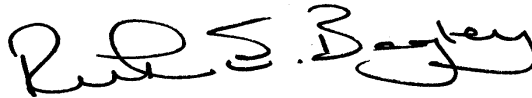


Date of issue: 21<sup>st</sup> April, 2015

<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>	WEDNESDAY, 29TH APRIL, 2015 AT 6.30PM
<b>VENUE:</b>	FLEXI HALL, THE CENTRE, FARNHAM ROAD, SLOUGH, SL1 4UT
<b>DEMOCRATIC SERVICES OFFICER: (for all enquiries)</b>	TERESA CLARK 01753 875018

NOTICE OF MEETING

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



**RUTH BAGLEY**  
Chief Executive

AGENDA

PART 1

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

*All Members who believe they have a Disclosable Pecuniary or other Pecuniary or non pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 3 paragraphs 3.25 – 3.27 of the Councillors' Code of Conduct,*



<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	<i>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 1st April, 2015	3 - 6	
5.	Human Rights Act Statement - To Note	7 - 8	
<b>PLANNING APPLICATIONS</b>			
6.	P/01412/012 - Sapphire Court 274-276, High Street, Slough, Berkshire, SL1 1NB	9 - 22	Central
	<b>Officer Recommendation:</b> Delegate to Planning Manager		
7.	P/08145/005 - Salisbury House, 300-310 High Street, Slough, SL1 1NB	23 - 36	Central
	<b>Officer Recommendation:</b> Delegate to Planning Manager		
8.	P/02684/010 - Former BT Depot & 297 Langley Road, Slough	37 - 52	Langley St Mary's
	<b>Officer Recommendation:</b> Delegate to Planning Manager		
9.	P/02631/018 - The Langley Academy, Langley Road, Slough	53 - 60	Langley Kedermister
	<b>Officer Recommendation:</b> Delegate to Planning Manager		
<b>MATTERS FOR INFORMATION</b>			
10.	Planning Appeal Decisions	61 - 62	All
11.	Members Attendance Record	63 - 64	

**AGENDA**  
**ITEM**

**REPORT TITLE**

**PAGE**

**WARD**

12. Date of Next Meeting

1<sup>st</sup> June, 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 Wednesday, 1st April, 2015.**

**Present:-** Councillors Dar (Chair), Ajaib (Vice-Chair), Bains, M Holledge, Plenty and Rasib

**Apologies for Absence:-** Councillor Swindlehurst

**PART I**

**103. Apologies for Absence**

Apologies were received from Councillor Swindlehurst.

**104. Declarations of Interest**

Councillor Plenty declared an interest in respect of Agenda item 6 – S/00539/001 - Car park, Alpha Street North, Slough SL1 1RA. He advised that he had held general discussions regarding the car park in his role as a member of the Task & Finish Group on Town Centre Planning. Councillor Plenty confirmed that he had an open mind and would debate and vote on the item.

Councillor Ajaib declared an interest in respect of Agenda item 6 – S/00539/001 - Car park, Alpha Street North, Slough SL1 1RA, in that the application was situated within his Ward (Central Ward). He advised that he had an open mind and would debate and vote on the item.

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

Members confirmed that they had read and understood the guidance on predetermination and predisposition.

**106. Minutes of the Last Meeting held on 17th February 2015**

**Resolved -** That the minutes of the meeting held on 17<sup>th</sup> February 2015 be approved as a correct record.

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

The Human Rights Act statement was noted.

**108. 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

## Planning Committee - 01.04.15

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

Application , P/00176/033 – 392 Bath Road, Slough, SL1 6JA: A Registered Objector and the Applicant's Agent addressed the Committee.

The Chair varied the order of agenda so that the item where an Objector was in attendance was taken first.

**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.

### 109. P/00176/033 - 392 Bath Road, Slough, SL1 6JA

Application	Decision
Demolition of existing building and change of use of site, and erection of a new automotive retail dealership, to include a new car showroom, workshop, MOT, valeting, vehicle display and parking facilities.	Delegated to Planning Manager to negotiate relocation of rear door to east or west boundary. If relocation of door not possible, application to be brought back to Planning Committee for further discussion.

### 110. S/00539/001 - Car Park, Alpha Street North, Slough, SL1 1RA

Application	Decision
Erection of three storey building with rooms in roof space to provide 14no flats (7 x 1 Bed and 7 x 2 Bed) with associated car parking, cycle parking and bin store.	Delegated to the Planning Manager for minor design changes, completion of an undertaking to secure a future Section 106 agreement finalising conditions, and final determination.

### 111. P/12934/009 - Theale, Old Bath Road, Colnbrook, Slough, SL3 0NS

Application	Decision
Redevelopment of site to provide 22no. flats contained within one 5 storey and 4 storey blocks together with access parking and landscaping.	Delegated to the Planning Manager for minor design changes, resolution of outstanding drainage issues, completion of a Section 106 agreement, finalising conditions and final determination.



## Planning Committee - 01.04.15

### 112. Consultation on South Bucks and Spelthorne Local Plans

Paul Stimpson, Planning Policy Lead Officer, introduced a report requesting that Members resolve to approve responses to Local Plans being prepared by South Bucks District Council and Spelthorne Borough Council.

Members were advised that one of the key elements of the Five Year Plan was the Review of the Local Plan for Slough, which required cooperation with adjoining authorities, including responding to proposals in their emerging plans.

South Bucks had published an Initial Consultation on their Local Plan which required a response from the Council at this stage. Spelthorne had started to review its Local Plan and had consulted Slough on both a Draft Duty to Cooperate Scoping Statement and a draft Statement of Community involvement.

Members were informed that Slough's strategy for construction of homes to meet demand within the borough would need to be considered with due regard to what the other neighbouring authorities were doing, alongside the outcome of the Heathrow Airports Commission and the Further Alteration of the London Plan.

Members requested details of Slough's current need for homes. The Officer explained that this was probably in the region of 550 new dwellings per year, which was outlined in the Five Year Plan. This was for all types of dwellings, and included affordable housing. However, it was likely that the inability of London and adjoining authorities to build the required houses per year meant that Slough may be required to build more than this.

The suggested responses outlined in the report were therefore designed to keep Slough's options open with regard to future actions, for example the urban expansion of Slough. Members agreed that the proposed responses were appropriate.

**Resolved** - (a) That South Bucks District Council be thanked for consulting the Council about its Local Plan 2014 – 2036 Initial Consultation and the comments set out in paragraphs 5.10, 5.12 and 5.15 of the report be forwarded to them.

(b) That Spelthorne Borough Council be thanked for Consulting the Council about its Duty to Cooperate Scoping Statement and the comments set out in paragraphs 5.18 and 5.20 of the report be forwarded to them.

### 113. Planning Appeal Decisions

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

## **Planning Committee - 01.04.15**

### **114. Members Attendance Record**

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

### **115. Date of Next Meeting**

The date of the next meeting was confirmed as Wednesday, 29<sup>th</sup> April 2015.

Chair

(Note: The Meeting opened at 6.30pm and closed at 8.20pm)

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

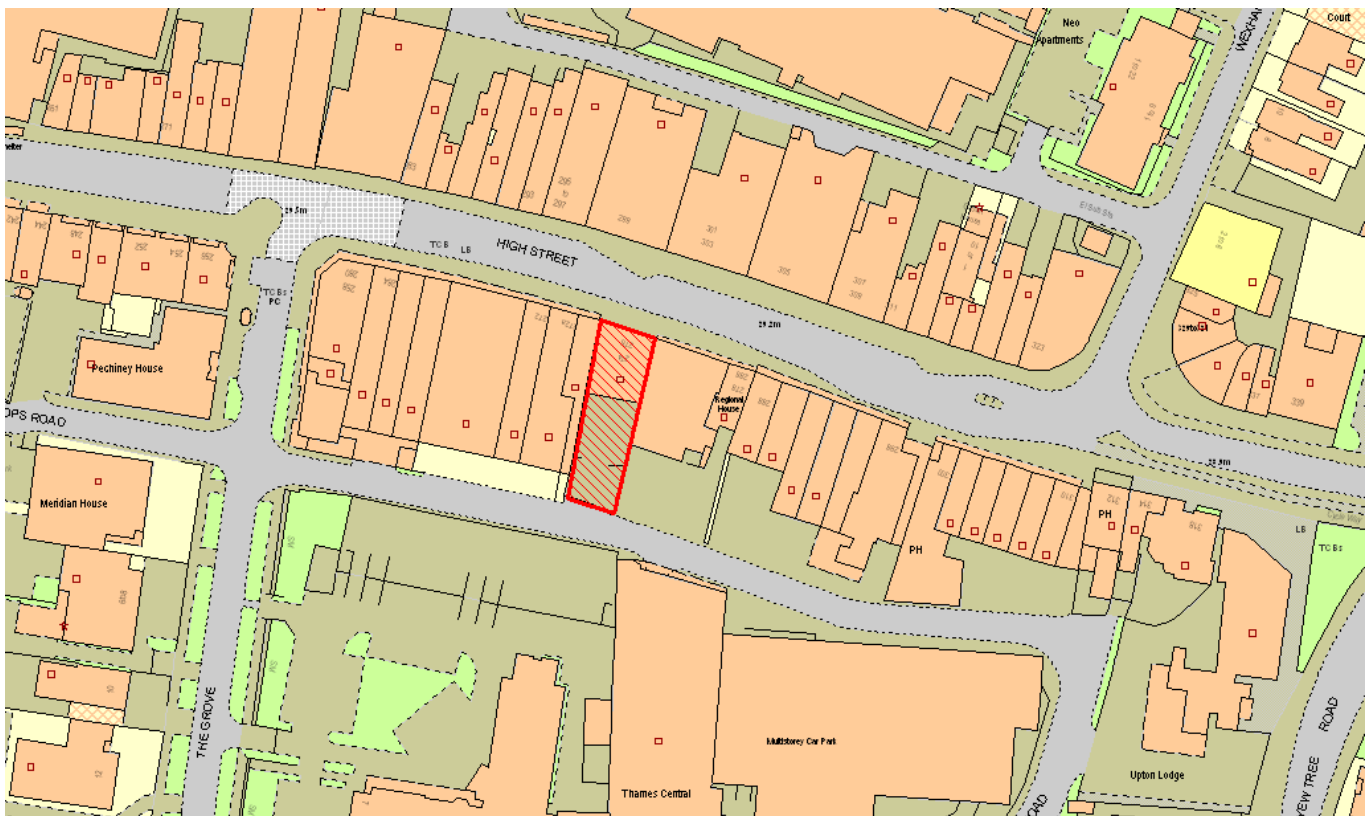
	<b>USE CLASSES – Principal uses</b>
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest 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>	05-Feb-2015	<b>Applic. No:</b>	P/01412/012
<b>Officer:</b>	Ian Hann	<b>Ward:</b>	Central
<b>Applicant:</b>	c/o Agents		
<b>Agent:</b>	Mr. Neil Oakley, Danks Badnell Architects Ltd KINGS STABLES, 3-4 OSBORNE MEWS, WINDSOR, BERKS, SL4 3DE		
<b>Location:</b>	Sapphire Court, 274-276, High Street, Slough, Berkshire, SL1 1NB		
<b>Proposal:</b>	ERECTION OF ADDITIONAL FLOOR AND FIVE STOREY REAR EXTENSION TOGETHER WITH ELEVATIONAL CHANGES AND CHANGE OF USE OF UPPER FLOORS TO RESIDENTIAL ACCOMMODATION COMPRISING A TOTAL OF 12 FLATS (9NO X 1 BED AND 3NO X 2 BED). ALSO GROUND FLOOR REAR EXTENSION.		

**Recommendation:** Delegate to Planning Manager



1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 Delegate the planning application to Planning Manager for the consideration of any outstanding consultation responses, any minor design changes, finalising conditions and final determination.
- 1.2 This application is to be determined by the Planning Committee as it is a major development.

**PART A: BACKGROUND**

2.0 **Proposal**

- 2.1 Planning permission is sought for the extension and refurbishment of the existing building into a residential building. The scheme would comprise:
- Erection of an additional floor and five storey rear extension to allow for the conversion of the upper floors of the building to provide 12 no. flats (9 no. one bedroom and 3 no. two bedroom).
  - Changes to the fenestration and fascia of the building.
  - Single storey rear extension to the commercial element of the building.
  - Provision of cycle parking and refuse storage.
- 2.2 The addition of a new floor making the building 5 stories in height, although the top floor will have a reduced floor print (approximately 16m by 11m). The maximum height would be approximately 16m with a set back so that it is not as visible from street level. The building has been designed with a very shallow, almost flat roof.
- 2.3 A new five storey rear extension at a depth of 5m would be provided to provide the accommodation together with a 13m deep single storey rear extension to increase the shop floor area. New windows would be provided in the front and rear elevations together with balconies and new cladding / glazing would be used to modernise the appearance of the building.
- 2.4 The flats would be accessed via a secure communal entrance and corridor at ground floor level facing onto High Street leading to a lift and stair access providing access between the levels. Access to the bin store and cycle store would be from the rear of the property. Two parking spaces would be provided for the retail element of the building.
- 2.5 The application is accompanied by plans showing the site location, site layout, elevations and floor plans. A Design and Access Statement has also been submitted.
- 2.6 There is currently an application elsewhere on the Committee agenda for the extension of the building and conversion into residential accommodation of Salisbury House which is situated at 300-310 High Street and in close proximity to the application site.

### 3.0 **Application Site**

- 3.1 The site is roughly rectangular shaped with a maximum depth of 38m and a road frontage of 13m and currently contains a four storey building with a retail use at ground floor and office uses above with parking to the rear accessed from Hatfield Road.
- 3.2 The site is located to the south of the eastern end of the High Street.
- 3.3 The site is adjoined by:
- A four storey building with commercial uses at ground floor and residential above to the east;
  - Hatfield Road with large eight / nine storey office building beyond to the south;
  - A four storey commercial building to the west.
- 3.4 The site is located within the Slough Town Centre and the Core Town Centre Area as defined in the proposals map for The Local Plan for Slough 2004.

### 4.0 **Site History**

- 4.1 Planning permission was granted for the current building in October 1984 (P/01412/002) and further applications to change the use of the ground floor of the building from retail to office use was approved in November 1986 (P/01412/003). Permission was later granted in March 1989 relaxing the condition attached to the previous permission making it a personal permission (P/01412/007).
- 4.2 Planning permission was granted for the redevelopment of the site to include the erection of a 5<sup>th</sup> floor and the conversion of the floors 1 to 5 into 9 No. x 1 bedroom flats and 3 No. x two bedroom flats with changes to the elevations in December 2007 (P/01412/008) and for which the time limit to commence works was extended in November 2011 (P/01412/008). An application to amend the scheme was been approved in August 2011 (P/01412/011) but has now expired.

### 5.0 **Neighbour Notification**

- 5.1 270, 272, 272a, 278-286, Flats 1 to 16, Regional House 278-286, Flats 1- 8 and Units 1-8 Royal Shopping Centre 299, 301, 303, High Street, Slough

Patriot Court, 7, Hatfield Court, Slough

Site notice displayed on site.

Notice published in local press

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

## 6.0 **Consultations**

### 6.1 Highways and Transport

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

## **PART B: PLANNING APPRAISAL**

## 7.0 **Policy Background**

### 7.1 The application is considered alongside the following policies:

#### National guidance

- National Planning Policy Framework (NPPF) and technical guidance notes.

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

#### Local Development Framework, Core Strategy, Development Plan Document

- Core Policy 1 (Spatial Strategy)
- Core Policy 4 (Type of Housing)
- 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)

#### Adopted Local Plan for Slough

- H9 (Comprehensive Planning)
- H10 (Minimum Density)
- H11 (Change of Use to Residential)
- H14 (Amenity Space)
- EN1 (Standard of Design)
- EN2 (Extensions)
- EN3 (Landscaping Requirements)
- EN5 (Design and Crime Prevention)
- T2 (Parking Restraint)

Annex 1 to the NPPF states that for 12 months from the day of publication, decision



takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this framework. Slough Borough Council adopted a “Composite” Plan which will bring all of Slough’s current planning policies into a single document with a “Self Assessment” of Slough planning policies in terms of their compliance with the National Planning Policy Framework.

7.2 The main planning considerations for this proposal are:

- The principle of the development
- The design and appearance/ impact on the street scene
- Impacts on nearby residential properties
- Living conditions for future occupants
- Traffic/ highway/ parking and servicing
- Contributions

## 8.0 **Principle of the Development**

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

8.2 Core Policies 1 and 4 of the Council’s Core Strategy states that high density flatted development shall be contained to the Town Centre only. This site is within the defined Slough Town Centre and flatted development would be in accordance with these policies. This site has not been identified in the Councils Site Allocations Document. Although this in itself does not stop it from being developed it should be noted that the Council has a 5, 10 and 15 year supply of dwellings and therefore any proposals that come forward have to be in accordance with the Councils approved and adopted policies.

8.3 Therefore the site is considered suitable for housing. The number of residential units which could be accommodated on the site is dictated by the design and constraints that arise from the site and neighbouring uses.

## 9.0 **Design and Appearance/ Impact on Street Scene and Surrounding Area**

9.1 The National Planning Policy Framework confirms the following:

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

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

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

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

- 9.2 Core Policy 8 of the Core Strategy requires that, in terms of design, all development:
- a) Be of high quality design that is practical, attractive, safe, accessible and adaptable;
  - b) Respect its location and surroundings;
  - c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and
  - d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.
- 9.3 Policy EN1 of the adopted Local Plan states that development proposals are required to reflect a high standard of design and must be compatible with and/ or improve their surroundings in terms of scale, height, massing/ bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees; and relationship to watercourses.
- 9.4 The proposed additional floor to the existing building would result in the building being a five storey flat roof building fronting High Street, with the top floor being recessed from the frontage.
- 9.5 The buildings facing the High Street have various heights from two to 10 stories in height with the immediate neighbouring buildings being at four stories with one having a recessed fifth floor. These application proposals will see the introduction of a new floor that is recessed from the front of the building so that it will retain its mass and bulk when viewed from High Street. The additional floor would however be visible from Hatfield Road to the rear but would not look out of context with the surrounding buildings and would not look overly large or bulky from this area. Furthermore the massing and bulk of the proposals would be the same as that previously approved. The proposed ground floor rear extension would not have an adverse impact upon the character and appearance of the surrounding area as it will come to the same depth as the extension at 278-286 High Street and will not be as long as the extension at 272A – 272 High Street and many properties along Hatfield Road at the rear of the site have been extended in a similar way. It is therefore considered that the proposed additional floor and extensions would not have any detrimental impact upon the character or appearance of the street scene.
- 9.6 The application building is the south side of High Street and is of similar design to the existing building when viewed from High Street, with the recladding of the

building improving the current tired appearance of the building. The rear of the building will change in its appearance with the provision of balconies and additional cladding but would not have any detrimental impact upon the character of the rear where there is no uniform design to the buildings and is the same as that which was previously approved. It is therefore considered that the design is in keeping with the existing building and the prevailing character of the area.

- 9.7 The building will be clad with a light grey cladding which would be in keeping with the surrounding area and would update the tired appearance of the building while not being dissimilar to other schemes approved in the town centre and is considered to be acceptable and in keeping with the character of the area.
- 9.8 Overall the design and appearance is considered to be acceptable and is not considered to have a detrimental impact on the street scene.

#### 10.0 **Impact on Residential Amenities**

- 10.1 The National Planning Policy Framework outlines the following:

*“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should ... always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (Para 17).*

- 10.2 Core Policy 8 states *“The design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area ... Development shall not give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise”.*
- 10.3 Policy EN1 of the Local Plan requires that *“Development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of a) scale, b) height, c)massing/Bulk, d)layout, e)siting, f)building form and design, g)architectural style, h)materials, i)access points and servicing, j) visual impact, k)relationship to nearby properties, l)relationship to mature trees and m)relationship to water courses. These factors will be assessed in the context of each site and their immediate surroundings. Poor designs which are not in keeping with their surroundings and schemes which result in over-development of a site will be refused.”*
- 10.4 The proposed development will see the increase in the height of the building but this will not result in any additional overlooking or loss of light which may be considered to be detrimental upon the neighbouring properties.
- 10.5 The proposed rear extension will provide additional depth to the building. However only the balconies of the extensions would breach the 45 degree angle from the neighbouring properties and as these are open balconies with simple stainless steel railings this will not result in a loss of light or appear overbearing to the neighbouring properties. This would also be the same situation as that previously approved.

There are no side facing windows that would result in any loss of privacy. The proposed ground floor extension would not project beyond the neighbouring properties and therefore would not impact upon them.

10.6 For the reasons set out above, the proposal is considered not to have a detrimental impact on the amenity of surrounding properties and is considered to be in accordance with NPPF, Core Policy 8 and Local Plan Policy EN1, which require that development be of a high quality design which respects its surroundings and the amenities of adjoining occupiers.

#### 11.0 **Living Conditions for Future Occupants**

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

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

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

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

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

11.2 Core Policy 8 states *“All development will: a) Be of a high quality design that is practical, attractive, safe, accessible and adaptable; b) Respect its location and surroundings; c) Provide appropriate public space, amenity space and landscaping as an integral part of the design....*

#### *Internal Living Space – room sizes and layout*

11.3 The proposal has been assessed against the Council’s Guidelines for Flat Conversions (1992) looking at the adequacy of the internal living spaces and the layout of the proposed flats. The rooms comply with these guidelines providing an appropriate form of accommodation.

11.4 In terms of layout, the units would be accessed off a common lobby/ common hallways with lift and stair access providing access between the floor levels. The units have been stacked so as to be compatible with one another. All of the units would have habitable rooms and kitchens with their own source of external light, or with the open plan layout the kitchens would receive light from the adjacent living

rooms. Appropriate levels of light and outlook would be provided to the units.

### *Amenity Space*

- 11.5 The proposal would not have any private amenity space to units on the top floor and those facing the rear of the site. Although not ideal it would not form a basis for refusal of the application as the site is within a Town Centre location, where there is very limited private amenity space and is in close reach to publicly accessible amenity areas, such as at the High Street / Yew Tree Road junction or Upton Park slightly further afield.

## 12.0 **Traffic and Highways Issues**

- 12.1 The NPPF states that :

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

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

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

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

- 12.2 Core Policy 7 (Transport) seeks to ensure that all new developments are sustainable, located in accessible locations and hence reduces the need to travel. It requires that development proposals will, either individually or collectively, have to make appropriate provisions for:
- Reducing the need to travel;
  - Widening travel choices and making travel by sustainable means of transport more attractive than the private car;
  - Improving road safety; and
  - Improving air quality and reducing the impact of travel upon the environment, in particular climate change.

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

- 12.4 Under the proposal the site would have two car parking spaces for the commercial

use and none for the residential use. The Local Plan states that nil parking would be acceptable for residential development in a town centre location due to its sustainable location and proximity to other modes of transport. Therefore the provision of nil parking for the residential element of the scheme would be in accordance with the approved parking standards and is considered to be acceptable for such a sustainable location.

12.5 Secure cycle parking provision is required at a ratio of 1 secure space per flat (12 spaces). Whilst a cycle store has been shown at ground floor level it does not detail how many spaces would be provided and this can be dealt with by way of a condition.

12.6 The proposal is considered to comply with Core Policy 7 and will have no detrimental impact on highway safety.

### 13.0 **Contributions**

13.1 In this case, although the applicant has applied for planning permission for 12 units this is below the threshold for when contributions could be sought for affordable housing, education or open space.

### 14.0 **Summary**

14.1 The site occupies a sustainable location within the Town Centre Commercial Core Area which is well served by public transport and there is good access to shops and essential services. The proposal, if supported would involve effective and efficient use of a brownfield in site in accordance with government guidance given in NPPF. It would also contribute to a sustained regeneration of the eastern end of the High Street and contribute to the vitality and viability of Slough Town Centre. It would also reinforce the Council's objectives of seeking to concentrate higher density flatted schemes within the Town Centre area.

## **PART C: RECOMMENDATION**

### 15.0 **Recommendation**

15.1 Delegate the planning application to Planning Manager for the consideration of any outstanding consultation responses, any minor design changes, finalising conditions and final determination.

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

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

REASON To prevent the accumulation of planning permissions, and to enable

the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

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

Drawing No. 07/13/20, dated Jan 2015, received 03/02/2015

Drawing No. 07/13/21, dated Jan 2015, received 03/02/2015

Drawing No. 07/13/22, dated Jan 2015, received 03/02/2015

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

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

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality.

4. No part of the development shall commence until details of the secure cycle store have been agreed in writing by the Local Planning Authority and shall be constructed in accordance with the approved details and maintained thereafter.

REASON To provide sufficient infrastructure to allow convenient and accessible cycle parking to be provided on site to comply with the requirements of the Local Plan.

5. No part of the development shall be occupied until the details of the controlled entry to the residential scheme have been submitted to and approved in writing by the Local Planning Authority. The controlled entry shall be implemented in accordance with the approved details and maintained thereafter.

REASON To ensure the security of the future occupants of the development.

6. No development shall commence until details of the refuse and recycling storage and collection facilities for the development (to include bin sizes and location, and access arrangements including access gates and crossovers) have been submitted to and approved in writing by the Local Planning Authority. The approved details 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.

7. Prior to the commencement of works on site a strategy for the management of

construction traffic to and from the site together with details of parking/ waiting for demolition/ construction site staff and for delivery vehicles shall be submitted to and approved writing by the Local Planning Authority.

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

8. For the period of demolition and construction, works which are audible at the site boundary shall only be carried out between the hours of 8.00 and 18.00 Monday to Friday, on Saturdays between the hours of 8.00 and 13.00 and at no time on Sundays or Bank Holidays.

REASON To safeguard the amenities of neighbouring occupiers.

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

- (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.

10. 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.

11. During the construction phase of the development hereby permitted, there shall be no deliveries to the site outside the hours 0800 to 1800 hours Mondays - Fridays, 0800 - 1300 hours on Saturdays and at no time on Sundays and Bank/ Public Holidays.



REASON In the interests of the amenities of the area.

12. 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, Submission Document, November 2007.

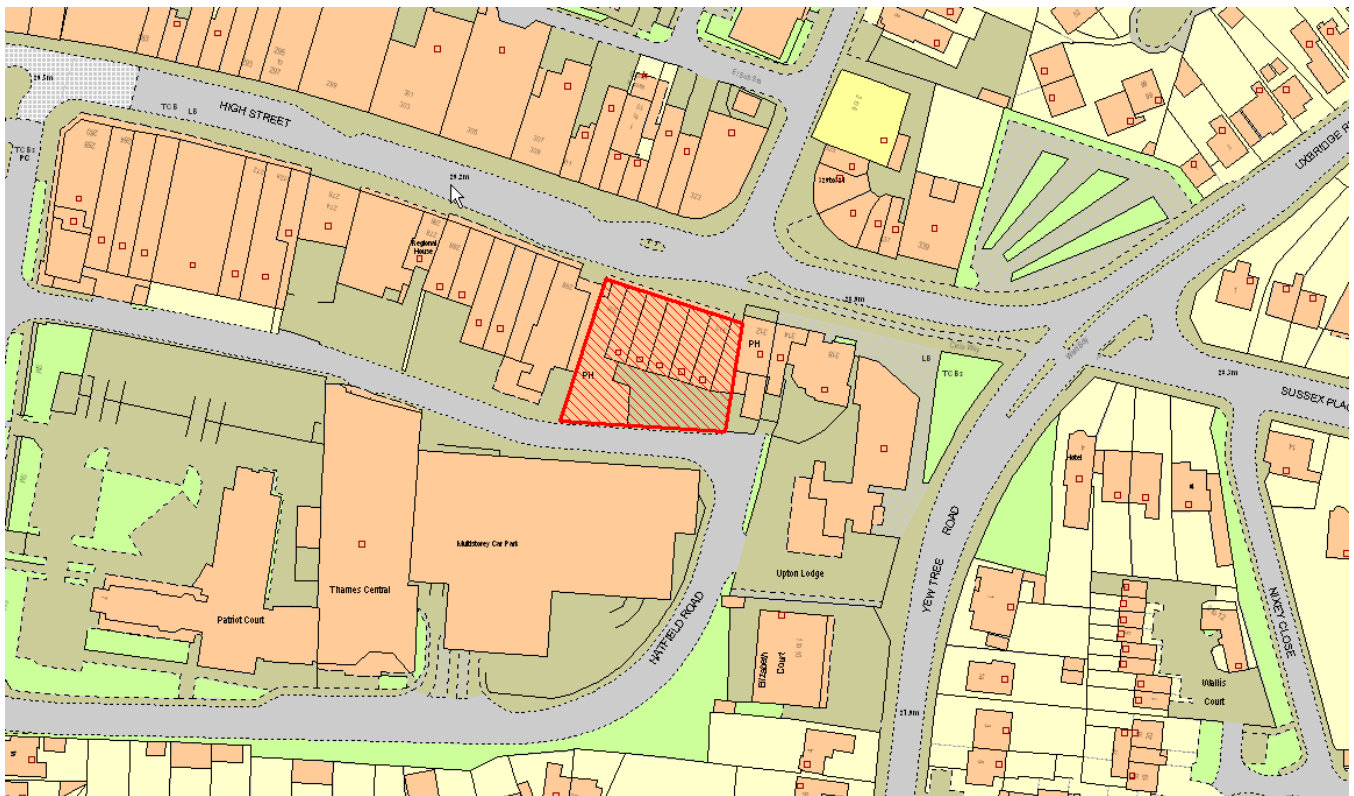
INFORMATIVE(S):

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

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<b>Registration Date:</b>	25-Feb-2015	<b>Applic. No:</b>	P/08145/005
<b>Officer:</b>	Ian Hann	<b>Ward:</b>	Central
<b>Applicant:</b>	Mr. C/O Agent	<b>Applic type:</b>	Major
<b>Agent:</b>	Miss Eleanor Smith, Danks Badnell Architects Ltd Kings Stables, 3-4, Osbourne Mews, Windsor, Berks, SL4 3DE	<b>13 week date:</b>	27 <sup>th</sup> May 2015
<b>Location:</b>	Salisbury House, 300-310 High Street, Slough, SL1 1NB		
<b>Proposal:</b>	CONSTRUCTION OF AN ADDITIONAL FLOOR AND CHANGE OF USE OF UPPER FLOORS TO RESIDENTIAL ACCOMMODATION COMPRISING A TOTAL OF 30 FLATS (25NO X 1 BED AND 5NO X 2 BED), FENESTRATION CHANGES AND REAR FIRE ESCAPE.		

**Recommendation:** Delegated to Planning Manager



## 1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 Delegate the planning application to Planning Manager for the consideration of any outstanding consultation responses, minor design changes, finalising conditions and final determination.
- 1.2 This application is to be determined by the Planning Committee as it is a major development.

## **PART A: BACKGROUND**

### 2.0 **Proposal**

- 2.1 Planning permission is sought for the extension and refurbishment of the existing building into a residential building. The scheme would comprise:
  - erection of an additional floor and conversion of the upper floors of the building to provide 30 no. flats (25 no. one bedroom and 5 no. two bedroom).
  - Changes to the fenestration and fascia of the building and new fire escape stair case
  - Provision of cycle parking and refuse storage.
- 2.2 The proposed extension to the building would consist of the addition of a new floor making the building a 5 stories in height although the top floor will have a reduced floor print (36m by 12.5m). The maximum height would be 15.3m with an additional 0.9m for the lift overrun and with a set back so that it is not as visible from street level. The building has been designed with a flat roof as per the existing.
- 2.3 A new enclosed fire escape serving all floors would be provided at the rear of the building and new windows would be provided in the front and rear elevations and new cladding and glazing would be used to modernise the appearance of the building.
- 2.4 The flats would be accessed via a secure communal entrance and corridor at ground floor level facing onto High Street leading to a lift and stair access providing access between the levels. Access to the bin store and cycle store would also be from this entrance. Ten parking spaces would be provided for the whole building.
- 2.5 There would be no changes to the existing ground floor retail units.
- 2.6 The application is accompanied by plans showing the site location, site layout, elevations and floor plans. A Design and Access Statement has also been submitted.
- 2.7 Prior approval was granted in December 2014 for the conversion of the existing building into 24 residential units. As that part of the scheme is already approved this application only looks at the extended element of the building, changes to the appearance of the building and additional flats above the 24 previously allowed.
- 2.8 There is currently an application elsewhere on the Committee agenda for the

extension of the building and conversion into residential accommodation of Sapphire Court which is situated at 274-276 High Street and in close proximity to the application site.

### 3.0 **Application Site**

3.1 The site is irregularly shaped site which has a maximum depth of 37m deep and a road frontage of 36m and currently has a four storey building on it with retail, restaurant and drinking establishment uses at ground floor and office uses above with parking to the rear accessed from Hatfield Road.

3.2 The site is located on the south side of the eastern end of the High Street.

3.3 The site is adjoined by:

- A 10 storey commercial building to the west ;
- Hatfield Road with a multi storey car park beyond to the south;
- The two storey Rose and Crown pub, which is a grade II listed building, to the east.

3.4 The site is located within the Slough Town Centre and the Core Town Centre Area as defined in the proposals map for The Local Plan for Slough 2004.

### 4.0 **Site History**

4.1 Planning permission was approved for the alteration to the entrance and front elevation as well as the erection of a front canopy in December 1988 (P/08145/000) and September 1989 (P/08145/001).

4.2 Permission was also granted for the conversion of the upper floor office accommodation into residential flats and a fourth floor roof extension in June 2005 (P/08145/003) but was not implemented after the withdraw of a previous application in May 2005 (P/08145/002).

4.3 Prior approval was granted for the conversion of the existing building into 24 residential units in December 2014 (F/08145/004) but is still to be implemented.

### 5.0 **Neighbour Notification**

5.1 298, 312, 317, 317a, 319, Flats 1-2 319, 321, 323, High Street, Slough

Notice published in local press

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

### 6.0 **Consultations**

6.1 Highways and Transport

No comments have been received to date, any comments will be reported on the

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

7.1 The application is considered alongside the following policies:

#### National guidance

- National Planning Policy Framework (NPPF) and technical guidance notes.

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

#### Local Development Framework, Core Strategy, Development Plan Document

- Core Policy 1 (Spatial Strategy)
- Core Policy 4 (Type of Housing)
- 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)

#### Adopted Local Plan for Slough

- H9 (Comprehensive Planning)
- H10 (Minimum Density)
- H11 (Change of Use to Residential)
- H14 (Amenity Space)
- EN1 (Standard of Design)
- EN2 (Extensions)
- EN3 (Landscaping Requirements)
- EN5 (Design and Crime Prevention)
- T2 (Parking Restraint)

Annex 1 to the NPPF states that for 12 months from the day of publication, decision takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this framework. Slough Borough Council adopted a “Composite” Plan which will bring all of Slough’s current planning policies into a single document with a “Self Assessment” of Slough planning policies in terms

of their compliance with the National Planning Policy Framework.

7.2 The main planning considerations for this proposal are:

- The principle of the development
- The design and appearance/ impact on the street scene
- Impacts on nearby residential properties
- Living conditions for future occupants
- Traffic/ highway/ parking and servicing
- Contributions

## 8.0 **Principle of the Development**

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

8.2 Core Policies 1 and 4 of the Council's Core Strategy states that high density flatted development shall be contained to the Town Centre only. This site is within the defined Slough Town Centre and flatted development would be in accordance with these policies. This site is not a site that has been identified in the Councils Site Allocations Document. Although this in itself does not stop it from being developed it should be noted that the Council has a 5, 10 and 15 year supply of dwellings and therefore any proposals that come forward have to be in accordance with the Councils approved and adopted policies.

8.3 The building currently has an extant prior approval to be converted into flats in any event which would result in the loss of office accommodation and see the site put to a residential use.

8.4 Therefore the site is considered suitable for housing. The number of residential units which could be accommodated on the site is dictated by the design and constraints that arise from the site and neighbouring uses.

## 9.0 **Design and Appearance/ Impact on Street Scene and Surrounding Area**

9.1 The National Planning Policy Framework confirms the following:

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

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

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

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

- 9.2 Core Policy 8 of the Core Strategy requires that, in terms of design, all development:
- a) Be of high quality design that is practical, attractive, safe, accessible and adaptable;
  - b) Respect its location and surroundings;
  - c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and
  - d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.
- 9.3 Policy EN1 of the adopted Local Plan states that development proposals are required to reflect a high standard of design and must be compatible with and/ or improve their surroundings in terms of scale, height, massing/ bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees; and relationship to watercourses.
- 9.4 The proposed extension to the existing building would result in the building being a five storey flat roof building fronting High Street, with the top floor being recessed from the frontage.
- 9.5 The buildings facing this part of High Street have various heights from two to 10 stories in height. These application proposals will see the introduction of a new floor that is recessed from the front of the building allowing the building to retain its mass and bulk when viewed from High Street. The additional floor would however be visible from Hatfield Road to the rear but would not look out of context with the surrounding buildings and step down from the taller buildings to the west and would not look overly large or bulky from this area. The rear fire escape would also be visible from the rear of the building and would be clad in a material to contrast with the main element of the building. This would be in a scale and appearance which is in keeping with the existing building and would add further interest to the rear elevation breaking up any visual impact of the building. It is considered that the proposed additional floor and fire escape would not have any detrimental impact upon the character or appearance of the street scene.
- 9.6 The application building is on the south side of High Street and is of similar design to the existing building, with the recladding of the building improving the current tired appearance of the building. While the submitted plans shows the windows on both the front and rear elevations inserted in a hap hazard manner negotiations are being



undertaken to ensure that the windows line up so that it will be in keeping with the existing building and the prevailing character of the area.

- 9.7 The appearance of the building will see a mixture of cladding and brick which would be in keeping with the surrounding area and would update the tired appearance of the building and is considered to be acceptable and not dissimilar to other schemes approved in the town centre and in keeping with the character of the area.
- 9.8 Overall the design and appearance is considered to be acceptable subject to changes to the fenestration and is not considered to have a detrimental impact on the street scene.

#### 10.0 **Impact on Residential Amenities**

- 10.1 The National Planning Policy Framework outlines the following:

*“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should ... always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (Para 17).*

- 10.2 Core Policy 8 states *“The design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area ... Development shall not give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise”.*
- 10.3 Policy EN1 of the Local Plan requires that *“Development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of a) scale, b) height, c) massing/Bulk, d) layout, e) siting, f) building form and design, g) architectural style, h) materials, i) access points and servicing, j) visual impact, k) relationship to nearby properties, l) relationship to mature trees and m) relationship to water courses. These factors will be assessed in the context of each site and their immediate surroundings. Poor designs which are not in keeping with their surroundings and schemes which result in over-development of a site will be refused.”*
- 10.4 The proposed development will see the increase in the height of the building with an additional floor but the floor print of the building will remain the same so that there will be no detrimental impact upon the neighbouring properties in terms of loss of light or have an overbearing impact. The number of windows that are included in the proposed remodelled building is of a similar number to the existing building and will not result in additional overlooking and in any event no residential amenity areas will be overlooked so will not impact on residential amenity.
- 10.5 The proposed rear fire escape will add additional mass and bulk close to 298 High Street but due to the limited size of this area at a depth of 4m and the fact that No. 298 is a commercial building it will have no impact upon residential amenity and will not impact residential amenity.

10.6 For the reasons set out above, the proposal is considered not to have a detrimental impact on the amenity of surrounding properties and is considered to be in accordance with NPPF, Core Policy 8 and Local Plan Policy EN1, which require that development be of a high quality design which respects its surroundings and the amenities of adjoining occupiers.

#### 11.0 **Living Conditions for Future Occupants**

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

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

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

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

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

11.2 Core Policy 8 states *“All development will: a) Be of a high quality design that is practical, attractive, safe, accessible and adaptable; b) Respect its location and surroundings; c) Provide appropriate public space, amenity space and landscaping as an integral part of the design....*

#### *Internal Living Space – room sizes and layout*

11.3 The proposal has been assessed against the Council’s Guidelines for Flat Conversions (1992) looking at the adequacy of the internal living spaces and the layout of the proposed flats. The guidelines set out minimum room sizes to which the rooms comply apart from the second bedrooms and living areas for the 2 bedroom units which have a shortfall of 1.4m<sup>2</sup> and 3.94m<sup>2</sup> respectively. The Applicant’s agent has been asked to amend these units, which are in the extended fourth floor so that they will meet the required standards.

11.4 In terms of layout, the units would be accessed off a common lobby/ common hallways with lift and stair access providing access between the floor levels. The units have been stacked so as to be compatible with one another. All of the units would have kitchens with their own source of external light, or with the open plan layout the kitchens would receive light from the adjacent living rooms. Appropriate levels of light and outlook would be provided to the units.

## *Amenity Space*

- 11.5 The proposal would not have any private amenity space. Although not ideal it would not form a basis for refusal of the application as the site is within a Town Centre location where there is very limited private amenity space and is in close reach to publicly accessible amenity areas, such as at the High Street / Yew Tree Road junction or Upton Park slightly further afield.

## 12.0 **Traffic and Highways Issues**

- 12.1 The NPPF states that :

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

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

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

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

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

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

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

- 12.4 Under the proposal the site would have ten car parking spaces for the residential and commercial uses. Details of the split of these spaces between the residential and commercial uses are still to be determined. However the Local Plan states that nil

parking would be acceptable in a town centre location and as such the provision of some parking spaces would be in accordance with the approved parking standards and is considered to be acceptable for such a sustainable location.

- 12.5 Secure cycle parking provision is required at a ratio of 1 secure space per flat (30 spaces). Whilst a cycle store has been shown at ground floor level it does not detail how many spaces would be provided and this can be dealt with by way of a condition.
- 12.6 The proposal is considered to comply with Core Policy 7 and will have no detrimental impact on highway safety.

### 13.0 **Contributions**

- 13.1 In this case, although the applicant has applied for planning permission for 30 units, 24 of them are being created by a change of use as already approved under prior approval. The other part of the permission is for the creation of 6 new flats as a result of the building being extended. If they were applied for separately, these 6 units would be below the threshold whereby contributions would normally be sought for affordable housing, education or open space.
- 13.2 As a result given the fact that it could go ahead without any requirements to make sec 106 contributions it is considered that a relaxation to planning policy can be made in this case and no affordable housing sought from the scheme.

### 14.0 **Summary**

- 14.1 The site occupies a sustainable location within the Town Centre Commercial Core Area which is well served by public transport and there is good access to shops and essential services. The proposal, if supported would involve effective and efficient use of a brownfield in site in accordance with government guidance given in NPPF. It would also contribute to a sustained regeneration of the eastern end of the High Street and contribute to the vitality and viability of Slough Town Centre. It would also reinforce the Council's objectives of seeking to concentrate higher density flatted schemes within the Town Centre area.

## **PART C: RECOMMENDATION**

### 15.0 **Recommendation**

- 15.1 Delegate the planning application to Planning Manager for the consideration of any outstanding consultation responses, minor design changes, finalising conditions and final determination.

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

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

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

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

Drawing No. 14/44/10, dated Jan 2015, received 24/02/2015

Drawing No. 14/44/11, dated Jan 2015, received 24/02/2015

Drawing No. 14/44/12, dated Jan 2015, received 24/02/2015

Drawing No. 14/44/13, dated Jan 2015, received 24/02/2015

Drawing No. 14/44/14, dated Jan 2015, received 24/02/2015

Drawing No. 14/44/15, dated Jan 2015, received 24/02/2015

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

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

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality.

4. No part of the development shall commence until details of the secure cycle store have been agreed in writing by the Local Planning Authority and shall be constructed in accordance with the approved details and maintained thereafter.

REASON To provide sufficient infrastructure to allow convenient and accessible cycle parking to be provided on site to comply with the requirements of the Local Plan.

5. No part of the development shall be occupied until the details of the controlled entry to the residential scheme have been submitted to and approved in writing by the Local Planning Authority. The controlled entry shall be implemented in accordance with the approved details and maintained thereafter.

REASON To ensure the security of the future occupants of the development.

6. No development shall commence until details of the refuse and recycling storage and collection facilities for the development (to include bin sizes and location, and access arrangements including access gates and crossovers) have been submitted to and approved in writing by the Local Planning Authority. The approved details 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.

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

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

8. For the period of demolition and construction, works which are audible at the site boundary shall only be carried out between the hours of 8.00 and 18.00 Monday to Friday, on Saturdays between the hours of 8.00 and 13.00 and at no time on Sundays or Bank Holidays.

REASON To safeguard the amenities of neighbouring occupiers.

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

- (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.

10. 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.

11. During the construction phase of the development hereby permitted, there shall be no deliveries to the site outside the hours 0800 to 1800 hours Mondays - Fridays, 0800 - 1300 hours on Saturdays and at no time on Sundays and Bank/ Public Holidays.

REASON In the interests of the amenities of the area.

12. 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, Submission Document, November 2007.

INFORMATIVE(S):

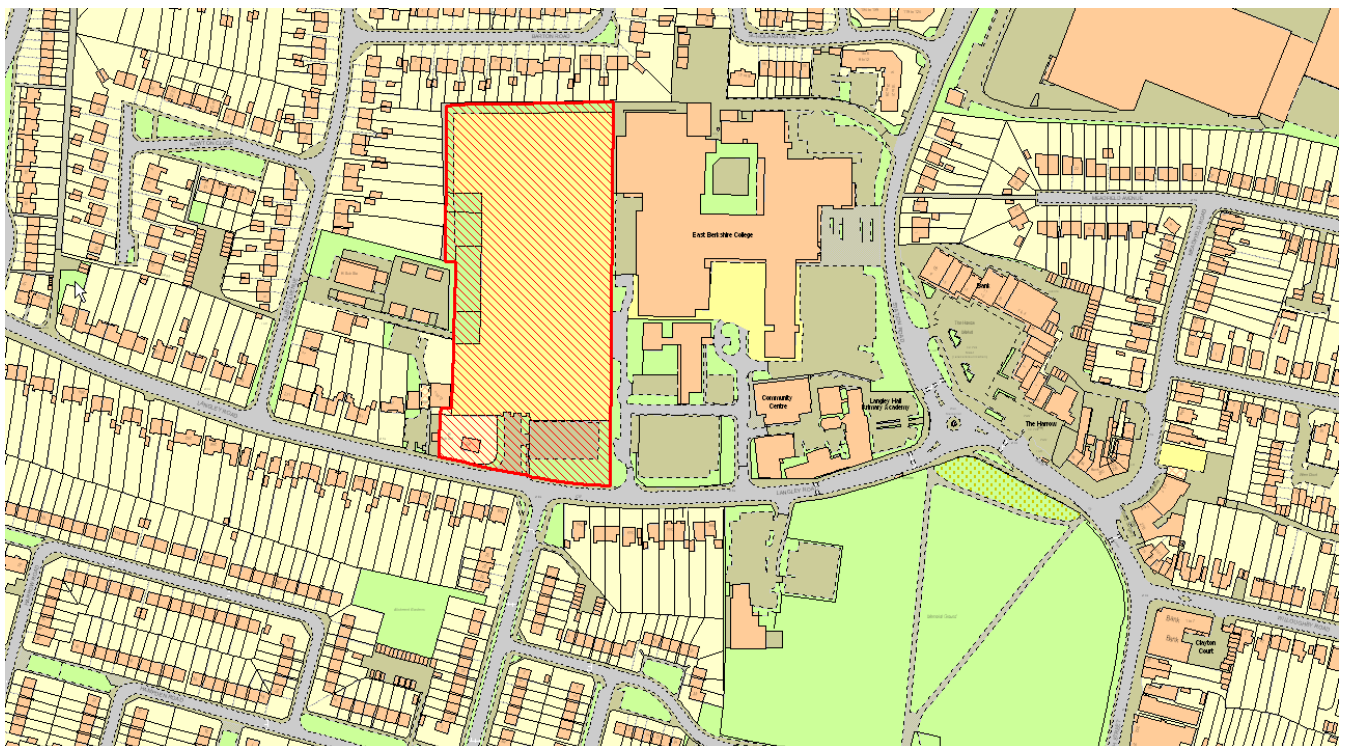
1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

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<b>Registration Date:</b>	15-Nov-2014	<b>Applic. No:</b>	P/02684/010
<b>Officer:</b>	Mr. Albertini	<b>Ward:</b>	Langley St Mary's
		<b>Applic type:</b>	Major
		<b>13 week date:</b>	14 <sup>th</sup> February 2015
<b>Applicant:</b>	Mr. Damian Telereal Trillium & BT plc		
<b>Agent:</b>	Mr. Roger Rippon, Rippon Development Services Jasmine Cottage, Main Street, York, Y023 3PT		
<b>Location:</b>	Former BT Depot & 297 Langley Road, Langley, Berkshire		
<b>Proposal:</b>	RESIDENTIAL DEVELOPMENT COMPRISING 129 DWELLINGS (20NO. 1 BEDROOM FLATS, 34 NO. 2-BEDROOM FLATS, 17NO. 2-BED HOUSES, 47NO. 3-BEDROOM HOUSES & 11NO.4-BEDROOM HOUSES), CONSTRUCTION OF NEW ROUNDABOUT ON LANGLEY ROAD AT THE ENTRANCE TO THE SITE, AND ASSOCIATED OPEN SPACE, ACCESS ROADS, CAR PARKING AND LANDSCAPING WORKS. (OUTLINE APPLICATION).		

**Recommendation:** Delegate to Planning Manager



## 1.0 **SUMMARY OF RECOMMENDATION**

Delegate to Planning Manager for completion of a satisfactory Section 106 planning obligation.

### **PART A: BACKGROUND**

#### 2.0 **Proposal**

- 2.1 This outline planning application includes details of access, layout and scale. Only landscaping and appearance are 'reserved matters' for submission at a later date.
- 2.2 The accommodation proposed comprises :
- 20 one bedroomed flats
  - 34 two bedroomed flats
  - 17 two bedroomed houses
  - 47 three bedroomed houses
  - 11 four bedroomed houses
- 2.3 The form of the proposal comprises a mix of 2, 2 and half and 3 storey terraced or semi detached houses plus two blocks of flats – one 2 and half storey on the frontage and the other 4 storey in the middle of the site next to the sub station on the east boundary. In general the houses are arranged around the outside of the site with gardens backing onto existing gardens.
- 2.4 Access is by way of a new roundabout at the Spencer Road junction; this involves some road widening on the north side. This existing site access will not be reused.
- 2.5 The car parking ratio is 1.9 spaces per home. All houses have 2 spaces per home 20 of which are in garages or integral garages. Most house parking spaces are on the frontage or 2 small courtyards. Flat parking is undercroft or communal parking around the blocks.
- 2.6 All existing trees on the site including those on the frontage will be lost. The applicant classes trees at the rear of the site as of low quality. The rear boundary evergreen hedge will be retained.
- 2.7 Landscaping is indicative but the layout includes provision for a formal amenity space in front of the larger block of flats; amenity space on the Langley Road frontage and limited gaps for small trees between frontage parking spaces. Overall 11 mature poplars and 2 mature limes are to be felled with a query over 2 further frontage oaks.
- 2.8 No affordable housing or section 106 infrastructure contribution is proposed. The

applicant has submitted a viability study to justify the latter. This matter is still under negotiation. The applicant has now just made an offer to include affordable housing – details and officers response will be reported on the meeting amendment sheet.

- 2.9 Supporting information includes the design and access statement; transport assessment, draft travel plan, flood risk assessment and tree report. The transport assessment indicates the site's good location in terms of access to key facilities and public transport. It also states that the additional traffic generated over and above that which could be generated by the former use of the site can be accommodated on the local highway network without a material adverse traffic impact.
- 2.10 The applicant proposes an estate management company to maintain the estate including the roads. Apart from a short length of the access road the applicant does not intend to offer estate roads for adoption as public highway.

### 3.0 **Application Site**

- 3.1 This 2.06 hectare site is on the north side of Langley Road immediately west of East Berkshire College. The site also includes 297 Langley Road a vacant home. Adjacent to the west is a development of 3 storey flats at 295 Langley Road; a large electricity sub station compound and rear gardens of two storey houses of Talbot Ave. To the north are rear gardens of two storey houses in Barton Road. Opposite are semi detached houses and the junction with Spencer Road. There is a pedestrian crossing point west of the site.
- 3.2 Most of the site is hardsurfaced and was formerly used for vehicle parking and storage associated with telecommunications equipment. All commercial buildings have been cleared. A belt of trees exists along the north boundary and part of the east boundary alongside rear garden boundaries. There are several frontage trees also.
- 3.3 The site is within 5 minutes walk of Langley Village shops, bus stops and a primary school. It is within 15 minutes walk of the railway station, secondary schools and employment areas. A frequent bus services run past the site to the town centre and Heathrow and includes an evening and Sunday service. Other services are available nearby.

### 4.0 **Site History**

- 4.1 P/02684/5 Outline application for residential development. Agreed in principle 2001 subject to Sn. 106 agreement. Withdrawn
- 4.2 P/02684/6 Certificate of Lawful Use Motor Transport Depot Refused Jan 2003.
- 4.3 P/02684/007 Outline application for residential development and a surgery. Refused August 2006 primarily because of access issues and lack of full agreement of Sec. 106 package.

- 4.4 P/02684/008 Outline application for residential development and a surgery agreed in principle Jan 2008. Section 106 not completed; application treated as withdrawn.
- 4.5 P/02684/009 Palisade fence approved 2009.
- 5.0 **Neighbour Notification**
- 5.1 Langley Rd 281, 287, 295, (flats 1-12),  
306-326 ev 334-350 ev  
Spencer Road 2a-2d 1-11 odd  
Station Rd E Berks College  
Talbot Ave. 10-32 ev  
Barton Rd 2-34 ev
- 5.2 4 observations received raising issues of :
- 5.3 Concern about big trees affecting property. *Response – the nearest big tree will be felled.*
- 5.4 Additional traffic will add significantly to existing problems. Prefer new access onto Station Road. Object to height of block on frontage – prefer 2 storey only which would be more in-keeping and less intrusive. *Response – see Section 9 and para 10.2;*
- 5.5 Lack of privacy given buildings are 3 storeys and have sky lights. Concern about boundary changes. Concern about school, medical facilities to serve additional families; congestion on Langley Rd. *Response – see para 10.3 re privacy and re infrastructure see para 11.1 and Section 9 transport.*
- 5.6 E. Berkshire College – supportive in principle. Concern about yet another new junction on Langley Rd. and the affect on traffic flow at peak periods. Prefer use of existing College site access junction. *Response – the applicant is aware of the request but does not wish to change the scheme.*
- 5.7 Public notice in local paper
- 6.0 **Consultation Internal**
- 6.1 **Traffic /Highways**
- Request a travel plan, financial contribution for travel plan monitoring and parking controls near the site; limit new residents from obtaining parking permits. Request financial contribution towards mitigation of extra traffic generated by the development.
- Highway design comments addressed in revised layout.
- 6.2 **Environmental Protection**

No comments received.

6.3 Housing

Request normal policy compliant affordable housing package of 30% social rent and 10% other affordable homes. Preferred mix of homes put forward.

6.4 Education – request financial contributions towards new school places.

6.5 Recreation – no comments received

7.0 **Consultation External**

7.1 Environment Agency

No objection; highlight surface water drainage issues to be addressed by Council.

7.2 Berkshire Archaeology – request condition to cover pre construction investigation of site.

7.3 Police Crime Design Advisor – no comments made.

**PART B: PLANNING APPRAISAL**

8.0 **Policy Background**

8.1 The site is identified as a site for housing on the Proposals Map 2010 (site SSA 22). Other policy matters are referred to below.

8.2 Core Strategy policy 4, type of housing, expects predominately family housing outside the town centre. However the inclusion of some flats on the BT site is acceptable because of its location. The site is in a very sustainable location being in easy walking distance of a range of key facilities and services including the railway station and frequent bus services that include services to Heathrow. A suitable range of house sizes is proposed.

8.3 The lack of affordable housing means the proposal does not comply Core policy 4. The applicant's viability statement indicates development is not viable if affordable housing is included. However the applicant also says they are willing to discuss an overall package of planning obligations such that an element of affordable housing might be included. Negotiations on this matter continue.

9 **Transport and Access**

9.1 The existing site access is too close to Spencer Road to be a safe access for a major development. The proposed roundabout is suitable.

9.2 In terms of traffic generated by the development the past use of the site needs to be taken into account. However 129 homes is expected to create a net increase

in traffic on an already congested network at peak times. Consequently a package of measures is requested to mitigate the net increase in traffic including a travel plan and a financial contribution for help encourage non-car modes of travel.

9.3 The car parking ration of an average of 1.9 spaces per home is suitable for the sites proximity to facilities and transport. Confirmation that there is sufficient space for cycle parking is awaited.

9.4 The scheme complies with Core Policy 7 Transport in terms of access, layout and car parking. In terms of wider transport and highway network matters compliance requires measures outlined in 9.2 above to be secured.

#### 10.0 **Design and Layout Matters**

10.1 The layout is quite simple with homes lining the street. The combination of narrow fronted terraced homes and extent of car parking on frontages means the street scene will be dominated by cars there being very limited space for planting.

10.2 The 4 storey block is quite large for a suburban site. It is located away from existing homes to limit its impact. The 3 storey block on the frontage of Langley Road will contrast with the traditional two storey suburban homes opposite. However it is set back from the road sufficiently for it to be a suitable entrance marker for the new development without having an adverse impact on the street. The minimum distance between the flat block and existing homes opposite is 32 metres which is acceptable in terms of overlooking.

10.3 Separation distances between new and existing homes of Barton and Talbot Road are satisfactory with 32 metres being the minimum spacing. Of the big trees on these boundaries proposed for felling some are poor quality but the quality of others is disputed however retention would mean new homes being set back significant distances. There are other trees within some of the adjacent gardens that will still act as a screen. However the evergreen hedge along the rear boundary will be retained. The Council's tree officer

10.4 The east boundary abuts College land which is less sensitive; new College buildings come close to the boundary but there is an evergreen hedge along the edge of College grounds. On the west boundary the flank of a 3 storey block of flats at 295 Langley Road is close to the boundary and contains non habitable room windows. Whilst no new building is directly opposite the flank of a house, 6.6 metres away, is nearby.

10.5 The loss of Langley Road frontage trees is regrettable. Some are good quality trees and the group of trees is a distinctive feature of Langley Road. However to fit in the access roundabout there is only scope to retain two oaks. The applicants recent plans show no trees retained. This has been queried as it is different from earlier versions. Because of the significant tree loss it is appropriate to require replacement trees, some semi mature, on the frontage and other parts of the development.

10.6 Garden sizes are acceptable. The flats have a small amount of amenity space. Balconies can supplement this but because this is an outline scheme there are no details of the buildings.

10.7 The proposal is large enough to require some recreation space in accordance with Core Strategy policy 10 infrastructure and Local Plan policy OSC5. Non is proposed on site but Langley recreation ground lies nearly opposite the site. Normally a contribution to enhance recreation facilities would be expected to comply with Council policy.

10.8 In respect of other design matters and subject to resolution of tree retention (para. 10.5) the scheme complies with Local Plan policy EN 1 design and Core Strategy policy 9

#### 11.0 **Infrastructure and Section 106 matters**

11.1 For this proposal to be acceptable in terms of Core Strategy policy 4 and 10 affordable housing needs to be secured together with financial contributions for education, transport and recreation. However the Council can make an exception if it thinks the viability study justifies a reduced contribution. At present there is insufficient evidence to justify the applicants zero contribution but as negotiations continue the application is not being recommended for refusal. It is likely that the development will not be viable with the full range of contributions normally sought. As negotiated with other schemes where viability is an issue affordable housing is being prioritised above education, recreation and transport contributions as affordable homes are a direct benefit for the town. Some transport money may also be needed to make there scheme acceptable.

11.2 An update on negotiations will be provided on the amendment sheet.

### **PART C: RECOMMENDATION**

#### 12.0 **Recommendation**

12.1 Delegate a decision to the Planning Manager :

- for the signing of a satisfactory Section 106 Planning Obligation
- to agree any minor amendments to the planning application, draft conditions and Section 106 planning obligation matters.
- to refuse the application if a satisfactory Section 106 planning obligation has not been signed.

### **PART D: LIST OF CONDITIONS.**

1. Outline applications - Reserved Matters.

Details of the appearance and landscaping of the development (hereinafter

collectively referred to as 'the reserved matters') shall be approved in writing by the Local Planning Authority prior to the commencement of the development.

REASON To ensure that the proposed development is satisfactory and to comply with the provisions of Article 4 of The Town and Country Planning (Development Management Procedure) (England) Order 2010.

## 2. Outline applications - Time limit

Application for approval of all reserved matters referred to in condition 1 above shall be submitted in writing to the Local Planning Authority no later than the expiration of thirty months from the date of this permission.

The development hereby permitted must be begun not later than whichever is the later of the following dates and must be carried out in accordance with the reserved matters approved:

- i) the expiration of 3 years from the date of this permission: or
- ii) the expiration of two years from the final approval of the reserved matters referred to in condition 1 above, or in the case of approval of different dates, the final approval of the last such matter to be approved.

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 92 (2) of the Town and Country Planning Act 1990.

## 3. Approved plans

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

- (a) Drawing No. 051302-TELE-01 Rev D Proposed Planning Layout received 3rd March 2015
- (b) Drawing No. 051302-TELE-02 Rev XX Proposed Information Layout received 2015
- (c) Drawing No. 051302-TELE-04 Storey Heights received 3rd March 2015
- (d) Drawing No. 051302-TELE-03 Location Plan (site boundary)
- (e) Drawing No. 051302-TELE-SEC01 Cross Section
- (f) Drawing No. 051302-TELE-SEC02 Cross Section

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.

## 4. Lighting Scheme



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

REASON To ensure that a satisfactory lighting scheme is implemented as part of the development in the interests of residential and visual amenity, crime prevention, and to comply with the provisions of Policy EN1 of The Adopted Local Plan for Slough 2004 and policy 12 of the Core Strategy 2006-2026.

#### 5. Bin storage

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.

#### 6. Surface Water Drainage

No construction work shall commence until surface water drainage details have been submitted to and been approved in writing by the local planning authority. No dwelling shall be occupied until its associated drainage (inclusive of drainage of common areas serving dwellings) has been installed in accordance with the approved details.

REASON In the interest of flood prevention.

#### 7. Landscaping Scheme

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

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

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

8. Landscape management plan

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

REASON To ensure the long term retention of landscaping within the development to meet the objectives of Policy EN3 of The Adopted Local Plan for Slough 2004.

9. Public space management

No development shall take place until a public space management plan has been submitted to and approved in writing by the Local Planning Authority. This management plan shall set out the long term objectives, management responsibilities and maintenance schedule for unadopted highway areas and should include the time scale for the implementation and be carried out in accordance with the approved details.

REASON To ensure the long term retention of landscaping within the development to meet the objectives of Policy EN3 of The Adopted Local Plan for Slough 2004.

10. Boundary treatment

No development shall commence on site until details of the proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until its associated boundary treatment has been implemented on site in accordance with the approved details and retained at all time in the future.

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

11. New access

No development shall commence until details of the new means of access are submitted to and approved in writing by the Local Planning Authority and the access shall be formed, laid out and constructed in accordance with the details approved prior to occupation of the development.

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

#### 12. Internal access roads

Prior to first occupation of the development, the internal access roads footpath and vehicular parking and turning provision shall be provided in accordance with approved plans.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety on the local highway network in accordance with Policy T3 of The Adopted Local Plan for Slough 2004.

#### 13. Cycle storage

No construction work shall commence until details of cycle storage for the flats have been submitted to and been approved in writing by the local planning authority (details to include location and stand type). No flat shall be occupied until its associated cycle store has been constructed.

REASON In the interest of encouraging non car modes of travel.

#### 14. Off site highway works

No dwelling shall be occupied until off site highway works comprising a new roundabout at the junction with Spencer Road has been completed.

REASON In the interest of the free flow of traffic and conditions of general safety on the adjacent highway network.

#### 15. Sustainable development

Construction of the development shall not commence until details of low or zero carbon energy generating equipment have been submitted to and been approved in writing by the local planning authority. No building shall be occupied until its associated energy generating equipment has been installed and made operational in accordance with the approved details. The details shall show how the energy generated on the site from low or zero carbon sources will be equivalent to 10% of the developments estimated carbon emissions [ and it shall also state which buildings will incorporate the equipment]. The calculation of the 10% shall be based upon carbon emissions as measured by Building Regulations (Target Emission Rate) applicable to the relevant building but assuming no energy generating equipment is installed.

REASON In the interest of sustainable development in particular reducing carbon emissions and in accordance with policy 8 of the Slough Core

#### 16. Electric Vehicle Charging Points

No dwelling with a garage shall be occupied until it has been installed with a fast charging electric vehicle charging point in accordance with details that shall have first been submitted to and approved in writing by the local planning authority.

REASON In the interest of encouraging use of low emission modes of travel.

#### 17. Rain Water Storage

Prior to the occupation of each house that has a down pipe on its rear or side elevation a rain water storage container shall be installed in accordance with the following (unless otherwise agreed by the local planning authority) : The butt or tank capacity shall be at least 150 litres for two bedroom houses and be at least 200 litres for houses with three or more bedrooms.

REASON In the interest of sustainable development in particular reduction of fresh water consumption in accordance with Policy 8 of the Core Strategy 2008.

#### 18. Hours of construction

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

REASON To protect the amenity of residents within the vicinity of the site in accordance with the objectives of Policy 8 of the Core Strategy 2006 - 2026.

#### 19. Construction Management Scheme

No development shall take place until a Construction Management Plan has been submitted and approved in writing by the local planning authority, which shall include details of the provision to be made to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning within the site, wheel cleaning facilities during the construction period, hours of operation of construction works. The Plan shall thereafter be implemented as approved before development begins and be maintained throughout the duration of the construction works period.

REASON In the interest of minimising danger and inconvenience to highway users in accordance with policy 7 of the Core Strategy 2008 and in the interest of residential amenity re noise and dust.

## 20. Soil Contamination Phase 1 Desk Study

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

REASON: To ensure that the site is adequately risk assessed for the proposed development and in accordance with Policy 8 of the Core Strategy 2008.

## 21. Soil Contamination Phase 2 Intrusive Investigation Method Statement

Should the findings of the Phase 1 Desk Study approved pursuant to the Phase 1 Desk Study condition identify the potential for contamination, 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.

## 22. Soil Contamination 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.

### 23. Soil contamination 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.

### 24. Removal of Permitted Development rights - outbuildings

Notwithstanding the terms and provisions of the Town and Country Planning General Permitted Development England Order 2015 (or any order amending or revoking and re-enacting that Order), Schedule 2, Part 1, Class E no buildings greater than 25 cubic metres shall be erected, constructed or placed on the site without the express permission of the Local Planning Authority.

REASON In the interest of residential amenity in particular retaining gardens that are small for the size property and location of the development.

### INFORMATIVE(S):

#### 1. Section 106 Legal Agreement

The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.

#### 2. Highways

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 postal numbering of the homes.

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

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

The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.

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

The applicant 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.

Prior to commencing works the applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 / Minor Highway Works Agreement with Slough Borough Council for the implementation of the works in the highway works schedule. The applicant should be made aware that commuted sums will be payable under this agreement for any requirements that burden the highway authority with additional future maintenance costs.

The applicant has stated the highways, excepting a short stretch of the access road, will not be offered for adoption. If the highways are offered for adoption the layout will need to change and this may require a reduced number of dwellings on the site to accommodate design changes needed to make the highways suitable for adoption and ensure a suitable design of housing development.

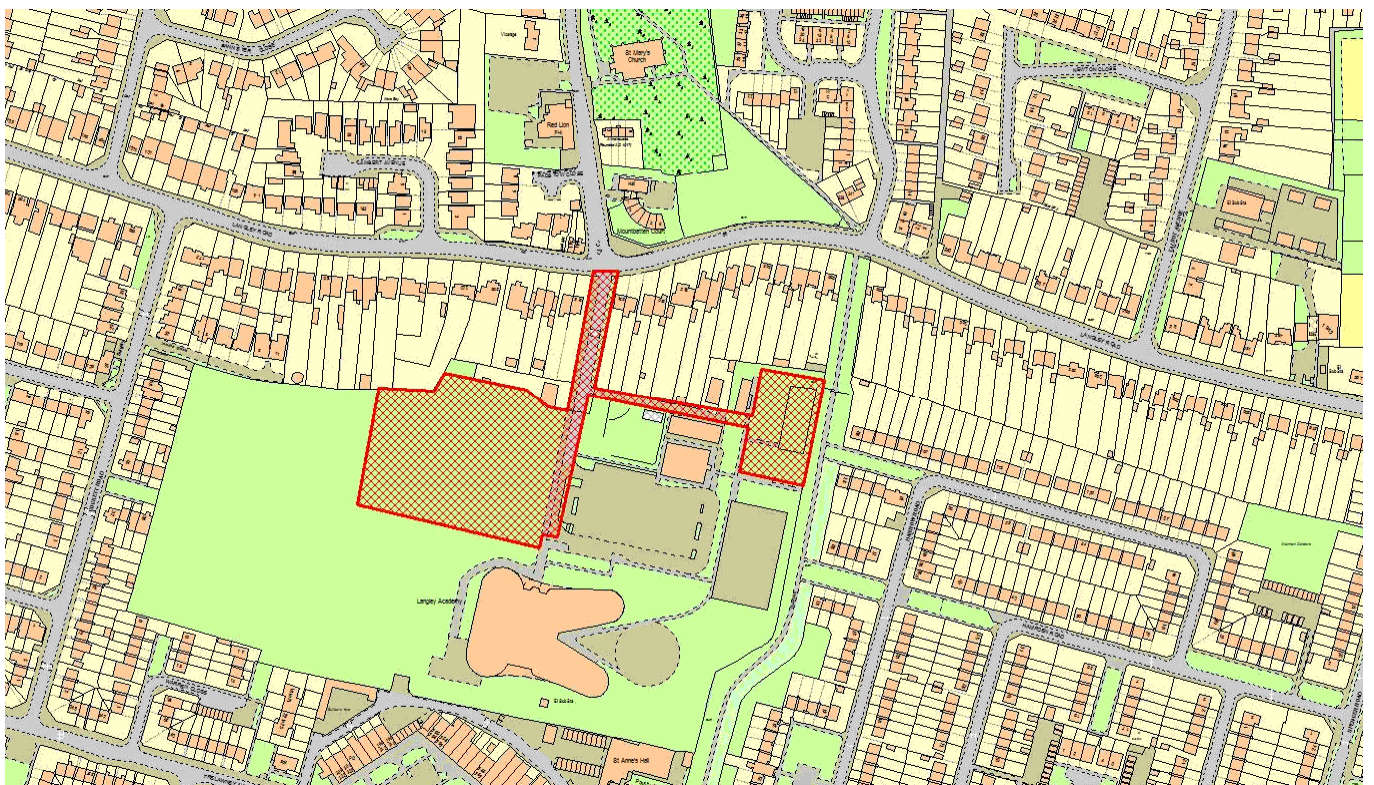
3. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

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<b>Registration Date:</b>	10-Feb-2015	<b>Applic. No:</b>	P/02631/018
<b>Officer:</b>	Mr. Albertini	<b>Ward:</b>	Langley Kedermister
<b>Applicant:</b>	The Langley Academy Trust		
<b>Agent:</b>	Mr. Chris Maltby, Edgeplan Barnett House, 53, Fountain Street, Manchester, M2 2AN		
<b>Location:</b>	The Langley Academy, Langley Road, Slough, SL3 7EF		
<b>Proposal:</b>	ERECTION OF TWO STOREY PRIMARY SCHOOL WITH NURSERY AND ASSOCIATED ACCESS, CAR AND CYCLE PARKING, PLAY AND AMENITY SPACE.		

**Recommendation:** Delegated to Planning Manager



## 1.0 **SUMMARY OF RECOMMENDATION**

Delegate to the Planning Manager subject to completion of a satisfactory Section 106 planning obligation, variation and addition of planning conditions and subject to the planning application not being called in by the Secretary of State for Communities and Local Government.

### **PART A: BACKGROUND**

#### 2.0 **Proposal**

2.1 The proposal comprises a two storey building for 630 pupils incorporating a 40 pupil nursery. The primary school will be run as a Free School. To the south a 40 space car park is proposed with outdoor recreation areas to the west and alongside the north elevation. The total floorspace will be 3425 sqm (gross internal area).

2.2 The building is orientated west – east with entrance at the north east corner next to the existing Langley Academy access road.

2.3 Vehicular access will be from the existing site access road off Langley Road. However pupil access will be split between two pedestrian access points – one will be the existing Langley Academy gate on Green Drive, to the east. The other will be a new pedestrian gate on the west boundary on to Cockett Road – the latter is a revision of the original scheme. This will disperse the inevitable concentration of pupils and in particular disperse parent drop off/pick up car traffic. Langley Academy pupils, who currently use Green Drive, will be directed to another side gate on Green Drive but nearer to the Academy building.

2.4 A travel plan is also proposed to encourage use of non car modes of travel.

2.5 In terms of sustainability at least 10% of the projected energy demand will be from renewable technologies – probably photovoltaic panels and a small combined heat and power plant. The school will also be built to BREEAM very good standard.

2.6 The main building will 8 metres high rising to 10 metres for the central portion of the building to accommodate a plant area set back from the edge of the building.

2.7 The materials for the elevations will be timber and render. Some windows will feature coloured glazing.

#### 3.0 **Application Site**

3.1 The 1.047 hectare site is on the north side of the Langley Academy site. It is near but does not abut, apart from one, the large gardens of homes in Langley Road. Between the 2 is the site controllers house and garden. The site contains a grass sports pitch at present. To the east is the existing car park and the main Academy building is to the south/south east about 45 metres away.

3.2 The site is located 1.4km from Langley station. Trelawney Ave shops etc. lie

immediately south of the Academy secondary school building.

- 3.3 To the west are sports pitches and to the south/south west a grass pitch that has planning permission for an all weather floodlit pitch. That new pitch is intended to provide a replacement for the grass pitch lost.

#### 4.0 **Site History**

- 4.1 P/02631/019 Application for temporary classrooms in north east corner of the Langley Academy site.

P/02631/017 Artificial pitch and flood lights and changing rooms. Approved Jan 2015 (on site to south of proposed primary school)

P/02631/015 single storey building. Approved Oct 2011.

P/2631/011 Langley Academy new secondary School building . Approved 2005

#### 5.0 **Neighbour Notification**

- 5.1 Langley Rd 166 – 250 even  
Harrow Rd 87 and 89  
Cockett Road 40, 48 – 62 even  
Forsythia Gardens 1-11 odd.

- 5.2 1 letter received from a resident of Langley Road. Concerned about traffic, poor appearance of building compared to the main academy building, concerned about size of building; loss of sports facilities. *Response – traffic matters are discussed in Section 8; the size of the building is appropriate for the extent of the site and surroundings; the design of the building is reasonable but it is unlikely to be of the same quality of the main Academy building. Loss of pitch is referred to in Section 7 below.*

#### 6.0 **Consultation**

##### 6.1 **Traffic /Highways**

Full comments to be on amendment sheet. Key issue is limiting use of cars and dispersing pupil traffic. No highway comments as no new access proposed.

##### 6.2 **Berkshire Archaeology**

No objection.

##### 6.3 **Sport England**

Object to loss of grass sports pitch. See Section 7 below.

##### 6.4 **Environment Agency**

No response. No flood issues known of.

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

- 7.1 Local Plan policy OSC2 (protection of School, Playing Field) restricts development of playing fields unless a specified exception applies. In this case one of the stated exceptions is applicable by way of new sports provision that will be comparable in terms of size, facilities and amenity and is located adjacent. Planning permission has already been granted for an artificial flood lit pitch on an adjacent site. Construction work is due to start soon.
- 7.2 National Planning Policy Framework para 74 also seeks protection of playing fields unless replacement provision is equivalent or better in terms of quality and quantity.
- 7.3 Both the Framework and Local Plan policy OSC2 can be considered as complied with by way of the proposed artificial pitch etc. In addition Langley Academy will allow community use of the new pitch which will further enhance the replacement provision by allowing wider use of the pitch than just schools.
- 7.4 Sport England are a statutory consultee under the Town and Country Planning Development Management Procedure Order 2010 in particular the primary school proposal will involve the loss of a sports pitch.
- 7.5 Sports England have considered the application in the light of National Planning Policy Framework and its own policy to protect playing fields 'A sporting Future for Playing Fields of England'. Sport England identify various exceptions where by sports fields can be lost. The two relevant to this case are :
- E4 Playing field lost would be replaced with equivalent or better playing field in terms of quality, quantity and accessibility.
- Or
- E5 The proposed development is for an indoor/outdoor sports facility of sufficient benefit to sport to outweigh the detriment caused by the loss of playing field.
- 7.6 Although the applicant has made a case for one of the exceptions to apply Sport England have raised an objection. Discussions continue with Sport England but if the objection is not withdrawn the Council, under the 2010 Order, cannot approve the application unless it has first notified the planning application to the Secretary of State and he has subsequently confirmed that the application will not be called in for him to determine.
- 7.7 The provision of the artificial pitch, with flood lights and changing rooms is considered a reasonable replacement for the loss of 2 grass pitches. The 3G pitch and lighting will allow more intensive use than a grass pitch. The changing rooms will allow community use of the pitch. Furthermore, the loss of the second grass pitch, is for a much needed school which has a local benefit that can be considered to outweigh the loss of a grass pitch. The remainder of the Langley Academy playing field contains one full size and one small grass pitch.

- 7.8 By planning condition provision of the replacement pitch and a community use agreement can be secured.
- 8.0 **Transport, Access and Parking**
- 8.1 The 40 car parking spaces proposed are sufficient for the school and there is space for adequate cycle parking.
- 8.2 The existing access is sufficient for staff access
- 8.3 In line with arrangements at other new schools drop off/pick up space is not encouraged within the school site. Drop off will take place in surrounding streets near to pedestrian access points. To limit congestion at the Langley Road entrance pupils will not be allowed through that access. They will be directed to Green Drive and Cockett Road. Roads connected with Green Drive do already get well used by secondary school drop off/pick up car traffic. However, there are no other opportunities to further spread the load of pupils arriving etc. other than Cockett Rd.
- 8.4 As the Cockett Road entrance was not part of the planning application when first submitted adjacent residents have been re-notified of the application so that they have the chance to comment on the addition pedestrian access. However the flow of pupils is not expected to be so great that it will adversely affect the amenity of the area. Any comments received will be reported on the meeting amendment sheet.
- 8.5 Implementation of the Travel Plan will encourage non-car modes of travel.
- 8.6 Overall subject to the completion of a Section 106 planning obligation the proposal is considered to comply with Core Strategy policy 7 Transport. Any further transport related considerations will be reported on the meeting amendment sheet.
- 9.0 **Design, Layout and Environment Matters**
- 9.1 The size of the building is appropriate for the surroundings. It is not close to existing homes other than the site controllers house.
- 9.2 In terms of quality of the design and materials the proposal is adequate. It may not be to the same standard as the Langley Academy secondary school but the timber and render finish will tie in with existing buildings. The primary school will be funded by the Governments Education Funding Agency; they have a modular design used across the Country for the current wave of new schools.
- 9.3 The applicants proposal to achieve a standard of BREEAM very good is supported.
- 10.0 **Planning Obligations**
- 10.1 The following need to be secured to make the proposal acceptable :  
A Travel Plan  
Travel plan monitoring costs  
Cost of implementing parking restrictions and school markings in Langley Rd and Cockett Rd.

## **PART C: RECOMMENDATION**

### 11.0 **Recommendation**

- 11.1 Delegate to the Planning Manager subject to completion of a satisfactory Section 106 planning obligation, variation and addition of planning conditions and subject to the planning application not being called in by the Secretary of State for Communities and Local Government.

## **PART D: LIST OF 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. Approved plans

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

- (a) Drawing No. LRF2 ADP XX ZZ DR A 906 Site Plan
- (b) Drawing No. LRF2 ADP XX ZZ DR L 1900 Hard Landscape Plan
- (c) Drawing No. LRF2 ADP 00 GF DR A 1025 Rev 1 ground floor
- (d) Drawing No. LRF2 ADP 01 FF DR A 1026 Rev 1 first floor
- (e) Drawing No. LRF2 ADP 03 RF DR A 1028 Rev 1 overall roof plan
- (f) Drawing No. LRF2 ADP 02 SF DR A 1027 Rev 1 roof level
- (g) Drawing No. LRF2 ADP XX ZZ DR A 1200 Rev 1 elevations
- (h) Drawing No. LRF2 ADP XX ZZ DR A 1201 Rev 1 elevations in context
- (j) Drawing No. LRF2 ADP XX ZZ DR A 1300 Rev 1 Sections

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. Details of materials

Details of external materials and samples of cladding to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before development commences on site and the development shall be carried out in accordance with the details approved.

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

#### 4. Landscaping Scheme

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

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

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

#### 5. Cycle parking

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.

#### 6. Internal access roads

Prior to first occupation of the development, the internal access roads footpath and vehicular parking and turning provision shall be provided in accordance with approved plans.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety on the local highway network in accordance with Policy T3 of The Adopted Local Plan for Slough 2004.

#### 7. Surface Water drainage

No construction work shall commence until details of surface water drainage have been submitted to and approved in writing by the local planning authority. The building shall not be occupied until the approved drainage scheme has been implemented.

REASON In the interests of flood prevention.

8. Access to Cockett Road

The building shall not be occupied until a pedestrian access route has been constructed from Cockett Road across the western site boundary to the new building in accordance with gate and path details that shall have first been submitted to and been approved in writing by the local planning authority.

REASON In the interest of encouraging non car modes of travel and in the interest of dispersing school traffic around the local highway network to reduce congestion.

9. Green Drive

The building shall not be occupied until a second pedestrian access gate on Green Drive has been opened up for Langley Academy secondary school pupils.

REASON In the interest of encouraging non car modes of travel and in the interest of dispersing school traffic around the local highway network to reduce congestion.

10. Pitch reprovision

The primary school building shall not be occupied until a artificial surface sports pitch has been laid out, provided with flood lighting and changing rooms on a site south of the application site in accordance with planning permission reference P/02631/017.

REASON In the interest of retaining and enhancing outdoor sports provision in the Borough and in particular to ensure that the grass pitch lost is replaced with equivalent facilities.

11. Community Use Agreement - to be completed

INFORMATIVE(S):

1. The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
2. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.



**SLOUGH BOROUGH COUNCIL****REPORT TO: PLANNING COMMITTEE****DATE: 29<sup>th</sup> April 2015****PART 1****FOR INFORMATION****Planning Appeal Decisions**

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

**WARD(S)****ALL**

<b>Ref</b>	<b>Appeal</b>	<b><u>Decision</u></b>
<b>P/03173/004</b>	<p>22, Barton Road, Slough, SL3 8DF</p> <p>ERECTION OF GROUND FLOOR REAR EXTENSION, GARAGE EXTENSION AT THE FRONT AND A FIRST FLOOR EXTENSION AT THE REAR AND SIDE</p> <p>THE CONDITION IN DISPUTE IS CONDITION NO 7 WHICH STATES THAT: NOTWITHSTANDING THE TERMS AND PROVISIONS OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDED) (NO2) ENGLAND) ORDER 2008 (OR ANY ORDER REVOKING AND RE-ENACTING THAT ORDER) (OR ANY ORDER REVOKING AND RE – ENACTING THAT ORDER), SCHEDULE 2, PART 1, CLASSES A, B, C, D, E AND F, NO EXTENSION TO THE HOUSE HEREBY PERMITTED OR BUILDINGS OR ENCLOSURES SHALL BE ERECTED, CONSTRUCTED OR PLACED ON THE SITE WITHOUT THE EXPRESS PERMISSION OF THE LOCAL AUTHORITY OF P/03173/004)</p> <p>Reason Given for the Condition is: The rear garden is considered to be only just adequate for the amenity area appropriate for houses of the size proposed. It would be too small to accommodate future developments which would otherwise be deemed to be permitted by the provision of the above order in accordance with Policy H14 of the Adopted Local Plan for Slough 2004, which seeks to ensure that an appropriate level of amenity space is provided having regard to the type and size of household likely to occupy the dwelling and EX48 of the Residential Extensions Guidelines Supplementary Planning Document Adopted Jan. 2010.</p>	<p><b>Appeal Granted</b></p> <p><b>30<sup>th</sup> January 2015</b></p>

	<p>2. The Inspector considered whether the disputed planning condition meets the guidance of planning conditions set out in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). The stated reason for the Planning Condition relates to the size of the rear garden however subsequent representations from the Council and local residents make it clear that there are other concerns.</p> <p>The inspector also considered the adjoining neighbour's concerns about damaging to their property during construction.</p> <p>The Inspector finally considered that The Council has not demonstrated and In do not consider that there are any exceptional circumstances that warrant the removal of the relevant permitted development rights at this dwelling. The Inspector considered that the recent extensions have made very little difference to this and the disputed planning condition is unnecessary, not directly related to the development being permitted and also unreasonable. The test for conditions are not met.</p> <p>Having regard to these considerations, for the reasons given above and having regards to all other matters raised, the Inspector concluded that the appeal should be allowed and the condition deleted.</p>	
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**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	P	P	P	P	
Bains	P	P	P	P	Ap	P	P	P	
Dar	P	P	P	P	P	P	P	P	
M. Holledge	P	P	P	P	P	P	P	P	
Plenty	P	P	P	P	P	P	P	P	
Rasib	P	P	P	P	Ap	P	Ap	P	
Sidhu	P	P*	P	P	Ap	P	P*	Ab	
Smith	P	P	P	P	P	P*	Ap	Ab	
Swindlehurst	P	P*	Ap	P*	P	P	P	Ap	

P = Present for whole meeting  
 Ap = Apologies given

P\* = Present for part of meeting  
 Ab = Absent, no apologies given

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