendment sheet.

### **13.0 Planning obligations**

13.1 The need for planning obligations will be considered in light of the comments received from consultees; however it is anticipated that matters to be included in a Section 106 Agreement could include obligations relating to the use of the units and mitigation necessary to make the development acceptable in planning terms. An update will be provided on the Committee amendments sheet.

### **14.0 Process**

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

### **15.0 Summary**

15.1 The proposal has been considered against relevant development plan policies, and regard has been had to the comments received and letters of objection received from residents living near the site, and all other relevant material considerations.

15.2 It is recommended that the application be delegated to Strategic Lead Planning Policy for consideration of consultee responses and further consideration of relevant issues, formal determination following completion of a Section 106 Agreement and finalising of conditions.

## **PART C: RECOMMENDATION**

### **16.0 Recommendation**

16.1 Delegate to the Development Management Lead Officer for consideration of consultee responses and further consideration of relevant issues, formal determination following completion of a Section 106 Agreement and finalising of conditions.

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

Commencement within three years from the date of this permission;  
Development to be carried out in accordance with approved plans;

Submission of materials for approval;  
Submission of details of surfaces for approval;  
Submission of details of boundary treatment;  
Submission of details of cycle parking;  
Submission of details of bin storage;  
Definition of permitted use;  
Removal of permitted development rights for alterations and extensions;  
No extension, mezzanine floor or sub-division;  
No storage of goods or materials in the open air;  
No external security shutters to be installed without planning permission;  
Hours of use;  
Hours of deliveries;  
Use of the car park;  
Protection of noise climate;  
Submission of details of plant and machinery;  
Submission of details of landscaping scheme;  
Submission of details of lighting scheme;  
Submission of details of drainage;  
Hours of construction;  
Submission of Working Method Statement;  
Submission of measures to control waste during construction.



## **Appendix B**

### **Consultation**

#### **Transport and Highways**

The Council's transport consultant has commented that there are outstanding issues with the proposal.

Car parking and cycle parking provision is considered to be acceptable.

The proposed retail units would be serviced from the rear and swept path drawings have been provided which are considered acceptable.

A Travel Plan has been provided however it is considered that this is not currently acceptable and must be revised.

The need for transport mitigation has been identified and this is subject to on-going negotiation.

#### **Planning Policy**

For clarity, it should be noted that Planning Policy were consulted on the application (as stated at paragraph 9.7) and raised no objections. Planning Policy's comments were incorporated into the main body of the officer report.

### **Conditions**

Additional conditions are recommended covering the means of access; the submission of a Construction Management Plan; vehicle crossovers; access gates; pedestrian visibility; and surface water.

### **NO CHANGE TO RECOMMENDATION**

## **Appendix C**

21529/A3/TA

10<sup>th</sup> November 2014

### **SUMMARY OF ACTIONS TAKEN TO ACHIEVE REVISED CAR PARKING LAYOUT SOLUTION**

<b>Date</b>	<b>Nature of correspondence</b>
07/08/2014	<p>A meeting was held between the Applicant (including their Planning and Highways Consultants) and Slough Borough Council. Potential options were discussed for delivering a shared car park, as part of the proposed scheme, in association with the existing car park which serves Sainsbury's on Farnham Road / Montrose Avenue.</p> <p>It was acknowledged that due to the lease arrangements that any shared access solutions could only be delivered with full agreement of Sainsbury's.</p> <p>Alternative locations for a stand-alone access were also discussed should a shared solution not be deliverable. It was agreed that the position of the access originally submitted was the preferred location if a shared access solution was not deliverable.</p>
13/08/2014	<p>Building on the discussions with Slough Borough Council at the meeting on 07/08/2014, an e-mail was sent to Sainsburys' agents with the first draft of the revised car park layout (Drawing No. 17563-486-004).</p>
20/08/2014	<p>Following no response to the e-mail and layout plan sent to Sainsburys' agents on 13/08/2014, a further e-mail was sent to Sainsburys' agents querying whether there was any feedback.</p>
22/08/2014	<p>An e-mail was received from Sainsburys' agents with initial comments in respect to the first draft of the revised car park layout issued on 13/08/2014. The following concerns were raised:</p> <ol style="list-style-type: none"><li>1. Exit from the site for Sainsburys' customers would be onerous due to need to route through the new car park.</li><li>2. New proposed access has multiple junctions/decision points in close proximity which would lead to conflicts, delays, congestion and possible accidents.</li><li>3. There is no stacking length on either access or egress which will potentially cause unacceptable delays during peak periods.</li></ol>

	4. Proposed one-way flow reverses what customers are used to at present and makes exiting even more onerous depending on parking location. Circulation is generally unacceptable.
26/08/2014 and 27/08/2014	The Applicant sent two e-mails to Slough Borough Council outlining the concerns raised by Sainsbury's in their e-mail of 22/08/2014.
03/09/2014	In response to the concerns it was agreed between the Applicant and Slough Borough Council that the best approach would be to undertake a further meeting, inviting a representative from Sainsbury's to be involved to discuss and attempt to work through the concerns raised.
08/09/2014	The Applicant sent an e-mail sent to Sainsburys' agents inviting a representative from Sainsbury's to attend a meeting between the Applicant and Slough Borough Council in order to resolve the issues they had previously raised in their e-mail of 22/08/2014.
11/09/2014 and 12/09/2014	It was agreed that Sainsburys' Highway Manager would attend the meeting scheduled for 24/09/2014 between the Applicant and Slough Borough Council.
12/09/2014	Slough Borough Council's Highways Officer issued a number of sketches identifying how the revised car park layout could look with the intention that they would aid the meeting on 24/09/2014. These plans were also issued to the Sainsburys' Highway Manager.
24/09/2014	<p>The meeting between the Applicants (including their Planning and Highways Consultants), Slough Borough Council, and Sainsburys' Highway Manager was held on 24/09/2014.</p> <p>Sainsburys' Highway Manager confirmed that they were willing to consider a revised car park layout, which would see a combined car park between the existing Sainsbury's supermarket and the proposed scheme at Montrose Avenue currently subject to planning.</p> <p>The Highway Manager identified that the final decision on the car park would be made by Sainsburys' Property Board. Sainsburys' preferred layout would include a widened access with a roundabout within the car park so that Sainsburys' customers could exit the site without having travel around the car park. The Highway Manager emphasised that Sainsbury's would prefer to loss no parking as part of the revised layout, however the Property Board would be looking for betterment, therefore delivery of a more user friendly car park may balance a minimal loss of parking.</p>
25/09/2014	A second draft of the revised car park layout (Drawing No. 17563-486-SK01) was issued to Sainsburys' Highway Manager. The layout saw Sainsbury's gain two additional car parking spaces and the overall number of spaces proposed by the scheme at Montrose Avenue reduced by one. Building on the discussion at the meeting on 24/09/2014, a mini-roundabout was introduced within the revised car park layout, with an egress / access serving a central spine road, with a further egress to the west.

26/09/2014	<p>Sainsburys' Highway Manager indicated by e-mail that they welcomed the second draft of the revised car park layout and would put it to their Car Park Manager and Property Board.</p> <p>This was followed by a further e-mail asking if the central spine road could include two exit lanes so cars turning right did not block people trying to turn left out of the car park.</p>
01/10/2014	<p>In response to Sainsburys' request of 26/09/2014, the third draft of the revised car park layout was issued to the Highway Manager (Drawing No: 17563-486-SK01), showing the widening of the central spine road egress to provide a further flared lane for left turning traffic back onto Montrose Avenue. This layout would result in the loss of four parking spaces from the proposed scheme, but no losses to car parking at Sainsbury's. The prospective retailers initially had concerns at the loss of four parking spaces, however they reluctantly agreed to the loss in order to deliver the revised car park layout solution with Sainsbury's.</p> <p>Concerns were also raised by the Applicant that the length of the central spine road would result in the flare becoming blocked by three vehicles waiting to turn right, limiting its effectiveness. Drivers may choose to use the egress to the west of the site as a result.</p>
02/10/2014	<p>Sainsburys' Highway Manager suggested that the issue of cars blocking the central spine road could be resolved by introducing a hatched area which cars could overrun during busy times.</p>
16/10/2014	<p>Revised plans were issued to Slough Borough Council reflecting the third draft of the revised car park layout and incorporating the hatched area as requested by Sainsburys' Highway Manager.</p>
28/10/2014	<p>E-mail received from Sainsburys' Highway Manager outlining that the Property Board had "serious concerns" regarding congestion of the internal mini roundabout. It was therefore requested that the central spine road be reduced to a single egress lane and the layout be amended so that users of the car park associated with the proposed scheme can only exit the car park from a dedicated egress to the west. It was also made clear that the Property Board would only consider the shared car park layout if their car park was resurfaced at no extra cost, as resurfacing half a car park would not be acceptable.</p>
03/11/2014	<p>A further e-mail was received from Sainsburys' Highway Manager identifying that the shared car park proposal was discussed again at the Property Board. The Property Board reiterated their fears of congestion at the proposed internal mini roundabout. The Board were concerned that the proposal could make the access / egress into the car park associated with the Sainsbury's supermarket worse than the existing situation if the mini roundabout is heavily congested. The Board therefore confirmed that they were unable to approve the shared access in its current form.</p> <p>The Highway Manager indicated that the Board may reconsider their decision if users of the car park, associated with the proposed development, were only able to exit the site from the dedicated egress to the west.</p>

04/11/2014	The Applicant e-mailed Sainsburys' Highway Manager to confirm that it was not acceptable to prospective retailers to have a restrictive exit from the site. These retailers will not accept only being able to exit the site from the dedicated egress to the west of the site.
04/11/2014	Sainsburys' Highway Manager responded to the Applicant's earlier e-mail that whilst they agreed the central spine road, with a shared egress and access, would alleviate congestion when exiting onto Montrose Avenue, Sainsburys' concerns remained regarding congestion at the internal mini roundabout.
05/11/2014	The Applicant confirmed that they were willing to resurface Sainsburys' car park, but would not be able to commit to Sainsburys' preferred layout.
06/11/2014	Sainsburys' Highway Manager confirmed that a layout could not be agreed between the two parties.

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**PLANNING**  
**COMMITTEE**  
**27<sup>th</sup> November 2014**

THE FOLLOWING ALTERATIONS AND AMENDMENTS HAVE BEEN  
RECEIVED SINCE THE PLANNING OFFICER'S REPORT WAS  
PRESENTED TO MEMBERS

**P/06865/008 - 9-15, High Street, Slough, SL1 1DY**

Amended plans have been received and the description of the development has been amended accordingly:

CHANGE OF USE OF PART OF BUILDING FROM CLASS B1 (a) OFFICES TO CLASS C3 RESIDENTIAL TO PROVIDE 41 NO. FLATS (32 NO. ONE BEDROOM, 6 NO. TWO BEDROOM FLATS AND 3 BEDSIT/STUDIOS) RETAINING TWO SELF CONTAINED OFFICES AT GROUND FLOOR LEVEL, CONSTRUCTION OF TWO ADDITIONAL FLOORS AND ASSOCIATED ALTERATIONS.

The proposal is to retain two self contained offices at ground floor level and the number of flats has reduced from 42 no. to 41 no.

In response to the amended plans, further comments have been received from the Transport Consultant:

*Further plans have been submitted by the developers architect on 13/11/14. The revised plans address the concerns with the layout of the parking spaces – a total of 18 spaces are now proposed and these can all now be properly accessed.*

*The cycle parking has been improved and is now considered acceptable, although the siting of the Sheffield racks will probably need to be on a 45 degree angle within the store so that there is adequate manoeuvring space. This may be best addressed through the standard cycle parking condition.*

*Amendments to the bin store have been made and this is now acceptable.*

*Whilst further information has been provided on the refuse vehicle manoeuvring, the issues have not yet been resolved. The architect is seeking a solution with his client in view of potentially securing a right way over part of the access of the adjoining development to the east to allow for a refuse vehicle to use part of this access road to assist manoeuvring in and out of the development site in order collect the refuse / recycling etc. The problem with the existing arrangement is that if the gates to the adjoining development were permanently closed (say for example if the site was no longer in occupation) then the security gates would be permanently closed and therefore a refuse vehicle would not be able to turn and leave in a forward gear from 9-15 High Street and would then have to reverse all the way back to the A4, which would be a very hazardous manoeuvre. Therefore until this issue can be satisfactorily resolved the highway objection will need to be maintained. If it was resolved then the highway objection would be withdrawn.*

Condition 2 on page 20 should have the following drawing numbers:

- (a) Drawing number: 14/16/50a; Dated September 2014; Received: 13 November 2014
- (b) Drawing number: 14/16/51a; Dated September 2014; Received: 13 November 2014
- (c) Drawing number: 14/16/52a; Dated September 2014; Received: 13 November 2014

The above drawings might be subject to further minor changes in order to resolve the refuse delivery issue, as stated above. No comments have been received from neighbouring occupiers. In light of the this and the comments above, there is a change to the recommendation.

**CHANGE TO RECOMMENDATION**

**Delegate a decision to the Acting Planning Manager for the signing of a satisfactory Section 106 Agreement (or unilateral planning obligation) as necessary; to agree the outstanding matter relating to refuse collection and any other minor amendments to the planning application, draft conditions and Section 106 Planning Obligation.**



**P/15809/000 - 412-426, Montrose Avenue, Slough**

The Committee Report makes reference on page 26 of the fact that a SPZ notification that has been submitted on 11<sup>th</sup> September 2014. This date is incorrect and the notification was received on 11<sup>th</sup> November 2014, which was the day before the previous SPZ expired. In light of the fact that this notification has not been implemented prior to the expiry of the previous SPZ, as required in the document, it will not be possible for Segro to implement the scheme that has been submitted. Any future SPZ scheme will have to comply with the latest scheme, which means the new height restrictions apply in this 'Sensitive Boundary Zone' i.e. no buildings (including plant) exceeding 7m in height.

**NO CHANGE TO RECOMMENDATION**

**P/10697/009 - Rosary Farm, Bath Road, Colnbrook, Slough**

With respect to the Lanz presentation and open day, Members are advised that only 3 people attended.

With respect to the size of the larger vehicles which will be servicing the site, these will be 25 tonnes and carry approximately 26 bales.

Members are advised that plans have been submitted showing enhanced boundary landscaping within the vicinity of the proposed building, to improve the screening available for existing residential occupiers.

Following further discussions with the Council's Transport and Highway Engineers the following additional requirements are sought:

A lorry routing agreement to be secured through a Section 106 Agreement which will ensure that lorries only access and egress the site from and to the east on the A4 Bath Road, meaning left turn in and right turn out only.

To improve the potential conflicts which existing between vehicles and pedestrians using the access road, it is further proposed that the following condition be attached :

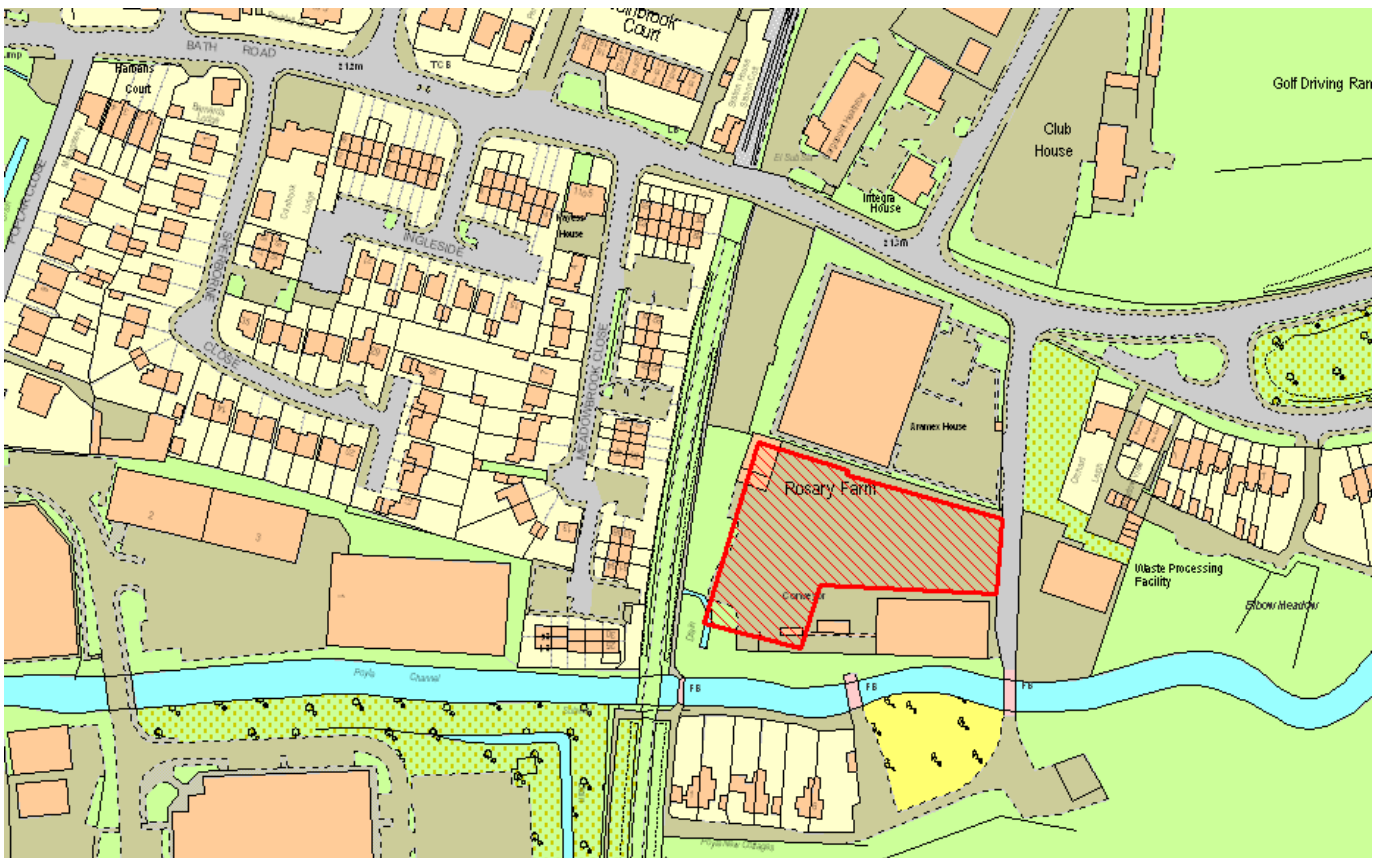
Details of additional or replacement footpath provision along the access road and which shall extend beyond the southern boundary of the site shall be submitted to and approved in writing the Local Planning Authority and implemented prior to works commencing on site.

REASON: In the interest of pedestrian and highway safety in accordance with Core Policy 7 of the Slough Local Development Framework Core Strategy Development Plan Document December 2008.

**NO CHANGE TO RECOMMENDATION**

<b>Registration Date:</b>	15-Sep-2014	<b>Applic. No:</b>	P/10697/009
<b>Officer:</b>	Ian Hann	<b>Ward:</b>	Colnbrook with Poyle
<b>Applicant:</b>	Mr. D Hepsworth, Lanz Farm Ltd		
<b>Location:</b>	Rosary Farm, Bath Road, Colnbrook, Slough, Berkshire		
<b>Proposal:</b>	ERECTION OF NEW BUILDING TO HOUSE NEW RECYCLING FACILITY WITH REVISED ACCESS AND INTERNAL LAYOUT.		

**Recommendation:** Refer to the Secretary of State



## 1.0 **SUMMARY OF RECOMMENDATION.**

- 1.1 Following consideration of any outstanding consultation responses, it is recommended that the application be referred to the Secretary of State under departure procedures. In the event that the Secretary of State decides not to call in the application for his own determination that the Acting Planning Manager be authorised to finalise conditions, complete a S106 agreement and make a final decision on the Planning Application.
- 1.2 This application is to be decided at planning committee as it is for a major development and is a waste and minerals application.

### PART A: BACKGROUND

## 2.0 **Proposal**

- 2.1 The information supplied with the application indicates that currently 80% of the waste that goes through the site represents 'heavy' waste (that is building type waste such as bricks, aggregate and soil) compared to 20% of 'light' waste (metal, paper, cardboard, plastics and wood). The company is seeking to increase its waste-handling of light waste by accommodating this activity within a new building as the current light waste handling facilities onsite requiring modernising.
- 2.2 It is therefore proposed to:
- i) retain the existing recycling centre and ancillary building and equipment for the handling of heavy waste, weighbridge and associated structures.
  - ii) erect a large single storey building handling light waste with a proposed floorspace of 1697m<sup>2</sup>. This would occupy part of the site now in use principally as circulation and open storage. However, there is a small operational building within the north western corner of the site.
- 2.3 It is contended that any increase in traffic at this site will be offset by less waste laden traffic visiting other landfill sites. Numbers of vehicle entering or leaving the site can be reduced if larger HGV vehicles can be used. The scheme design allows for such larger vehicles to utilise the site
- 2.4 The proposed building will have a depth of 36m, length of 68m and a height of 10m to eaves and 15m to ridge and will be constructed with a metal clad finish. The building itself will contain the necessary plant and machinery for the sorting of waste into its separate components with the rest of the building being used for the storage of the sorted waste, some of which needs to be kept clean and dry for it to be recyclable. This will reduce the need for open storage in bunkers, which takes place on the site at the present time and is unsightly. The building itself would be located to the western side of the site close to the boundary with the disused railway line.

## 3.0 **Application Site**

- 3.1 The site is approximately 0.8ha in size and lies south of Galleymead House, Bath Road, Colnbrook and immediately east of the former Staines to West Drayton disused railway line and immediately north of the Poyle Channel, together with Poyle New Cottages and the restored Longford II landfill site.

3.2 The site is in current use as a recycling centre with the types of waste limited in Condition 6 of Planning Permission P/10697/000 dated 2<sup>nd</sup> February 1999 as follows:

Dry and solid inert soils and overburden  
Concrete stone and clay, coal and coke  
Scrap metal and plastics, polymers and resin, gypsum  
Wood and wood products, paper and Cardboard, tree loppings  
Leather and natural fibre

3.3 The site is used by Lanz in association with their office and vehicle workshop premises on the east side of the private access road. The recovery site comprises a large single storey building in use for waste recovery. Large mechanical waste recovery equipment is partly housed in the building with part of this projecting eastwards outside of this main building. There is storage for recovered materials below. Elsewhere there are numerous open storage bunkers for recovered materials awaiting dispatch. A smaller second building is used for paper baling, the bales be stored outside. The remaining part of the site has a weighbridge and circulation road, together with area(s) for skip storage.

3.4 The eastern boundary of the waste recovery site has a chainlink fence and concrete posts fronting onto the private access road. To the north a large warehouse building is in use as well as a vacant site immediately to the west of the warehouse building with a valid planning permission for residential use, as yet unimplemented. To the east of the private access road and the remaining Lanz buildings, are residential properties.

#### 4.0 **Site History**

4.1 In 1986, Spelthorne Borough Council granted an Established Use Certificate in respect of most of the western part of the site for storage of topsoil and excavated material, ancillary parking, repair and maintenance of earth moving equipment and vehicles and the parking of such equipment and vehicles for hire. The majority of the green belt designation on site is covered by the Established Use Certificate. In 1993 a temporary permission for open storage enclosures, wheel washing equipment and other ancillary structures was granted until the completion of the deposit of waste materials at Longford II landfill site. In 1999, the permanent retention of the waste recycling centre was granted conditional planning permission permitting recovery of certain categories of new waste. Permission was then granted in July 2001 for the erection of the waste sorting hall, which was amended in October 2002 in close proximity to the Poyle Channel. The other buildings on the site along with the weighbridge were granted consent in February 2004.

4.2 The nearby Longford II Landfill site was closed in 2002 with responsibility for the landfill site remaining with the waste operator for controlling ongoing leachate and landfill gas measures in place. Part of the restored landfill site was the subject to a green waste proposal but withdrawn in spring 2012. Following many years of landfill activities on the nearby site, its closure and restoration will reverse its previous degraded appearance when it was operational

4.3 In 2011-12, the Environment Agency has received an application to vary the waste permitted to be handled at this site. They have also sought an Odour Management Plan to be put in place. Both are currently outstanding. No application has been submitted to Slough Borough Council requesting the variation of waste categories to be handled and a planning decision is necessary before these commence.

#### 5.0 **Neighbour Notification**

5.1 1, 2, 3, 4, 5, 6 Poyle New Cottages, Old Bath Road, Colnbrook

Orchard Leigh, Old Bath Road, Colnbrook

Colnbrook Car Centre, Old Bath , Road, Colnbrook

Aramex House, Old Bath Road, Colnbrook

1, 2, 3, 4 Meadow View Court, Old Bath Road, Colnbrook

25, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, Meadow Brook Close, Colnbrook

Site Notice displayed.

Advert placed in local press.

Three letters of objection have been received outlining the following issues:

- The access road has become dangerous for vehicles and pedestrians with vehicles blocking the road while they wait to enter the Lanz and Aramex sites.

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

- Increase in noise and dust from the site.

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

- Increase in traffic will make access to Old Bath Road worse.

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

5.2 The applicants undertook pre application consultation with local residents being invited to an open day in March 2013 and further consultation with Councillors and the Parish Council. Leaflets were sent to 500 local residents inviting them to attend the open day where those who attended had a presentation, a tour of the facilities and the opportunity to provide comments where the siting of the building, HGV movements and the increase in efficiency were considered.

## 6.0 **Consultation**

### 6.1 **Environmental Services**

The Environmental Team Manager advises that the redevelopment of the site presents an opportunity to further safeguard surrounding amenities through careful design and installation and operation of the new building housing a light line recycling facility. Additionally to proactively set out conditions that will safeguard said residential amenities and ensure the site viz. a viz. can operate as a responsible neighbour.

The principal environmental impacts in respect of this application and current operation relate to the noise and dust from the waste activities The Lanz site is an existing waste operation regulated by the Environment Agency under the Environmental Permitting Regulations 2010.

It is therefore important when considering the environmental impacts from this application that the site activities do not give rise to detrimental harm to the local amenities. The area is

subject to very high levels of aircraft noise due to its close proximity to Heathrow airport. Further, that the environmental impacts are managed and where identified as being significant/harmful mitigated to a level that is considered to be acceptable within defined environmental guidelines and limits.

The local amenity is made up of a mixture of industrial/waste uses and residential properties. There is a requirement for noise and dust conditions to protect the amenities. As the environment experiences very high levels of ambient noise, it is unreasonable to impose over prescriptive noise limits. Therefore a noise limit based on 60 decibels around 10 decibels below the ambient level, as opposed to the background noise level is proposed.

### **Recommended Environmental Protection Quality Conditions:**

#### **Condition 1 - Dust Emissions**

The best practical means shall be employed at all times to control dust emissions from the site. In any case no visible emissions of dust shall breach the site boundary at any time during site operations. If such emissions are reported or monitored, the source shall be determined and the operation ceased until corrective action has been undertaken in order to prevent off-site dust emissions.

REASON: To protect the amenities of the area and prevent nuisance arising from dust and to accord with the Core Policy 8 (Sustainability and the Environment)

#### **Condition 2 – Dust and Noise Management and Monitoring Plan**

A comprehensive dust and noise management plan shall be submitted to and approved by the Local Planning Authority. The plan shall cover and/or include:

- All potential sources of noise and dust emissions from the site (including new sources).
- Identify the nearest sensitive receptors (including new receptors).
- Outline all mitigation measures employed on site to date (including new mitigation measures with dates of implementation).
- Outline additional mitigation measure to prevent harm to local amenities.
- Specify the Dust and Noise monitoring on site and supply the findings to the Local Planning Authority within 4 working weeks of the assessment.
- The Operation of a complaints system with a logbook kept on site for a minimum of 2 years, and outcome of all investigations including follow up and corrective actions. The logbook should be made available for inspection to the Local Authority's Environmental Quality Team, Neighbourhood Enforcement Team and Planning Team as well as Environment Agency Environmental Officer.
- An two yearly review of dust and noise management and monitoring plan shall be conducted each year and submitted to the Local Planning Authority.

REASON: To protect the amenities of the area and prevent nuisance arising from dust and to accord with the Core Policy 8 (Sustainability and the Environment)

#### **Condition 3 – Dust and Noise Mitigation Measures**

The operator shall ensure all physical dust and noise mitigation measures, for example sound insulated building, screens, bunds, fences, roads, wheel wash, dust suppression systems etc, shall be maintained in good working order at all times to ensure their

effectiveness.

**REASON:** To protect the amenities of the area and prevent nuisance arising from dust and to accord with the Core Policy 8 (Sustainability and the Environment)

#### **Condition 4 - Noise Limits**

The operator will be required to comply with the following noise limit at the following locations at all times when the site is in operation:

Receptor	Noise Limit level (Site Operations only)
Meadowbank Close	60 dB
Poyle New Cottages	60 dB
Meadow View Court	60 dB
Elbow Meadow	60 dB

Note: All Noise levels are measured  $L_{Aeq, 1 \text{ hr}}$  (freefield)

**REASON:** To protect the amenities of the area and prevent nuisance arising from dust and to accord with the Core Policy 8 (Sustainability and the Environment)

#### **Condition 5 – Reverse Alarms**

The use of audible reverse warning alarms on any mobile plant and HGV accessing the site shall be restricted to ensure that white noise reversing alarms are fitted and used to prevent nuisance impact to residential amenities.

**REASON:** To protect the amenities of the area and prevent nuisance arising from dust and to accord with the Core Policy 8 (Sustainability and the Environment).

#### **6.2 Public Protection Services: Neighbourhood Enforcement**

No response has been received. Should any response be received this will be reported to Members on the amendment sheet.

#### **6.3 Transport and Highways**

No response has been received. Should any response be received this will be reported to Members on the amendment sheet.

#### **6.4 Environment Agency**

Consider that planning permission could be granted to the proposed development as submitted if planning conditions are included as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment leading to objections to the application.

#### **Condition 1**

No development approved by this planning permission shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the



site shall each be submitted to and approved, in writing, by the local planning authority: 1) A preliminary risk assessment which has identified:

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

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

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

### **Reason 1**

To protect groundwater. The site is located on a Secondary aquifer and a historic landfill. This condition is in line with Slough Borough Councils Core Strategy (adopted in 2006) Core Policy 8. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121). We are satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required in order to ensure that risks are appropriately addressed prior to development commencing.

### **Condition 2**

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

### **Reason 2**

To protect groundwater. The site is located on a Secondary aquifer and a historic landfill. This condition is in line with Slough Borough Councils Core Strategy (adopted in 2006) Core Policy 8. The verification report should be undertaken in accordance with in our guidance 'Verification of remediation of land contamination': <http://publications.environment-agency.gov.uk/pdf/SCHO0210BRXF-e-e.pdf>

### **Condition 3**

No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the local planning authority, shall be submitted to and approved in writing by the local planning

authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the local planning authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets Cont/d. 3 have been achieved shall be submitted to and approved in writing by the local planning authority.

**Reason 3**

To protect groundwater from pollution and potential further deterioration. The site is located on a Secondary aquifer and a historic landfill. This condition is in line with Slough Borough Councils Core Strategy (adopted in 2006) Core Policy 8.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

**Condition 4**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

**Reason 4**

To protect groundwater. No site investigation fully characterises a site. The site is located on a Secondary aquifer and a historic landfill. This condition is in line with Slough Borough Councils Core Strategy (adopted in 2006) Core Policy 8.

**Condition 5**

No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

**Reason 5**

To protect groundwater. The site is located on a Secondary aquifer and a historic landfill. Infiltration SUDs/ soakaways through contaminated soils are unacceptable as contaminants can remobilise and cause groundwater pollution. This condition is in line with Slough Borough Councils Core Strategy (adopted in 2006) Core Policy 8.

**Condition 6**

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**Reason 6**

Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment should be submitted with

consideration of the Environment Agency guidance 'Piling into contaminated sites': <http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0202bisw-e-e.pdf> . This condition is in line with Slough Borough Councils Core Strategy (adopted in 2006) Core Policy 8.

#### **Condition 7**

No development shall take place until a scheme for the provision and management of an 8 metre wide buffer zone alongside the River Colne shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the buffer zone.
- details of any proposed planting scheme (native species only).
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term.
- details of any proposed footpaths, fencing, lighting etc.

#### **Reason 7**

Development that encroaches on a watercourse can have a potentially severe impact on their ecological value. Land alongside are particularly valuable for wildlife and it is essential this is protected. This condition is in line with Slough Borough Councils Core Strategy (adopted in 2006) Core Policy 8 and 9.

This condition is supported by the National Planning Policy Framework (NPPF), paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The Natural Environment and Rural Communities Act which requires Local Authorities to have regard to nature conservation and article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

### **6.5 Aircraft Safeguarding, Heathrow Airport Ltd**

We have now assessed the application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development.

However, we would like to make the following observation:

#### **Landscaping**

The development is close to the airport and the landscaping which is included may attract birds which in turn may create an unacceptable increase in bird strike hazard. Any such landscaping should, therefore, be carefully design to minimise its attraction to hazard species of birds. Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' (available at <http://www.aoa.org.uk/operation&safety/safeguarding.htm>)

#### **Lighting**

The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice

Note 2, 'Lighting near Aerodromes' (available at [http://www.aoa.org.uk/operation & safety/safeguarding.htm](http://www.aoa.org.uk/operation&safety/safeguarding.htm)). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

#### Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policysafeguarding.htm>)

#### 6.6 **London Borough of Hillingdon**

No response has been received. Should any response be received this will be reported to Members on the amendment sheet.

#### 6.7 **Colnbrook-With-Poyle Parish Council**

No response has been received. Should any response be received this will be reported to Members on the amendment sheet.

### PART B: PLANNING APPRAISAL

#### 7.0 **Policy Background**

#### 7.1 **National Planning Policy Framework and National Planning Policy Statements**

National Planning Policy Framework 2012  
National Planning Policy for Waste 2014

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

Core Policy 1- Spatial Strategy  
Core Policy 2- Green Belt and Open Spaces  
Core Policy 5- Employment  
Core Policy 7 -Transport  
Core Policy 8 –Sustainability and the environment

#### The Local Plan for Slough,, adopted March 2004

Policy EN3 Landscaping Requirements  
Policy CG10 Heathrow Airport Safeguarding Area

#### Waste Local Plan for Berkshire 1998

WLP 1 Sustainable Development  
WLP 12 Need for Waste recycling, sorting and transfer  
WLP 16 Waste management facilities-non landfill  
WLP 23 Sites for Inert Waste  
WLP 29 Sites for Waste Management  
WLP 30 Assessing Impacts of development proposals

#### 7.2 The planning considerations for this proposal are:

- Principle of use & Impact upon the Green Belt, Strategic Gap and Colne Valley Park
- Scale, massing, bulk and layout
- Impact to neighbouring residential properties and environmental issues
- Traffic and Highways

## 8.0 **Principle of use & Impact on Green Belt, Strategic Gap and Colne Valley Park**

- 8.1 The National Planning Policy Framework states that unless material considerations dictate otherwise development proposals that accord with the development plan should be approved without delay. Planning should not act as an impediment to sustainable growth and should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. It also states that high quality design should be secured and a good standard of amenity for all existing and future occupants of land and buildings. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 8.2 The National Planning Policy for Waste, October 2014, states that when determining waste planning application Local Authorities should consider market need if the proposals are not in line with the local plan and to ensure the proposals do not undermine the local plan.
- 8.3 Policy WLP12 of the 1998 Berkshire Waste Local Plan states that Local Authorities will seek to ensure the maximum practical reuse, recovery and recycling of waste. Policy WLP1 seeks to use existing sites for handling re-use, recovery and recycling of Berkshire's waste in the most effective way and appropriate for the circumstances and location while policy WLP16 states that sites for waste management should be within existing waste control sites or industrial areas.
- 8.4 While the site is included in the preferred areas list in the 1998 Berkshire Waste Local Plan and being an existing waste transfer site it is considered appropriate that further development could be carried out at the site with relation to the recovery and recycling of waste. However any development will still have to be in accordance with the Councils approved and adopted policies with regards to impact on protected areas, scale and bulk, impact on neighbours and the environment and traffic and highway issues, as discussed below.
- 8.5 The existing site currently a waste management site and it is proposed that by the addition of a new waste recycling facility to receive, bulk and transfer 25,000 tonnes per annum (currently 5,000 tonnes per annum) of dry mixed recyclables which it will sort and remove all recyclables which will be stored and then transferred off site to specialist facilities. The increase in recycled waste being sorted on site will still be within the limit placed by the Environment Agency on the licence granted for the site. It is considered that the addition of a light line waste recycling facility will bring the following benefits:
- Enable the site to efficiently handle both heavy and light weight waste streams in purpose built buildings providing an integral approach to waste management.
  - Recovery of a greater proportion of waste, mainly commercial and industrial, to minimise waste being disposed to land fill or energy recovery.
  - Facility to sort and pre-treat waste to ensure a quality waste stream to other larger recycling centres.
  - Ability to store light line waste within a building and improve the recyclability of the materials.
- 8.6 Should permission be granted the site would then be able to handle both heavy and light waste streams in a more efficient way so that light waste would be able to be recycled and

stored in suitable conditions so that it can be fully recycled and saved from being sent to landfill and therefore be in keeping with the national waste plan that seeks to stop recyclable items being sent to landfill.

- 8.7 Key to the principle of the use, is the location of part of the site within the Green Belt, Strategic Gap and Colne Valley Park as set out in the paragraphs below, particularly in light of the National Planning Policy for Waste which was published in October 2014.
- 8.8 The National Planning Policy for Waste, October 2014, states that Green Belts have special protection regarding development and waste managements facilities within the green Belt would amount to inappropriate development.
- 8.9 Policy WLP29 of the 1998 Berkshire Waste Local Plan states that there will be strong presumption against allowing waste management development affecting the Green Belt when sites for such development are allocated in the Local Plan.
- 8.10 The National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 8.11 Core Policy 2 Green Belt and open spaces development will only be permitted in the Strategic Gap between Slough and Greater London and the open areas of the Colne Valley Park if it is essential to be in that location.
- 8.12 Local Plan policy CG1 seeks to control development in the Colne Valley Park and where development in permitted ensures that appropriate mitigation measures are undertaken to realise the aims and objectives of the Colne Valley Park. Policy CG6 restricts development within the Green Belt and policy and CG9 states that any development within the Strategic Gap will not be approved where it threatens the clear separation between Slough and Greater London.
- 8.13 There is a considerable weight of argument which would mitigate against further development on this site which is within the Green Belt, Strategic gap and Colne Valley Park, insofar as it would further detract from the openness in the Green Belt and the National Planning Policy Guidance for waste no longer treats such a use as an exception to Green Belt. It is always incumbent on the applicant to demonstrate the special circumstances which exist to allow a departure from policy.
- 8.14 It is considered that such mitigating circumstances exist:
- Only approximately 50% of the site lies within the Green Belt
  - The site has operated as a waste transfer site for a number of years and benefits from a permanent planning permission granted in 1999
  - Consolidating waste at this site will allow more waste to be diverted away from landfill providing environmental benefits.
  - An intensified use of this site would not result in the loss of any informal leisure use and therefore there would be no impact on the Colne Valley Park

- Given the nature of the current use of the site, it serves no Green Belt function. Given that the site has a commercial value it would not be returned to agriculture or other acceptable use within the Green Belt
- Other than through the issue of precedent itself, the site itself would not weaken the Strategic gap that separates London and Slough.
- The applicant has also undertaken a sequential test to demonstrate that there are no other suitable non Green Belt sites available which would meet the operators specific requirements

8.15 Development within the Green Belt can also be considered acceptable if there are exceptional circumstances for the development to be located within the Green Belt. While special circumstances have to be more than simply there being existing buildings or uses on the site; special circumstances could be the fact that there are no alternative sites for the building or uses. To this end the applicants have provided an Alternative Sites Assessment to demonstrate that fact that there are no alternative sites where this development could be sited. This assessment started with an assessment of 40 sites from which 9 sites were shortlisted and assessed against the following criteria:

- Proximity to waste arisings
- Proximity to the strategic road network
- Potential for co-location with other waste uses
- Compatibility with planning policy
- Re-use of previously developed land
- Development within Green Belt
- Proximity to designated ecologically sensitive areas
- Potential for landscape and visual effects
- Potential for effects on residential amenity
- Potential for effects on water resources
- Proximity to areas likely to flood
- Presence of public rights of way

8.16 The following table shows the selected short listed sites:

<b>Name</b>	<b>Address</b>	<b>Current Use</b>	<b>Size</b>
Sutton Lane old landfill, Colnbrook, SI3	Colnbrook Landfill, Sutton Lane, Colnbrook, Berks, SL3 8AB,	Non hazard Landfill	0.8
Wiggins Transport Ltd	Poyle Recycling Centre, Poyle Manor Farm, Poyle, Berks, SL3,	C&D Recycling	2.8
Simpson Way	Stoke Poges Way, Slough, SL1 3GD,	Recycling	0.9
Hindhay Quarry	Hindhay Quarry, Maidenhead	Quarry	1.0
Kingsmead Landfill	Welley Road, Horton, Slough, SL3 3QA	Landfill	15.2
		Materials	3.4

Fowles	Feltham	Recycling	
Charles Morris	Wraysbury	Materials Recycling	6.3
Longford II	Colnbrook	Open Land	0.7
Colnbrook Golf Driving Range	Colnbrook	Redundant Golf Driving Range / Open Land	3.0

8.17 Following the assessment of the above sites none of the sites met all of the criteria as identified below:

Name	Criteria Met	Criteria Partially Met	Criteria Not Met
Fowles Recycling Site	8	3	2
Kingsmead Landfill	8	2	3
Sutton Lane old landfill, Colnbrook, SI3	7	3	3
Charles Morris	7	3	3
Colnbrook Golf Driving Range	6	6	1
Simpson Way	6	5	2
Wiggins Transport Ltd	6	3	4
Hindhay Quarry	6	3	4
Longford II	4	5	4

8.18 Out of the sites which would appear to be most suitable from the above list they are in ownership where it would not be available to the applicants or for which planning permission has been granted for further development and therefore is no longer available.

8.19 Therefore it has been demonstrated that there are no alternative deliverable sites and the existing site, which is the subject of this application, is the most appropriate.

8.20 As discussed above the site is a developed site and as well as failing to act as a purposeful element of Green Belt it also fails to act within the purpose of the Strategic Gap as it is previously developed and surrounding land provides appropriate buffer to Greater London so the development will not impact upon the purpose of the Strategic Gap.

8.21 The building is accepted to be a large building that could impact upon the character of the area but is required at the size as it needs to house the required equipment as well as store the sorted material, which if left to the elements could get wet and therefore not be of any use to be recycled, and is therefore considered acceptable.

8.22 Other options have been considered with regards to the layout of the site so that the building will not be in the part of the site which is within the Green Belt, but this is considered the best



layout to ensure that neighbouring properties are not adversely impacted from possible environmental impacts of the changes. It is considered that this represents the most appropriate layout for the site.

8.23 The proposals will see more development within the Colne Valley Park but would not impact upon the recreational areas of the park and appropriate contributions can be made in order to help achieve the aims of the Colne Valley Park and such sums are being negotiated and will be subject to a Section 106 Agreement to be agreed prior to the granting of planning permission.

8.24 It is considered that special circumstances exist which justify a departure from green belt policy but which would not set a precedent for other such releases within the Strategic Gap.

## 9.0 **Scale, massing, bulk and layout**

9.1 That National Planning Policy for Waste states that waste development facilities should be well designed and contribute positively to the character and quality of the area.

9.2 The National Planning Policy Framework confirms the following:

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

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

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions” (Para 64).

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

9.3 Core Policy 8 of the Local Development Framework, Core Strategy, states that: “*All development in the Borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change.*” Part 2 to that policy covers design and in sub section b) it states: “*all development will respect its location and surroundings*”.

9.4 Policy EN1 of the Adopted Local Plan states that “*all development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surrounding*”, in accordance with the criteria set out in that policy.

9.5 The design, size and location of the building has been led by the machinery and storage area required within the building and the fact that it acts as a visual and acoustic screen to surrounding neighbouring properties.

- 9.6 The design of the building itself is steel frame with steel cladding and insulation and compliments the existing building on the site as well as the surrounding buildings with it being a standard industrial design that fits in well with the surrounding industrial buildings, especially the neighbouring building at Aramex House and the design of the building will not have a detrimental impact upon the character or appearance of the area. Furthermore the proposed building would benefit from a mature tree screening behind it which would help with some screening and help break up the mass of the building and this could be improved via appropriate conditions.
- 9.7 While the building itself could be considered to be large with a foot print of 36m by 68m and a height of 10m to eaves height and 15m to ridge height the building itself will be no larger than the neighbouring building at Aramex House and will not be out of context with the surrounding buildings. The building would cover a large proportion of the site but would not appear overbearing or over dominant within the surrounding area due to the large buildings in the area and the fact that it is set at the back of the site so that it will not be overbearing on the street scene.
- 9.8 The proposals will also see the reorganisation of the site with a revised access relocation of weighbridge and ancillary buildings and relocation of parking which will not impact upon the character or appearance of the surrounding area.
- 10.0 **Impact to neighbouring residential properties and environmental issues**
- 10.1 The National Planning Policy for Waste states that waste developments should consider the likely impact on the environment and amenity.
- 10.2 Core Policy 8 of the Local Development Framework, Core Strategy, states that the design of all development within existing residential areas should respect its location and surroundings and shall not give rise to unacceptable levels of air, dust, odour, lighting or noise pollution and reduce the risk of flooding, including surface water flooding.
- 10.3 Policy EN1 of the Adopted Local Plan states that “*all development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surrounding*”, in accordance with the criteria set out in that policy.
- 10.4 The nearest neighbouring residential properties to the application site are sited 33m to the west beyond the disused railway line and 46m from Poyle Cottages to the south beyond the Poyle Channel. These properties are screened from the site with existing mature trees and shrubs both within the site to act as a green buffer to the site. Although large the proposed building is considered not to result in a material detrimental impact in terms of it being overbearing or restricting views and onsite planting provision could be strengthened via appropriate conditions to help soften the appearance of the building further when viewed from neighbouring residential properties.
- 10.5 Due to the distances between the neighbouring residential properties and the proposed building it is not considered to result in a loss of light to the neighbouring properties and would not have a detrimental impact upon the amenity of neighbouring properties.
- 10.6 The noise report that has been submitted with the application confirms that the sound level is dominated by aircraft noise and that the proposed new recycling plant machinery would not be any louder than the pre existing ambient noise level from aircraft and traffic noise and will therefore have no detrimental impact upon neighbouring properties or the surrounding environment.

- 10.7 The air quality report that has been submitted with the application is in the form of and Environment Agency air quality study that confirms that air quality standard objectives are being met and it is not anticipated that with a marginal increase in the amount of waste being recycled at the site and with this waste being light in nature then there will not be a detrimental impact upon air quality.
- 10.8 An odour and pest management control management plan has been submitted as part of the application which states that appropriate odour and pest control measures will be put in place and regularly monitored to ensure that there is no nuisance to neighbouring properties and can be appropriately secured via condition.
- 10.9 The site is located in flood zone 1 and is not at a high level of risk of flood and is therefore appropriate for development. Storm water will be collected onsite in underground tanks and used onsite for dust suppression and fire sprinklers with any excess water being discharged into Poyle Channel as per the existing situation so site. It is therefore considered that the proposed development will have no impact upon flood risk at the site.

11.0 **Traffic and Highways**

- 11.1 Core Policy 7 requires that development proposals will 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, improving air quality and reducing the impact of travel upon the environment.
- 11.2 Local Plan Policy T2 requires residential development to provide a level of parking appropriate to its location and overcome road safety problems while protecting the amenities of adjoining residents and the visual amenities of the area.
- 11.3 The applicant has supplied a transport statement that states that the additional increase in waste being generated by the development would result in an increase in 20,000 tonnes of waste per year being sorted at the site which equates to an additional 50 HGV trips per a day if it works at its maximum. Considering the background traffic movements to and from the site and the fact that the site will still operate below its 152,000 tonne limit the additional traffic movements will not result in any traffic or highway issues.
- 11.4 The following table shows the number of trips for the site over the last three years:

Year	Tonnage	HGV Loads	Total HGV Trips
2011	70,643	13,831	27,662
2012	26,850	10,206	20,412
2013	28,960	8,047	16,094

- 11.5 The existing junction is considered to be able to be safely accommodated on the access road and at the junction with Old Bath Road so that it will not result in any highway safety issues.
- 11.6 Appropriate space is provided within the site to accommodate vehicle movements and parking so that the site can be safely accessed and navigated around.

12.0 **Other Issues**

- 12.1 The Applicant's requested a screening opinion from the Local Planning Authority with regards to if an Environmental Impact Assessment would be required due to the size and nature of the development. While the Local Planning Authority considered that an Environmental Impact Assessment would be required due to the fact that waste would be

handled in close proximity to controlled waters. However the Secretary of State was asked for a Screening Direction following on from the Local Planning Authority response and they ruled that the proposal would not be likely to have significant effects on the environment and an Environmental Impact Assessment was not required.

- 12.2 The proposed use will not result in an increase in staff numbers at the site and therefore complies with the requirement of development within the airport safeguarding zone which seeks to ensure there is no increase in the numbers of people working within such an area.
- 12.3 The proposals for the Heathrow expansion do not interfere as the proposals at the applicant waste site fall outside of the area which will be needed for the Heathrow expansion.
- 12.4 A Section 106 Agreement is being negotiated with regards to any additional highway changes that may be required, including that for pedestrian access and financial contributions towards improved facilities at Colne Valley Park.

### 13.0 **PART C: RECOMMENDATION**

- 13.1 Following consideration of any outstanding consultation responses, it is recommended that the application be referred to the Secretary of State under departure procedures. In the event that the Secretary of State decides not to call in the application for his own determination that the Acting Planning Manager be authorised to finalise conditions, complete a S106 agreement and make a final decision on the Planning Application.

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

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

1. Time Limit
2. Approved drawings
3. Approved reports
4. Materials to be approved
5. Surface materials to be approved
6. Landscaping Plan
7. Landscaping Management Plan
8. Preliminary Risk Assessment
9. Verification Report
10. Long term maintenance and monitoring plan
11. Unidentified contamination
12. Infiltration of surface water drainage
13. Restriction of piling
14. Buffer zone to River Colne
15. Dust Emissions
16. Dust and Noise Management and Monitoring Plan
17. Dust and Noise Mitigation Measures
18. Noise Limits
19. Reverse Alarms

**PLANNING**  
**COMMITTEE**  
**27<sup>th</sup> November 2014**

THE FOLLOWING ALTERATIONS AND AMENDMENTS HAVE BEEN  
RECEIVED SINCE THE PLANNING OFFICER'S REPORT WAS  
PRESENTED TO MEMBERS

**P/06865/008 - 9-15, High Street, Slough, SL1 1DY**

Amended plans have been received and the description of the development has been amended accordingly:

CHANGE OF USE OF PART OF BUILDING FROM CLASS B1 (a) OFFICES TO CLASS C3 RESIDENTIAL TO PROVIDE 41 NO. FLATS (32 NO. ONE BEDROOM, 6 NO. TWO BEDROOM FLATS AND 3 BEDSIT/STUDIOS) RETAINING TWO SELF CONTAINED OFFICES AT GROUND FLOOR LEVEL, CONSTRUCTION OF TWO ADDITIONAL FLOORS AND ASSOCIATED ALTERATIONS.

The proposal is to retain two self contained offices at ground floor level and the number of flats has reduced from 42 no. to 41 no.

In response to the amended plans, further comments have been received from the Transport Consultant:

*Further plans have been submitted by the developers architect on 13/11/14. The revised plans address the concerns with the layout of the parking spaces – a total of 18 spaces are now proposed and these can all now be properly accessed.*

*The cycle parking has been improved and is now considered acceptable, although the siting of the Sheffield racks will probably need to be on a 45 degree angle within the store so that there is adequate manoeuvring space. This may be best addressed through the standard cycle parking condition.*

*Amendments to the bin store have been made and this is now acceptable.*

*Whilst further information has been provided on the refuse vehicle manoeuvring, the issues have not yet been resolved. The architect is seeking a solution with his client in view of potentially securing a right way over part of the access of the adjoining development to the east to allow for a refuse vehicle to use part of this access road to assist manoeuvring in and out of the development site in order collect the refuse / recycling etc. The problem with the existing arrangement is that if the gates to the adjoining development were permanently closed (say for example if the site was no longer in occupation) then the security gates would be permanently closed and therefore a refuse vehicle would not be able to turn and leave in a forward gear from 9-15 High Street and would then have to reverse all the way back to the A4, which would be a very hazardous manoeuvre. Therefore until this issue can be satisfactorily resolved the highway objection will need to be maintained. If it was resolved then the highway objection would be withdrawn.*

Condition 2 on page 20 should have the following drawing numbers:

- (a) Drawing number: 14/16/50a; Dated September 2014; Received: 13 November 2014
- (b) Drawing number: 14/16/51a; Dated September 2014; Received: 13 November 2014
- (c) Drawing number: 14/16/52a; Dated September 2014; Received: 13 November 2014

The above drawings might be subject to further minor changes in order to resolve the refuse delivery issue, as stated above. No comments have been received from neighbouring occupiers. In light of the this and the comments above, there is a change to the recommendation.

**CHANGE TO RECOMMENDATION**

**Delegate a decision to the Acting Planning Manager for the signing of a satisfactory Section 106 Agreement (or unilateral planning obligation) as necessary; to agree the outstanding matter relating to refuse collection and any other minor amendments to the planning application, draft conditions and Section 106 Planning Obligation.**

**P/15809/000 - 412-426, Montrose Avenue, Slough**

The Committee Report makes reference on page 26 of the fact that a SPZ notification that has been submitted on 11<sup>th</sup> September 2014. This date is incorrect and the notification was received on 11<sup>th</sup> November 2014, which was the day before the previous SPZ expired. In light of the fact that this notification has not been implemented prior to the expiry of the previous SPZ, as required in the document, it will not be possible for Segro to implement the scheme that has been submitted. Any future SPZ scheme will have to comply with the latest scheme, which means the new height restrictions apply in this 'Sensitive Boundary Zone' i.e. no buildings (including plant) exceeding 7m in height.

**NO CHANGE TO RECOMMENDATION**

**P/10697/009 - Rosary Farm, Bath Road, Colnbrook, Slough**

With respect to the Lanz presentation and open day, Members are advised that only 3 people attended.

With respect to the size of the larger vehicles which will be servicing the site, these will be 25 tonnes and carry approximately 26 bales.

Members are advised that plans have been submitted showing enhanced boundary landscaping within the vicinity of the proposed building, to improve the screening available for existing residential occupiers.

Following further discussions with the Council's Transport and Highway Engineers the following additional requirements are sought:

A lorry routing agreement to be secured through a Section 106 Agreement which will ensure that lorries only access and egress the site from and to the east on the A4 Bath Road, meaning left turn in and right turn out only.

To improve the potential conflicts which existing between vehicles and pedestrians using the access road, it is further proposed that the following condition be attached :

Details of additional or replacement footpath provision along the access road and which shall extend beyond the southern boundary of the site shall be submitted to and approved in writing the Local Planning Authority and implemented prior to works commencing on site.

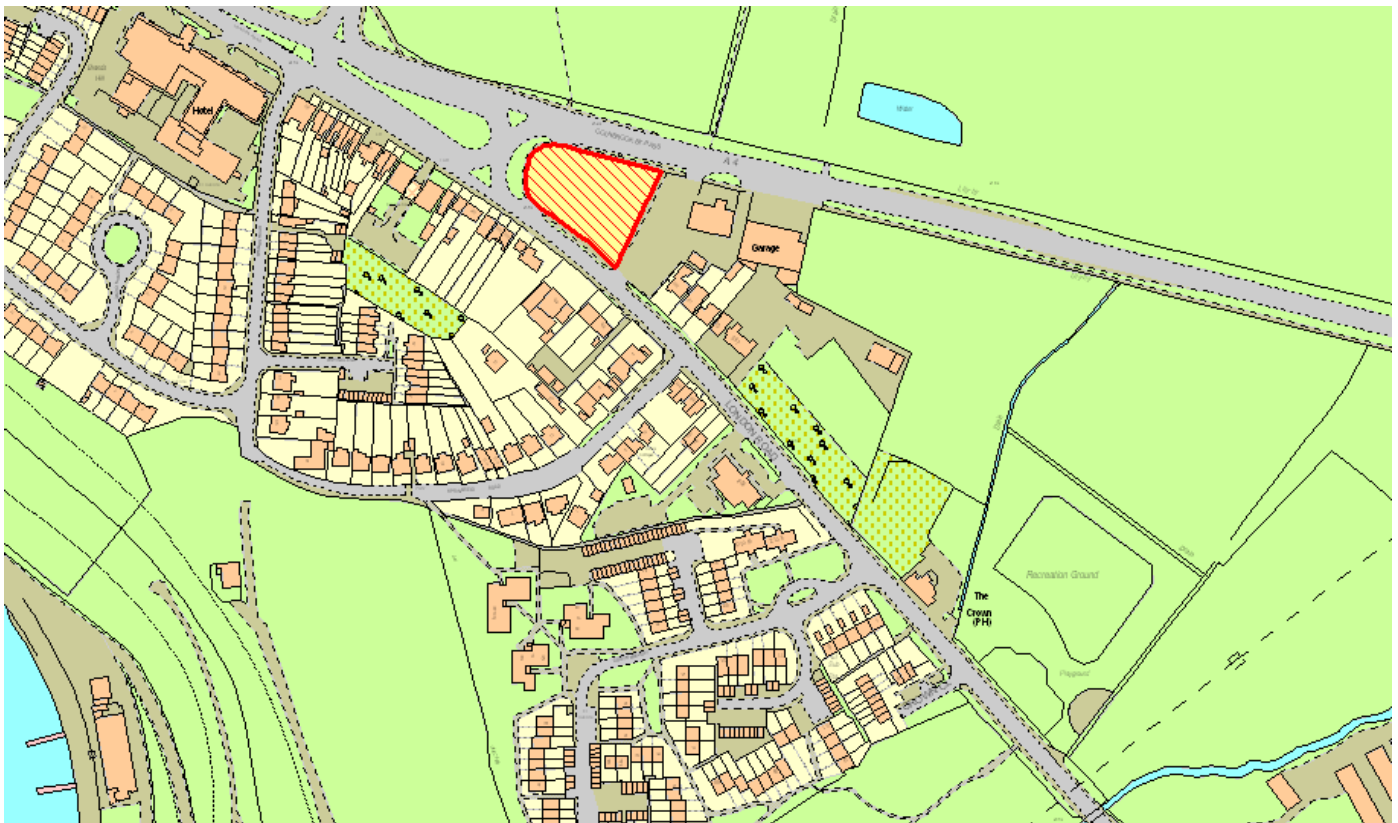
REASON: In the interest of pedestrian and highway safety in accordance with Core Policy 7 of the Slough Local Development Framework Core Strategy Development Plan Document December 2008.

**NO CHANGE TO RECOMMENDATION**



Registration Date:	24-Jul-2014	<b>Applic. No:</b>	P/01163/006
Officer:	Mr Smyth	<b>Ward:</b>	Colnbrook with Poyle
		<b>Applic type:</b>	<b>Major</b>
		<b>13 week date:</b>	23 <sup>rd</sup> October 2014
Applicant:	Mr. R Ellis, MacLaren Homes Ltd		
Agent:	Ms. N Broderick, NMB Planning Ltd 124, Horton Road, Datchet, Slough, SL3 9HE		
Location:	Rogans Garage, 585, London Road, Colnbrook By Pass, Colnbrook, SL3 8QQ		
Proposal:	DEVELOPMENT OF SITE TO PROVIDE 61 RESIDENTIAL UNITS IN 3 SEPERATE BLOCKS IN A PART 5 / PART 4 / PART 3 STOREY DEVELOPMENT ON A PODIUM ABOVE A SEMI BASEMENT CAR PARK PROVIDING FOR 75 CAR SPACES (PART RETROSPECTIVE).		

**Recommendation:** Delegate to the Acting Planning Manager



## 1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 Having regard to the policies below the development is considered to be acceptable in principle and it is recommended that the application be delegated to the acting Planning Manager for completion of a Section 106 agreement, finalising conditions, making minor changes if required and final determination.

## **PART A: BACKGROUND**

### 2.0 **Proposal**

- 2.1 This is a full detailed planning application for: *development of site to provide 61 residential units in 3 separate blocks in a part 5 / part 4 / part 3 storey development on a podium above a semi basement car park providing for 75 car spaces (part retrospective).*

- 2.2 The application is accompanied by full plans showing, elevations sections, floor plans and overlooking studies. In addition there are a number of supporting statements including:

- Planning Statement
- Design and Access Statement
- Supplementary Access Statement
- Transport Statement
- Environmental Noise Survey and Assessment
- Revised and updated Air Quality Assessment
- Flood Risk Assessment and position statement on drainage strategies
- M & E Outline planning statement relating to basement and residential unit ventilation systems
- Energy and Sustainability Feasibility Study
- Updated Groundwater Monitoring Report
- Financial Viability Assessment of the scheme

- 2.3 The development scheme continues to propose the completion of 3 separate residential blocks located upon a 2 metre high podium above a semi basement car park. A total of 61 residential units are proposed.

- 2.3 Within block A, which ranges between 3 and 5 storeys in height, a total of 24 units are proposed. Historically 23 units were proposed together with a gym area on the ground floor. This has been changed to a 2 bed flat

- 2.4 Block B ranges in storey height, single storey to 4 storey containing a total of 15 units, again one additional unit following the conversion of a large store area on the ground floor of block B to a ground floor one bed flat.

- 2.5 In respect of block C, fronting onto the Colnbrook by Pass this block ranges in height from 5 storeys down to 3 storeys where it abuts the eastern boundary and contains 22 residential units. One additional apartment is proposed on the top floor of block C in order to provide a more cohesive plan to the third floor given the exact positioning of the super structure which has been surveyed by the applicant

- 2.6 Within the central podium courtyard a landscaped area is proposed with access down to street level both on the London Road and the Colnbrook by Pass elevations of the scheme

- 2.7 In elevation detail, a number of the apartments have associated balconies with glass

balustrading to the front edge varying in height from 1.5metres to 1.7metres depending on the balconies location in order to ensure no obvious direct overlooking or loss of privacy issues to neighbouring owner occupiers.

- 2.8 A proposed material pallet has been provided which seeks to identify a themed colour for each of the three individual blocks to give them a distinctive feel, together with a common material pallet in terms of balcony, weatherboarding, terraces, and entrance door features to provide a cohesive scheme overall.
- 2.9 In terms of access, vehicular access is gained via a ramp from the London Road to a basement car park which provides onsite parking for 75 vehicles of which four spaces are designated disabled wheelchair accessible spaces. Cycle provision on a one for one basis is provided within three separate cycle storage areas, two within the basement and one larger cycle store accessed via the podium level.
- 2.10 Following extensive pre-application discussions alterations to the existing concrete super structure are to be made to provide an at grade level entry to the refuse store located part way between the basement and podium levels of the London Road. The store will be accessed via stairs both from podium and basement level, and provide appropriate space for the provision of nine large euro bin refuse containers to serve the development. Alongside the podium area on the London Road, a pull in service layby area will be created to accommodate both refuse vehicles and service/delivery vehicles on a limited timed basis.
- 2.11 In the supporting Planning Statement the applicant advises that that all units on site will be private market units. As per the previously agreed scheme, the applicant is willing to enter into negotiations regarding an appropriate off site financial contribution towards affordable housing in the area.
- 3.0 **Application Site**
- 3.1 The site is located on the gyratory roundabout at its junction with the Bath Road A4, Colnbrook by Pass and London Road in Brandshill. Being approximately 27 metres wide at its frontage, it extends 62 metres eastwards and expands in width to form a triangular shape 52 metres wide at its eastern boundary, abutting the Gibtel Café site to the east. The site area measures 0.263 hectares.
- 3.2 The site has been a partially developed development site since 2008 with the concrete super structure forming a semi basement across the entire site, a podium deck some 2 metres above the surrounding ground level from which 3 building blocks are located
- 3.3 The podium and concrete frame and floor areas were constructed in 2008. The site was then closed, the hoarding around the site remains, together with a number of stacked porta cabins which provided the site office accommodation during the construction period.
- 3.4 In the wider area, to the east of the site lies the large car parking area serving Gibtel Lodge and Café which fronts onto the Colnbrook by Pass, but which has vehicular entrance points both onto the Colnbrook by Pass and the London Road. This Lodge and Café area is a large, rambling, 2 storey building alongside which lies a large vehicle repair garage and car sales depot also fronting onto the Colnbrook by Pass
- 3.5 To the east of the Lodge and the garage area lies nos. 589 to 297 London Road, a series of large detached two storey residential properties.
- 3.6 To the south of the London Road lies a mixed of detached and semi-detached residential properties of varying styles and heights. It is noted that nos. 604 London Road is a 3 storey flat

roofed property set 15 metres from the London Road frontage. The remaining properties vary in nature and are set on a common building line some 5 metres from the highway boundary.

- 3.7 To the west of the site along the A4 lies a mix of residential and hotel developments, the latter having in recent times been substantially extended.
- 3.8 The A4 Colnbrook by Pass forms the main arterial route from Slough to Heathrow and West London. At the present time the bypass is single lane in either direction with a significant central hatched area.
- 3.9 To the north of the Colnbrook by Pass lies a mature belt of vegetation with open farmland to the north. This forms the southern boundary of a large mineral working site, access which is gained via Sutton Lane, and forms the southern boundary of the Metropolitan Green Belt.
- 4.0 **Site History**
- 4.1 Historically the site was occupied by Rogan's Garage and petrol station with a car repair and storage and breaking of vehicles business.
- 4.2 Planning permission was granted in February 2006 for the redevelopment of the site for 58 nos. 1 and 2 bed apartments (Reference P/001163/004). This scheme was on behalf of Barretts
- 4.3 Following the subsequent acquisition of the site by Rigsby New Homes, a revised application was submitted under Planning Reference P/01163/005 in July 2007. This scheme again represented a 58 unit development with semi basement car park.
- 4.4 The revised scheme was the subject of an approval in principle resolution by Slough Planning Committee on the 8th May 2008, subject to the completion of a Section 106 Agreement.
- 4.5 Long and protracted negotiations took place in respect of the 106 Agreement including the provision of financial contributions towards affordable housing off site in lieu of the historically provided 21 affordable units on site.
- 4.6 During the course of these negotiations on site construction commenced and close working between Planning Officers and the then architects sought to resolve and keep up with the evolving construction in terms of the submission of amended plans to correlate to what was being constructed on site.
- 4.7 In particular the original planning drawings showed the podium above the sub basement car park to be set approximately 1 metre above the neighbouring footpath level. However, the building as being constructed in terms of the super structure on site is approximately 2 metres above the surrounding footway level as a result of technical requirements.
- 4.8 At a subsequent Meeting of Planning Committee on 8th May 2008 a supplementary report was submitted for consideration. That report was a position statement which advised Members as to the then current position relating to the site. Members were advised that all works had at that time stopped on site and the developers had submitted or were in the process of submitting details to allow some of the proposed pre commencement planning conditions to be deleted or re-worded such that the development could proceed following completion of the Section 106 Agreement and the subsequent issue of a formal grant of planning permission. The general approach was agreed by Members at that Meeting.
- 4.9 The agreed Section 106 Agreement was near to completion, although there were still outstanding matters relating to land contamination and drainage. Unfortunately at this point the owners and applicants of the site went into receivership following the economic downturn

across the country, all works ceased on site and the Section 106 Agreement was not completed.

- 4.10 Following acquisition of the site by McLaren Homes Ltd in 2011 initial pre application discussions took place with a view to exploring the opportunities on the site. Given the ongoing economic difficulties these discussions halted, and Officers took the view that any future application coming forward would be substantively different from the outstanding application P/01163/005 which would require a fresh application. As such a deemed withdrawal was made on the application which was at that time still undermined (P/06113/005).
- 4.11 The original extant permission P/01163/004 has also now time lapsed in February 2009 and as such there remains no permissions on site. The structures that exist on site have no planning permission and are unauthorised. Since all work stopped on site, the site has continued to deteriorate and presents an ever worsening eyesore in a highly visible location on the A4 at one of the main entrances to Slough.

## 5.0 Neighbour Notification

5.1 The following neighbours were consulted:

The Occupier, 560, London Road, Slough  
The Occupier, 560, London Road, Slough, SL3 8QF  
The Occupier, 561, London Road, Slough, SL3 8QE  
The Occupier, 562, London Road, Slough, SL3 8QF  
The Occupier, 563, London Road, Slough, SL3 8QE  
The Occupier, 564, London Road, Slough, SL3 8QF  
The Occupier, 565, London Road, Slough, SL3 8QE  
The Occupier, 566, London Road, Slough, SL3 8QF  
The Occupier, 567, London Road, Slough, SL3 8QE  
The Occupier, 568, London Road, Slough, SL3 8QF  
The Occupier, 569, London Road, Slough, SL3 8QE  
The Occupier, 570, London Road, Slough, SL3 8QF  
The Occupier, 571, London Road, Slough, SL3 8QE  
The Occupier, 572, London Road, Slough, SL3 8QF  
The Occupier, 573, London Road, Slough, SL3 8QE  
The Occupier, Post Office, Brands Hill Post Office,  
574, London Road, Slough, SL3 8QF  
The Occupier, 576, London Road, Slough, SL3 8QF  
The Occupier, 578, London Road, Slough, SL3 8QF  
The Occupier, 580, London Road, Slough, SL3 8QF  
The Occupier, 582, London Road, Slough, SL3 8QF  
The Occupier, Colnbrook Garage, And The Cottage,  
585, London Road, Slough, Berkshire, SL3 8QQ  
The Occupier, 588, London Road, Slough, SL3 8QF  
The Occupier, 589, London Road, Slough, SL3 8QG  
The Occupier, 590, London Road, Slough, SL3 8QF  
The Occupier, 591, London Road, Slough, SL3 8QG  
The Occupier, 592, London Road, Slough, SL3 8QF  
The Occupier, 593, London Road, Slough, SL3 8QG  
The Occupier, 594, London Road, Slough, SL3 8QF  
The Occupier, 595, London Road, Slough, SL3 8QG  
The Occupier, 597, London Road, Slough, SL3 8QG  
The Occupier, Airport Motors (London) Limited, 597,  
London Road, Slough, Berkshire, SL3 8QG  
The Occupier, 598, London Road, Slough, SL3 8QF  
The Occupier, 600, London Road, Slough, SL3 8QF  
Mr. & Mrs. E Jasniewski, 602, London Road, Slough, SL3 8QF

The Occupier, 604, London Road, Slough, SL3 8QF  
The Occupier, 606, London Road, Slough, SL3 8QF  
The Occupier, 608, London Road, Slough, SL3 8QF  
The Occupier, 616, London Road, Slough, SL3 8QH  
The Occupier, 618, London Road, Slough, SL3 8QH  
The Occupier, 620, London Road, Slough, SL3 8QH  
The Occupier, 622, London Road, Slough, SL3 8QH  
The Occupier, 624, London Road, Slough, SL3 8QH  
The Occupier, Jocks Café, London Road, Colnbrook  
The Occupier, 2, Springfield Road, Slough, SL3 8QJ  
The Occupier, 3, Springfield Road, Slough, SL3 8QJ  
The Occupier, 4, Springfield Road, Slough, SL3 8QJ  
The Occupier, 5, Springfield Road, Slough, SL3 8QJ  
The Occupier, 6, Springfield Road, Slough, SL3 8QJ  
The Occupier, 7, Springfield Road, Slough, SL3 8QJ  
The Occupier, 8, Springfield Road, Slough, SL3 8QJ  
The Occupier, 1, Crown Cottages, London Road, Colnbrook  
The Occupier, 3, Crown Cottages, London Road, Colnbrook

A letter has been received from the occupier of 602 London Road raising the following concerns:

- The basement has resulted in the ground floor of the development being level with the first floor of the objector's house.

Response: The podium is set about 2 metres above street level, approximately 1 metre higher than originally proposed. Whilst far from ideal, at the time the application was being determined it was advised that this was due to technical reasons.

- It is noted that planning permission was not granted why has nothing been done.

Response: At the time when the planning application was live officers were trying to work with the developers to secure completion of the development. Unfortunately, since that time it has simply been a casualty of the recession during which time it has always been hoped that the scheme could be resurrected and completed.

- Overshadowing from Block A, the super structure of which is already constructed to 4 floors. Any additional floors would make this worse. It is noted that the east elevation has been altered to reduce its impact on the neighbouring business premises.

Response: Block A ranges in height between 3 – 5 storeys above the podium level and 5 storeys on the frontage dropping down to 4 storeys on the London Road south facing elevation. As the development sits approximately north of 602 London Road it would not lead to significant overshadowing or loss of sunlight.

- There will be a loss of privacy with residents in Block A and Block B being able to look into our back garden and being able to look into our kitchen, dining room and bedrooms.

Response: Whilst it is acknowledged that the occupiers of no. 602 London Road may perceive direct overlooking, a window to window distance of approximately 27 metres is achieved across a main road which complies with general planning guidance. The minimum window to window distance is 21 metres.

With respect to overlooking of the rear garden from the upper floor flats, the deposited plans show some overlooking of the rear part of the back garden over the top of the existing house,

however this is over a distance of 68 metres. There would be no direct overlooking of the private sitting out area immediately to the rear of the house.

- There is insufficient car parking for both residents and visitors. There are already parking pressures in the area and this will make the current situation worse.

Response: A total of 74 no. car parking spaces are proposed to serve 61 no. flats. On the basis that 1 no. car parking space is allocated to each of the 1 bed flats and studios (25 no.), which is consistent with similar provision across sites in other parts of the Borough, then for the remaining 32 no. two and three bedroom flats, provision equates to 1.35 no. spaces per dwelling unit.

Whilst it is acknowledged that this falls below the Council's guidelines of parking standards, an argument has been made on grounds of locational sustainability. In the submitted Transport Statement it is shown that there are 9 no. peak hour buses to Heathrow, 8 peak hour buses to Langley and 13 peak hour buses to Slough from bus stops within 400m of the site. Access to bus stops will be improved by the provision of an uncontrolled crossing point at the existing island on the south eastern corner of the Colnbrook gyratory. In addition provision is made on site for high quality cycle parking within secure stores, both within the basement and on the podium.

The general approach to parking has been accepted by the Council's Transport Engineers and does not justify a refusal of planning permission.

- Concerned about the adequacy of the layby and the ability of service vehicles to turn right across the London Road.

Response: The provision of a layby is the Transport and Highway engineer's preferred means for servicing the Building, given the constraints of the existing structure. It would be unrealistic to try and control the movement of lorries leaving the layby.

- Concerned about the location of the bin store and Layby which are sited directly opposite the objectors house. There will be issues of smell and discarded rubbish.

Response: The bins will be housed at semi basement level and collection will be via a door, directly onto the pavement on collection day. This is preferable to the original proposal which was to site a large bin store on the podium. It also allows the pedestrian ramp to be removed which was undesirable in design and street scene terms.

- Existing surface water and foul sewers are at capacity. Water pressure is already low.

Response: Connections to the existing surface water and foul sewers will require the consent of Thames Water. Water supply is also the responsibility of Thames Water.

Letter of Objection also received from the neighbouring owner of that adjoining site known as Jocks Café.

- In previous objection letters relating to the Development the LPA was advised that the development progressed without a Party Wall Agreement having been completed because the works were not being carried out not in accordance with the proposed drawings.

Response: The site has a complicated history, however, the failure of the then developer to

enter into a Party Wall Act is not a matter for the local planning authority and is covered by separate legislation.

- The objector has pointed out the numerous variations from the original approval including: the excessive height of the boundary wall with the neighbouring site, which would restrict the development potential of the neighbouring site. The overall height of the development is approximately 2m higher than the original planning approval. There is a potential loss of privacy arising from the proximity of flank wall windows and balconies in relation to the site boundary.

Response: Whilst officers are aware that the structure which exists has been built without the benefit of planning permission. At the time it was considered preferable to work with the then developers to secure the best development possible whilst having regard to the deviations from the original scheme. It is fully acknowledged that it less than desirable to have a podium which sits some two metres above the neighbouring footway, however, it would not be economically to remove the existing structures on site and start development from scratch. Whilst the overall development will be higher than the original designs, any increase in height is being kept to a minimum, by squeezing internal floor to ceiling heights Officers are keen to see the development completed and to remove an eyesore for the local area. The current scheme will be built to a high specification. During pre application negotiations care has been taken to alleviate any direct overlooking of the neighbouring site, by reducing the number of windows within the flank elevation, requiring flank wall windows to be obscurely glazed and high level opening, requiring privacy screens to balconies, and ensuring that appropriate terraces are available for maintenance purposes only. The applicant has submitted an overlooking appraisal of the neighbouring site, which demonstrates that with the various proposed physical obstacles in situ any overlooking would be limited. It should also be noted that the neighbouring site is a commercial and not residential site, for which there is a reasonable expectation that at some future date would come forward for a residential scheme of redevelopment.

## 6.0 **Consultation**

### 6.1 **Transport and Highways**

This is a development site that was commenced without planning consent being granted, but the original application in 2006 sought to convert a petrol filling station with vehicle sales to 58 flats. The development commenced without the S106 agreement being signed and was not built to the plans that were originally submitted, but during the construction period the contractor and the developer went into administration and the development remains half built today.

This application seeks to amend the original scheme to what was part built on-site and also to increase the number of units from 58 flats to 61 flats. The scheme has been modified to take account of some fundamental flaws in the original design to which were made significantly worse when the basement floor was built at a higher height than originally planned.

The proposed development seeks to create 25 x1 bed flats, 32 x 2 bed flats and 4 x 3 bed flats.

Detailed pre-application discussions were held with the developer and his consultants and a Transport Statement has been submitted.

#### *Trip Generation*

The previous use of the site was as a vehicle garage and car showroom and would generate in the order of 333 trips per day and the proposed residential development would generate 239 trips per day and this agreed. Therefore the proposed site will be a reduction on the previously consented use.



### *Vehicle Access*

Vehicular access is to be located adjacent to the adjoining access to the café and bed and breakfast development. The access is located as far away from the gyratory as possible which is a benefit of the scheme as the previous development access was located much closer to the junction. In order to achieve this it meant that the access was adjacent to the access to the café.

The radii on the access is proposed at 4.5m to help reduce vehicle speeds turning into the site. The specific detail of this should be agreed at the S278 stage.

Visibility splays of 2.4m x 61m can be achieved to the west and 2.4m x 65m to the east which is considered acceptable. The visibility splay will pass through the proposed loading bay that is to be sited between the vehicular access and the gyratory. This is for service vehicles only and the layby will be covered by waiting restrictions.

Pedestrian visibility splays have been provided on both sides of the vehicle access of 2.4m x 2.4m.

### *Pedestrian Access*

Pedestrian access to the site will be taken from both the north and the south sides of the development by way of a flight of steps. In order to make the development accessible for those with mobility problems a lift is being provided between the footway level and the podium on the south side of the development.

### *Cycle Access*

The main cycle store is accessed from the podium level and therefore the proposed lift between the footway and the podium needs to be wide enough to accommodate bicycles and it is shown as being 1.6m deep by 1.1m wide. This is considered acceptable, but there does need to be a cycle running channel on one of the external staircases which provide an alternative for cyclists to use if the lift was out of order. In addition there are two cycle stores located at basement level and these can be accessed using the vehicle ramp which is considered acceptable.

### *Servicing*

A servicing bay 28m x 4m is being provided along the southern side of the development and this is to be used by refuse vehicles and delivery vehicles only. It will be covered a traffic regulation order and a contribution of £3k should be secured through the S106 agreement to fund this.

In the new scheme the footway is located at the back of the servicing layby which falls within the ownership of the site and therefore the developer will need to dedicate this land to the highway authority to be maintainable at the public expense. This will need to be secured in the S106 agreement and the works undertaken within a S278 agreement. Tracking of the service layby has been undertaken using a 10.22m long refuse vehicle as used by SBC refuse collectors and is considered acceptable.

In the previous scheme the refuse store was at podium level, but due to the implementation of the previous scheme at a different level to what had been agreed it was no longer feasible to provide a refuse and recycling store at podium level accessible by ramps. Therefore at the pre-application stage it was requested that a refuse store was provided at the level of the footway on London Road as there was no other realistic way to provide the storage that was accessible for residents and refuse collectors. The proposed solution is welcomed.

### *Car Parking*

The development has 75 car parking spaces of which all are located at basement level. Access to these spaces from the flats is via lifts or staircases. Some of the spaces within the car park fall below the minimum 2.4m width, but tracking (for a large estate vehicle measuring 4.71m) has been provided for virtually all of the parking spaces and whilst some of the spaces will be tight to manoeuvre in and out of, the proposal is the best that can be achieved given the site constraints and is therefore acceptable.

The 75 spaces is below the parking standards as set out in the Slough Local Plan. However the proposed provision of at least 1 space per flat is considered acceptable in this location, as the site does benefit from being on 6 bus routes, which have a high number of services running throughout the day, evenings and weekends.

The developer has also agreed to make the residents of the development ineligible to receive parking permits for any existing or future residents parking scheme. Previously the applicant has offered to fund a parking survey in the vicinity of the site. However it is noted that a residents' parking scheme was implemented previously in the vicinity of the hotel, but after an 18 month period it was discontinued and therefore I am willing to accept that developer does not need to fund a scheme for this development so long as they agree to the s106 requirement on ineligibility of parking permits.

Whilst the basement car park has already been constructed it should be designed in accordance with The Institution of Structural Engineers publication "Design Recommendations for Multi-storey and Underground Car Parks – 4th Edition" to ensure it will operate safely and provide unimpeded ingress and egress for the specified number of parking bays. It is likely that the car park will not be able to fully meet this standard due to the way it has already been constructed, but where improvements to it can be made they should be undertaken to accord as closely as possible to this publication.

#### *Cycle Parking*

The applicant has provided cycle parking at podium level and at basement level for 61 spaces. In the pre-application discussions I encouraged where possible to put in higher quality parking where possible. In the basement car park 12 spaces are being provided in two separate stores. These could be provided as individual bike stores measuring 2m x 1m which would provide a much higher level of security than communal. I would request that this change is made as there would be only a small increase in cost to the developer.

Access to cycle parking at the podium level is via the lift, but it would also be practical to provide a bicycle running rail on one of the set of steps so that if the lift was to fail then cyclists could access the podium by pushing their bikes up the side of the steps.

#### *Highway Improvements*

In the previous scheme relating to this site the developer agreed to make changes to the traffic island at the junction of London Road with A4 Colnbrook Bypass (Sutton Lane junction) to create an additional flare lane to improve traffic flow and it has been agreed that the developer will still provide this improvement. The scheme is partially shown in Drawing C82858-SK-002. This drawing also shows the provision of tactile paving at the junction and the service layby.

In the pre-application meetings it was highlighted that when the hoarding was placed around the site along the A4 Colnbrook bypass frontage it contained within it the existing footway. I understand that a temporary footway was constructed in the existing verge, but this surface is very poor and not suitable for an adopted footway. It is also not known what damage has been made to the footway behind the site hoardings and therefore as part of the S106 agreement I would request that the footway and its former verge is reconstructed along the length of the site frontage with A4 Colnbrook Bypass to the adoptable footway standard. This is not currently shown in the drawings and therefore will need to be added and I would suggest that there is a

separate drawing prepared that covers all of the Highway works so there is no confusion.

In order to provide the service layby and footway along the London Road frontage of the development some land will need to be stopped up and some land dedicated to the highway authority and this is identified in Drawing C82900-F-005.

#### *S106 and S278 Agreements*

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

The transport and contributions schedules:

- £5,000 for stopping up of the highway costs (prior to commencement);
- Residents of the development will be ineligible to apply for a parking permit in any existing or future residents parking schemes;

The highways schedule includes:

- Temporary access point
- Installation of crossover / junction
- Reconstruct the footway fronting the application site on A4 London Road.
- Reinstatement of redundant access points to standard to footway construction
- Installation of street lighting modifications
- Drainage connections
- Reconstruction of footway
- Dedication as highway maintainable at the public expense, free of charge, of land as shown in Drawing C82900-F-005;
- Construction and dedication as highway maintainable at the public expense, free of charge, the footway on A4 London Road;
- Construction of the service layby on A4 London Road;
- Highway works to widen London Road to two lanes at its junction with A4 Sutton Road gyratory and implement tactile paving as shown in Drawing C82950 – SK – 001 Revision B – new drawing to be provided to show all highway works;
- Re-construction of the footway and verge along the frontage of the site with A4 Colnbrook bypass;
- Stopping up of the highway as shown in Drawing C82900-F-005;

#### *Recommendation*

Subject to securing the minor change to the cycle parking at basement level, the revised drawings showing S278 works; the S106 contributions and highway works and conditions, no highway objection is raised.

## 6.2 **Environmental Quality**

It is clear there are significant environmental concerns about groundwater hydrocarbon contamination, gas venting of the site, and residual contamination on site. These need to be effectively remediated and controlled to prevent risk of exposure to future occupiers of the site.

This development is located within a prominent location of Brands Hill immediately adjacent to London Road A4 (Colnbrook-by-pass), B3378 London Road and A4 gyratory. The development is for 61 residential flats within 3 blocks on the site. Air pollution and noise exposure will be experience on all three flanks. With particular sensitivity of the ground floor flats facing the A4 gyratory and Colnbrook by pass being the most exposed to pollution. It should be noted this development area is subject to some of the worst air pollution levels within the Borough from

road traffic.

The site falls within the Brands Hill AQMA Order 2. The air quality levels far exceed the UK air quality objectives for Nitrogen Dioxide (NO<sub>2</sub>) and the earliest compliance dates with the EU limits/UK objective (are the same) for (NO<sub>2</sub>) are predicted not to be achieved before 2020 without significant intervention measures. The air quality objectives are aimed at protecting human health. Therefore clearly air quality is a material planning consideration in this case.

The area also experiences very high environmental noise levels from both road traffic, which has a significant HGV composition due to the industrial nature of the local area, and aircraft noise from Heathrow operations. The applicant has submitted a number of environmental assessments in relation to this scheme.

The development itself proposes 75 car parking spaces and 61 cycle spaces. In respect of trip movements from the development on the local highway the impact on existing air quality is insignificant from a simple magnitude of change assessment viewpoint. However, appropriate mitigation measures need to be included within the design to help off-set the cumulative impact of all future developments within the area. In this context the developer should install electric vehicle charging infrastructure to service 8 car parking spaces (i.e. 4 dual EV posts or wall mounted posts).

It is the impact on the development from existing significant air pollution and environmental noise that needs to be carefully considered and appropriate mitigation needs to build into the final design.

Looking at the current proposed design and layout plans the most susceptible blocks are blocks A and C. Ideally, I would want to change the design to reduce the exposure to ground and 1<sup>st</sup> floor flats in particular within both these blocks (Flat 40, flat 41, flat 42, flat 45, flat 46, flat 47, flat 43 (second bedroom), flat 48 (second bedroom), flat44 (second bedroom), flat 39 (second bedroom), flat 3, flat 4, flat 2, flat 8, flat 7, flat 9. The flats at second floor and in Block B will also be exposed to poor air quality but at lower concentrations due to the distance from the highway they will also need ventilation treatment.

All blocks will experience road traffic and aircraft noise. However, it is clear with the current design that clean air ventilation/filtration systems needs to be implemented on all the blocks. The details and design of any ventilation/filtration system to ameliorate the impact of NO<sub>2</sub> exposure needs to be covered by a condition and approved by the LPA.

The air quality report has been prepared by WSP and the scope, modelling process and method of assessment is sound and had been agreed with me beforehand. The consultant has taken a very conservative approach whereby they have assumed no improvement (reduction) in vehicle emission factors and background concentrations between 2012 (model verification year) and 2019 (completion of the development). This approach is welcomed. I am broadly supportive of the report findings and recommendations. It is interesting to note that the opening of the proposed development is 2019 I would have thought the development would have been completed much sooner.

My recommendations, unlike the consultants, do include a mitigation package of providing EV charging infrastructure. Such a measure will be common practice in Slough and is supported by our town centre air quality management plans and will also be incorporated within our low emission strategy to be developed in 2015 along with a new AQAP for Brands Hill (Slough AQMA No 2).

Construction Impacts – The development is likely to have temporary effects on local air quality during construction phase, in particular dust and particulate emissions (PM<sub>10</sub>) from storage and

handling of aggregates, construction activities and vehicle movements. The impact is unlikely to affect public health but could give rise to 'nuisance dust' and hence adverse impact on the amenity. Therefore, there is a need for the developer to design a mitigation scheme to minimise these impacts. A construction environmental management plan (CEMP) will need to be submitted and approved by the LPA. The plan shall include all the recommendations contained within the WSP Air Quality Assessment Report 2014 for general dust management sections 6.1.6 to 6.1.55 inclusive.

The new development will require mitigation due to the exposure of elevated NO<sub>2</sub> concentrations which can give rise to public health impacts. It is interesting that the consultant through their comprehensive air quality modelling has confirmed the main impacts are in the flats I identified earlier in this memo. I refer to Appendix G – Assessment Results. It would have been useful if the consultant had identified the flats as opposed to the area of the blocks that are exposed to Air Pollution Exposure Criteria (APEC) APEC-B and APEC-C. There are 7 new receptors exposed to APEC-C and 9 exposed to APEC-B.

The highest predicted annual mean NO<sub>2</sub> concentration within the application site is 57.2 µg/m<sup>3</sup> at receptor 10 (which represents exposure at ground floor location with the northwest corner of Block A this corresponds to Flat 4). The APEC is a London Councils Air Pollution Exposure Criteria which is not adopted in Slough. An APEC-C rating would "lead to refusal on air quality grounds should be anticipated unless the LA has specific policy enabling such land use (in this case a lapsed planning permission) and ensures best endeavours to reduce exposure is incorporated". Those receptors that are exposed to APEC-B there may not be sufficient air quality grounds for refusal, however appropriate mitigation must be considered (e.g. proven ventilation systems, internal layout considerations, winter gardens, parking etc...).

Therefore I agree completely with the consultant's recommendations and conclusions with respect to future occupants of the building and mitigation. Section 6.2.2. The introduction of new exposure into an area with elevated NO<sub>2</sub> concentrations will require mitigation. It is therefore recommended that designs consider the provision of non-opening windows for at least the street-facing facades on the ground, 1<sup>st</sup> and 2<sup>nd</sup> floors. Section 6.2.3 Further to this, it is recommended that a means of mechanical ventilation (ideally with its intake at roof level, or at an elevated position within the central portion of the site (away from surrounding roads) be considered for all residential units within the proposed development. (I would suggest this be made a planning condition). The details and design of any ventilation/filtration system to ameliorate the impact of NO<sub>2</sub> exposure needs to be covered by a condition and approved by the LPA.

We turn to environmental noise which is also a material consideration. A report by Hann Tucker Associates has been completed for the site, and includes an environmental noise survey. It is interesting that two noise surveys 10 years apart have been carried out and allows comparison and it is remarkable that the daytime LA<sub>eq</sub>(16-hour) levels are very similar for the site and has only increased by 1.1 dB. The nighttime results are even more fascinating with a significant increase in the night-time LA<sub>eq</sub>(8-hour) of 2.9dB. Make no mistake this is a significant increase in noise level from environmental sources (road traffic and aircraft noise) to the area. However, the monitoring period of only 1 day and night is so short to draw any useful conclusions.

What we can deduce from this information is that the noise levels affecting the northern elevation of the site, where block A and C will be located is significant, particularly the night-time noise impact. I am pleased the consultant has referenced our conversation and agreed to follow BS8233: 2014 criteria and WHO guidelines which are discretionary but are also considered acceptable criteria to use across the acoustic industry. We should at some later date incorporate these into our planning policies to provide a consistent approach to all developments across the Borough.

So we now need to focus the attention on suitable, robust sound insulation and ventilation measures to protect the internal habitable rooms of the development. Suitable internal noise standard are highlighted in sections 8.2.1, 8.2.2 of the report. I would advise the living area criteria of 40dB LA<sub>eq,16hr</sub> is acceptable. It is my view a more robust standard should be applied for the bedroom area during night-time, irrespective of BS8233 guidance; 30 dB LA<sub>eq,8hr</sub> should be used because this is based on WHO guidelines which in turn are based on health impacts and associated epidemiological studies.

Therefore the developer will need to design a comprehensive sound insulation and ventilation scheme for each block and flat respectively, the standard of sound insulation and ventilation must meet the daytime and night-time internal noise criteria as outlined below.

Room Type	Period of time	Internal noise criteria
Living Areas (all)	Daytime (07.00 – 23.00 hours)	40 dB LA <sub>eq, 16hr</sub>
Bedroom (only)	Night-time (23.00 – 07.00 hours)	30 dB LA <sub>eq, 8 hr</sub>

The package must be demonstrated by way of acoustic calculation and not typical noise reduction assumptions as reported in the Hann Tucker Report. In essence each component of the building fabric needs to be assessed to determine its acoustic integrity, the roof, window, walls, ventilation and doors and when combined the internal noise standard within each flat must be met. The details must be submitted and approved by the LPA.

I have no particular comments to make on the basement parking ventilation as this is covered by building control regulations. The apartment ventilation does not refer to acoustic ventilation which is likely to be required and does not specify the details and location of the ventilation for air quality protection and/or specifies where the air intake ductwork is located.

The proposal to install PV panels is welcome but it is important these do not compromise the location of the ventilation units.

All comments in blue are to assist you and I would ask you to consider the wording carefully in how best to lay down conditions for this development, and to ensure they meet the planning tests. We do require substantial details relating to the proposed, sound insulation, and ventilation measures including site plans and details or location, type and specifications and these need to be approved by the local planning authority before the development commences.

The Developer is required to contribute £15,000 (£300 per flat) towards a continuous air quality monitoring station in Brands Hill. The contributions are to assist with the set up costs of the station and annual operating costs of the station. The station will include both a NO<sub>x</sub> analyser and Particulate (PM<sub>10</sub>) monitor in Brands Hill and will be located close to the development.

## 6.3 Housing Development

### Initial Comments

Our initial response for our housing requirement will be on-site and 30% target rent as per planning policy and our updated requirements are attached. The sizes of the units are quite crucial – we do not have a need for studio flats and we would wish to maximise the occupancy where possible to 2bed 4p and 3bed 6p. Therefore looking at the individual blocks the size of the units in Block C are better but as there are 22 units there would be an issue of a mixed

development in one block and would not make good management. Block B has 15 units but this has a studio, and the size of the 2 beds are small. This will therefore depend on whether the block can be refigured.

On a scheme of 61 units, our starting position is for on-site provision of 30% target rent as shown in the attached table.

Below are the comments we sent at pre-application stage, which broadly haven't changed, and appreciate that neither block A, B or C yield well to providing this on-site provision.

I have also attached the associated commuted sum payable in lieu of this on-site provision (£1,191,000).

#### Revised Comments

However given the design constraints and location of this development our Allocations Manager is willing to consider provision of shared ownership instead of target rented social housing. This tenure has a higher value than social rented so should assist viability. To begin negotiations Block C (22 flats) would be our preference, which represents 36% of the overall scheme.

#### 6.4 Land Contamination Officer

The records related to potential contaminative land uses at the property and within 250 m of the property above have been reviewed.

Historical mapping indicates that the site was undeveloped until at least 1955. There is a garage on the site which is first evident on the 1970 OS map sheet 01 77 NE. The garage exists to date, as a filling station and garage repair shop. Colnbrook Garage is listed at 595 London Road from 1935 through to 1967. The garage business also carries out car maintenance and scrap services.

Our petroleum database indicates that there is an active petroleum license for Rogans Garage for 6 USTs to store diesel and petrol. The licence is for non-retail use.

Our records indicate that a pre-application for this site has been submitted (Pre-App/00414), correspondence relating to which was sent to you by Luiza Dumitrescu on 30/05/2014. Luiza mentions in her letter that a desk study was submitted as part of a previous planning application at the site (P/01163/005) which she has deemed suitable for any future planning applications at the site. She also states the need for additional ground investigation to be carried out in order to determine and delineate the extent of any residual contamination present at the site after the remediation works that were previously undertaken between 2007 and 2008. This will help to adequately assess the risks to human health and controlled waters, and also to demonstrate the site is suitable for its proposed use. The additional data to inform the above can be obtained either through additional ground investigation or through additional monitoring to be undertaken at the site:

- Additional ground investigation would be expected to cover as a minimum the areas where residual contamination is indicated as potentially still present in the remediation report; soil and groundwater samples should be analysed for the full range of volatile contaminants (BTEX, TPH CWG, VOC and SVOC).
- Alternatively, ground vapour samples could be collected through vapour wells installed directly beneath the basement slab, which would enable ground vapour monitoring at source;
- Assessment and modelling of the data collected either from the soil and groundwater samples or from the ground vapour samples should be undertaken in line with current guidance and toxicological data.

Based on the above the following condition should be placed on the planning permission relating to land contamination:

#### Phase 2 Intrusive Investigation Method Statement

*Development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA 665 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.*

*REASON: To ensure that the type, nature and extent of contamination present, and the risks to receptors are adequately characterised, and to inform any remediation strategy proposal and in accordance with Policy 8 of the Core Strategy 2008.*

Please note that it is recommended that specialist advice is sought with regard to the additional ground investigation / monitoring and the subsequent risk assessment, and that liaison and consultation is maintained with both Slough Borough Council and the Environment Agency.

In addition, depending on the findings of the investigation, this may trigger the remediation and validation conditions, so the conditions below should also be placed on the Decision Notice.

#### 1. Phase 3 Site Specific Remediation Strategy

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

REASON : To ensure that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use and in accordance with Policy 8 of the Core Strategy 2008.

#### 2. Remediation Validation

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Site Specific Remediation Strategy condition shall be occupied until a full validation report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

REASON: To ensure that remediation work is adequately validated and recorded, in the interest of safeguarding public health and in accordance with Policy 8 of the Core Strategy 2008.

### 6.5 Environment Agency

The previous application at this site that was granted permission, of which has now expired,



was accompanied by extensive groundwater quality and contamination documents. We have reviewed the Soils Ltd Groundwater Monitoring letter dated 8 December 2011 supplied with this application. We have previously reviewed other documents:

- Soils Ltd Report on a desk study and intrusive investigation dated August 2004 (for Colnbrook Garage)
- Part 2 Intrusive Report dated 26 August 2004 (for Colnbrook Garage)
- The Interpretive Report on □ Remediation dated September 2008

We understand that there has been no material change to the conditions of the site, therefore, the above documents reviewed address some of our concerns. However, the proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as submitted with this application are implemented and secured by way of a planning condition on any planning permission.

#### *Condition 1*

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

1. The results of the site investigation and the detailed risk assessment referred to in the site investigation scheme and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
2. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (1) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

#### *Reason*

This site is located over the Taplow Gravels (Principal Aquifer) and we need to ensure that any historic contamination within soils and groundwater is not mobilised by this development. The original plan to remove contaminated soils within the entire footprint of the site was not completed, and therefore there is still uncertainty about the effectiveness of the remediation previously carried out on this site and whether the source of petroleum hydrocarbon contamination in soils has been removed.

The only groundwater results we have seen post remediation are from wells installed in July 2008 (BH1 = BHA and BH2 = BHB) more than a year after the groundwater remediation. From the drillers log description (BH1 and BH2) both boreholes are drilled into gravelly SAND. Borehole BH1 (latest drilled and installed on 10th November 2011) is into sandy CLAY. Whilst it is appreciated (email from Soils Ltd - 20 June 2014) that these differences might be attributed to subjectivity of the two different engineering geologists there is also the possibility that the borehole has been drilled into a lens of clay (reference BGS Lexicon for description of the Taplow Gravels). This borehole may therefore be acting as a sump and possibly the groundwater in this borehole is isolated from groundwater in the central part of the site. Dipping all boreholes on site (on one day) to measure groundwater levels would determine if groundwater was continuous across the entire site. We need to know if groundwater extends to new borehole BH1 in order to have confidence that it represents groundwater quality leaving this site. These groundwater level measurements will be used to determine if groundwater is hydraulic continuous across the site. Results will dictate what further site investigation or remediation is required on this site. This condition is in line with Slough Borough Council's Core Strategy, adopted 2008, Core Policy 8, section 3.

*Condition*

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

*Reason*

This site is located over the Taplow Gravels (Principal Aquifer) and we need to ensure that any historic contamination within soils and groundwater is not mobilised by this development. This condition is in line with Slough Borough Council's Core Strategy, adopted 2008, Core Policy 8, section 3.

*Condition*

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

*Reason*

This site is located over the Taplow Gravels (Principal Aquifer) and has historic contamination present of site. We need to protect the aquifer under the site from mobilisation of contamination due to the use of soakaways. This condition is in line with Slough Borough Council's Core Strategy, adopted 2008, Core Policy 8, section 3.

*Informative:*

All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent.

**6.6 Aircraft Safeguarding, Heathrow Airport Ltd**

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the condition detailed below:

*Submission of a Bird Hazard Management Plan*

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

*- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' attached \* See para below for information \**

The Bird Hazard Management Plan shall be implemented as approved *on completion of the development* and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the flat roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

*The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting; roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.*

*The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.*

We would also make the following observation:

*Landscaping*

The development is close to the airport and the landscaping which it includes may attract birds which in turn may create an unacceptable increase in birdstrike hazard. Any such landscaping should, therefore, be carefully designed to minimise its attractiveness to hazardous species of birds.

Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' (available at [http://www.aoa.org.uk/operation\\_&\\_safety/safeguarding.htm](http://www.aoa.org.uk/operation_&_safety/safeguarding.htm)).

We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above condition is applied to any planning permission.

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Heathrow Airport Ltd, or not to attach conditions which Heathrow Airport Ltd has advised, it shall notify Heathrow Airport Ltd, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

## 6.7 **Drainage Engineer**

It's a fairly straightforward site with a low flood risk except for the basement. I would like to see some risk assessment for water getting into the basement and measures to minimise or mitigate against that risk. Although the risks from natural sources are covered, manmade sources don't seem to have been included ie: sewer, water supply, reservoir and surface water from road down ramp.

With the changes in legislation since the previous development was abandoned I can see challenges with the location of proposed attenuation measures for surface water. These need to be discussed and resolved with Thames water and the council as highway authority unless attenuation can be provided within the site. Surcharge within the proposed outfall needs to be taken into account in the drainage design.

The applicant will need to discuss the detail of the drainage design with Thames Water

Developer Services. I'm not sure how keen they will be to adopt attenuation measures and the applicant may need to provide these within the curtilage.

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

7.1 This application is assessed against the following national and local planning policies:

- National Planning Policy Framework & Planning Practice Guidance
- Core Policies, 1, 4, 7 8 and 12 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2012
- Policies H14, EN1, EN3, EN5, T2 and T8 of the Adopted local Plan for Slough

7.2 The application is assessed in accordance with the following:

- Principle of Development
- Design and Street Impact
- Impact on Neighbouring Occupiers/Uses
- Land and Groundwater Contamination
- Transport, Access, Servicing and Parking
- Drainage and Flood Risk
- Quality of Housing
- Air Quality & Noise
- Landscaping & Amenity Space
- Energy & Sustainability
- Financial Viability Affordable Housing & S106 Requirements

### **8.0 Principle of Development**

8.1 At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a “golden thread running through both plan making and decision taking”. In respect of decision taking this means inter alia approving development proposals that accord with the development plan without delay.

Twelve core planning principles are identified which both should underpin plan making and decision taking. A number of these core principles are relevant to the current proposals being:-

- Always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings
- Support the transition to a low carbon future in a changing climate, taking full account of flood risk, the reuse of existing resources and the encouragement for using renewable resources
- Encourage the effective use of land by reusing land that has previously been developed, provided that it is not of high environmental value
- Actively manage patterns of growth to make the fullest possible use of Public Transport, walking and cycling, and focus significant development to locations which are or can be made sustainable.

At paragraph 49 in respect of delivering a wide choice of high quality homes it states that housing applications should be considered in the context of the presumption in favour of sustainable development.

8.2 Core Policy 1 sets out the overall spatial strategy for Slough requiring all developments to take place within the built up area, predominately on previously developed land. The policy seeks to

ensure high density housing are located in the appropriate parts of Slough Town Centre with the scale and density of development elsewhere being related to the sites current or proposed accessibility, character and surroundings.

Core Policy 4 again emphasises that high density housing should be located in the Town Centre area and that outside the Town Centre the development will be predominately family housing at a density related to the character of the area. In particular, in suburban residential areas, there will only be limited infilling consisting of family houses which are designed to enhance the distinctive suburban character and identity of the area. The site is also not identified as a development site within the Slough Local Development Framework Site Allocation Document DPD.

As such the proposed housing scheme for high density flats does not strictly accord with the Planning Policy Guidance in the Core Strategy. However there are a number of mitigating circumstances which are set out as follows:

- A similar scheme for high density flats has previously been approved on the site, the planning permission for which pre-dated the LDF Core Strategy.
- This is a prominent gateway site which requires a high quality scheme which would be best achieved through the construction of a high density flatted scheme rather than through a traditional family housing development.
- The site occupies a reasonably sustainable location
- It is proposed to utilise the existing concrete structure on the site which brings with it significant sustainable opportunities in reusing previously developed land and a previously developed structure
- Given the sites location within an air quality management area, and with high background noise levels, due to the proximity of main arterial transport routes including the A4 dual carriageway and Heathrow Airport, a flatted scheme is more appropriate than a more traditional suburban family housing scheme which is less well suited to this location.
- The opportunities presented by the proposals to remove a local eyesore which has been abandoned for a number of years presents some significant environmental and visual gains, for this prominent gateway site.
- It would not be economically viable to remove the existing structure and redevelop the site for lower density family housing.

It is concluded that there is a good reasoned justification to allow a departure from Core Policy 1 and 4 of the LDF Core Strategy in this instance due to the mitigating circumstances as set out above and that the proposals are in accordance with the National Planning Policy Framework.

## 9.0 **Design and Street Scene Impact**

9.1 The scheme design has built upon the previous 'in principle approved' scheme which was the subject of the substantial super structure works currently present on site. The intention is to build upon the existing super structure to create a high quality design with similar elevational treatment and high quality finishes.

It is proposed to give each of the three buildings a distinct identity within the wider scheme, therefore the colour palette changes on each building. For each block, the colour of the rainscreen cladding is close to the colour of the facing brickwork, this will help unite the elevations and the interest is borne out of the change in scale between the different materials rather than a play with colour to differentiate the massing.

It is acknowledged that the semi basement car park is not sunken into the ground as much as

first approved. However adaptations to the floor to ceiling heights can ensure that the overall height of the proposed building is similar in bulk and mass to the previously approved scheme.

There have been extensive discussions with regards to the elevational treatment, in particular the treatment of the podium wall and the ventilation grill system around the base of the podium continue in order to ensure the elevations close to street level are broken down into more human scale elements. The incorporation of a mix of grill, tiling and glazing seeks to break the mass and scale of the completed development down. Planters around the edge of the podium allow for trailing plants and landscaping to add greenery and further soften the interface. It is acknowledged that there is limited scope for soft landscaping around the edges of the site, although landscaping proposals can be accommodated within the future highway verges to the London Road frontage, and along the front gyratory curve facing onto block A. The use of glazed screening also further helps to break up the mass of this part of the structure in terms of its impact at pedestrian level.

Whilst the development does not take on the character and appearance of its immediate surroundings, it is considered that this site is a prominent gateway site, which offers the potential for its own individual design and in the wider context, the area does have some larger buildings, notably the Quality Inn which has recently been extended, together with high density flatted developments. It is further envisaged that the development will form a first phase of a longer term development extending on land to the east of the site with a gradual scaling down of the residential development to two and three storeys as it abuts the green belt land beyond.

Whilst officers remain concerned about the height of the podium above the neighbouring footway, it is considered that that through a combination of careful design, landscaping and the use of high quality materials, it is possible to reduce the impact of this element of the scheme to an acceptable degree. No objections are raised either to the general design of the scheme nor its impact on the existing street scene or surrounding area.

## 10.0 **Impact on neighbouring Occupiers/Land Uses**

- 10.1 The principle potential impacts identified relate to the neighbouring site known as “Jocks café” which is a commercial bed and breakfast and café to the east of the site and the existing residential properties opposite the site on the south side of the London Road (596 – 602).

With respect to the neighbouring site at Jocks café, during pre application negotiations care has been taken to alleviate any direct overlooking of the neighbouring site, by reducing the number of windows within the flank elevation, requiring flank wall windows to be obscurely glazed and high level opening, requiring privacy screens to balconies, and ensuring that appropriate terraces are available for maintenance purposes only. The applicant has submitted an overlooking appraisal of the neighbouring site, which demonstrates that with the various proposed physical obstacles in situ any overlooking would be limited. In response to concerns raised by Officers at the pre application stage the following design changes have been secured:

Building C – east elevation

- Juliet balconies removed from windows at ground, first and second floors. Window design adapted to have fixed opaque glass up to 1700mm above FFL with clear top hung opening section above.
- At 3rd and 4th floors a 1700mm high opaque glass screen is proposed along the eastern edge of the terraces to avoid direct overlooking, both from the terrace and from within the flats themselves.
- Within the flats any habitable rooms with windows in the eastern elevation have an additional direct source of daylight from windows either in the north or south elevation. Should the

neighbouring land come forward for development in the future, any potential future loss of aspect will not therefore be an issue.

- The terrace at 3rd floor has been restricted, to enable the balustrade to step back. The eastern section of the terrace is accessible for maintenance purposes only.
- There is a thin strip of podium against the eastern elevation, gates have been put either end of this strip as access is for maintenance purposes only, such as cleaning windows etc.

#### Building B – east elevation

- At ground floor high level windows - above 1700mm from FFL - have been added to bike store to give natural daylight to the store. These windows however, are top hung opening lights and will not create any overlooking issues, due to the height at which they are positioned.
- At first floor there are 3 windows but these are fixed shut and have opaque glass. They can be cleaned via access onto the roof of the bike store. This roof is only accessible for maintenance. It is not designed as a terrace with an associated balustrade.
- At second floor there are no windows.
- At third floor a 1700mm high opaque glass screen is proposed along the eastern edge of the terrace to avoid direct overlooking. Aspect from this terrace is restricted to the north and south. The screen also prevents direct overlooking from within the flats.

#### Overlooking from the End of the podium

- At pre-application stage we indicated a green screen on the site plan on the eastern end of the podium, to prevent overlooking into Jock's Cafe. This screen is 1.8m high with various creeper plant species to be selected by a landscape contractor. Queries were raised as to issues which would arise if this planting was not 'looked after' and the 'green wall' died. As a secondary measure a timber pergola structure is proposed behind the planting screen. As a backing to the benches a vertical timber louvre is proposed. The posts are spaced 400mm apart. When viewed head on, it is still possible to get views through this louvre, but as you view the structure obliquely the view is largely blocked. It was considered important at the pre-app meeting that the secondary screening was not a 'solid' wall, but a lighter 'landscape' structure.

It should also be noted that the neighbouring site is a commercial and not residential site, for which there is a reasonable expectation that at some future date would come forward for a residential scheme of redevelopment.

With respect to the residential properties opposite on the south side of the London Road, an assessment has been undertaken for no. 602 London Road to assess the degree of overlooking which might take place. Whilst the occupiers of these buildings may perceive direct overlooking, a window to window distance of approximately 27 metres is achieved across a main road which complies with general planning guidance. The minimum window to window distance is normally 21 metres.

With respect overlooking of the rear garden of 602 London Road from the upper floor flats, the deposited plans show some overlooking of the rear part of the back garden over the top of the existing house, however this is at a distance of over 68 metres. There would be no direct overlooking of the private sitting out area immediately to the rear of the house.

## 11.0 **Land and Groundwater Contamination**

- 11.1 In terms of land and groundwater contamination, several investigations and reports have been prepared by Soils Limited in association with the previous applications on site, and the extensive works associated with the commencement of the basement structure, which took place in 2008. Initially a desk study report and intrusive investigation, dated August 2004, and the Part 2 Intrusive Report dated 26 August 2004, accompanied the initial planning application

by Barrett Homes for the site.

Following commencement of works on site, further reports were prepared for Rigsby New Homes and the Weybridge Group including the validation reports on removal of contamination were prepared and submitted to the Council and were the subject of discussions and assessment by the Councils Land Contamination Officers and the Environment Agency in 2008.

During pre-application discussions, the archived reports were referred back to the Environment Agency and the Councils Land Contamination Officer. As part of the discussions a written response from the EA confirmed the historical reports by Soils Limited which suggested that there may be a plume of TPH in groundwater that likely extends beyond the boundary of the site. The EA wished to establish whether this groundwater quality was, or had improved or not, over time.

A further borehole and groundwater investigation was taken by Soils Limited on behalf of the current applicant in 2011. This report confirmed that there were no groundwater contamination issues in 2011. A final response from the EA continued to seek a robust confirmation of the remediation works undertaken in 2008 and the groundwater quality on site to date, requiring a condition for further site investigative work.

Alongside the Environment Agency queries on groundwater contamination, the Councils Land Contamination Officer has also reviewed the historical work already undertaken at the site and has identified the additional work required to satisfy the requirements of the Council.

The Council's Land Contamination Officer has accepted that the historical work undertaken by Soils Ltd to date can be used as a position statement, with outstanding land contamination matters being covered by appropriately worded planning conditions. It is anticipated that such conditions will require further work, including further testing on site, with a phasing of their implementation in respect of two specific areas of work.

In terms of a position statement Soils Ltd undertook initial desk study reports and intrusive reports on ground contamination issues in 2004 together with a Bio Mass Report in 2005. This latter report concluded that the risk from methane on site is to be remediated by ventilation being installed into the under slab, and methane barriers installed within the slab and walls of the structure below ground, with all service entrance points sealed. The Council Land Contamination Officer notes that there is no photographic evidence, manufacturer certificate or building control approved inspections, to confirm that the membranes were installed, and whether this is compliant with adequate protection for ground gas and ground vapours in hydro carbon impacted soils. The Council will be seeking further additional ground investigation, and ground vapour monitoring, to ascertain the presence of such protection membranes within the fabric of the onsite building structure, and to confirm that the membranes installed are compliant, and provide adequate protection from ground gas and ground vapours in hydro compacted soils. Such requirements can be secured through appropriately worded conditions.

In terms of the groundwater contamination issues, these are addressed above in response to the Environment Agency comments resulting in the additional works which were undertaken in 2011 which confirms that groundwater contamination no longer arises on the site. However, further on site investigations would again clarify this point. Whilst a considerable amount of work was previously undertaken in respect of land and groundwater contamination, the extent of any remediation works was not fully documented or validated and as a result there is still further outstanding validation work to be undertaken.

The Environment Agency has undertaken a final review the submitted Updated Groundwater Monitoring Report submitted as part of the current planning application and advised that as far



as can be ascertained there has been no material change to the conditions of the site and therefore, that the submitted documentation addresses only some of the concerns. However, the proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as submitted with this application are implemented and secured by way of a planning condition on any planning permission.

The conditions proposed by the Environment Agency, as set out in Section 6 of this report, are concerned principally with obtaining full remediation of the site. Further conditions relating to remediation are also required by the Council's land contamination officer. These too are set out in Section 6 of this report.

No objections are raised on grounds of land or groundwater contamination in relation to the National Planning Policy Framework or Core Policy 8 of the Slough Local development Framework Core Strategy Development Plan Document subject to appropriate conditions being imposed requiring full remediation of the site.

## 12.0 **Transport, Access, Servicing & Parking**

12.1 Core Policy 7 deals with the principles of the transport strategy which seeks to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel. Further, the development proposals, will either individually or collectively, have to make an appropriate provision 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
- Improving air quality and reducing the impact of travel upon the environment, in particular climate change

Policy T2 of the Adopted Local Plan requires that *Residential development will be required to provide a level of parking appropriate to its location and which will overcome road safety problems, protect the amenities of adjoining residents and not result in an adverse visual impact upon the environment.*

The issue of transport and highways associated with the development proposals has been the subject of extensive pre-application discussions with the Council Highway Officers.

The development proposes the provision of 75 car spaces to serve the 61nos. 1,2 and 3 bed units, located within a sub-basement car park. A number of these spaces being disabled spaces. The layout of the car park has been dictated by the constraints imposed by the column locations of the existing super structure.

Three lift and stair cores rise up from the basement car park to serve each of the 3 residential blocks. A combination of basement and podium level cycle covered storage facilities are provided in the form of secure and covered accommodation for 61 cycles.

Access to the basement car park is located via a ramped access at the eastern end of the site fronting onto the London Road, albeit maintaining a satisfactory distance from the road, in order to provide appropriate visibility splays, and to prevent no conflict with the neighbouring access point onto the Gibtels Café site.

Also along the London Road a layby and realigned footway is proposed and remains as per the previously agreed scheme. The layby will have a limited parking loading/unloading time limit in

order to allow for temporary loading and unloading, refuse collection and service deliveries both to the development and neighbouring sites.

The original designs for the site incorporated a disabled ramped access along the London Road frontage together with a refuse store located on the podium deck with access via the ramp. Through discussions with Highway Officers this ramp is to be removed and replaced with a disabled lift from street level. The refuse store has been relocated to be halfway between the podium and basement levels, to provide direct at grade access at street level in line with the proposed layby area. This allows for at grade manoeuvring of bins by the refuse collectors.

The relocation of the refuse area has been at the expense of 5 car parking spaces within the basement area, but given the constraints of the existing super structure, the balance is struck between providing appropriate car parking levels in this sustainable location versus ease of access for refuse and waste collection.

In the wider area the Transport Statement by JNP considers the potential future impact of SIFE in terms of traffic generation in and around the site, and concludes that traffic generation associated with the site itself will be limited.

It is also further understood there is a prospect that the existing layby parking area along the Colnbrook by Pass will be required to support better bus schemes. As such historic thoughts that its long term future use could be available is no longer applicable. Further changes to the surrounding highway network may also result from any future expansion proposals for a third runway at Heathrow. The proposals include a proposal to reconstruct the footway along the A4 Colnbrook By Pass.

As per the previous development proposals for the site, off site pedestrian crossing facilities providing easier access across the London Road and around the gyratory, are proposed within the general arrangement plans accompanying the Transport Statement. The offsite highway works will be the subject of a Section 278 Highways Agreement, together with a further Highway Agreement required in connection with those parts of the development site which will be physically supported in the neighbouring public highway on the London Road frontage.

The transport and highway proposals have been accepted by the Council's transport consultant and highways engineer, subject to a number of conditions covering means of access, visibility and pedestrian splays, reinstating redundant access points and maintenance of cycle parking. The applicant will also be required to enter into a S106 Agreement and S278 Agreement relating to the following transport and highway obligations:

The transport and contributions schedules:

- £5,000 for stopping up of the highway costs (prior to commencement);
- Residents of the development will be ineligible to apply for a parking permit in any existing or future residents parking schemes;

The highways schedule includes:

- Temporary access point
- Installation of crossover / junction
- Reconstruct the footway fronting the application site on A4 London Road.
- Reinstatement of redundant access points to standard to footway construction
- Installation of street lighting modifications
- Drainage connections
- Reconstruction of footway
- Dedication as highway maintainable at the public expense, free of charge, of land as shown in Drawing C82900-F-005;
- Construction and dedication as highway maintainable at the public expense, free of

- charge, the footway on A4 London Road;
- Construction of the service layby on A4 London Road;
- Highway works to widen London Road to two lanes at its junction with A4 Sutton Road gyratory and implement tactile paving as shown in Drawing C829900 – SK – 001 – revision B– new drawing to be provided to show all highway works;
- Re-construction of the footway and verge along the frontage of the site with A4 Colnbrook bypass;

Stopping up of the highway as shown in Drawing C82900-F-005;

No objections are raised on grounds of transport, access parking or servicing in relation to Core Policy 7 of the LDF Core Strategy nor Policy T2 of the Adopted local Plan subject to appropriate conditions being imposed and the applicant entering into a S106/S278 Agreement to secure the necessary transport contributions and

### 13.0 **Drainage & Flood Risk**

13.1 The submitted Flood Risk Assessment concludes:

- The site was previously a car sales garage and was predominantly hardstanding (approximately 80%).
- The site was partially developed in 2008 and the structural frame is complete.
- This report shows that the proposed development is located within Flood Zone 1, being at low risk of flooding from rivers as indicated by the Environment Agency's floodplain maps.
- The new development will incorporate stormwater attenuation tank to reduce the peak surface water run-off. This report demonstrates that the design has ensured that the peak rate of runoff into the sewer is less for the developed site than it was for the pre-development site allowing for the effects of climate change.
- The site is within a groundwater protection zone and groundwater was not encountered in any of the trial pits excavated. Slough Borough Council's SFRA however does note that groundwater is high in the vicinity of the development so for the purposes of design is assumed to be 1m below ground level. Mitigation measures have been put in place to reduce the risk of flooding from groundwater.

With respect to surface water drainage, the Council's Drainage Engineer has advised that historically a number of drainage connections were made during the construction of the existing built form. It is understood there have been a number of unauthorised connections made to date. Ongoing discussions between Manhire Associates and the Council's Drainage Engineers are taking place with a view to resolving and addressing the outstanding drainage issues.

The Council's Drainage Engineer has advised that: It's a fairly straightforward site with a low flood risk except for the basement. I would like to see some risk assessment for water getting into the basement and measures to minimise or mitigate against that risk. Although the risks from natural sources are covered, manmade sources don't seem to have been included ie: sewer, water supply, reservoir and surface water from road down ramp.

With the changes in legislation since the previous development was abandoned I can see challenges with the location of proposed attenuation measures for surface water. These need to be discussed and resolved with Thames water and the council as highway authority unless attenuation can be provided within the site. Surcharge within the proposed outfall needs to be taken into account in the drainage design.

The applicant will need to discuss the detail of the drainage design with Thames Water Developer Services. I'm not sure how keen they will be to adopt attenuation measures and the applicant may need to provide these within the curtilage.

No objections are raised on grounds of flood risk in relation to the National planning Policy Framework nor Core Policy 8 of the LDF Core Strategy. Further, there are no objections on grounds of surface water drainage subject to the applicant securing the necessary consents from Thames Water.

#### **14.0 Quality of Housing**

- 14.1 The National Planning Policy Framework requires that local planning authorities ensure the provision of a wide range of good quality homes.

As a guide to internal room sizes the Council relies on its planning guidelines for flat conversions.

It is accepted that all habitable rooms have an acceptable aspect and a significant number of units reasonable levels of sunlight and daylight can be provided to all rooms. In addition there are no room stacking issues with like rooms being above like rooms. Any noise transmission issues can be resolved at the building regulations stage.

Room sizes have been assessed against the council's flat conversion guidelines. It is recognised in this instance, it will not always be possible to comply with this guidance, due to the constraints of the existing structure / column positions, but any deviations have been kept to a minimum.

All rooms that do not conform to the minimal acceptable room sizes as outlined in Slough borough council's flat conversion guidelines have been commented on to justify their reduced area. In most cases this is simply down to the limitations of the structure that is as existing on site. The party walls have been placed along the column grid in the most appropriate ways possible to maximise the useful internal areas, and the locations of kitchens and bathrooms relate to as many of the existing voids in the floor slabs as possible. Due to these factors, some of the room sizes are a little undersized, however in most cases this has been deliberately designed so as to not negatively impact on the quality of the adjacent rooms. This does not preclude the creation of a high quality development.

A detailed assessment is shown in Appendix A to this report.

Given the limitations imposed by the existing structure it is not considered that the modest shortfall in room sizes, when compared to the Council's approved guidelines for flat conversions, in relation to certain of the rooms within the proposed development would not warrant a refusal of planning permission being given and does not deflect from the aim of securing good quality housing in accordance with the National Planning Policy Framework.

#### **15 Air Quality & Noise**

- 15.1 The site is located within the Brands Hill air quality management area and, as such, an Air Quality Assessment has been undertaken by WSP. As per the previous Air Quality Assessments which have been undertaken in association with the previous schemes, the report concludes that the resulting accumulative annual mean concentrations for No2 and PM10 attributable to traffic emissions during the operation phase of the proposed development are sufficiently low as to not warrant specific mitigation measure being required. Within the development itself the introduction of new exposure into an area with elevated ambient No2 concentrations will require mitigation. It is recommended that there is provision of non-opening windows on street facing sides, and the installation of mechanical ventilation, with suitable filters for No2 removal to be incorporated into each of the residential units. It is acknowledged that such ventilation systems will require air intake grill systems which will have some impact on the external elevations of the building. This can be the subject of planning conditions once

detailed design has been developed with the benefit of mechanical and electrical engineering specialist input. An indicative grill visual is shown in the accompanying report from Chris Evans Consulting.

Pre application advice which was given by the Council's Environmental Quality Team relating to the proposed implementation of an air quality monitoring station in the Brands Hill location in early 2015. It is considered that some of the funding for the implementation of the station would come through Section 106 contributions. However it is noted their comments relate to the concern of longer term particular emissions from a future high composition of HGV's on the heavily trafficked A4 strategic route. As shown in the Transport Statement, it is demonstrated that the traffic generation levels associated with the development are predominantly car borne, not HGV, and is of negligible significance in terms of contributing to the existing air quality issues in the area. In addition the economic viability of the site is under threat, and a viability report has been submitted under separate cover for the Council to assess the ability of the scheme as a whole to economically deliver these additional housing numbers in light of the Section 106 contributions sought on a number of infrastructure and service requirements, including the contribution towards the air quality monitoring station.

The report has been assessed by the Council's Environmental Quality Team, who have suggested a number of conditions to be imposed to make the scheme acceptable:

- (1) The developer should install electric vehicle charging infrastructure to service 8 car parking spaces (i.e. 4 dual EV posts or wall mounted posts).
- (2) The details and design of any ventilation/filtration system to ameliorate the impact of NO<sub>2</sub> exposure needs to be covered by a condition and approved by the LPA.
- (3) A construction environmental management plan (CEMP) will need to be submitted and approved by the LPA. The plan shall include all the recommendations contained within the WSP Air Quality Assessment Report 2014 for general dust management sections 6.1.6 to 6.1.55 inclusive.

Having assessed the submitted noise report the Environmental Quality Team are recommending the following, to be covered by suitable planning condition:

The developer will need to design a comprehensive sound insulation and ventilation scheme for each block and flat respectively, the standard of sound insulation and ventilation must meet the daytime and night-time internal noise criteria as outlined below.

Room Type	Period of time	Internal noise criteria
Living Areas (all)	Daytime (07.00 – 23.00 hours)	40 dB L <sub>Aeq, 16hr</sub>
Bedroom (only)	Night-time (23.00 – 07.00 hours)	30 dB L <sub>Aeq, 8 hr</sub>

The package must be demonstrated by way of acoustic calculation and not typical noise reduction assumptions as reported in the Hann Tucker Report. In essence each component of the building fabric needs to be assessed to determine its acoustic integrity, the roof, window, walls, ventilation and doors and when combined the internal noise standard within each flat

must be met. The details must be submitted and approved by the LPA.

No objections are raised on the grounds of air quality and/or noise in relation to Core Policy 8 of the LDF Core Strategy, subject to appropriate conditions being imposed, together with a financial contribution of £15,000 towards monitoring air quality equating to £300 per flat, which is to be secured through a S106 Agreement.

## 16.0 **Landscape & Amenity Space**

16.1 Landscaping of the site is limited, and restricted in the main to planters on the podium. However following discussions with Highways at SBC, the pavement alignment around the site has been adjusted. This has made it possible to soften the elevations with planting strips located at the back of pavement both at the front of the podium (fronting onto Colnbrook roundabout) and on the London Road elevation adjacent to the entrance to the basement car park. These soft landscaping areas are identified on the site plan and would be in the care / management of SBC.

On the podium itself, linear planters are located around the perimeter. Trailing /climbing plant species are proposed to overhang the edge and are to be specified by a landscape consultant as part of the detailed design.

Formal planters are positioned in the centre of the podium, to accommodate suitable trees, to be specified by a landscape consultant. Other areas of soft landscaping are proposed adjacent to the individual buildings. The flat roof of the refuse store is designed to incorporate planting, so that it is an attractive terrace to look down onto from the upper floor flats.

The Council's Tree Management Officer is generally supportive of the landscaping scheme, given the limitations of the site. No objections are raised on grounds of landscaping in relation to Policy EN3 of the adopted local plan subject to conditions requiring further details to be submitted.

## 17 **Energy and Sustainability**

17.1 An Energy and Sustainability Statement has been submitted which considers ways to reduce carbon emissions by confirms that 10% of the site wide energy use will come from renewable energies. In relation to this exercise the following technologies were evaluated:

Heat source pumps  
Wind Turbines  
Biomass Boilers  
Photovoltaic Panels

The Statement concludes that 40 250 watt PV Panels should be installed on each building, which will provide a minimum of 10% of the energy demand for the site.

No objections are raised on grounds of energy and sustainability in relation to Core Policy 8 of the LDF Core Strategy.

## 18.0 **Financial Viability Affordable Housing & S106 Requirements**

18.1 In terms of Section 106 requirements, the previous planning application reference P/00163/005 established an agreed position whereby affordable housing was provided via a financial contribution in lieu of provision on site, together with financial contributions towards air quality monitoring, education, open space, and a parking survey to be undertaken in the area post full occupation.

Whilst the previous figures quoted were in 2008, the economic viability of this site remains an issue to the amount of financial contributions which can be made. This is the subject of the financial viability appraisal submitted under separate cover and will be the subject of ongoing discussions.

The submitted viability assessment has been reviewed by the Council's Asset Management team, with the main area of dispute relating to build costs and developers profit.

In their latest offer the developer has accepted, but not necessarily agreed, the Council's build costs, as provided by its own external Quantity Surveyors and a reduced developers profit at 17.5% rather than the 20% as was originally sought. On the basis of the revised appraisal the developer is offering a one off payment of £600,000 to include the additional contributions covering air quality monitoring and payment to cover the costs of the stopping up public highway, which combined amount to £20,000. Given the figure of £1,191,000, which was originally being sought to meet the affordable housing contribution in full, this represents a substantial contribution towards that figure @ 48.6%.. Given the financial constraints of the scheme, it is not intended to pursue either education or open space contributions.

The main Heads of terms for a S106 Agreement are set out below:

- Payment of a financial contribution of £580,000, to fund affordable housing off site. Trigger points for payment to be confirmed.
- Payment of a financial contribution (£15,000) towards the costs of monitoring air quality
- Developer to enter into a S278 Highways Agreement to secure the following:
  - £5,000 for stopping up of the highway costs (prior to commencement);
  - Residents of the development will be ineligible to apply for a parking permit in any existing or future residents parking schemes;
  - Temporary access point
  - Installation of crossover / junction
  - Reconstruct the footway fronting the application site on A4 London Road.
  - Reinstatement of redundant access points to standard to footway construction
  - Installation of street lighting modifications
  - Drainage connections
  - Reconstruction of footway
  - Dedication as highway maintainable at the public expense, free of charge, of land as shown in Drawing C82900-F-005;
  - Construction and dedication as highway maintainable at the public expense, free of charge, the footway on A4 London Road;
  - Construction of the service layby on A4 London Road;
  - Highway works to widen London Road to two lanes at its junction with A4 Sutton Road gyratory and implement tactile paving as shown in Drawing C82950 – SK – 001 Revision B – new drawing to be provided to show all highway works;
  - Re-construction of the footway and verge along the frontage of the site with A4 Colnbrook bypass;
  - Stopping up of the highway as shown in Drawing C82900-F-005;

Subject to securing all of the benefits as outlined above through a s106 Agreement, there are no objections in relation to Core Policies 7 and 8 of the LDF Core Strategy.

## 19.0 **Summary**

19.1 The application site which has been partly constructed, but without the benefit of specific planning permission, is a casualty of the recent recession. The structure on the site, which has

been in situ over several years is a local eyesore and the current scheme seeks to resurrect the previously considered development.

Removal of the existing super -structure on site with an alternative development scheme on the site would render the site uneconomic. At the same time, working within the limits of the existing super structure significantly constrains the options for development. Nonetheless, the proposals are well thought out and will produce a good quality housing scheme.

The site suffers from poor air quality and noise both from aircraft and roads, as such there abnormal costs such as the requirement for an air purification system and combined mechanical ventilation. The need for indemnity insurance for the existing sub structure will also tie up a significant element of the developers profit for a number of years.

As a result the economic viability of the scheme is hindered

## **PART C: RECOMMENDATION**

### **20.0 Recommendation**

- 20.1 It is recommended that the application be delegated to the delegated to the acting Planning Manager for completion of a Section 106 agreement, finalising conditions, making minor changes if required and final determination.

## **21 PART D: LIST OF CONDITIONS OR REFUSAL REASONS**

- 21.1 Set out below are the main headings for proposed conditions or full conditions in draft form with the final wording of the conditions to be determined prior to final determination.

1. Development to recommence within 3 years from the date of the planning permission
2. Approved drawings
3. Development to proceed in accordance with the findings and recommendations of the following supporting statements:

Transport Statement  
Environmental Noise Survey and Assessment  
Revised and updated Air Quality Assessment  
Flood Risk Assessment and position statement on drainage strategies  
M & E Outline planning statement relating to basement and residential unit ventilation systems  
Energy and Sustainability Feasibility Study  
Updated Groundwater Monitoring Report

- Together with other relevant planning conditions to be specified in the decision notice.
4. Development to proceed in accordance with the schedule of external materials within the submitted palettes for each of the Blocks A, B and C
  5. Details of hard and soft landscaping including treatment of surfaces to be submitted to and approved in writing prior to works re-commencing on site.
  6. Minimum 74 no. car parking spaces to be laid out and be available for use prior to first occupation. To be used communally and not assigned.
  7. Sight lines of 2.4m X 61m (west) and 2.4m X 65m (east) and 2.4m X 2.4m pedestrian



- visibility splays to be provided on site prior to first occupation.
8. Development not to recommence until a Site Construction Management Plan which shall include all the recommendations contained with the WSP Air Quality Assessment Report 2014 for general dust management has been submitted to and approved in writing by the LPA
  9. Development not to recommence until a Waste Minimisation Plan has been submitted to and approved in writing by the LPA
  10. Working hours restriction
  11. Deliveries to site restriction
  12. Means of Access to be provided on site prior to first occupation
  13. Re-instatement of redundant access point(s) prior to first occupation
  14. Cycle stores to be provided prior to first occupation and shall not be used for any other purpose without the prior written approval of the LPA
  15. Development not to recommence until details of surface water drainage have been submitted to and approved in writing by the LPA. Approved scheme to be implemented prior to first occupation
  16. Prior to first occupation the developer shall install make available for use and maintain electric vehicle charging infrastructure to service 8 car parking spaces (i.e. 4 dual EV posts or wall mounted posts).
  17. Development not to recommence until a scheme design (including tonality) for the mechanical ventilation and filtration/purification of air supplied to the flats has been submitted to and approved in writing by the Local Planning. The approved scheme shall be installed and maintained fully in accordance with the manufacturers specifications and shall be implemented prior to the first occupation of the flats and shall be kept available for use thereafter unless otherwise approved in writing by the Local Planning Authority
  18. The developer shall design a comprehensive sound insulation and ventilation scheme for each block and flat respectively to achieve the minimum internal levels set out below having regard to all elements of the building's acoustic integrity including the roof, window, walls, ventilation and doors and this shall be demonstrated by acoustic calculation which shall be submitted and approved in writing by the LPA prior to works commencing on site.

Living area (daytime 07.00 – 23.00 hours) - 40 dB  $L_{Aeq, 8 hr}$

Bedrooms (night- time 23.00 – 07.00 hours) - 30 dB  $L_{Aeq, 8 hr}$

#### 19. *Phase 2 Intrusive Investigation Method Statement*

Development works shall not recommence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA 665 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

#### 20. *Phase 3 Site Specific Remediation Strategy*

Development works shall not recommence until remediation works have been carried out in accordance with a Site Specific Remediation Strategy (SSRS). The SSRS must first be submitted to and approved in writing by the Local Planning Authority. The SSRS shall, as a minimum, contain details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM), the precise location of the remediation works and/or monitoring proposed, including earth

movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

21. *Remediation Validation*

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Site Specific Remediation Strategy condition shall be occupied until a full validation report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

22. Development shall not recommence until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

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

2. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (1) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

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

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

25. Development not to recommence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority

26. Development not to recommence until a foul drainage strategy has been submitted to and approved in writing by the local planning authority. The development to proceed in accordance with the details approved.

27. Vehicular access gates to serve the development shall not be erected without first

having obtained the written approval of the local planning authority

28. Notwithstanding the deposited plans as hereby approved details of the ventilation grill to serve the semi basement car park shall be submitted to and approved in writing by the LPA prior to works recommencing on site and the development shall proceed in accordance with the details approved.
29. Measures to minimise overlooking of neighbouring land to the east known as “Jocks café” to include obscurely glazed flank wall windows with high level openings, privacy screens to balconies, restricting access to certain terraces for maintenance purposes only as shown on the deposited plans as hereby approved. Approved measures to remain in place at all times.
30. Details of external lighting
31. Prior to first occupation 40 X 250 watt Photovoltaic Panels  
Panels shall be installed on each building

## APPENDIX A

### Block A

The layouts through ground to third floor are identical - so comments on Flat 1 apply to flats 6, 11, 16.

*O = Meets room size standards X = Does not meet room size standards*

Floor	Flats	Bed 1	Bed 2 (+3)	Kitchen & Lounge
Ground - third	1, 6, 11, 16	0	X	X

Bedroom 2 is just 0.1sqm undersized, this could not be avoided without compromising the quality of the bathroom or hallway. The Living/Kitchen in 0.5sqm under, however it was decided that this shortfall would be better utilised in the hallway

Ground - third	2, 7, 12, 17	0	0	X
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Living/Kitchen is 0.55sqm undersized, this had to be accepted as otherwise there would be insufficient access into or around the bedrooms. Any space taken from the hall would neither be fully useable.

Ground - third	3, 8, 13, 18	X	0	0
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Bedroom 1 is 0.44sqm undersize. Realigning the party wall would not give sufficient access through the bedroom of flat 4 (9, 14, 19), taking area from other rooms would not create useable space. As compensation this bedroom has an en suite bathroom.

Ground - third	4, 9, 14, 19	0	0	X
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LAYOUTS MIRRORED FROM FLAT 2 (7, 12, 17).

Fourth	21	X	N/A	X
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Positions of party walls along existing columns means all rooms are significantly undersized, bedroom is 1.44sqm undersize and kitchen/living is 0.63sqm undersize. The bedroom could be increased slightly but at the expense of a narrow and less pleasant hall, in part compensation for the small bedroom and living areas there are 2No. ample sized balconies.

Fourth	22	0	0	0
Fourth	23	0	0	0
Fourth	24	X	N/A	X

LAYOUTS MIRRORED FROM FLAT 21.

### Block B

*O = Meets room size standards X = Does not meet room size standards*

Floor	Flats	Bed 1	Bed 2 (+3)	Kitchen & Lounge
Ground	25	0	0	X

Kitchen / living undersized by 0.5sqm, this shortfall remains unavoidable due to locations of existing columns.

Ground	26	0		0
	27	0		0
	61	0		0
First	28	0	0	X

Kitchen / living undersized by 0.5sqm, this shortfall remains unavoidable due to locations of existing columns

First	29	0		X
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Kitchen / living undersized by 0.77sqm, this shortfall remains unavoidable due to locations of existing columns and

area needed for the bedroom, in part compensation there is a 2.5sqm balcony.

First	30	0		0
First	31	X	0	X

Bedroom 1 is 0.44sqm undersized, the living/kitchen is 3.65sqm undersized. The placement of the columns greatly restricts the placement of the party walls, giving very little space available to this apartment.

First	32	X		0
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Bedroom is undersized by 0.96sqm, column locations give too little space for the required areas, the space available was decided to be best utilised in the kitchen/living

Second	33	0		0
Second	34	0		X

Kitchen / living undersized by 0.73sqm, this shortfall could be taken from the bedroom but this would leave insufficient access around the bed.

Second	35	0		0
Second	36	0	0	0
Third	37	0	0	0
Third	38	0	0	0

### Block C

All room sizes fully compliant

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Planning Committee **DATE:** 27<sup>th</sup> November 2014

**CONTACT OFFICER:** Paul Stimpson  
Planning Policy Lead Officer  
01753 87 5820

**WARD(S):** Chalvey

**PART I****FOR DECISION****81-127 WINDSOR ROAD – SELECTED KEY LOCATION FOR COMPREHENSIVE REDEVELOPMENT****1 Purpose of Report**

The purpose of the report is to seek Members' approval for the identification of 81 -127 Windsor Road as a "Selected Key Location" for comprehensive regeneration as set out in the Core Strategy Spatial Strategy. That allows the relaxation of some planning policies where this is justified in order to deliver environmental, social, and economic benefits to the area.

**2 Recommendation(s)/Proposed Action****2.1** The Committee is requested to resolve:

That 81 – 127 Windsor Road be designated as a "Selected Key Location" for comprehensive regeneration where, as permitted by the Core Strategy Spatial Strategy, a relaxation of the Council's policies regarding loss of family housing, building flats out side of the town centre and parking requirements may be allowed.

**3 Community Strategy Priorities****3.1** The comprehensive redevelopment of this part of the Windsor Road near the town centre will help to promote Slough as a place where people want to live, work, shop and do business. It will also help to implement transport improvements and deliver the following priorities:

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

**4 Other Implications****(a) Risk Management**

The failure to promote the opportunity for comprehensive redevelopment provided by this site could affect the vitality and viability of the town centre and prevent the Council from implementing the highway improvement scheme for which it has obtained funding.

**(b) Human Rights Act and Other Legal Implications**

It is considered that there are unlikely to be any significant implications in relation to the Human Rights Act.

**(c) Equalities Impact Assessment**

It is considered there will be no equality impacts.

(d) Workforce

There are no workforce implications.

## **5 Supporting Information**

- 5.1 A major land assembly exercise has taken place in order to ensure that all of the properties in this run down part of the Windsor Road, including land held by the Council, can be amalgamated in to single ownership so that comprehensive redevelopment can take place.
- 5.2 The purpose of this report is to establish a planning framework that can be used to consider any planning applications that may be submitted for the newly assembled site.

### Background

- 5.3 Nos 81 to 127 Windsor Road consist of some vacant demolished sites and a number of run down properties many of which are houses in multiple occupation. There has been a long term objective to redevelop the properties along this important entrance to the town centre.
- 5.4 The properties have been potentially blighted by a road widening line which has been in place for many years. A scheme has now been drawn up for the widening of the Windsor Road which should now be able to be implemented in 2015/16.

### Planning Policy

- 5.5 It is recognised that a better form of development could take place on the site if the area was redeveloped comprehensively. This would mean that a scheme could be designed to accommodate the proposed road widening line, remove all vehicular access from Windsor Road and create a more attractive townscape along this important entrance to the town centre. At the same time a properly designed development could help to create a more attractive and user friendly pedestrian entrance into Herschel Park.

The Core Strategy Core Policy 1 (Spatial Strategy) states:

*...Proposals for the comprehensive regeneration of selected key locations within the Borough will also be encouraged at an appropriate scale. Some relaxation of the policies or standards in the Local Development Framework may be allowed where this can be justified by the overall environmental, social and economic benefits that will be provided to the wider community.*

- 5.6 The Core Strategy identified where some of these selected key locations would be, and others were brought forward in the Site Allocations DPD. Core policy 1 sets the criteria for which additional sites can be brought forward for approval. It is proposed that as this part of the Windsor Road has potential to meet these it should now be designated as a “selected key location”.
- 5.7 This designation will then support and provide context for the relaxation of policies regarding loss of family housing, building flats outside of the town centre and parking requirements in order to deliver environmental, social, and economic benefits that comprehensive redevelopment can bring to Slough.
- 5.8 The site is outside of the town centre as defined in the Core Strategy. As a result it is not currently designated as a location where high density housing is supported. Core Policy 4 states



*In the urban areas outside of the town centre, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area.....”*

5.9 Critically Policy 4 also states that:

*There will be no net loss of family accommodation as a result of flat conversions, changes of use or redevelopment.*

The Council has been consistently applying this Policy and its application has meant that planning permission was granted for houses on the Council owned land to the north with vehicular access from the Windsor Road.

#### Form of Development

- 5.10 The suburban character of this part of the Windsor Road has over the years been partly lost because of the number and size of blocks of flats, the busy main road, and the nearby tall buildings north of Albert Street/ Chalvey Road. It is an area of change. The site's location at the entrance to the town centre means that in design terms it would be appropriate to have larger scale development than is there at present.
- 5.11 It will be important to ensure that the design of the building takes account of the need to create good living conditions (including daylight and sunlight) for properties which front onto this busy main road.
- 5.12 The redevelopment of the properties should also mean that land for the road widening can be obtained without the need for Compulsory Purchase and the new buildings can be designed to accommodate the new road layout.
- 5.13 The comprehensive redevelopment of the assembled site means that they can all be served from the private service road at the rear without the need for any vehicular access onto the Windsor Road as there is at present. This will assist with road safety issues and compliance with Core Policy 7 (Transport).
- 5.14 Because the site is outside of the town centre, the current car parking standards would require up to two spaces per flat depending upon the unit size and whether the parking spaces are assigned or communal. Since the site is in a very accessible location close to the town centre it is considered that some relaxation of parking standards would be acceptable.
- 5.15 Core Policy 4 also requires sites with 15 or more dwellings to provide between 30% and 40% as affordable housing. There may be special circumstances which affect the viability of the scheme in terms of the need to provide for the road widening and the existing high land use value. It is not, however, proposed to consider relaxing the policy for affordable housing at this stage. This can be considered in the normal way through the submission of a Viability Study at the planning application stage. This will be able to take account of any abnormal costs associated with the proposal.
- 5.16 It should be noted that the identification of a site as a “Selected Key Location” establishes a policy framework which sets out the principles of development. It is not intended to be a Development Brief or a detailed Design Brief. As a result it is not proposed to identify how many dwellings can be accommodated on the site or what they should look like.
- 5.17 Two illustrative sketch schemes have been produced which show how the site could be developed. These are in appendix B for information purposes with no endorsement being sought at this stage.

- 5.18 Any development will have to take account of its current and proposed local character and surroundings. In this case, in addition to being on a main road entrance to the town centre, the northern part of the site borders a pedestrian walkway into Herschel Park which has been restored to its former Victorian state. It is considered that the design and layout of any development should therefore help to encourage the use of this gateway pedestrian access. Whilst it is not intended to specify any design features at this stage, it is suggested that an architectural reference to the style of the villas in Herschel Park might be appropriate in this location. This would not preclude having a sympathetic modern design. The development will need to take account of the living conditions of existing homes to the rear of the site. However the Core Strategy design policy of new development respecting its location and surroundings will, in respect of existing homes adjacent, need to be interpreted with some flexibility to allow for the juxtaposition of two different scales of development.

#### Restrictions on Development

- 5.19 It is important to make clear that no relaxation of policy will be allowed if the site does not meet the conditions of Core Policy 1 for comprehensive redevelopment. This will have to include a planning application being submitted for the whole site, vehicular access being made available for all of the properties from the rear service road, land being provided for the road widening.

### **6 Conclusion**

- 6.1 It is considered that 81 -127 Windsor Road should be designated as a “Selected Key Location” in keeping with Core Policy 1 for comprehensive regeneration where the relaxation a limited number of specified planning policies including Core Policy 4 may be allowed in order to deliver environmental, social, and economic benefits to the area.

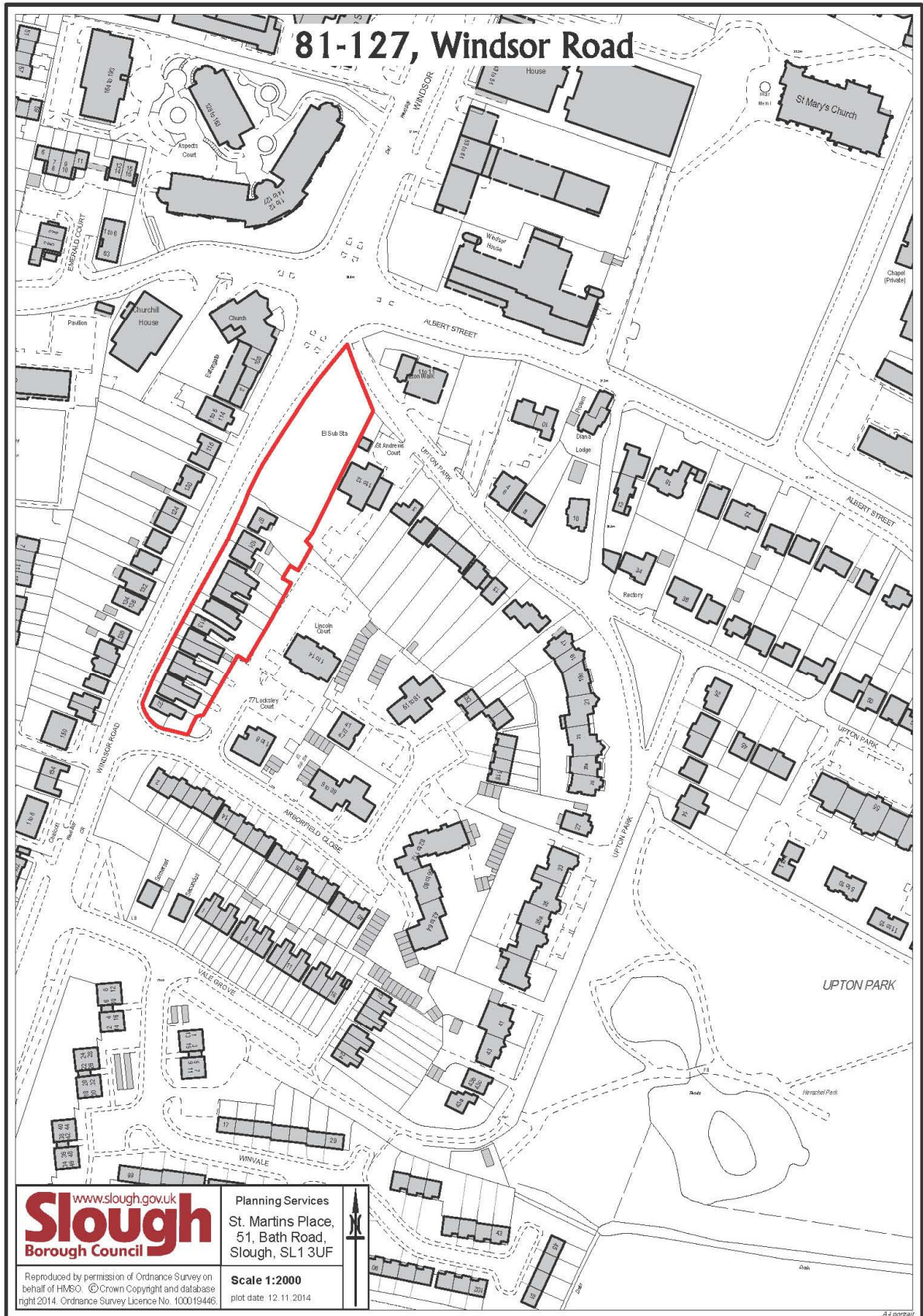
### **7 Appendices Attached**

- ‘A’ - Site Location Plan
- ‘B’ - Illustrative sketch schemes
- Option 1 Mansion Blocks
  - Option 2 Terraced Apartments

### **8 Background Papers**

1. Slough Core Strategy 2006-2026
2. Site Allocations DPD 2010

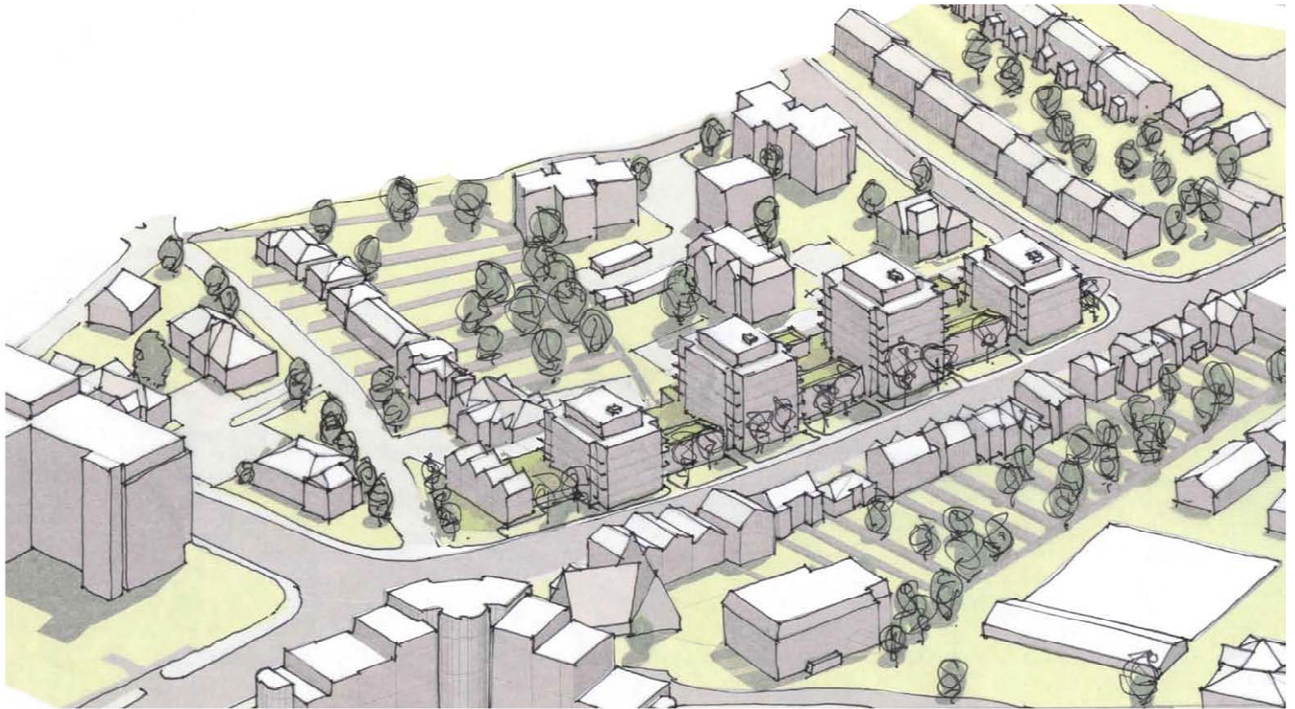
Appendix A - site location plan



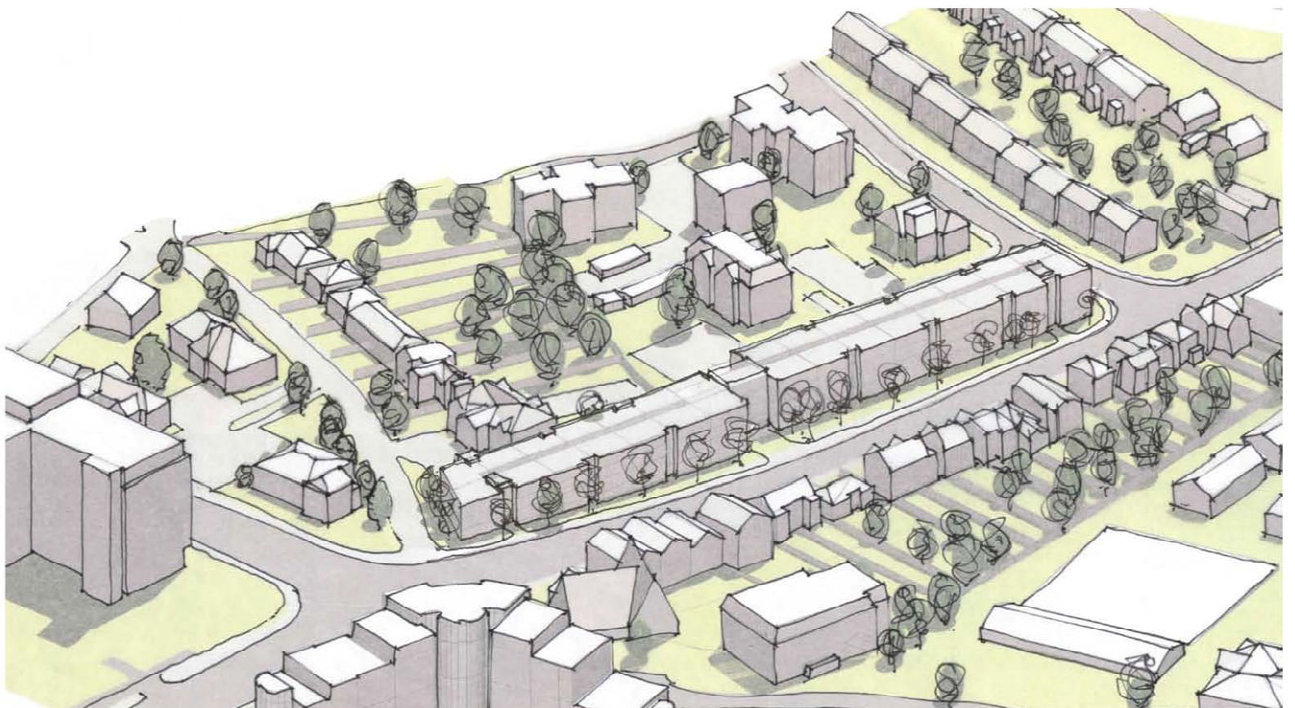


## Appendix B - Illustrative sketch plans

### OPTION 1 - MANSION BLOCKS



### OPTION 2 - TERRACED APARTMENTS



**SLOUGH BOROUGH COUNCIL**

REPORT TO: PLANNING COMMITTEE

DATE: 27<sup>th</sup> November 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>Decision</b>
<b>Ref</b>	<b>Appeal</b>	
<b>P/15795/000</b>	<p>21, Hillersdon, Slough, SL2 5UF</p> <p>CONSTRUCTION OF A SINGLE STOREY FRONT EXTENSION.</p> <p>Planning permission was refused for the following reasons:</p> <p>1- The proposed front extension by virtue of its excessive width and bulk would appear disproportionate when compared with the original dwelling and would create a negative and overbearing impact on the original house and that of the street scene contrary to Core policy 8 of the Slough Local Development Framework, Core Strategy (2006 – 2026) Development Plan Document, December 2008, policy EN1 of the adopted Local Plan for Slough, 2004 and guideline EX1 of the adopted Residential Extensions Guidelines, Supplementary Planning Document, 2010.</p> <p>The Inspector allowed the appeal and concluded that the main issue was the effect of the proposal on the host dwelling, adjoining property and the wider area.</p> <p>Supporting reasons: <b>Reasons:</b></p> <p>1. The appeal site is located within a row of four terraced houses in a housing estate where dwellings are not identical but some partial uniformity exists. The appeal site is two storeys with off street parking in the front forecourt.</p> <p>2. The proposed front extension would be about 60% of the width of the front facade of no.21. It would have a pitched tiled roof with a hipped end which would sit below the level of the first floor windows. The front elevation would have a door and a window but it would be flush with the front facade of no.23 and would not protrude beyond that building line. For those reasons, the appeal inspector considers that the bulk and width of the proposal would not be excessive or disproportionate to the main dwelling. Whilst it would be slightly deeper than what the Council guidelines allow; given the particular footprint of the four terraced properties, it would not be of a size or appearance to dominate the terrace or the streetscene.</p>	<p><b>Appeal Granted</b></p> <p><b>21<sup>st</sup> October 2014</b></p>

	<p>Furthermore, it would not be detrimental to the living conditions of the occupants of nearby dwellings by reason of loss of outlook or otherwise.</p> <p>3. The appeal officer therefore concludes that the proposal would not harm the character or appearance of the main dwelling, the terrace of properties or the streetscene.</p> <p>4. Conditions NAP01 (approved plans) and NEX01 (matching materials) have been imposed.</p> <p><b>Conclusions:</b></p> <p>For these reasons the proposal is not considered to be harmful to the design and appearance of the host dwelling nor would have detrimental impact on the living conditions of the occupants of nearby dwellings.</p> <p>The appeal therefore is allowed subject to conditions with regards to time limit, matching material and building in accordance with approved plans.</p>	
<b>P/15793/000</b>	<p>71, Salisbury Avenue, Slough, SL2 1AG</p> <p>CONSTRUCTION OF A FRONT PORCH, WITH A SINGLE STOREY SIDE AND REAR EXTENSION AND A PART SIDE AND PART REAR 1ST FLOOR EXTENSION ALL WITH PITCHED ROOFS.</p>	<p><b>Appeal Dismissed</b></p> <p><b>16<sup>th</sup> October 2014</b></p>
<b>2013/00063/ENF</b>	<p>4, Henry Road, Slough, SL1 2QL</p> <p>SUB DIVISON INTO TWO FLATS</p>	<p><b>Appeal Dismissed</b></p> <p><b>6<sup>th</sup> November 2014</b></p>

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

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

P = Present for whole meeting  
 Ap = Apologies given

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

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