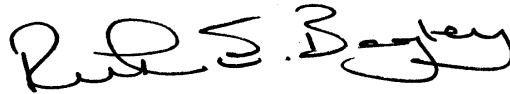


Date of issue: 10th February, 2016

MEETING	PLANNING COMMITTEE (Councillors Dar (Chair), M Holledge, Ajaib, Bains, Chaudhry, Davis, Plenty, Smith and Swindlehurst)
DATE AND TIME:	THURSDAY 18 TH FEBRUARY, 2016 AT 6.30PM
VENUE:	VENUS SUITE 2, ST MARTINS PLACE, 51 BATH ROAD, SLOUGH, BERKSHIRE, SL1 3UF
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	TERESA CLARK 01753 875018

NOTICE OF MEETING

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



RUTH BAGLEY
Chief Executive

AGENDA

PART 1

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

APOLOGIES FOR ABSENCE

CONSTITUTIONAL MATTERS

1. Declarations of Interest

All Members who believe they have a Disclosable Pecuniary or other Pecuniary or non pecuniary Interest in any matter to



AGENDA
ITEM

REPORT TITLE

PAGE

WARD

be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 3 paragraphs 3.25 – 3.27 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 3.28 of the Code.

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

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

2. Guidance on Predetermination/Predisposition - To Note 1 - 2

3. Minutes of the Last Meeting held on 13th January, 2016 3 - 6

4. Human Rights Act Statement - To Note 7 - 8

PLANNING APPLICATIONS

5. P/01077/022 - Montrose House, 155-161, Farnham Road, Slough, SL1 4XP 9 - 44 Farnham

Officer Recommendation: Delegate to the Planning Manager for Approval

6. P/04622/014 - 354 Buckingham Avenue, Slough, SL1 4PF 45 - 54 Farnham

Officer Recommendation: Approval

7. P/02278/018 - Westminster House, 31-37 Windsor Road, Slough, SL1 2EL 55 - 76 Central

Officer Recommendation: Delegate to the Planning Manager for Approval

8. P/06350/001 - Gurney House, Upton Road, Slough, SL1 2AE 77 - 88 Upton

Officer Recommendation: Delegate to the Planning Manager for Approval

9. P/10734/004 - Freestone Yard, Park Street, Colnbrook, SL3 0HT 89 - 124 Colnbrook with Poyle

Officer Recommendation: Delegate to the Planning Manager for Approval



<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
10.	P/01573/010- 230 Bath Road, Slough, SL1 4DX	125 - 126	Farnham
<i>For Comment and Consideration</i>			
MISCELLANEOUS REPORTS			
11.	Tree Preservation Order No. 4 of 2015 in Respect of Land Adjacent to 10 Layburn Crescent, Slough, SL3 8QN	127 - 130	Colnbrook with Poyle
12.	Consultation on South Bucks and Chiltern Local Plan (Reg 18)	131 - 140	All
MATTERS FOR INFORMATION			
13.	Planning Appeal Decisions	141 - 144	All
14.	Members Attendance Record	145 - 146	
15.	Date of Next Meeting		
	31 st March, 2016		

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, 13th January, 2016.

Present:- Councillors Dar (Chair), M Holledge (Vice-Chair), Ajaib, Bains, Chaudhry, Davis, Plenty, Smith and Swindlehurst

Apologies for Absence:- None.

PART I

83. Declarations of Interest

Councillor Bains declared an interest in respect of planning application: P/11425/022 - Land South of Kings Reach and adjacent to Upton Court Park in that the application site was situated in his Ward (Upton). He advised that he would approach the application with an open mind.

Councillors Ajaib and Plenty advised in respect of planning application: P/11425/022 - Land South of Kings Reach and adjacent to Upton Court Park, that they lived within Upton Ward but not in close proximity to the application site. They advised that they would approach the application with an open mind.

84. Guidance on Predetermination/Predisposition - To Note

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

85. Minutes of the Last Meeting held on 26th November, 2015

Resolved - That the minutes of the meeting held on 26th November, 2015 be approved as a correct record.

86. Human Rights Act Statement - To Note

The Human Rights Act Statement was noted.

87. Planning Applications

Details were tabled in the amendment sheet of alterations and amendments received since the agenda was circulated. The Committee adjourned at the commencement of the meeting to read the amendment sheet.

Oral representations were made to the Committee by Objectors and Agents under the Public Participation Scheme prior to the planning applications being considered by the Committee as follows:-

Application: P/11425/022-Land South of Kings Reach and adjacent to Upton Court Park; an Objector and the Applicant's Agent addressed the Committee:-

Planning Committee - 13.01.16

The Chair varied the order of agenda so that the item where Objectors were 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.

88. P/11425/022 - Land South of Kings Reach and adjacent to Upton Court Park

Application	Decision
Construction of a secondary school (Use Class D1) comprising two and three storey teaching buildings, ancilliary sports hall and facilities, playing fields, car parking and landscaping.	Delegated to the Planning Manager for approval subject to review of parking restrictions on roads adjacent to the site, completion of a satisfactory Section 106 planning obligation; receipt of further information requested; consideration of Environment Agency comments; alteration and addition of conditions.

89. P/00215/005 - 4 Buckingham Avenue, Slough, SL1 4SF

Application	Decision
Redevelopment of 4 Buckingham Avenue comprising of the construction of a semi detached unit for the storage, display, distribution and sale of building materials, timber, plumbing and heating supplies and hard and soft wall and floor coverings with associated products together with ancillary trade counter / showroom and for any use within class B1(c), B2 or B8.	Delegated to the Planning Manager for approval following consideration of any outstanding consultation responses, review of location of staff parking spaces, minor design changes, completion of Section 106 Agreement (if necessary), and finalising conditions.

90. P/01077/022 - Montrose House, 155-161 Farnham Road, Slough, SL1 4XP

Application	Decision
Change of use at ground floor from A2 use (Betting Shop) to A3 use (Cafe/Restaurant) and first floor from B1(A) use (Offices) to A3 use (Cafe/Restaurant), retain B1(A) use (Offices) at second floor, three storey rear extension (with provision of a rear car port area at ground floor) and	Deferred to future Planning Committee meeting for clarification on future use of premises and proposed conditions.

Planning Committee - 13.01.16

four storey side extension (fronting Montrose Avenue), conversion of roof top to A3 use (Cafe) with roof extensions, external front canopies, retractable awnings, outside seating and associated works.	
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91. Review of The Local Plan for Slough - Housing Trajectory

The Planning Policy Lead Officer outlined a report, to update the Committee on the latest position with regards to Slough's projected housing supply and provide an update on the review of the Local Plan.

The Officer reminded the Committee that the results of the Strategic Housing Market Assessment (SHMA) for Berkshire and South Bucks, reported to the previous Committee meeting on 26th November, 2015, had indicated that Slough had an "objectively assessed" housing need of 927 a year. This figure did not automatically become the new housing target for Slough and this would be decided through the review of the Local Plan which could take account of all relevant factors.

The National Planning Policy Framework (NPPF) required that Councils had sufficient housing commitments to deliver five years of housing supply and in the short term it was agreed that Slough BC should respond to the need for more houses by formally adopting the target of 550 new dwellings per annum in the Council's Five Year Plan. The calculation for the 5 Year Land Supply position would now use this figure instead of the 315 stated in the Core Strategy.

The Committee noted that in the past nine years there had been an average of 412 completions a year with 507 net dwellings being built in 2014/15. There had been a large fluctuation in building rates depending upon the buoyancy of the housing market with 849 being built at the height of the peak in 2007/08 and only 182 at the bottom of the slump in 2012/13. It was predicted that around 1,000 houses a year could be built over the next three years before completions reduced again.

The Officer discussed the objectively assessed housing need figure of 927 a year and the need to determine future targets through the Review of the Local Plan for Slough. Members noted the detail of the timetable for the Plan and the impact on its timing due to the review of the South Bucks Local Plan, and the delay in the decision around a third runway at Heathrow. It was assumed that should the Government give the go ahead for a third runway in the summer of 2016, planning permission would not be granted until 2019. This would mean that Slough would not be able to hold the Local Plan Inquiry until 2020.

Work would continue to enable the production of "issues and options", and "preferred option" versions of the plan. This was important to show that Slough was addressing its housing needs and to provide the necessary

Planning Committee - 13.01.16

evidence to feed into the Windsor & Maidenhead and South Bucks/Chiltern Local Plans, and that Slough would not be penalised for delays to the process beyond its control.

Resolved-

- a) That the Housing Trajectory for Slough which will be used to determine the five year land supply be noted.
- b) That the possible delay in the time table for the review of the Local Plan as a result of the Government not making a decision about the proposal for a third runway at Heathrow be noted.

92. Members Attendance Record

Resolved - That the Members Attendance Record be noted.

93. Date of Next Meeting

The date of the next meeting was confirmed as 18th February, 2016.

Chair

(Note: The Meeting opened at 6.30pm and closed at 9.20pm)

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

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

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

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

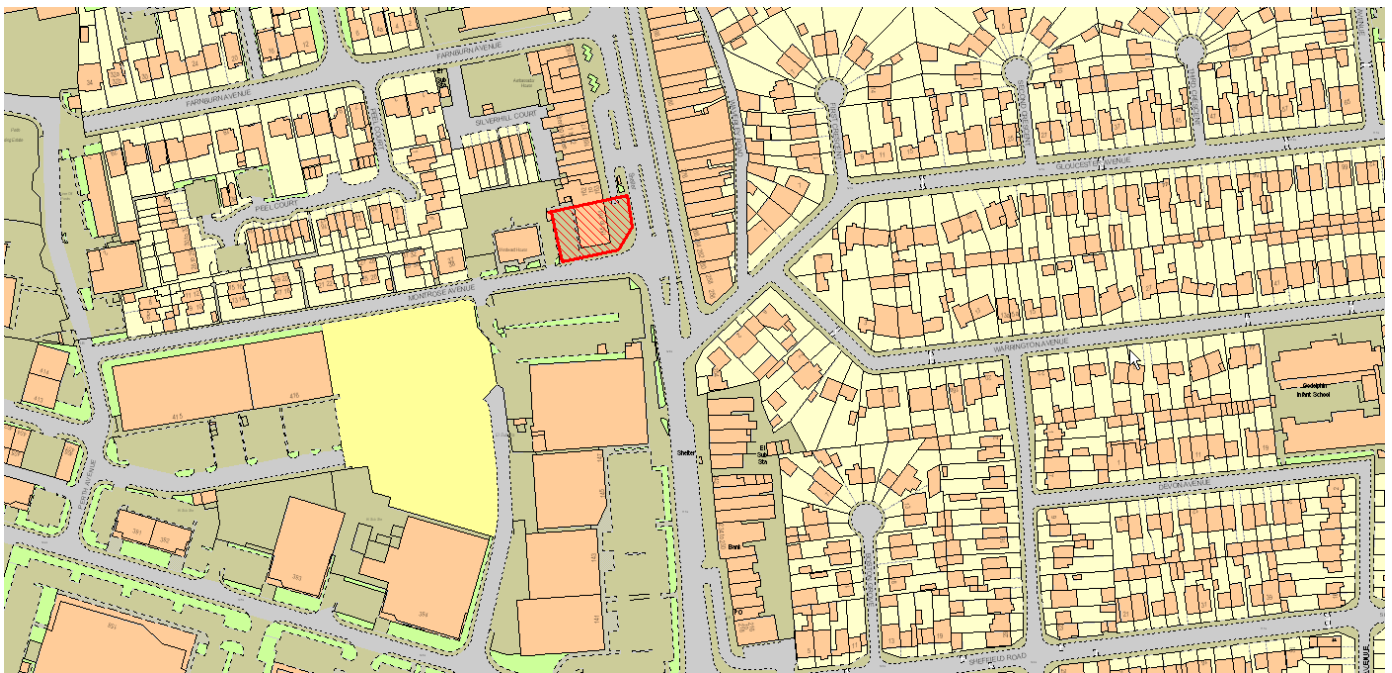
	USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House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

	OFFICER ABBREVIATIONS
WM	Wesley McCarthy
PS	Paul Stimpson
CS	Chris Smyth
JD	Jonathan Dymond
HA	Howard Albertini
IH	Ian Hann
NR	Neetal Rajput
SB	Sharon Belcher
AM	Ann Mead
FI	Fariba Ismat
FS	Francis Saayeng

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Registration Date:	02-Nov-2015	Applic. No:	P/01077/022
Officer:	Neetal Rajput	Ward:	Farnham
		Applic type:	Major
		13 week date:	1st February 2016
Applicant:	Naveed Ahmed, Goldteam		
Agent:	Stefan Zachary, Zachary Design Little Moseley House, Stocking Lane N, High Wycombe, Bucks, HP144RE		
Location:	Montrose House, 155-161, Farnham Road, Slough, SL1 4XP		
Proposal:	Change of use at ground floor from A2 use (Betting Shop) to A3 use (Cafe/Restaurant) and first floor from B1(A) use (Offices) to A3 use (Cafe/Restaurant), retain B1(A) use (Offices) at second floor, three storey rear extension (with provision of a rear car port area at ground floor) and four storey side extension (fronting Montrose Avenue), conversion of roof top to A3 use (Cafe) with roof extensions, external front canopies, retractable awnings, outside seating and associated works.		

Recommendation: Delegate to Planning Manager for Approval



SUPPLEMENTARY REPORT TO PLANNING COMMITTEE

Background

1. At the Meeting of Planning Committee on 13th January 2016, Members deferred the application to a future Committee meeting to allow further discussions with the Agent to obtain further information regarding the nature and type of A3 uses (Café/restaurant) that would occupy the proposed building. A copy of the Officer's Report to Planning Committee on the 13th January 2016 (Appendix A) is attached for information purposes.
2. Following this meeting, the Agent has responded below in italics to the discussions that took place at Planning Committee and draft conditions are also set out below.
3. With regard to the intensification and configuration of the A3 uses; how the three A3 units are to be operated and potential operators, the following response was provided:

"We have not been out to market at present and the operators are also unknown, however the intentions are to let the A3 units to businesses that would compliment each-other rather than compete for business. During the debate references were also made by Members as to whether these units were intended to become a night club, strip club etc and we can clarify, while such uses would be subject to licence conditions and as such can be dealt with appropriately in case of such applications, there are no intentions at present for such uses within these premises."

4. A restriction of the use has been conditioned for the building to only be used for A3 (Café/Restaurant) and B1A (Offices), as such any other uses such as a night club for example would require separate planning permission.
5. Capacity was also raised in terms of number of customers and how this will be managed, the Agent responded with the following:

"Estimated numbers for each operation have been provided already to the best of our ability, but it is highly unlikely that all units will be running at full capacity at the same time. Each individual operator is likely to have their own peaks and troughs in the business as well as individual operating times, all of which is unknown at present as the operators have not been identified. For example, the ground floor the café may operate only between early morning (breakfast and early coffees) with sandwich type lunches until late afternoon,while the restaurant may chiefly operate from lunchtime until late at night, with its peak in the evening, thus meeting a different market demand."

6. Confirmation was also require that that the A3 use will not be used to cater for functions such as weddings / large events etc.

"Considering these are all individual units (not run by one large operator) there is not sufficient room to accommodate very large events. However, a wedding reception can be as small as 30-40 people or as large as several hundred and, while the larger events may not fit, smaller ones possibly may do so and we should not be prevented from accommodating them. We would therefore object to conditions being imposed that are not imposed upon other A3 businesses within the vicinity."

7. The viability of the A3 Roof Top Café was always questioned, especially in winter months there would be a lack of usage and there was a concern regarding noise and disturbance. Is

the intention to use the roof top as a Shisha Smoking Café (Sui Generis Use Class), if so please advise, subject to further details and demonstrating need and demand for this use within Slough, we would consider this use.

“The use of the Roof Top Cafe is intended throughout the year and modern means of protection from the elements will ensure this can take place. The inclusion in the roof top café of Shisha Smoking could also be considered subject to the operator's marketing strategy and assessment of demand within the locale.”

8. It should be noted that consent is sought for an A3 roof top Café, for any other use, such as Shisha Café would require separate planning permission as this falls within the Sui Generis Use Class.
9. Parking for customers was also raised, (it should be noted that the proposal does comply with the Council's Parking Standards) however given the nature of the use and proposed floor space, the Agent was requested to investigate if there can be an agreement with the adjacent Mosque to cater for parking of customers, the following response was received:

“We believe the mosque is entitled to business rate relief as a place of worship; accordingly it is thought that use of its car park by any external commercial entities may trigger business rates for the mosque, which would not be desirable. If the council can confirm no business rates will be levied against the mosque in the event the car park is made available for our customers (with or without conditions), we would be happy to hold dialogue with the mosque representatives for controlled use at times that does not conflict with the use of the mosque.”

10. Business rates have confirmed that if the car park was to be used by any external commercial business then the Mosque would lose their business rate relief. In addition, it is understood that the Mosque is over capacity with regard to car parking provision and any additional pressure with regard to the use of the Mosque's car park would result in parking issues.
11. It is considered that the concerns raised by Members with regard to the intensification of the use can be adequately addressed via the drafted conditions below.

12. Draft conditions

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

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

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

- (a) Site Location Plan, Dated 02/01/2014, Recd On 22/10/2015
- (b) Drawing No. 0627 - 101 - E, Dated 21/07/2014, Recd On 29/12/2015
- (c) Drawing No. 0627 - 102 - E, Dated 16/08/2014, Recd On 29/12/2015

- (d) Drawing No. 0627 - 103 - D, Dated 05/08/2014, Recd On 29/12/2015
- (e) Drawing No. 0627 - 104 - E, Dated 05/08/2014, Recd On 29/12/2015
- (f) Drawing No. 0627 - 105 - E, Dated 25/08/2014, Recd On 29/12/2015
- (g) Drawing No. 0627 - 106 - D, Dated 26/08/2014, Recd On 29/12/2015
- (h) Drawing No. 0627 - 107 - C, Dated 26/08/2014, Recd On 29/12/2015
- (i) Drawing No. 0627 - 108 - E, Dated 26/08/2014, Recd On 29/12/2015
- (j) Drawing No. 0627 - 109, Dated 22/12/2014, Recd On 22/12/2015
- (k) Drawing No. 0627 - 111, Dated 22/12/2014, Recd On 29/12/2015

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 Development Plan.

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

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

4. No 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. 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, December 2008.

6. No development shall take place until details in respect of the control of noise transmission between residential units at the adjoining neighbouring property (No's. 162 - 163 Farnham Road) have been submitted to and approved by the local planning authority. The approved details shall be installed, maintained and operated so as to prevent the transmission of noise and vibration into any neighbouring premises.

REASON To protect local residents from nuisance caused by excessive noise in accordance

with Core Policies 6 and 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

7. The cooking ventilation and filtration system shall achieve a high level of odour control, as defined by Defra Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems, Dated January 2005, these details shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the proposed development and shall be installed, maintained and operated at all times so as to prevent nuisance to neighbouring residents caused by cooking odours.

REASON To protect neighbouring occupiers from nuisance caused by odours in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

8. Any internal plant, equipment and machinery installed and operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated in order that the noise from its operation does not, at any time, increase the existing background noise level monitored 1m from the nearest noise sensitive premises. The Applicant should submit to and approved in writing to the Local Planning Authority an Assessment carried out in accordance with BS:4142 (2014) and submit all relevant information to ensure that the operation of extractor flue and operating plant and equipment complies with this condition.

REASON To protect local residents from nuisance caused by excessive noise in accordance with Core Policies 6 and 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

9. Prior to the development hereby approved first being brought into use, full details of a CCTV system, including details of its management and maintenance, shall have been submitted to and approved in writing by the Local Planning Authority. The approved CCTV system shall be installed in accordance with the approved details before any part of the development is first brought into use. The system shall thereafter be maintained and managed in accordance with the approved details.

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

10. Prior to first occupation of the proposed development, details of a noise limiter device (including installation and operation) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be retained at all times in the future for this purpose. There shall be no amplified music and sound externally of the building at any time.

REASON To protect the amenities of the area and neighbouring occupiers, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 -

2026, Development Plan Document, December 2008, and the National Planning Policy Framework, 2012.

11. No works shall begin until details of a scheme (Working Method Statement) to control the environmental effects of construction/conversion work has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

- (i) control of noise
- (ii) construction working hours and hours during the construction phase when delivery vehicles are allowed to enter or leave the site.

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

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

12. No development shall take place until details in respect of measures to:
- (a) Minimise, re-use and re-cycle waste, including materials and waste arising from the works;
 - (b) Minimise the pollution potential of unavoidable waste;
 - (c) Dispose of unavoidable waste in an environmentally acceptable manner;

Have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of building operations and the subsequent use of the buildings.

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

13. The external security grille shall be provided in accordance with Drawing No. 0627 - 102 - E and shall be closed after 6pm everyday. The elevations of the security grille shall be submitted to and approved in writing by the Local Planning Authority. The approved security grille shall be retained and maintained in good condition at all times in the future for this purpose.

REASON To prevent crime and disorder within the rear car park, this in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

14. No additional external plant or equipment shall be installed or used without the prior written consent of the local Planning Authority.

REASON To protect local residents from nuisance caused by excessive noise in accordance with Core Policies 6 and 8 of The Slough Local Development Framework, Core Strategy

2006-2026, Development Plan Document, December 2008.

15. 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.

16. 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.

17. Development works shall not commence until a quantitative risk assessment has been prepared for the site, based on the findings of the intrusive investigation. The risk assessment shall be prepared in accordance with the Contaminated Land report Model Procedure (CLR11) and Contaminated Land Exposure Assessment (CLEA) framework, and other relevant current guidance. This must first be submitted to and approved in writing by the Local Planning Authority and shall as a minimum, contain, but not limited to, details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM) (prepared as part of the Phase 1 Desk Study), details of the assessment criteria selected for the risk assessment, their derivation and justification for use in the assessment, the findings of the assessment and recommendations for further works. Should the risk assessment identify the need for remediation, then details of the proposed remediation strategy shall be submitted in writing to and approved by the Local Planning Authority. The Site Specific Remediation Strategy (SSRS) shall include, as a minimum, but not limited to, details of 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 potential risks from land contamination are adequately assessed

and 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.

18. No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and 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.

19. Notwithstanding the provisions of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended), the building shall only be used for purposes falling within Class A3 Use (Cafe/Restaurant) on the ground floor, first floor and roof top and B1A (Offices) on the second floor of the Town and Country Planning (Use Classes) Order 1987 (and in any provision equivalent to the Class in any statutory instrument revoking or re-enacting that order) and for no other purpose.

REASON In order to control the intensification of the use and for the protection of neighbouring occupiers with regard to noise, this is in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

20. Prior to the development hereby approved first being brought into use, 7 no. car parking spaces shall be provided and made available for use in connection with the building and maintained for the parking of cars thereafter. The car parking spaces shall not be used for any separate business or commercial use.

REASON In the interests of ensuring that the use benefits from satisfactory car parking provision in the interests of the amenities of the area in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

21. Prior to first occupation of the proposed development, the refuse storage shall be provided in accordance with Drawing No. 0627 - 102 - E and shall be 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 Local Plan for Slough 2004.

22. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order) the total gross

internal floor space of the building hereby permitted shall not be increased in floor space and no extension or alteration either external or internal, including the provision of an increase in floor space of the mezzanine floor shall be carried out without the prior permission of the Local Planning Authority.

REASON To retain control over the intensification of the use of the site, particularly having regard to the provision of onsite parking and to protect the amenities of neighbouring occupiers in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework, 2012.

23. The proposed development hereby approved shall not be open to members of the public / customers outside the hours of 6am to 11:30pm Monday to Saturday and 8am to 10:30pm on Sundays and Bank/Public Holidays.

REASON To protect the amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework, 2012.

24. The layout of the proposed development hereby approved shall not be altered or sub-divided without the prior approval of the Local Planning Authority.

REASON To retain control over the intensification of the use of the site and to accord with Core Policy 5 of the Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

25. All loading and unloading of delivery vehicles shall only take place at the front of the premises (Farnham Road) as shown on Drawing No. 0627 - 102 - E. No vehicles for delivery purposes may arrive, depart, be loaded or unloaded except between the hours of 08:00 and 18:00 Mondays to Fridays, and 08:00 and 13:00 hours on Saturdays, Sundays and Bank Holidays.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway in accordance with Policy T2 of The Local Plan for Slough 2004.

26. No development shall commence until details of measures for the disposal of fats, oils and grease, installation details for a fat trap(s), the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel (inline with best practice guidance) hereby granted permission have been submitted to and approved by the Local Planning Authority and these approved details shall be implemented on site prior to first occupation of the development and shall be maintained in perpetuity.

REASON: To protect the occupiers of the adjoining dwellings and businesses from nuisance effects in the interests of local amenity and accordance with Core Policy 8 of the Local Development Framework Core Strategy 2006-2026 and the National Planning Policy Framework.

27. In accordance with Drawing No. 0627 - 102 E, the outside seating shall be removed when the premises is not open to members of the public.

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

28. Prior to first occupation of the proposed development, the cycle parking shall be provided in accordance with Drawing No. 0627 - 102 - E and shall be retained at all times in the future for this purpose.

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

INFORMATIVE(S):

1. The Applicant is reminded that advertisements are subject to control under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).
2. Application forms to register a food business, as well as advice on assisting food business proprietors in meeting legal requirements can be obtained by contacting the Food & Safety team on 01753 475111 (select option 5).
3. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.
4. The 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.

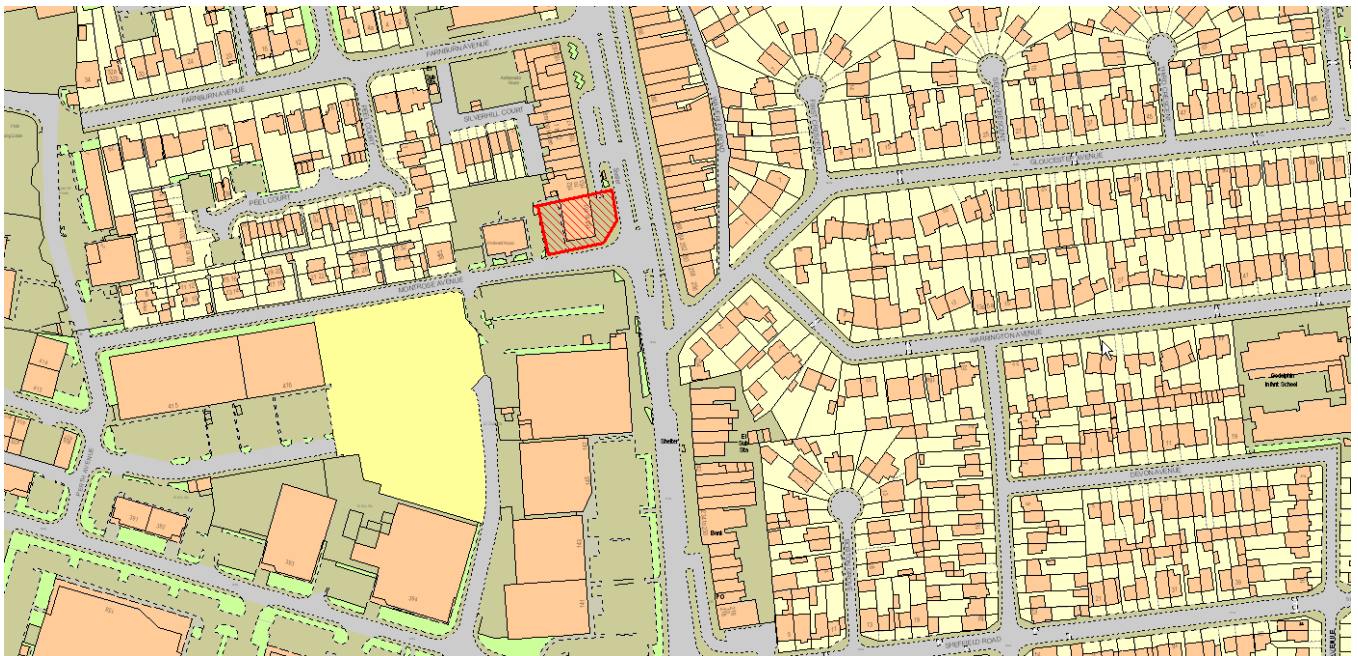
13. RECOMMENDATION

14. It is recommended that the application is delegated to the Planning Manager for approval, subject to acceptable sustainable drainage, completion of Section 106 Agreement and finalising of conditions.

Appendix A: Officer's Report

Registration Date:	02-Nov-2015	Applic. No:	P/01077/022
Officer:	Neetal Rajput	Ward:	Farnham
Applicant:	Naveed Ahmed, Goldteam		
Agent:	Stefan Zachary, Zachary Design Little Moseley House, Stocking Lane N, High Wycombe, Bucks, HP144RE		
Location:	Montrose House, 155-161, Farnham Road, Slough, SL1 4XP		
Proposal:	Change of use at ground floor from A2 use (Betting Shop) to A3 use (Cafe/Restaurant) and first floor from B1(A) use (Offices) to A3 use (Cafe/Restaurant), retain B1(A) use (Offices) at second floor, three storey rear extension (with provision of a rear car port area at ground floor) and four storey side extension (fronting Montrose Avenue), conversion of roof top to A3 use (Cafe) with roof extensions, external front canopies, retractable awnings, outside seating and associated works.		

Recommendation: Delegate to Planning Manager for Approval



1.0 SUMMARY OF RECOMMENDATION

- 1.1 Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations, it is recommended that the application be delegated to Planning Manager for approval subject to consideration of consultee responses, resolution of outstanding highway and transport matters, sustainable drainage matters, completion of a Section 106 Agreement and finalising of conditions.
- 1.2 This application has been referred to the Planning Committee for consideration as the application is for a major development.

PART A: BACKGROUND

2.0 Proposal

- 2.1 This is a full planning application for the proposed change of use at ground floor from A2 use (Betting Shop) to A3 use (Cafe/Restaurant) and first floor from B1(A) use (Offices) to A3 use (Cafe/Restaurant), retain B1(A) use (Offices) at second floor, three storey rear extension (with provision of a rear car port area at ground floor) and four storey side extension (fronting Montrose Avenue), conversion of roof top to A3 use (Cafe) with roof extensions, external front canopies, retractable awnings, outside seating and associated works.
- 2.2 As existing there are 13 car parking spaces available to the rear of the building and 7 spaces available at the front of the site. As a result of the proposal, there will be 7 car parking spaces at the rear of the site for the retained B1(A) office use and 2 parking bays at the front to allow for deliveries, a total of 9 spaces. As such, there will be a reduction in 11 spaces. There will be the provision of 5 cycle bays at the front of the building.
- 2.3 Following comments from Highways & Transport Department and Thames Valley Police, amended plans have been received, the proposal includes the following elements:

Ground Floor:

- Change of use from A2 use (betting shop) to A3 use (cafe/restaurant), the entrance will be via Farnham Road. There will be the provision internal access available to the first floor via the ground floor.
- Along Farnham Road, there will be a canopy (2m depth and 5.1m wide) and two retractable awnings.
- Provision of outdoor seating area along Farnham Road/Montrose Avenue.
- Deliveries will be via Farnham Road and a service corridor is provided internally to allow access to the rear of the building. There will be provision of parking bay provided at the front to allow for deliveries.
- Car port provision at the rear of the site to provide an area for refuse, fire exit stair and good lift.
- Fronting Montrose Avenue, there will be 'night security grille' to allow access for the 7 car parking spaces.

First floor:

- Change of use from B1a use (offices) to A3 use (cafe/restaurant), this will be linked with the ground floor.
- There will also be back of house facilities for the A3 use, for example staff toilets and changing rooms.

Second Floor:

- As existing there are offices on this floor and these will be retained. There will be ancillary facilities for the offices in terms of toilets and cleaners store.

Roof Top:

- The roof will be converted to an open A3 use, including a staff area, cleaners store and toilets.
- There will be the provision of a 1.8m high frameless glass wall which will be set back from all elevations by 0.4m.
- There will some areas of the roof top that will benefit from a canopy area and open roof deck.
- There will also be enclosed structures to accommodate back of office facilities, these will measure 2.4m in height and will be glazed fronting Farnham Road.

The operators of the A3 (cafe/restaurant) use is currently unknown and there are to be three individual A3 hospitality operators.

- 2.4 The proposal also includes a three storey rear extension, measuring 12m in depth and 21m wide. At ground floor this forms a car port area for the rear car parking spaces.
- 2.5 There will also be a side extension, fronting Montrose Avenue, this will provide access to all floors via a lift and staircase. This element of the extension will measure 10.5m wide, 2.8m in depth and 11.6m in height.
- 2.5 The proposal is considered to be mixed use in nature and the proposed floorspace would be as follows:

Floor	Existing Floorspace (sq m gross)	Proposed Floorspace (sq m gross)	Use
Ground Floor	316	382.57	A3 use (cafe/restaurant)
First Floor	320	598	A3 use (cafe/restaurant)
Second Floor	320	598	B1a Offices
Roof Top	320 (Plant Equipment)	585.38	A3 use (cafe)
Sub-Total	1276	2163.95	Mixed Use

2.6 The stated hours of opening of the proposed uses would be as follows:

Use	Monday to Friday		Saturday		Sunday and Bank Holiday	
A3	Start 06:00	End 02:00	Start 06:00	End 02:00	Start 08:00	End Midnight
B1a	Start 08:00	End 18:00	Start 08:00	End 18:00	Start 08:00	End 18:00

2.7 The existing full time employees is 45 and the proposed full time employees is 110 as stated on the application form.

2.6 The proposed development has been the subject of pre-application advice.

3.0 **Application Site**

3.1 The application site is three storey corner building, situated adjacent to the junction with Montrose Avenue and Farnham Road.

3.2 At ground floor the building is occupied by Betfred (A2 Use Class) and the first and second floor are occupied by offices (B1 Use Class), namely Goldteam, a firm that specialise in recruitment.

3.3 Farnham Road is identified as a district centre under Policy S1 of The Adopted Local Plan for Slough. The site falls within the Farnham Road District Shopping Centre, forms part of the Primary Shopping Frontage. Farnham Road District Shopping Centre is a thriving centre, which is demonstrated by a low vacancy rate. Farnham Road District Shopping Centre is characterised by a mix of uses at ground floor, including specialised independent retail units, restaurants and cafes which cater for the local community. The neighbouring buildings along Farnham Road are mainly three storey with the first and second floors occupied by residential units.

3.4 To the rear of the site is the Al Quaim Mosque which benefits from a car park and adjacent to the site is Sainsbury's supermarket.

3.5 No's. 162 – 183 have residential accommodation and first and second floor and access is available from Montrose Avenue.

3.6 The application site is adjacent to but not located with Slough Trading Estate Existing Business Area and is not within the area covered by the Slough Trading Estate Simplified Planning Zone Scheme.

3.7 Car parking access to the site is via Montrose Avenue.

3.8 There appear to be no listed buildings on or near the site and the site is not located within a Conservation Area.

4.0 Site History

4.1 Relevant Planning History:

P/01077/013 INSTALLATION OF ILLUMINATED FASCIA SIGNS.

Approved with Conditions 01-Aug-1980

P/01077/014 INSTALLATION OF ILLUMINATED PROJECTING BOX SIGN

Approved with Conditions 03-Feb-1983

P/01077/015 INSTALLATION OF ILLUMINATED LOGO SIGN.

Approved with Conditions 07-Apr-1989

P/01077/016 CHANGE OF USE OF FIRST AND SECOND FLOORS TO HEALTH CLUB

Withdrawn (Treated As) 07-May-1998

P/01077/018 INSTALLATION OF AN ILLUMINATED FIXED LETTERING SIGN

Approved with Conditions 27-Sep-2000

P/01077/017 REPLACEMENT OF ENTRANCE CANOPY WITH A NEW STEEL AND GLASS STRUCTURE

Approved with Conditions; Informatives 27-Sep-2000

P/01077/019 CHANGE OF USE OF GROUND FLOOR FROM A1(RETAIL) TO A2 (FINANCIAL AND PROFESSIONAL SERVICES)

Approved with Conditions 14-Dec-2001

P/01077/020 VARIATION OF CONDITION NO.8 OF PLANNING PERMISSION P/1077/19 TO ALLOW OPENING HOURS 09.00 - 22.00 MONDAY TO SATURDAY & BANK HOLIDAYS, AND 11.00 - 17.00 ON SUNDAYS

Approved with Conditions 20-Feb-2002

P/01077/021 ERECTION OF TWO FASCIA SIGNS ON FRONT ELEVATION

Approved with Conditions; Informatives 14-Sep-2006

5.0 **Neighbour Notification**

- 5.1 19, Montrose Avenue, Slough, SL1 4TN, 419, Montrose Avenue, Slough, SL1 4TJ, Ambassador House, Farnburn Avenue, Slough, SL1 4ZA, 3a, Farnburn Avenue, Slough, SL1 4XU, 292a, Farnham Road, Slough, SL1 4XL, Karlstorz Endoscopy Uk Ltd, 415, Perth Avenue, Slough, SL1 4TQ, Segro Plc, 416, Perth Avenue, Slough, SL1 4TQ, Classic Cleaners, 278, Farnham Road, Slough, SL1 4XL, Music Station, 270, Farnham Road, Slough, SL1 4XL, Viola, 258, Farnham Road, Slough, SL1 4XL, Babyboom, 274, Farnham Road, Slough, SL1 4XL, Exotic Superstore, 282, Farnham Road, Slough, SL1 4XL, Ashburn Estate Agents, 254, Farnham Road, Slough, SL1 4XE, Sun Lounge, 175, Farnham Road, Slough, SL1 4XP, Goldteam Ltd, Montrose House 155-161, Farnham Road, Slough, SL1 4XP, Fred Done Bookmaker, 159, Farnham Road, Slough, SL1 4XP, The Private Shop, 165, Farnham Road, Slough, SL1 4XP, Britvic Ltd, Ambassador House, 181, Farnham Road, Slough, SL1 4XP, Heycrest Ltd, 183, Farnham Road, Slough, SL1 4XP, Contract Cleaning Services, 183, Farnham Road, Slough, SL1 4XP, Grooms, 183, Farnham Road, Slough, SL1 4XP, C C C S Ltd, 294, Farnham Road, Slough, SL1 4XL, 21, Peel Court, Slough, SL1 4YA, 9, Waverley Road, Slough, SL1 4XN, 4, Waverley Road, Slough, SL1 4XN, 3, Waverley Road, Slough, SL1 4XN, 25, Waverley Road, Slough, SL1 4XN, 8, Waverley Road, Slough, SL1 4XN, 7, Waverley Road, Slough, SL1 4XN, 6, Waverley Road, Slough, SL1 4XN, 5, Waverley Road, Slough, SL1 4XN, 20, Waverley Road, Slough, SL1 4XN, 2, Waverley Road, Slough, SL1 4XN, 18, Waverley Road, Slough, SL1 4XN, 17, Waverley Road, Slough, SL1 4XN, 24, Waverley Road, Slough, SL1 4XN, 23, Waverley Road, Slough, SL1 4XN, 22, Waverley Road, Slough, SL1 4XN, 21, Waverley Road, Slough, SL1 4XN, 11, Waverley Road, Slough, SL1 4XN, 10, Waverley Road, Slough, SL1 4XN, 1, Waverley Road, Slough, SL1 4XN, 16, Waverley Road, Slough, SL1 4XN, 15, Waverley Road, Slough, SL1 4XN, 13, Waverley Road, Slough, SL1 4XN, 12, Waverley Road, Slough, SL1 4XN, 31, Peel Court, Slough, SL1 4YA, 32, Montrose Avenue, Slough, SL1 4TN, 31, Montrose Avenue, Slough, SL1 4TN, Blockbuster Video Express, 169, Farnham Road, Slough, SL1 4XP, 30, Montrose Avenue, Slough, SL1 4TN, 29, Montrose Avenue, Slough, SL1 4TN, 5, Montrose Avenue, Slough, SL1 4TN, Bedtime, 300, Farnham Road, Slough, SL1 4XL, 20, Montrose Avenue, Slough, SL1 4TN, Kwik Photo, 298, Farnham Road, Slough, SL1 4XL, 18, Montrose Avenue, Slough, SL1 4TN, 17, Montrose Avenue, Slough, SL1 4TN, F M C Measurement Solutions, Ambassador House, 181, Farnham Road, Slough, SL1 4XP, Haines Watts, Ambassador House, 181, Farnham Road, Slough, SL1 4XP, 10, Peel Court, Slough, SL1 4YA, Salvation Army Care & Share Shop, 179, Farnham Road, Slough, SL1 4XP, Golden Globe Phone Clinic, 177, Farnham Road, Slough, SL1 4XP, Sava Centre, 183, Farnham Road, Slough, SL1 4XP, Five Star Nails, 171, Farnham Road, Slough, SL1 4XP, 28, Peel Court, Slough, SL1 4YA, 27, Peel Court, Slough, SL1 4YA, 26, Peel Court, Slough, SL1 4YA, 29, Peel Court, Slough, SL1 4YA, 22, Peel Court, Slough, SL1 4YA, 25, Montrose Avenue, Slough, SL1 4TN, 26, Montrose Avenue, Slough, SL1 4TN, 8, Montrose Avenue, Slough, SL1 4TN, 7, Montrose Avenue, Slough, SL1 4TN, 5, Peel Court, Slough, SL1 4YA, Age Concern, 278-280, Farnham Road, Slough, SL1 4XL, 6, Montrose Avenue, Slough, SL1 4TN, Allchem, Westward House, 39, Montrose Avenue, Slough, SL1 4TN, 18, Peel Court, Slough, SL1 4YA, 3, Farnburn Avenue, Slough, SL1 4XU, 304, Farnham Road, Slough, SL1 4XL, Marian & Son,

250, Farnham Road, Slough, SL1 4XE, Coral, 244, Farnham Road, Slough, SL1 4XE, 244a, Farnham Road, Slough, SL1 4XE, 246, Farnham Road, Slough, SL1 4XE, 246a, Farnham Road, Slough, SL1 4XE, 19, Peel Court, Slough, SL1 4YA, Going Places, 284, Farnham Road, Slough, SL1 4XL, The Loft Shop, 288, Farnham Road, Slough, SL1 4XL, 11, Peel Court, Slough, SL1 4YA, 12, Peel Court, Slough, SL1 4YA, Les Smith Motorists & Cycle Supercentre, 262-264, Farnham Road, Slough, SL1 4XL, Universal Security Group, 260, Farnham Road, Slough, SL1 4XL, 21, Montrose Avenue, Slough, SL1 4TN, 22, Montrose Avenue, Slough, SL1 4TN, 1, Peel Court, Slough, SL1 4YA, 2, Peel Court, Slough, SL1 4YA, 10, Montrose Avenue, Slough, SL1 4TN, 9, Montrose Avenue, Slough, SL1 4TN, Stobys Fish & Chips, 161-163, Farnham Road, Slough, SL1 4XP, The Blind Spot Ltd, 163d, Farnham Road, Slough, SL1 4XP, 163c, Farnham Road, Slough, SL1 4XP, 163b, Farnham Road, Slough, SL1 4XP, 163a, Farnham Road, Slough, SL1 4XP, HERBIES LTD, 290, Farnham Road, Slough, SL1 4XL, 34, Peel Court, Slough, SL1 4YA, 17, Peel Court, Slough, SL1 4YA, 24, Peel Court, Slough, SL1 4YA, 7, Farnburn Avenue, Slough, SL1 4XU, Superdrug Stores Plc, 292, Farnham Road, Slough, SL1 4XL, 9, Peel Court, Slough, SL1 4YA, 36, Peel Court, Slough, SL1 4YA, 20, Peel Court, Slough, SL1 4YA, 24, Montrose Avenue, Slough, SL1 4TN, 23, Montrose Avenue, Slough, SL1 4TN, 11, Montrose Avenue, Slough, SL1 4TN, 12, Montrose Avenue, Slough, SL1 4TN, 38, Peel Court, Slough, SL1 4YA, 13, Peel Court, Slough, SL1 4YA, 38a, Montrose Avenue, Slough, SL1 4TN, 37a, Montrose Avenue, Slough, SL1 4TN, 145, Farnham Road, Slough, SL1 4XB, Dana Health & Beauty Salon, 256a, Farnham Road, Slough, SL1 4XL, Mayling Jewellers, 250a, Farnham Road, Slough, SL1 4XE, Saab Jewellers, 248, Farnham Road, Slough, SL1 4XE, 25, Peel Court, Slough, SL1 4YA, Cash For Cheques Ltd, 296, Farnham Road, Slough, SL1 4XL, 276, Farnham Road, Slough, SL1 4XL, Staples Ltd, 143, Farnham Road, Slough, SL1 4XB, 14, Peel Court, Slough, SL1 4YA, Head Chef, 173, Farnham Road, Slough, SL1 4XP, 6, Peel Court, Slough, SL1 4YA, 39, Peel Court, Slough, SL1 4YA, The Bakers Oven, 268, Farnham Road, Slough, SL1 4XL, 35, Peel Court, Slough, SL1 4YA, 37, Peel Court, Slough, SL1 4YA, THE CARD & PARTY SHOP, 272, Farnham Road, Slough, SL1 4XL, 266, Farnham Road, Slough, SL1 4XL, 38, Montrose Avenue, Slough, SL1 4TN, 37, Montrose Avenue, Slough, SL1 4TN, Black Horse Ltd, Montrose House 155-161, Farnham Road, Slough, SL1 4XP, D I S Water, 167, Farnham Road, Slough, SL1 4XP, 16, Peel Court, Slough, SL1 4YA, Sainsburys Supermarkets Ltd, Farnham Road, Slough, SL1 4XP, 15, Peel Court, Slough, SL1 4YA, 3, Peel Court, Slough, SL1 4YA, 7, Peel Court, Slough, SL1 4YA, 8, Peel Court, Slough, SL1 4YA, 256, Farnham Road, Slough, SL1 4XL, 28, Montrose Avenue, Slough, SL1 4TN, 27, Montrose Avenue, Slough, SL1 4TN, 14, Montrose Avenue, Slough, SL1 4TN, 13, Montrose Avenue, Slough, SL1 4TN, 248a, Farnham Road, Slough, SL1 4XE, 4, Peel Court, Slough, SL1 4YA, 1, Farnburn Avenue, Slough, SL1 4XU, 1b, Farnburn Avenue, Slough, SL1 4XU, 1a, Farnburn Avenue, Slough, SL1 4XU, 16, Montrose Avenue, Slough, SL1 4TN, 15, Montrose Avenue, Slough, SL1 4TN, L G Electronics, 252, Farnham Road, Slough, SL1 4XE, 254a, Farnham Road, Slough, SL1 4XE, B Simmons & Son, 306, Farnham Road, Slough, SL1 4XL, 30, Peel Court, Slough, SL1 4YA, 33, Peel Court, Slough, SL1 4YA, 32, Peel Court, Slough, SL1 4YA, The Bazaar, 286, Farnham Road, Slough, SL1 4XL, Family Fashion Centre, 302, Farnham Road, Slough, SL1 4XL, 23, Peel Court, Slough, SL1 4YA

- 5.2 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, one site notice was displayed at the

site on 27th November 2015. The application was advertised in the 20th November 2015 edition of The Slough Express.

- 5.3 No representations have been received at the time of writing this report. Please note that given the amended plans received, we have re-consult with neighbouring proprietries Should for a further 14 days and any representations will included on the Amendment Sheet.

6.0 Consultation

6.1 Environmental Protection

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

6.3 Environmental Quality

- 6.4 “There are a few relevant points I wish to highlight within this application. The building will effectively have 4 Uses, but this is unclear from the application description - because the applicant intends to use the first floor for offices as well, they intend to sub-divide the 1st floor into B1(A) and A3 use. The ground floor and top floor will also be A3 Uses, the applicant does not advise who the final operators will be.

There are statements regarding employment figures that I have no idea how they are derived they seem excessively high for the Rooftop Café and 1st floor restaurant? Existing employees on site is currently 45 and proposed employees is 110. There will be a net increase in additional gross internal floorspace following redevelopment of 1148 (square metres) consisting of (additional 544 square metres of office B1(A) space) and (920 square metres of A3 Use) and a (loss of 316 square metres of A2 space but reported as A1 space in the application!)

The proposed hours of opening raises significant concerns with respect to impact on neighbouring amenities.

- The B1(A) Use 08.00 – 18.00 (Monday to Sunday) is fine
- The A3 Uses (06.00 – 02.00 Monday to Saturday) and (08.00-00.00 Sunday) raise concerns about disturbance and noise impacts to neighbouring residential premises. Why do these A3 Uses require such long opening hours? You may wish to impose hours of opening conditions to protect residential amenities.

There will be a net reduction of 8 car park spaces, with a total provision of 12 car park spaces. Trip generation as a result of this development will be greater due to the Change of Uses to A3, but is not a material concern from an air quality viewpoint as the site lies over a 1000m from the Tuns Lane AQMA. There will also be service vehicles supplying the A3 Uses, it would be advisable in order to protect the neighbouring residential amenities to place a restriction on the hours of deliveries.

The applicant indicates there will be some music, live and electronic music and this needs to be controlled. The development would require a premises licence and the

Licensing Team would be able to impose conditions to control excessive amplified music from the venue. You may wish to impose noise conditions on this development with respect to:

- 1.1 The development installing appropriate sound insulation and ventilation within the building to control the egress of sound; and
- 1.2 The operator to install and operate a noise limiter device to control amplified sound emanating from the venue.

The seating arrangements (covers) for the A3 use is as follows: ground floor café 40 covers; 180 covers (over ground and 1st floor restaurant) and 80 covers roof top café. The applicant suggests each A3 Use will have its own individual operator.

The applicant advises that the kitchen cooking extract system will be installed in all hot food cooking kitchen areas serving the A3 facilities. The system will have stainless steel extraction hoods, removable grease filters with removable carbon filters connected to vertical ducting rising through the building, with no bends via purpose designed shafts to terminate min 1m above mansard roof level and with anti-vermin grilles to discharge horizontally. There will be need for the operator to have accessible inspection covers built into the ducting and shafts to enable inspection and cleaning, otherwise there is a potential fire risk through the build-up of grease over time. It appears from the basic design details that the ducting and filtration proposed will be sufficient to meet good practice for noise and odour control.

The applicant is advised to follow DEFRA guidance 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems and fully report all details contained with Annex B of this guidance. A cooking odour, noise and filtration condition should be imposed on the consent. There should be an informative advising the applicant to submit the relevant details contained within Annex B in order to meet the condition. The condition should also require ongoing cleaning and maintenance of the cooking extract system to maintain its effectiveness.

Based on the proximity of residential receptors, the number of covers, worse case (high grease cooking style) and flue outlet a high level of odour control is required."

The Agent has provided a response with regard to the questions raised by the Council's Environmental Quality Manager on 21st December 2015:

"The hours of operation are stated for each unit as possible targets but we have not yet discussed them with potential operators so they may need to be varied at that stage and b. we would not be averse to aligning them with what you consider to be normal and acceptable for the locality, bearing in mind that operations of this type do not yet exist here.

We do not know who the operators will be at this stage other than the occupants for the 2nd floor, which will be Goldteam Recruitment Limited

The employee figures are estimated and subject to the individual operator needs, however 2nd floor figures are an accurate reflection for Goldteam, the only known operator so far. These are also total estimated number of employees and not number

of employees on site each day, these may also have combination of part time/full time workers etc.

We are not averse to being restricted on hours for deliveries.

We are happy to comply with any reasonable noise restrictions reaching outside the premises.

We are happy to comply with any requirement for accessible inspection / cleaning points in the extraction ductwork, and to follow DEFRA's guidance on the Control of Odour and Noise.

You ask if we intend different operators for each A3 operation - we have not decided that yet and will need flexibility when we begin discussions with suitable firms.

You referred to the glass stair / lift enclosure and security of access for each floor: while to stair/lift well is for the common use of tenants, access to each floor will be segregated by locked doors (with emergency exit fittings) to prevent casual or unauthorised access. At night we envisage a camera and remote control for the street doors to admit only persons who are legitimate visitors to the stairwell."

6.5 Transport and Highways

6.6 *Scope of Assessment*

"A planning application and supporting Transport Statement have been submitted for a change of use and three story rear and side extension to the existing betting shop and offices located at Montrose House, 155-161 Farnham Road. The proposals are to change the use of the building from A2 use (betting shop) on the ground floor to A3 use Café / Restaurant and from B1 office use on the first floor to A3 restaurant while retaining office B1 use on the second floor and introducing a roof top café. The extension will extend onto the rear car park and towards Montrose Avenue.

Pre-application Advice

Very detailed pre-application advice was provided to the applicant in the Autumn of 2014 and early 2015. At the pre-application stage the applicant and the owner of the site was made aware that this site is affected by a highway widening line and that the proposed development would necessitate the request for the land to be dedicated to the local highway authority free of charge to be maintained at the public expense.

Widening Line

The Farnham Road widening line, which was declared in 1978 affects this site. The applicant and the agent were made aware of this widening line during pre-application discussions and it was made clear to them that land (marked blue) would be sought as part of a redevelopment of this site. In addition to the land marked blue, the local highway authority has sought some additional land from the applicant (marked green) and this land has been sought in order for the local highway authority to be able to implement a junction improvement scheme at the Montrose Avenue/A355 Farnham Road junction that would benefit both this proposed scheme and the wider area. Whilst the applicant has acknowledged these discussions in the application, by including a drawing within the application, showing this land, the land has not been

offered for dedication as of yet.

Local Highway Authority (LHA) Assessment using TRICS

In order to gain a better understanding of the likely multi-modal trips to the proposed development I have interrogated the TRICS database to derive trips rates for the existing and proposed development. There are no existing cafés or betting shops within the TRICS database so I have made the following assumptions:

- the betting shop and the ground floor café will generate the same number of trips per day per m²;
 - the justification for this is that some people will walk into a betting shop, place a bet and then leave, others will stay in for longer periods either watching a few races or playing the fixed odds terminals;
 - with a café some people will sit down and have a drink and some food and others purchase a takeaway drink or snack;
- the ground floor café trip rates have been derived from takeaway restaurants category in TRICS, which includes three sites a Fish & Chip, a Pizza Hut and a Subway;
- the ground floor restaurant, first floor restaurant and roof top café/restaurant have been based on Pub/Restaurant category in TRICS; and
- trip rates output files will be attached to the comments.

Table 1 – Existing and Proposed Land Uses and Floor Areas

Land Use	GFA (existing)	GFA (proposed)
Betting Shop	316m ²	-
Office	640m ²	598m ²
Café (ground floor)	-	95m ²
Restaurant (ground + 1 st floor)	-	689m ²
Rooftop Café (3 rd floor)	-	586m ²
Service area/ car park/bins		196m ²
Total Floor area m ²	957m ²	2,164m ²

Table 2 - Daily Multi-Modal Person Trips (existing use)

	Arrivals	Departures	Total
Betting shop (ground floor)	320	318	638
Office (1 st + 2 nd floor)	82	80	162
Total Trips	402	398	800

Table 3 - Daily Multi-Modal Person Trips (proposed use)

	Arrivals	Departures	Total
Café (ground floor)	96	96	192
Restaurant (ground + 1 st floor)	357	354	711
Office (2 nd floor)	77	75	152
Rooftop Café (3 rd floor)	304	301	605
Total Trips	834	826	1660

Table 4- Net Daily Multi-Modal Person Trips

	Arrivals	Departure	Total

		s	
Total Daily Trips	432	428	860

The operation of the existing site and proposed site will both have linked and pass-by trips, but it is difficult to estimate what proportion of trips will be linked. It is likely that a large proportion of the betting shop trips will be linked but not the office trips. The café at ground floor trips are likely to be linked but the restaurant and roof top café trips are less likely to be linked. So potentially there may be a similar number of linked trips between the existing use and the proposed use, although the proportion of trips linked with the existing development will be higher than that for the proposed.

The important aspect of the proposed development is to ensure that the right infrastructure is in place to meet the needs of the development and mitigate the impact of the development.

Development Impact

The trip generation analysis has demonstrated that there will be a significant increase in multi-modal trips to the site. The applicant was not asked to undertake a junction modelling assessment of the Montrose Avenue/ A355 Farnham Road junction, because the local highway authority is already aware that this junction is operating at capacity during the peak hours when taking account of existing traffic flows and committed development. The applicant has already made public his concern about traffic impact in this part of the town as he objected to the application for proposed retail developments on Montrose Avenue due to increased traffic impact. But prior to this, the applicant had been made aware through the pre-application discussions of the local highway authority's request for the land referred to above to assist with the junction improvement scheme.

The site will be reliant on off-site parking, which is acceptable in a shopping area and therefore there will be a lot of pedestrian movements to the site from all directions. The pedestrian trips will be from:

- nearby car parks (presumably e.g. Sainsburys and the new retail units on Montrose Avenue);
- on-street parking bays on both sides of Farnham Road;
- pedestrian movements from the local residential areas and business areas, which will be accessing the site along footways and crossing the busy A355 Farnham Road;
- pedestrian movements from bus stops on both sides of the road; and
- cycle movements along Farnham Road and Montrose Avenue.

Therefore as a result of this development there will be increased pressure on the existing Montrose Avenue/ Farnham Road junction both in terms of increased pedestrian movements and in terms of traffic turning in and out of this junction. This will worsen the operational performance of this junction and it will increase the highway safety risk of further accidents occurring as there will be double the number of person trips to the site than currently occurring. In order to mitigate the impact of the development the local highway authority has previously requested that land marked blue and green is dedicated to the local highway authority free of charge for the maintenance of the public expense. This would enable the local highway authority to take forward a junction improvement scheme at this location once full

funding is available. It is considered that this would be suitable mitigation for this proposed development as it would allow a major junction improvement to be implemented that all would benefit all modes of transport.

Mitigation

As set out earlier in these comments mitigation is requested as part of this application in the form of dedication of land both within and adjacent to the highway widening line. In addition to this a contribution of £3,000 should be secured to the implementation of a TRO for amendments to waiting restrictions to facilitate loading from the front of the site and to prevent the obstruction of Montrose Avenue.

It is recommended that the applicant amends the drawings to:

- remove the glass canopy;
- the parking spaces at the front;
- makes amendments to the proposed table locations; and
- relocate the short stay cycle parking.

S106

The applicant will need to enter into a section 106 agreement, which will obligate the developer to enter into a deed of dedication and secure the works set out in the transport and highways schedules.

The highways schedule includes:

- Dedication as highway maintainable at the public expense, free of charge, of land shown as green and blue on drawing no. SBC/T/IT/00249/000/03;
- Agree a pedestrian route through the front forecourt to be kept clear of obstruction at all times; and
- Agree paving materials and public realm scheme for the front forecourt.

The transport schedule includes:

- TRO contribution of £3,000.

Recommendation

Subject to the applicant agreeing to the S106 package to which the applicant has been aware of since the pre-application discussions I would not raise a highway objection.”

6.7 Land Contamination

6.8 “I have reviewed the information submitted by the applicant, together with our database of potentially contaminated sites.

The site is not considered to be potentially contaminated. However, historical mapping indicates that the proposed development is located within 250m of numerous potentially contaminated land sites. Among these potential off-site sources of contamination there are two sites which had Disused Tank entries. Although the tanks were removed sometime in the past the risk for off-site volatiles migration towards the proposed development still exists. Because of the proposed groundworks preferential migration pathways may become active, thus the remaining uncertainty must be further assessed.”

No objection has been raised subject to pre-commencement conditions.

6.9 Thames Valley Police

6.10 “Having reviewed the plan supplied I do have some concerns regarding the open roof top designs and security of the proposed development. And therefore believe opportunities to design out crime and/or the fear of crime and to promote community safety are present. I supply the following comments to assist the authority and the prospective applicants in creating as safe a development as possible:

It is noted that the Design and Access Statement (DAS) does contain references to the national policy and guidance below, or demonstrate how the development will address crime and disorder and community cohesion. In conclusion, I feel the applicants have not addressed crime prevention nor community cohesion comprehensively within the plans or the accompanying documentation:

- The National Planning Policy Framework 2012 (Part 7, Sect 58; ‘Requiring good Design’ and Part 8, Sect 69; Promoting Healthy Communities’) where it is stated that development should create *‘Safe and accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion’*.
- DCLG’s Planning Practice Guidance in relation to design, where it states *‘Although design is only part of the planning process it can affect a range of economic, social and environmental objectives... Planning policies and decisions should seek to ensure the physical environment supports these objectives. The following issues should be considered: ...safe, connected and efficient streets, ... crime prevention, ...security measures, ...access and inclusion, ...cohesive & vibrant neighbourhoods.’* It also states that *‘Planning should promote appropriate security measures. Taking proportionate security measures should be a central consideration to the planning and delivery of new developments...’*

Private Residential rear of building (7 spaces): The DAS states that *“The private car parking at the rear of the building (7 spaces) and in front (5 spaces) plus 5 cycle bays will be available to the customers of the restaurants after office hours as the office on the second floor will primarily only operate during normal office hours of 8 am – 6 pm”* this parking facility appears to be a confused space. Is this parking facility public (for customers of the restaurant) or private for office staff?. Crime and anti-social behaviour is more likely to occur where it is unclear who has authorised access or what behaviour is intended within a space . In addition, Car parks that aren’t secure, are extremely vulnerable to criminal activities and attract anti-social behaviour, street drinking and a place for the homeless to sleep or shelter. The fear of crime will may result in the occupants abandoning the parking facilities preferring to leave their vehicles on public roads, potentially leading to neighbourhood disputes. Poor access control, surveillance, and management practices can facilitate criminal activity in specific sites. I not that a light security shutter is mentioned , However I would ask that this parking facility is secured after 6pm by open lath electronic gates or shutters (LPS1175 SR2 or equivalent). I would ask that a condition is place son this public car park to achieve the safer parking park mark award and maintain that award for the life time of the facility.

Condition: No development shall commence until measures detailing how the public car park(s) will achieve the Safer Parking Park Mark award have been submitted to and approved in writing by the Local Planning Authority.

External doors (including fire doors): It is important that effective and realistic levels of physical security, appropriate to risk, are incorporated into the buildings construction. For this development to meet the minimum physical security requirements all external doors (including fire exits) shall be to BS PAS 24 or LPS 1175 SR 2 or 3, with any glass therein being laminate glass, or if double glazed just one of the double glazed panes with a locks to BS 3621 or their equivalent

Alarm: The premises should be alarmed when closed to the public, it is recommended that a suitably designed, fit for purpose, monitored alarm intruder alarm system be installed to BS.EN 50131: 2009, at this location. The client must carry out their own risk assessment, but as minimum all external doors, fire doors; security shutters must include alarm contact sensors.

Cycle/ bin stores: All cycle and bin storage should be secure and follow SBD guidance

Access control to private staff areas: all internal doors providing access to private staff only areas shall be to BS PAS 24 or LPS 1175 SR 2 or 3, self closing, fob activated electronically controlled with a glazed unit where they open out into the public realm.

Lighting: Lighting should promote a feeling of safety (meeting SBD recommended levels and methods of control). External lighting should be uniform and cover the entire property, including the rear goods access and publicly accessible roof terrace.. The emphasis should be on installing low glare/high uniformity lighting levels in line with British Standard (BS) 5489-1. In general, the objective of security lighting is to deny criminals the advantage of being able to operate unobserved. Note, however, that if an area cannot be overlooked or viewed at night, then lighting will only help a criminal see what they are doing, not deter them. I would ask the applicant to ensure that light levels are appropriate for the users, activities and tasks of an area. Higher lighting levels may be required for vulnerable areas.

Rooftop Boundary treatments: I have concerns regarding the height of this treatment Ground floor, the glazed boundary must be at least 1.8m in height and laminated this will deter individuals from accidentally or deliberately dropping litter or other object over the side of the building.

CCTV: Consideration should be given to the provision of a CCTV system. At a minimum CCTV (formal surveillance) should be considered within the areas listed below, it should be noted that this is not an inclusive list, the number of cameras and their location should be determined by the clients CCTV operational requirements study which shall be carried out prior to a scheme being finalised. This will help to gain an understanding as to what the role of each camera is and to what standard (category) they must achieve. TPV Licensing Officer can assist on the camera location and surveillance category. Further assistance in respect of the operational requirements study can be found via the Home Office Scientific Development

- The front door area and where the door staff will operate within the front door. The image quality for this area should be such that people are able to be identified. It maybe that two cameras are required in this area. One to capture every person entering the premises to record them for identification purposes (see below for definition of screen image size). Another which monitors the area at observation category
- The area along the bar area should be covered by CCTV as this is where conflict can occur. Again depending on layout and size depends on how many CCTV cameras will be required in this area. The image size should be between observation category and recognition category.
- The toilet entrance area can be another area of conflict and should be covered by CCTV. Again should be an image size that is at observation category,
- The general public floor area should also be covered by CCTV as again is another area where conflict can occur. The image for this area can be at detection category,
- Other areas where conflict can be reasonably expected to occur.”

The Agent has advised that the access to the rear parking will be secured after 6pm by an electronic gate or shutters, this will be conditioned.

The glazed roof top boundary will be 1.8m in height.

There will be the implementation of CCTV and fob active access to staff only.

PART B: PLANNING APPRAISAL

7.0 Policy Background

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

The National Planning Policy Framework and the Planning Practice Guidance

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

Core Policy 1 – Spatial Strategy

Core Policy 5 – Employment

Core Policy 6 – Retail, Leisure and Community Facilities

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 10 – Infrastructure

Core Policy 11 – Social Cohesiveness

Core Policy 12 – Community Safety

The Local Plan for Slough, Adopted March 2004

Policy EN1 – Standard of Design
Policy EN3 – Landscaping Requirements
Policy EN5 – Design and Crime Prevention
Policy S1 – Retail Hierarchy
Policy S18 – Security Shutters
Policy T2 – Parking Restraint
Policy T8 – Cycling Network and Facilities
Policy T9 – Bus Network and Facilities
Policy EMP2 – Criteria for Business Developments

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

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

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

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

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

The Council has also formally announced its intention to prepare a Local Plan Development Plan Document and is seeking comments on the proposed scope and content of the document – this consultation period runs from Friday 4th December 2015 to 15th January 2016.

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

- 1) Principle of development;
- 2) Design and Impact on the street scene;
- 3) Potential impact on neighbouring properties;

- 4) Parking and highway safety;
- 5) Planning obligations;
- 6) Other issues.

8.0 Principle of Development

8.1 Impact on the vitality and viability of Farnham Road Shopping Centre

8.2 The site forms part of the Farnham Road Shopping Centre and falls within a primary shopping frontage. There will be the loss of the A2 use at ground floor by the proposed A3 café / restaurant. The change of use at ground floor is considered to be acceptable as it would provide a vital active frontage at ground floor to ensure footfall to the area, maintaining viability and vitality of the district centre.

8.3 It has been noted on the drawings that there is a proposed canopy and awning's fronting Farnham Road with the provision of outdoor seating, it should be noted that a Highways License for these works would be required. Furthermore, subject to the Highways & Transport Section accepting the principle of outdoor seating area, the tables and chairs would be required to be taken inside the premises when the ground floor use is not operational, this would be secured by a condition.

8.4 Given the sites close proximity to Slough Trading Estate, the loss of offices at second floor is considered to be acceptable. Paragraph 7.89 of the Core Strategy recognises that retailing, leisure, education, health and other service industries are an important source of jobs. As a result they are all classed as "employment" uses for the purposes of this policy, as provided by the A3 café / restaurant. It should be noted that at second floor, the B1a offices will be retained and these will be occupied by the existing recruitment company, Goldteam.

8.5 In terms of the roof top café, this is considered to be acceptable subject to the potential impact on neighbouring occupiers in terms of noise and disturbance and it is considered that suitable mitigation in terms of noise and disturbance, hours of operation and light spillage.

8.6 It is considered that the A3 use at ground floor and the roof top will encourage the local community, visitors and those that work in the area to use the facilities. The use is considered to attract more footfall and viability to the area than the existing A2 use, betting shop and the B1a offices.

8.7 The key issue in considering the acceptability of the principle of the proposal is considered to be the extent to which this proposed development would achieve relevant aims and enhance the offer of the Farnham Road Centre. It is considered that opportunities for linked trips and pedestrian movements can be provided.

8.8 Employment

8.9 The applicant has stated that the proposal would provide employment for 110 full time equivalent employees. The break down of employees is provided below, extracted from the submitted Design & Access Statement:

<u>Floor</u>	<u>Proposed Full Time Employees</u>
Ground Floor - A3 use	5
Ground & First Floor - A3 use	20-40
Second Floor - B1a Offices	35 – 40
Rooftop Café	10 – 25

- 8.10 Core Policy 5 of the Core Strategy relates to employment. The site is just located with the Slough Trading Estate Existing Business Area. This policy recognises that retailing, leisure, education, health and other service industries are an important source of jobs. As a result they are all classed as “employment” uses for the purposes of this policy.
- 8.11 It is considered that the proposal would bring employment benefits through the creation of a significant number of jobs. The proposed development would be acceptable in terms of employment and compliant with Core Policy 5 of the Core Strategy.

9.0 Design and Impact on the Street Scene

- 9.1 Core Policy 8 of The Slough Local Development Framework and Policies EN1 and EN2 of The Adopted Local Plan for Slough require that development shall be of a high quality design which shall respect its location and surroundings and provide amenity space and landscaping as an integral part of the design. The National Planning Policy Framework states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 9.2 The proposed rear extension will measure 12m in depth, 21m wide. The height of the proposed building would be 9.5 metres to parapet level and 11.7 metres high to the ridge of the glazed boundary wall. At ground floor the extension will form a car port area for the rear car parking spaces and this will have a louvred screening adjacent to Al Quaim Centre.
- 9.3 There will also be a side extension, fronting Montrose Avenue, this will provide access to all floors via a lift and staircase. This element of the extension will measure 10.5m wide, 2.8m in depth and 11.7m in height. The side extension will be fully glazed.
- 9.4 There will be an increase in the height of the building as a result of the roof conversion into an A3 café, the height will be an additional 2.4m, this would alter the ridge height along this stretch of Farnham Road, however given that the materials will be fully glazed as shown on the elevation drawings and the prominent corner location of this site, the extension is considered to be acceptable.

In addition, the extension to house the staff areas does not cover the whole roof area and the majority of the extension will be screened by the 1.8m glazed wall. The

entrance lobby will be in brick as such this element will be viewed from the street scene. The roof top will also benefit from a sheltered permanent flat canopy and a retractable canopies.

9.5 Given the conversion of the existing roof top into a café, a glazed wall will be provided which will be set back from the building line by 0.4m. The conversion of the roof area into an A3 use is considered to be acceptable in terms of design and impact on the street scene, given the prominent corner location of the site, it will enhance the overall appeal of the district centre and seek to attract footfall.

9.6 The proposed building would have three customer entrances, one on Montrose Avenue and two on Farnham Road. The entrances are required to serve different parts of the building, for example the Montrose Avenue entrance will give access to the B1a offices, the access to the offices should be segregated to provide appropriate physical security. A condition will be attached to help ensure that the physical security of the development achieves the highest standards of design in terms of safety and security.

With respect to the shop front, there will be the introduction of more glazing, this will open up the façade which is currently obscured by vinyl posters for the 'Betfred' betting shop. The front elevation of the building will have a proposed canopy, awning's and outdoor seating, this is subject to Highways and Department having no objection to these works.

9.7 The proposed materials to should be to match the existing building and the glazing for the roof top should be a high quality finish. It is considered that the proposed building would be in keeping with surrounding development in terms of the materials to be used and the appearance of the proposed building. Furthermore, the form, scale, height and massing of the proposal is considered to be acceptable.

9.8 In this context, it is considered that the design of the proposal would be acceptable. There is an opportunity to provide landscaping in terms of trees to soften the appearance of the roof top area, as such these will be viewed from both Montrose Avenue and Farnham Road and a condition will be recommended regarding the submission and approval of a landscaping scheme.

9.9 It is considered that the proposed development would comply with Core Policy 8 of the Core Strategy and Policies EN1 and EN3 of The Adopted Local Plan for Slough.

10.0 Potential Impact on Neighbouring Properties

10.1 It is considered that the main areas for consideration in relation to the potential impact on neighbouring occupiers would be with respect conversion of the building into an A3 use and the proposed depth of the rear extension in terms of overshadowing, overdominance and loss of light; hours of operation and noise; and light pollution.

10.2 Impact of the rear extension

10.3 The proposed rear extension will extend 12m in depth from the existing rear building

line, as existing the building extends 5.2m from the rear elevation of the adjoining neighbouring properties, No's. 162 – 163 Farnham Road. As a result of this proposal, there will now be a rearward projection of 17.2m in depth. The adjoining neighbour's (No's. 162 – 163 Farnham Road) window closest to the application site serves a bathroom which is of obscure glass.

10.4 Given the extent of the proposed rear extension, the Agent has undertaken a Daylight and Sunlight Study and this shows that the windows of the residential units closest to the application will still meet nationally accepted guideline standards.

10.5 It is considered that the siting of the proposed building would not give rise to unacceptable impacts in terms of overshadowing, overdominance and loss of light.

10.6 Hours of Operation, Noise and Odour

10.7 The stated hours of opening of the proposed uses would be as follows:

Use	Monday to Friday		Saturday		Sunday and Bank Holiday	
A3	Start 06:00	End 02:00	Start 06:00	End 02:00	Start 08:00	End Midnight
B1a	Start 08:00	End 18:00	Start 08:00	End 18:00	Start 08:00	End 18:00

The hours of operation for the B1a use are considered to be acceptable.

10.8 There is a concern regarding the hours of operation into 2am in the morning on weekday and Saturday's for the A3 use in terms of noise and disturbance to adjoining occupiers, the hours of operation will be amended to be in line with other commercial units along Farnham Road. Thames Valley Police have been consulted and will advise on suitable hours of operation for this use.

10.9 Sources of noise which could potentially impact nearby residential properties would include vehicular traffic entering and exiting the site and manoeuvring in the car park and activity from the A3 use. In terms of the A3 roof top café, the proposed back of house extension will provide a natural barrier to mitigate against noise and disturbance to the adjoining residents, however suitable insulation should be implemented to avoid the noise result of activities

10.10 There will be a condition regarding noise transmission between the floors and to adjoining neighbours. There will also be a condition for no outdoor or internal amplified music.

10.11 Odour

10.12 Odour between domestic and commercial properties can cause a nuisance to residents. Careful consideration should be given to reducing as far as possible the impacts of Odour and the Council's Environmental Quality Manager has made the

following comments:

The Applicant advises that the kitchen cooking extract system will be installed in all hot food cooking kitchen areas serving the A3 facilities. The system will have stainless steel extraction hoods, removable grease filters with removable carbon filters connected to vertical ducting rising through the building, with no bends via purpose designed shafts to terminate min 1m above mansard roof level and with anti-vermin grilles to discharge horizontally. There will be need for the operator to have accessible inspection covers built into the ducting and shafts to enable inspection and cleaning, otherwise there is a potential fire risk through the build-up of grease over time. It appears from the basic design details that the ducting and filtration proposed will be sufficient to meet good practice for noise and odour control.

A cooking odour, noise and filtration condition should be imposed on the consent. The condition should also require ongoing cleaning and maintenance of the cooking extract system to maintain its effectiveness.

There will be a condition and informative to reflect the above, this will ensure suitable mitigation for the adjoining occupiers.

10.13 Light Pollution

10.14 The front elevation of the building includes glazing at ground floor level. The extent of this glazing would however be limited and light spill from within the building would unlikely be significant. With respect to the roof top café, there is potential for light spill within the open areas, further details are required to mitigate light pollution and potential impact to the adjoining neighbours. It has been noted on the drawings on the roof top, the will be enclosed buildings closest to the adjoining occupiers and as such there will be no direct light spillage.

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

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

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

11.0 Parking and Highway Safety

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

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

- 11.3 Policy T8 of The Adopted Local Plan for Slough relates to Cycling Network and Facilities. This policy states that permission will not be granted for proposals which do not include suitable cycle access to and through the site and cycle parking racks and other facilities for cyclists as an integral part of the development.
- 11.4 A Transport Assessment been submitted in support of the proposal. The Council's Transport consultant has been consulted and comments are provided below in relation to vehicle access, pedestrian and cycle access, vehicle parking, glass canopy, cycle parking, refuse and servicing.

Please note that comments regarding the widening line, trip generation, mitigation and conditions can be found in Section 6.5 of this report.

11.5 Vehicle Access

There are two existing vehicle accesses to the site: one from Montrose Avenue serving the rear car park and the second from Farnham Road service road serving the front forecourt of the development. Vehicle access to the five parking spaces at the front of the building will be from Farnham Road and along the service road to where the parking is located. Access to the rear of the building will be from a dedicated access point off Montrose Avenue. This access point is approximately 3.5m wide. It is proposed that a night security shutter will be installed and used at night to prevent inappropriate intrusions into the area.

11.6 Pedestrian and Cycle Access

The Local Highway Authority (LHA) has raised concerns about the lack of controlled crossings in the vicinity of the site, as none of the arms of the Montrose Avenue / A355 Farnham Road junction have any controlled crossing facilities on them, which is the junction in the immediate vicinity of the site. In the Transport Assessment for the Montrose Avenue retail developments (i.e. when accident analysis was last considered) there was evidence of accidents occurring at this junction and with the significant increase of pedestrian movements to this development the risk will increase. This development will lead to an increase in pedestrian movements particularly in the evening and at night to which controlled crossings facilities would assist in pedestrian movement across these busy roads.

The proposed seating area is required to be amended in order to prevent obstruction to public rights of way and the adopted widening line.

11.7 Vehicle Parking

There are currently 20 parking spaces supplied at the site, 13 of these are located behind the building and 7 are in front, separated from the footway along Farnham Road by bollards. It is intended that these 20 spaces will reduced to 12, with 5 located in front and 7 behind the building.

The Slough Local Plan parking standards as set out in the Developers Guide Part 3 state that for:

- A3 café / restaurant use in a shopping area there is no requirement for parking;
- B1 office use a maximum of 1 space per 40m² is required and therefore the provision 7 spaces is acceptable.

11.8 Cycle Parking

There is currently no cycle parking provision at the site. It is proposed to incorporate short stay cycle parking bays at the junction of Montrose Avenue and Farnham Road in the form of five Sheffield racks (enough space for ten bikes), and longer term cycle parking in the form of six covered and secure wall cycle racks located in the rear service area. There will also be staff lockers and showers provided within the building. The long stay parking was agreed at the pre-application stage. The short stay parking is shown in the adopted widening line and therefore it cannot stay in that location, but could be moved to another location on the frontage. Cycle parking to be covered by condition.

11.9 Refuse and Servicing

The delivery point is marked on the plans as being between the building frontage onto Farnham Road and the parking spaces. There is a service corridor running down the northern edge of the building that bins can be wheeled down from the bin store behind the building, in the north western corner of the site, and deliveries can be trolleyed down to the goods lift at rear of the site. This is recommended to the applicant in the pre-application discussions and it is welcomed that this has been accommodated within the design.

In the pre-application discussions it was recommended that the applicant fund a Traffic Regulation Order contribution to amend the waiting restrictions in the service road such that better arrangements can be made for servicing of the site. Currently some servicing of the site occurs from the rear, but once the building has been extended over this area then refuse vehicles and delivery vehicles will not be able to service from the rear without obstructing traffic flow on Montrose Avenue. Therefore the contribution would also be used to introduce a loading ban on Montrose Avenue.

12.0 **Land Contamination**

- 12.1 Comments have been received from the Council's Land Contamination Officer and conditions will be imposed which requires submission of a desk top study. For full detailed comments, please refer to Section 6.7 of this report.

13.0 **Sustainable Drainage**

- 13.1 Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document states that development must manage surface water arising from the site in a sustainable manner which will also reduce the risk of flooding and improve water quality.
- 13.2 Changes in government legislation from April 2015, require major developments to provide measures which will form a Sustainable Drainage System. Sustainable

Drainage Systems (SUDS) are an effective way to reduce the impact of urbanisation on watercourse flows, ensure the protection and enhancement of water quality and encourage the recharge of groundwater in a natural way. The National Planning Policy Framework states that the surface run-off from site cannot increase from existing. Slough's Strategic Flood Risk Assessment states that surface water should be attenuated to Greenfield run-off rates. In the scenario where infiltration techniques are not possible, attenuation will be required in order to reduce surface water run-off.

- 13.3 A detailed drainage design has been requested from the Applicant, this will be assessed by the Council's Drainage Engineer and an update will be given on the Amendment Sheet.

14.0 Planning obligations

- 14.1 The need for planning obligations is considered in light of the comments received from consultees. A Section 106 Agreement would include obligations relating to the use of the site and mitigation necessary to make the development acceptable in planning terms.

14.2 Section 106 Agreement

As set out highways mitigation is requested as part of this application in the form of dedication of land both within and adjacent to the highway widening line. In addition to this a contribution of £3,000 should be secured to the implementation of a Traffic Regulation Order for amendments to waiting restrictions to facilitate loading from the front of the site and to prevent the obstruction of Montrose Avenue.

The applicant will need to enter into a Section 106 Agreement, which will obligate the developer to enter into a deed of dedication and secure the works set out in the transport and highways schedules. This contribution is considered to be reasonable and necessary to mitigate the impacts of the development. This obligation would comply with Regulation 122 of the Community Infrastructure Levy.

15.0 Process

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

16.0 Summary

- 16.1 The proposal has been considered against relevant development plan policies and regard has been had to the comments received from consultees, and all other relevant material considerations.
- 16.2 It is recommended that the application be delegated to Planning Manager for approval subject to consideration of consultee responses, resolution of outstanding highway and transport matters, sustainable drainage matters, completion of a Section 106 Agreement and finalising of conditions.

PART C: RECOMMENDATION

17.0 Recommendation

- 17.1 Delegated to Planning Manager for approval subject to consideration of consultee responses, resolution of outstanding highway and transport matters, sustainable drainage matters, completion of a Section 106 Agreement and finalising of conditions.

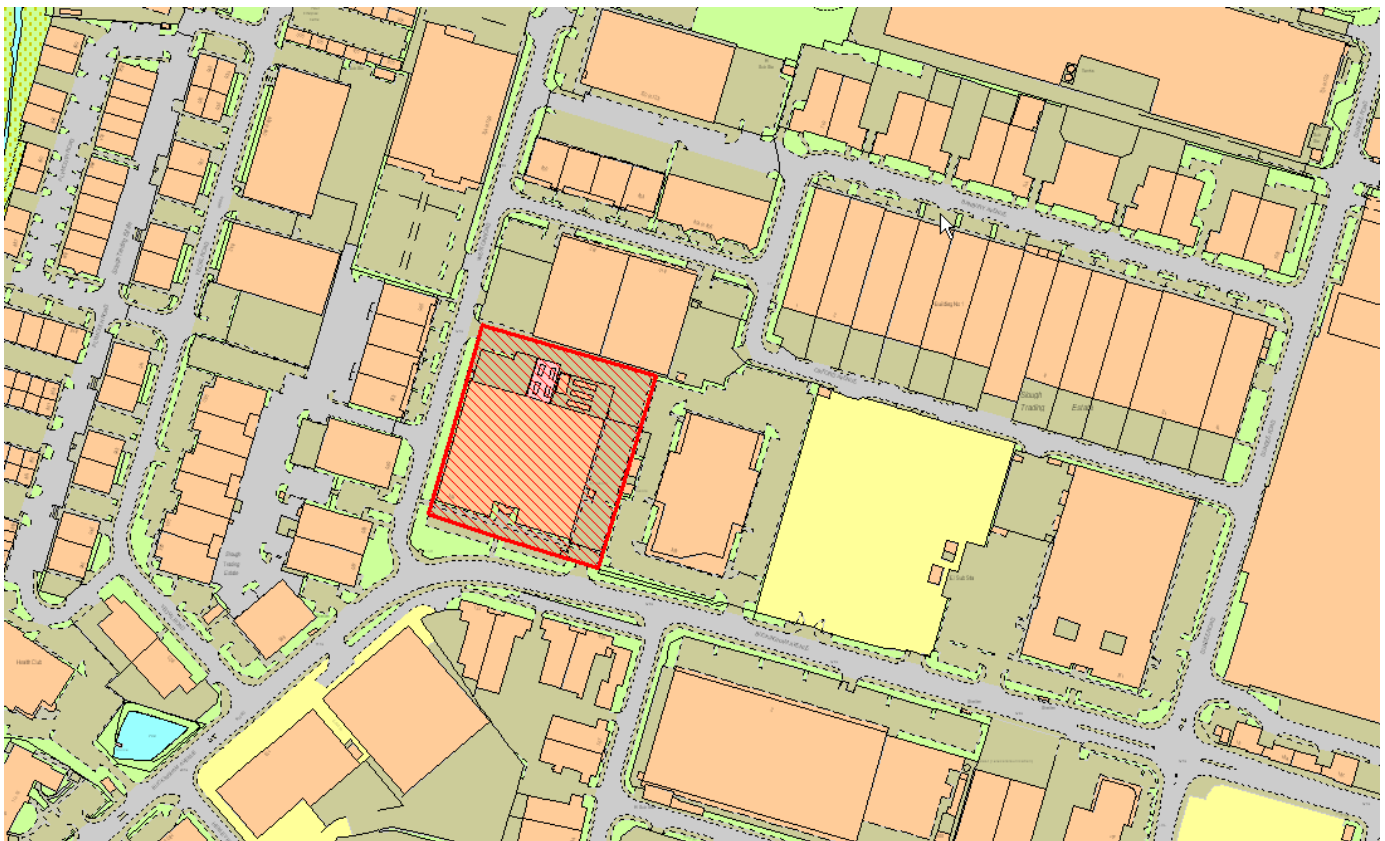
PART D: LIST OF DRAFT CONDITIONS

18.0 CONDITION HEADINGS

1. Commencement within three years from the date of this permission;
2. Development to be carried out in accordance with approved plans;
3. Materials to match existing building;
4. Submission of details car parking security grills;
5. Detailed design for car port parking area, (including column positions);
6. Submission of details of plant and machinery;
7. Submission of details of lighting scheme;
8. Submission of Working Method Statement;
9. Submission of measures to control waste during construction;
10. Submission of details of car park ventilation;
11. Submission of details ventilation and extraction fumes for A3 retail uses;
12. Landscaping;
13. Parking provision;
14. Vision splays & pedestrian vision splays;
15. Cycle parking;
16. Refuse;
17. Land Contamination;
18. Removal of permitted development rights for alterations and extensions;
19. No extension, mezzanine floor or sub-division;
20. No noise transmission into neighbouring properties;
21. No amplified internal or external music;
22. No storage of goods or materials in the open air;
23. No provision of outdoor seating when the ground floor use is not operational;
24. No external security shutters to be installed without planning permission;
25. Definition of permitted use;
26. Commercial developments – internal physical security and CCTV;
27. Hours of operation;
28. Hours of deliveries;
29. Security of the car park; and
30. Protection of noise climate.

Registration Date:	10-Dec-2015	Applic. No:	P/04622/014
Officer:	Neetal Rajput	Ward:	Farnham
Applicant:	C/O Agent	Applic type:	Major
Agent:	Mr. David Ogilvie 26, Howe Street, Edingburgh, Lothian, EH3 6TG	13 week date:	10 th March 2016
Location:	354, Buckingham Avenue, Slough, SL1 4PF		
Proposal:	Demolition of existing external generator and construction of a single storey rear extension with external mezzanine area to accommodate plant equipment. Construction of a single storey side extension and side 1.5m high security fence and associated works.		

Recommendation: Approval



1.0 **SUMMARY OF RECOMMENDATION**

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

1.2 Having considered the relevant policies set out below and all other relevant material considerations, it is recommended that the application be approved.

PART A: BACKGROUND

2.0 **Proposal**

2.1 This is a full planning application for demolition of existing external generator and construction of a single storey rear and side extension with external mezzanine area to accommodate mechanical and electrical plant equipment and telecommunication, IT and cooling equipment. There will also be the erection of a side 1.5m high security fence and associated works.

2.2 The existing external plant will be converted into internal plant rooms and part of the area will be removed to accommodate white space. As a result of this proposal, the net additional floor space will be 1020 square metres. The hours of operation (Monday to Saturday: 8am-6m) and employment numbers (75 full time / 30 part time staff) will remain the same as existing.

3.0 **Application Site**

3.1 The site is 1.12 hectares in area and is situated within Slough Trading Estate. The site is located at 354 Buckingham Avenue. It is used as a telecoms switch site with associated office for Telefonica 02.

3.2 The application site is located with Slough Trading Estate Existing Business Area and within the area covered by the Slough Trading Estate Simplified Planning Zone Scheme. The development however falls outside the scope of this Scheme and requires planning permission. The site is bound by industrial and commercial buildings.

3.3 There appear to be no listed buildings on or near the site and the site is not located within a Conservation Area.

4.0 **Site History**

4.1 Relevant planning history is noted below:

P/04622/010 USE AS A COMPUTERISED TELECOMMUNICATION CENTRE, TELECOMMUNICATIONS NETWORK MANAGEMENT CENTRE, TELECOMMUNICATIONS SYSTEMS DEVELOPMENT CENTRE AND ANY USE WITHIN B1(b), B1(C), B2 AND B8 OF THE USE CLASSES ORDER 1987 TOGETHER WITH ANCILLARY OFFICES AND STAFF AMENITY AREAS AND THE ERECTION OF A PLANT COMPOUND TOGETHER WITH THE INSTALLATION OF CHILLING, AIR CONDITIONING AND GENERATING PLANTS IN ACCORDANCE

WITH THE SUBMITTED DRAWINGS. (AMENDED PLANS RECEIVED 20.04.95)

Approved with Conditions 21-Apr-1995

P/04622/012 CONSTRUCTION OF FIRST FLOOR EXTERNAL PLANT AREA AND EXTENSION OF EXISTING PLANT EQUIPMENT CONSTRUCTION OF HV SUBSTATION AT NORTH EAST CORNER OF SITE

Approved with Conditions; Informatives 14-Oct-2011

5.0 **Neighbour Notification**

5.1 768, Buckingham Avenue, Slough, SL1 4NL, GOMACO INTERNATIONAL, 769, Buckingham Avenue, Slough, SL1 4NL, CROMWELL TOOLS SLOUGH, 770, Buckingham Avenue, Slough, SL1 4NL, Oyez Straker & Calladines, 771, Buckingham Avenue, Slough, SL1 4NL, Oncocene Ltd, 957, Buckingham Avenue, Slough, SL1 4NL, 958, Buckingham Avenue, Slough, SL1 4NL, Wyvale Gardens Ltd, 966, Weston Road, Slough, SL1 4HR, Red Insight Ltd, 965, Weston Road, Slough, SL1 4HR, H M Plant Ltd, 964, Weston Road, Slough, SL1 4HR, Black & Decker University, 963, Weston Road, Slough, SL1 4HR, Anite Group Plc, 353, Buckingham Avenue, Slough, SL1 4PF, Signet International Ltd, 812, Oxford Avenue, Slough, SL1 4LN, Wartsica Uk Ltd, 810, Oxford Avenue, Slough, SL1 4LN, G4s Integrated Services (uk) Ltd, 959, Weston Road, Slough, SL1 4HR, Equinix (services) Ltd, 353, Buckingham Avenue, Slough, SL1 4PF

In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, one site notice was displayed at the site on 29th December 2015. The application was advertised in the 8th January 2016 edition of The Slough Express.

5.2 There have been no representations received. Should any representations be received, they will be included on the Amendment Sheet.

6.0 **Consultation**

6.1 **Environmental Protection**

6.2 Following consultation with Environmental Protection Department, conditions have been recommended with regard to noise and control of waste from demolition and construction phase, plant noise, site lighting and onsite refuse.

Relevant conditions relating to the proposal have been included.

6.3 **Environmental Quality**

6.4 No concerns have been raised given the proximity of the residential properties, it is considered that a Noise Impact Assessment would not be required to supplement the proposal.

6.5 Transport and Highways

6.6 Based on the submitted information it is unlikely that the proposals will have an effect on the highway network, therefore an objection on highways grounds will not be raised.

PART B: PLANNING APPRAISAL

7.0 Policy Background

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

The National Planning Policy Framework (2012) and the Planning Practice Guidance

The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, Adopted December 2008

Core Policy 1 – Spatial Strategy
Core Policy 5 – Employment
Core Policy 7 – Transport
Core Policy 8 – Sustainability and the Environment
Core Policy 10 – Infrastructure
Core Policy 12 – Community Safety

The Local Plan for Slough, Adopted March 2004

Policy EN1 – Standard of Design
Policy EN3 – Landscaping Requirements
Policy EN5 – Design and Crime Prevention
Policy T2 – Parking Restraint
Policy T8 – Cycling Network and Facilities
Policy T9 – Bus Network and Facilities
Policy EMP2 – Criteria for Business Developments
Policy EMP7 – Slough Trading Estate
Policy EM12 – Remaining Business Area

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

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

The Local Planning Authority has published a self assessment of the

Consistency of the Slough Local Development Plan with the National Planning Policy Framework using the PAS NPPF Checklist.

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

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

The Council has also formally announced its intention to prepare a Local Plan Development Plan Document and is seeking comments on the proposed scope and content of the document – this consultation period runs from Friday 4th December 2015 to 15th January 2016.

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

- 1) Principle of development;
- 2) Design and Impact on the street scene;
- 3) Potential impact on amenity;
- 4) Parking and highway safety; and
- 5) Planning obligations.

8.0 **Principle of Development**

8.1 The site is located within the Slough Trading Estate Existing Business Area. There are other similar industrial/warehouse uses in the vicinity of the site.

8.2 The proposal is considered to be acceptable in principle, the development is required to ensure that the site operates efficiently and meets the needs of its current occupier.

8.3 Core Policy 5 of the Core Strategy relates to employment. There is a general presumption against the loss of employment generating uses within the Existing Business Areas. This policy sets out that the continued success of the Trading Estate as an employment centre is of great importance to the local economy and the prosperity of the town as a whole.

8.4 It has been noted that as a result of this proposal there will be no loss of employment floor space, as such no objection is raised in principle. In addition, there will be no reduction in staff numbers as result of the proposal as 105 jobs would be retained.

- 8.5 The proposed use is considered to be acceptable and it is noted that the site as existing brings employment benefits through the retention of a significant number of jobs. It is not considered relevant to condition the use and impose restrictions on the layout or hours of operation as this is an existing use within the Trading Estate.
- 8.6 A full detailed drainage design is not required for this proposal as the proposed extension will replace an existing demolished building. Furthermore, the site does not fall within a Flood Risk Zone and there are no surface water run-off issues identified within the application site.
- 9.0 **Design and Impact on the Street Scene**
- 9.1 The proposed rear extension will be sited in an existing area of floor space which will be demolished, the mezzanine area will be located above the footprint of the rear extension. The proposed side extension will utilise two car parking spaces. The proposed extensions will not exceed the highest part of the existing building.
- 9.2 It is considered that the side and rear extensions will not have a detrimental impact to the street scene along Buckingham Avenue as there are no changes to the front elevation of the building. The side extension and rear extension will be in keeping with the existing building. There is a condition requiring the materials to match the existing building, as such the proposal is considered to be in character and its appearance respects the existing building.
- 9.3 It is considered that the proposed extensions would be in keeping with surrounding development in terms of the materials to be used and the appearance of the proposed building. The added height will match that of the existing building on site and will tie into this complementing the existing building form. Furthermore, the form, scale, height and massing of the proposal is considered to be acceptable.
- 9.4 In this context, it is considered that the design of the proposal would be acceptable. The existing access footpath along the western boundary is required to be closed off for security purposes to only allow for one main staff entrance to the site. As such, there is an opportunity to implement suitable boundary treatment along the western boundary and a condition has been recommended to secure this.
- 9.5 It is considered that the proposed development would comply with Core Policy 8 of the Core Strategy and Policies EN1 and EN3 of The Adopted Local Plan for Slough.
- 10.0 **Potential Impact on Amenity**
- 10.1 The proposal is considered to have no significant adverse impact on the amenity of nearby residential occupiers, the nearest residential properties are located approximately 220m.

- 10.2 The proposed rear extension would be located towards the north-east end of the application site. Properties 810 and 812 Weston Road border the north-west flank of the application site. The rear elevations of these industrial warehouse style units are located adjacent to the shared boundary. In light of the nature of these neighbouring units no detrimental impact on amenity is identified.
- 10.3 It is considered that matters relating to plant noise and transmission can be controlled by condition in the interests of limiting the potential noise and adverse amenity impacts. The plant equipment should be installed and maintained to ensure that there is no noise pollution to neighbouring occupiers but also in the interest to protect staff present at the site, relevant conditions have been recommended.
- 11.0 **Parking and Highway Safety**
- 11.1 Core Policy 7 of the Core Strategy sets out the Planning Authority's approach to the consideration of transport matters. The thrust of this policy is to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel.
- 11.2 Policy T2 of The Adopted Local Plan for Slough seeks to restrain levels of parking in order to reduce the reliance on the private car through the imposition of parking standards.
- 11.3 Policy T8 of The Adopted Local Plan for Slough relates to Cycling Network and Facilities. This policy states that permission will not be granted for proposals which do not include suitable cycle access to and through the site and cycle parking racks and other facilities for cyclists as an integral part of the development. The Council's Highways & Transport Department have assessed this application and no objection is raised, detailed comments can be found below in relation to trip generation and car parking.
- 11.4 *Traffic generation*
The proposals do not alter the number of staff located at the site and will not change delivery / collection / refuse arrangements, and therefore there will be no additional vehicle trips generated by the proposals.
- 11.5 *Car Parking*
Five car parking spaces at the site will be lost as a result of the proposals. There are currently 117 spaces on site, which will be reduced to 112. As there are currently only 105 full time / part time members of staff it is considered that 112 parking spaces will be sufficient. Additionally, in line with Slough Borough Council parking guidelines a maximum of one parking space should be provided per 40m² of office space. The area of office for this site is estimated to be approximately 3,250m² therefore 81 spaces should be required, this number is satisfied. In addition O2 currently funds a bus service connecting this site and the Bath Road site with Slough Railway Station on a frequent basis. Therefore taking into account the Travel Plan measures that O2 already have in place to minimise reliance on the motor car, there is no objection in highway terms.

- 11.6 *Cycle Parking*
There are to be no alterations to cycle parking provided at the site. As there are no proposed changes to staff numbers this is accepted.
- 11.7 *Refuse and recycling*
No changes to refuse and recycling arrangements are proposed.
- 11.8 *Access*
There will be no changes to the vehicle access and the proposals will not alter or affect the existing pedestrian access arrangements through the main access from Buckingham Avenue. However, an extension of the primary security fence is proposed along the western edge of the site bordering Western Road, this will reduce / deflect pedestrian flow across the front of the building by cutting off the pedestrian access from Western Road. This means all pedestrians entering the building will have to do so through the main entrance from Buckingham Road. This was agreed as acceptable at the pre-application site visit.
- 12.0 **Planning obligations**
- 12.1 Given the nature of the proposal and in light of the comments received from consultees, there are no planning obligations required for this application.
- 13.0 **Process**
- 13.1 In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner. The development is considered to be sustainable and in accordance with the requirements of the National Planning Policy Framework.
- 14.0 **Summary**
- 14.1 The proposal has been considered against relevant development plan policies, and all other relevant material considerations.
- 14.2 It is recommended that the application be approved.

PART C: RECOMMENDATION

- 15.0 **Recommendation**
- 15.1 It is recommended that the application be approved, with conditions.

PART D: LIST OF CONDITIONS

CONDITIONS / REASONS

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

REASON To prevent the accumulation of planning permissions, and to

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

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

- (a) Drawing No. 1357-20-05 Rev 03, Dated 02/03/2015, Recd On 18/01/2016
- (b) Drawing No. 1357-20-01 Rev 01, Dated 05/03/2015, Recd On 10/11/2015
- (c) Drawing No. 1357-20-03 Rev 01, Dated 05/03/2015, Recd On 24/11/2015
- (d) Drawing No. 1357-20-06 Rev 01, Dated 05/03/2015, Recd On 10/11/2015
- (e) Drawing No. 1357-20-07 Rev 01, Dated 05/03/2015, Recd On 10/11/2015
- (f) Drawing No. 1357-20-08, Dated 06/03/2015, Recd On 10/11/2015
- (g) Drawing No. 1357-20-09, Dated 06/03/2015, Recd On 10/11/2015

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 Development Plan.

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

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

4. Prior to first occupation of the proposed development, the boundary treatment shall be implemented in accordance with Drawing No's. 1357-20-08 and 1357-20-09. The boundary treatment shall be maintained and remain in perpetuity.

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, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

5. No 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 any demolition;
 - (b) Minimise the pollution potential of unavoidable waste;

(c) Dispose of unavoidable waste in an environmentally acceptable manner;

Have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of building operations and the subsequent use of the buildings.

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

6. The machinery, plant or equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise there from does not, at any time, increase the ambient equivalent noise level when the machinery, plant or equipment is in use at any adjoining or nearby properties in separate occupation.

REASON To protect local residents from nuisance caused by excessive noise in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework, 2012.

7. All plant, machinery and equipment (including refrigeration and air conditioning systems) to be used in conjunction with the development hereby approved shall be so installed, maintained and operated so as to prevent the transmission of noise and vibration into any neighbouring properties.

REASON To protect local residents from nuisance caused by excessive noise in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework, 2012.

8. No additional external plant or equipment shall be installed or used without the prior written consent of the local Planning Authority. Any external plant designed for use in connection with the building must have provided with it the sound mitigation measures necessary to ensure that the amenity of occupiers of neighbouring properties is protected.

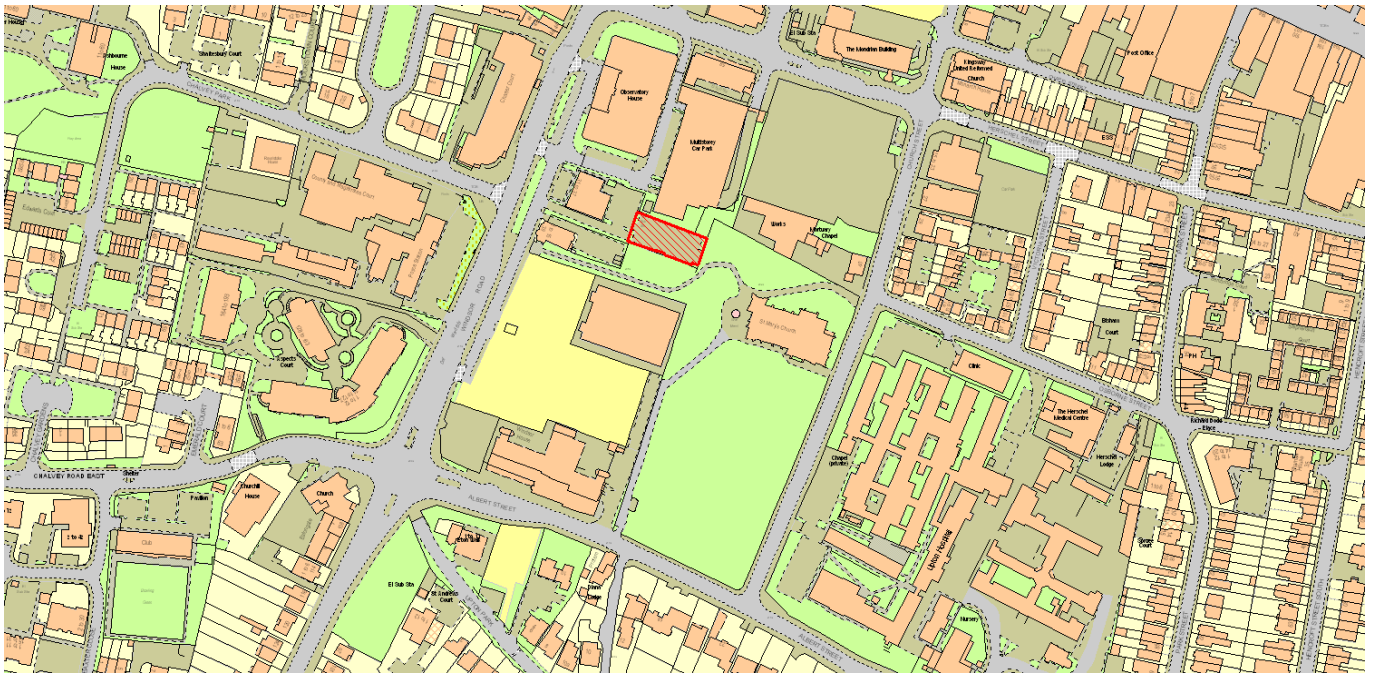
REASON To protect local residents from nuisance caused by noise in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework, 2012.

INFORMATIVES:

1. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

Registration Date:	14-Dec-2015	Applic. No:	P/02278/018
Officer:	Mr Smyth	Ward:	Central
Applicant:	Mr. Ahmed Naseem, MNK Estates (UK) Ltd		
Agent:	Maurice Spafford 11, Park Terrace, The Park, Nottingham, NG1 5DN		
Location:	WESTMINSTER HOUSE, 31-37, WINDSOR ROAD, SLOUGH, BERKS., SL1 2EL		
Proposal:	Construction of a 5 storey building to provide 17 no. flats on land to the rear of 31-37 Windsor Road together with 6 no. car parking spaces.		

Recommendation: Delegate to the Planning Manager for approval



1.0 **SUMMARY OF RECOMMENDATION**

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

1.2 Having considered the relevant policies set out below and all other relevant material considerations, it is recommended that the application be delegated to the Planning Manager for approval, subject to any minor design changes if required, completion of a Section 106 Agreement and finalising conditions.

PART A: BACKGROUND

2.0 **Proposal**

2.1 The proposal is for construction of a 5 storey building to provide 17 no. flats on land to the rear of 31-37 Windsor Road together with 6 no. car parking spaces.

2.2 The building comprises:

Ground Floor: 1 no. studio apartment, 1 no. one bed flat & 1 no. two bed flat

First & Second Floors: 4 no. one bed flats

Third Floor: 1 no. studio apartment, 1 no. one bed flat & 1 no. two bed flat

Fourth Floor: 2 no. two bed apartments

2.3 The application is accompanied by full plans, including site plan, block plan floor plans elevations and sections. The application is also supported by a number of statements including:

- Arboricultural Survey
- Arboricultural Method Statement
- Daylight & Sunlight Study
- Design & Access Statement
- Transport Statement
- Heritage Impact Assessment

2.4 Pedestrian and Vehicular access is from Windsor Road utilising the existing access. Parking for 6 no. cars is provided at the rear of the site adjacent to the eastern boundary with the neighbouring listed building at St Marys Church.

3.0 **Application Site**

3.1 The application site which has a site area of 0.065 hectare comprises land rear of Westminster House which is currently hard surfaced and formerly provided surface car parking for Westminster House when it was in use as offices. Westminster House itself which is a modern 4 storey brick –clad building with its principle elevation facing towards Windsor Road, has received an approval under the prior approval notification process to convert the building from Class B1(a) offices to Class C3 flats, comprising 11 no. one bedroom, 8 no. two bedroom and 8 no. studio apartments.

- 3.2 Access to the site is available from an existing vehicle crossover off the existing adopted front service road which runs parallel to the main Windsor Road. The access road is lined with mature trees along the southern boundary of the site and there are further trees along the eastern boundary of the site which adjoins the Grade II* listed church of St Marys. There is a confirmed tree preservation order (TPO 1 of 2004) in place along the eastern boundary which covers a total of 3 no. trees.
- 3.3 The site is enclosed by a close boarded fence along its northern southern and eastern boundaries. Adjoining the fence along the eastern boundary is a section of the Victorian churchyard wall, which is protected under the general listing for the church.
- 3.4 Immediately adjoining the site to the north is the Herschel Street multi storey car park and to its west is Observatory House which is undergoing a major external refurbishment and fit out. To the west of the site is Westminster House, a modern 4 storey office building. To the south west of the site is 39 Windsor Road, also a 4 storey modern office building, which has planning permission for extension and conversion to residential use (P/00861/012). Immediately south of this building is a gated tree lined pedestrian entrance into the grounds of St Marys Church. To the south of the pedestrian access is a decked car park and there is currently under construction a 10 storey residential and 8 storey hotel scheme, both fronting Windsor Road. To the far west of the site is the Urban Building which is a substantial 8 storey office scheme fronting onto Albert Street.
- 3.5 The site is immediately to the west of St Mary's Church, a grade II* building. It is surrounded by a churchyard, with boundary walls, and gateways and gate piers east and west, all of which are listed by virtue of being within the curtilage of the church. The Gothic Revival church of 1876-78 with additions of 1911-13 is an elaborate design in Decorated style by John Oldrid Scott, son of the leading Victorian church architect Sir George Gilbert Scott. To the west of the church is a war memorial which is grade II listed in its own right.

4.0 **Site History**

- 4.1 Westminster House to the north west of the site was the subject of a prior approval notification application for a change of use from B1(a) offices to Class C3 residential for the provision of 27 no. flats.
- 4.2 As referred to in paragraph 3.2 above, the site benefits from the existence of a Tree Preservation Order (TPO 1 of 2004). This relates to 3 no. horse chestnut trees which are located on the eastern boundary of the site with St Marys Church.
- 4.3 Pre application advice was provided prior to the submission of this application.

5.0 **Neighbour Notification**

- 5.1 Neighbours Consulted: The Occupier, Page House, 39, Windsor Road, Slough SL1 2EL
The Occupier, I C L, Observatory House, Windsor Road Slough, SL1 2EY
The Occupier, St. Marys Church, Church Street, Slough SL1 1PJ

The Occupier, Thames Valley Police, Police Station Windsor Road, Slough, SL1 2HH
 The Occupier, H S B C, Westminster House 31-37 Windsor Road, Slough, SL1 2EL
 The Occupier, Bettison & Johnson, 35, Windsor Road Slough, SL1 2EB
 The Occupier, Office Angels, Westminster House 31-37 Windsor Road, Slough, SL1 2EL
 The Occupier, Airwave Solutions Ltd, 50, Windsor Road Slough, SL1 2EJ
 The Occupier, Affinion Ltd, 50, Windsor Road, Slough SL1 2EJ

Notice placed on site and advertised in the local press.

NO COMMENTS RECEIVED

6.0 **Consultation**

6.1 **Transport & Highways**

This is an application for the construction of a 5 story building which will contain 17 flats (nine 2 bed, one studio, seven 1 bed), along with 6 parking spaces. It is located behind Westminster House on Windsor Road, on the site of a redundant car park. The site of Westminster house is also owned by the developer and has prior approval for change of use from office to residential, it is expected that 27 flats may be included in this development. Although no planning application has been submitted for these proposals as yet, some aspects are considered throughout these comments for the new build. A design and access statement and drawings have been submitted in support of the application for 17 flats.

Trip Generation

A TRICS assessment has been carried out for the proposed development. It is expected that the development will produce a total of 25 daily trips, 12 arrivals and 13 departures. These figures along with AM and PM peak trips are illustrated in the table below. This number of trips is not expected to have an adverse effect on the surrounding highway network.

	Arrivals	Departures	Total
AM Trips	1	3	4
PM Trips	1	0	1
Daily Trips	12	13	25

As it is likely that the existing Westminster House, previously used as offices, will also be converted into flats (27 expected) the trip generation for this has also been calculated and added to that for the 17 flats above, essentially treating this as one development. The numbers for both developments together are shown in the table below; a total of 72 daily trips would be expected.

	Arrivals	Departures	Total
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AM Trips	3	7	10
PM Trips	4	2	6
Daily Trips	35	37	72

Westminster House was recently used as offices, though now it is disused. Therefore to calculate the net trip generation of the two blocks of flats, the trips generated by the previous office use have been calculated and subtracted from the trips generated by the two blocks of flats. The results are shown in the following table. As can be seen there is a net decrease in trips meaning the flats will have a smaller impact on the highway than the office use does currently.

	Arrivals	Departures	Total
AM Trips	-11	5	-6
PM Trips	0	-11	-11
Daily Trips	-39	-34	-73

In summary, it is expected that the number of daily trips from both of the residential developments combined will total 73 fewer than from the previous office use.

Car Parking

It is proposed that 6 car parking spaces will be provided for the development. According to the Slough Developers Guide Part 3 residential developments in town centre locations (where this development is located) have a minimum parking requirement of nil. Therefore this number of spaces is accepted.

The spaces themselves have been measured as well as the distance behind the spaces and these are found to be in line with standards.

It has not been stated anywhere how these spaces will be allocated however, or if they will be first come first serve.

Cycle Parking

16 cycle parking spaces will be provided in the form of Sheffield stands, these are an accepted form of cycle rack. In the Developer's Guide it is stated that 1 space per unit should be provided per flat therefore an additional parking space, to total 17 should be provided at the development. However 16 spaces will be accepted as this is a town centre development located very close to amenities.

The location for the cycle parking, to the side of the entrance area to the building is considered good, however it is recommended that there is just one door that leads into the store and this is from the secure entrance hall and therefore reducing the opportunity of theft. The space between each stand has been measured and found to be in line with guidelines which state a preferred minimum distance of 1 metre, while the distance from the stands to the store walls are just over half a metre.

Cycle Parking for Adjoining Prior Approval Application

Concerning the cycle parking that is marked on the plans for Westminster House, it is considered that the door should be moved to the other side of the shelter to provide more natural surveillance. It is also proposed that the area of parking is moved to where parking spaces number 12 and 13 are currently positioned. This will not only mean that 2 or 3 parking spaces that are easier to manoeuvre into are located where

the current cycle parking is, but will also mean that no ground floor flats are overlooking the brick wall that will be the back of the bike building.

Access

Access to the development will be from Windsor Road service road. Vehicle access will be shared with that for the existing car park for Westminster House. There will be no new or altered vehicle access from Windsor Road service road. It is noted that the footway area of Windsor Road service road in front of the site is adopted.

The access road is measured to be between 3.8 and 4 metres wide. According to guidelines in Manual for Streets this allows for one car- for which the minimum width would need to total 2.75 metres. For 2 cars to pass the width would need to increase to 4.1 metres. Therefore as the access is to remain unchanged it will be suitable for one car and the rest of the space can be used by pedestrians and cyclists.

As the access is located off the Winsor Road Service Road, it is considered that a width of 3.8 metres, sufficient for one car, is acceptable

Being located in the town centre means that there is good pedestrian and cycle provision in the area. It is assumed that pedestrians and cyclists will use the same access as vehicles, as it stands the width of the access is acceptable for this use.

Servicing

No details have been submitted on servicing arrangements apart from stating that storage provisions will be shared with Westminster House and the capacity will be increased as necessary. In line with guidelines set out in the Developer's Guide, 2 euro bins for general refuse will need to be provided for the flats and 1 recycling bin. It is noted that Westminster House belongs to the developer, however if this building is currently under commercial use then the refuse area cannot be shared with the new residential development. If this is the case the three bins for the 17 flats will need to be separate and could be stored next to the building on the western edge where there is plenty of room. However, if Westminster House is due to be changed to residential use then the refuse area could be shared. This will not be possible however until both are of the same use.

The bin area is stored within 30 metres of the entrance to the building in line with guidelines in the Developer's Guide. However the refuse store is not located within 10 metres of the road, meaning that either the refuse vehicle would need to travel down the access road, reverse into the car park and then exit the site in forward gear, or a refuse collection area will need to be introduced at the end of the access road and a management company would have to be employed to move the bins down to this area as the distance will exceed 10 metres.

For both options drawings need to be submitted before a decision on this application can be made. If a vehicle were to travel down the access road to the car park a vehicle tracking drawing will need to be submitted showing that the manoeuvre for the vehicle to turn in the car park and then exit the site in forward gear is possible. The vehicle should not have to reverse more than 12 meters.

It is also noted that the current arrangement of bins as illustrated in the drawings is

not acceptable as all bins would have to be removed to take out those at the back.

Development Impact

Based on the information provided it is not considered that the development will have a significant impact on the highway network. However, before a decision on the application can be made the refuse collection and servicing arrangements need to be clarified and agreed.

Recommendation

Subject to the applicant providing tracking drawings demonstrating that a refuse vehicle can enter the site, turn and leave in a forward gear then I see no reason for a highway objection.

6.2

Heritage Adviser

The application site is land to the rear (or east) of Westminster House at 31-37 Windsor Road, currently a car park with a tarmac surface and flanking greenery. The proposal is to erect a five-storey block of seventeen flats and retain six parking spaces on the site.

The site is immediately to the west of St Mary's Church, a grade II* building, which means it is among the top six-per-cent of the country's listed buildings. It is surrounded by a churchyard, with boundary walls, and gateways and gate piers east and west, all of which are listed by virtue of being within the curtilage of the church. The Gothic Revival church of 1876-78 with additions of 1911-13 is an elaborate design in Decorated style by John Oldrid Scott, son of the leading Victorian church architect Sir George Gilbert Scott. The tall stone-built spire is a landmark in the town. Although all sides of the church are interesting designs, the west front, including as it does a north-west tower and soaring spire, is perhaps the most important. To the west of the church is a war memorial which is grade II listed in its own right.

The immediate setting of this group remains verdant and unspoilt, and the area to the west is at present a fine green space. The wider setting is eroded by large buildings on Windsor Road. The application site however is east of Windsor Road and near the north-west corner of the church. The proposal looks likely to significantly erode the setting of church and war memorial, and to damage the key view of the two from the west. The impact of the proposal is exacerbated by details such as security lighting, upvc windows, mixed materials, and balconies, which would add to the impact.

The application provides no information about the historic environment affected, contrary to NPPF 128, and no justification for the proposal, contrary to NPPF 132. The site plan does not show the listed walls of the churchyard or indicate whether they are affected, and there is no survey of the application site. Accordingly no case is made for approval. This deficiency is evident when contrasted with the very detailed information about the historic environment provided for a development further south at 43-61 Windsor Road (P/00906/030) .

The setting of a listed building is protected by legislation and planning guidance. The Planning (Listed Buildings and Conservation Areas) Act 1990 section 66 requires that, "in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority... shall have special regard to

the desirability of preserving the building or its setting." The NPPF sections 129 and 132 also require weight to be given to the conservation of the setting of a listed building, especially one of grade II*.

The current car park is infinitely preferable for the setting of the listed buildings to a five storey block of flats, and the application makes no case for the proposed change.

Recommendation: refuse for lack of information and justification, contrary to NPPF 128 and 132, and negative impact on setting of a high grade listed building, contrary to NPPF 133/134

Officer's Response: In response to these comments the applicant appointed a heritage consultant and a heritage statement was submitted. In turn the Heritage Statement was considered by the Council's heritage Adviser who responded as follows:

Slough Borough Council (= LPA) previously sought the advice of BEAMS on this application and a response was sent on 7th October 2015.

In this advice letter Dr Valerie Scott reviewed the application site and considered the matter in the light of conservation priorities. Notable these are that the development site is close to the Grade II* church of St Mary's (1876-78 and 1911-13) and the adjacent War Memorial.

As a result of this setting advice was given that the application lacked attention to the requirements of NPPF 128 and NPPF 132.

Therefore and in conclusion the recommendation was made:

Refuse for lack of information and justification, contrary to NPPF 128 and 132, and negative impact on the setting of a high grade listed building contrary to NPPF 133/134.

Later in October a Heritage Impact Assessment was submitted on behalf of the developers, MNK Estates (UK) Ltd, by Asset Heritage of Oxford (ref AHC/9400). Paragraph 1.7 of this states that 'this report takes account of the comments made by the Council's Conservation Consultants, BEAMS'.

As a result we now are in possession of more information and a justification statement.

The relevant documents have been reviewed including the application documents and the Heritage Impact Assessment.

The advice of BEAMS to the LPA remains the same as what is stated in the second page of Dr Scott's letter of 7th October 2015 and the information as now supplied in the Heritage Impact Assessment does not overturn this view.

REASONS:

St Mary's Church is a Grade II* listed building and is thus one of the most important items of historic fabric in the LPA area as well as being of 'regional importance' due to the II* status. The church is one of only 7 Grade II* listed items or groups in the Borough.

The setting of the church has already been the subject of intense development in the form of multi-storey buildings encroaching on its setting. This encroachment has been on each flank of the building. What remains of the openness of its setting is to be found at the ends and thus may be found in the churchyard and the remaining open areas beyond this.

The scheme as proposed in P/02278/018 would contribute further to this encroachment of multi-storey development and would thus represent 'substantial harm' to the setting in the terms of NPPF 133.

Effects on the setting of the church are considered to be detrimental to a degree that makes the assertions in paragraphs 2.15, 2.16 and 3.12 of the Heritage Impact Statement not acceptable.

CONCLUSION: although the evidence contained in the Heritage Impact Statement supplies the information previously lacking (viz. letter of 7th October 2015) its final paragraph is disputed. That the proposals 'preserve the setting of the church' is not accepted. The advice to the LPA of BEAMS is thus to refuse P/02278/081.

Officer's Response

Issues of heritage impact are discussed in more detail elsewhere in this report.

6.3 **Land Contamination Officer**

I have reviewed the information submitted for the above property, as well as our records related to potential contaminative land uses at the property and within 150 m of the property.

While there are no potentially contaminative land uses associated with the development site, the nearest potential sources of contamination are: a former Laundry, a Graveyard, and a former Dairy. In addition, the proposed development is located within 150m of three other sites with Disused Tank Registry entries and a former Brickfield/ Gravel Pit.

At least two of the neighbouring sites with Disused Tank Registry entries have had reports of leaks, and while some of the tanks were removed as part of subsequent planning application, the majority were made safe by slurry/sand filling and still remain on site.

Based on the above, it is likely that the prevalent contamination pathway at the site will be the inhalation exposure pathway. Thus, further information is required in order to assess the risk of any active potential vapour/ground gas inhalation pathway and to demonstrate that there are no unacceptable risks to the human health receptors from the proposed development.

No objection raised subject to conditions.

6.4 Tree Officer

Consent granted as per Sylva Consultancy arboricultural method statement

Recommendation –Works are carried out to BS3998 Standards also would recommend using an Arboricultural Association Approved contractor.

6.5 Housing Development

Based on the 17 units, the commuted sum payable as below;

Affordable Housing

Unit Type	Full scheme	Number (at 30%)	Funding Shortfall	Total Funding Shortfall
Studio (66% 1BF)	2	1	£19,800	£19,800
1BF	7	2	£30,000	£60,000
2BF	8	2	£35,000	£70,000
total	17	5		

Total commuted sum payable

£149,800

6.6 Environmental Quality

This development relates to the construction of a 5 storey building (providing 17 flats) on land rear of 31-37 Windsor Road together with 6 car parking spaces.

There are currently 30 existing car park spaces and this will reduce to 6 (a reduction of 24 car park spaces). There will also be 16 cycle spaces included within the scheme.

The development sits just outside the Town Centre AQMA and is sufficient distance from the Highway to ensure there is no adverse impact from poor air quality or significant road traffic noise.

In line with Institute of Air Quality Management Guidance on Land-Use Planning & Development Control: Planning For Air Quality and our forthcoming Low Emission Strategy we would expect on site mitigation to mitigate the impact against air quality as follows:

- 1) The developer to install one mode 3 post mounted dual electric charging point in the car park to serve the new flats. (There would be no objection to installing this EV charger in the existing office to residential car parking area.) The developer to ensure the electric charging point is separately metered and is

managed by service contract.

- 2) The developer to design a suitable car parking management plan, as it is not clear how car parking will be allocated, and to which property. Details within the car parking management plan to cover the provision and operation of the electric charging point, its management and operation.
- 3) Low Emission Boilers installed within the development that meet the following standard less than 40mgNOx/kWh.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 National guidance

- National Planning Policy Framework

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

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 4 (Type of Housing)
- Core Policy 5 (Employment)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability & the Environment)
- Core Policy 9 (Natural & Built Environment)
- Core Policy 10 (Infrastructure)

Adopted Local Plan for Slough

- H7 (Town Centre Housing)
- H14 (Amenity Space)
- EN1 (Standard of Design)
- T2 (Parking Restraint)

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

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

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

The detailed Self Assessment undertaken identifies that the above policies are generally in conformity with the National Planning Policy Framework. The policies

that form the Slough Local Development Plan are to be applied in conjunction with a statement of intent with regard to the presumption in favour of sustainable development.

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

The Council has also formally announced its intention to prepare a Local Plan Development Plan Document and is seeking comments on the proposed scope and content of the document – this consultation period runs from Friday 4th December 2015 to 15th January 2016.

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

- 1) Principle of development;
- 2) Design and Impact on the street scene;
- 3) Heritage Impact
- 3) Impact on neighbouring amenity;
- 4) Parking and highway safety;
- 5) Trees
- 6) Quality of Housing
- 7) Affordable Housing & S106 Planning Obligations;
- 8) Sustainable Drainage
- 9) Land Contamination

8.0 **Principle of Development**

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

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

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

- 8.2 At paragraph 49 in respect of delivering a wide choice of high quality homes it states that housing applications should be considered in the context of the presumption in favour of sustainable development.
- 8.3 Core Policy 1 sets out the overall spatial strategy for Slough requiring all developments to take place within the built up area, predominately on previously developed land. The policy seeks to ensure high density housing is located in the appropriate parts of Slough Town Centre with the scale and density of development elsewhere being related to the sites current or proposed accessibility, character and surroundings.
This feeds through into Core Policy 4.
- 8.4 Policy 7 of the adopted Local Plan for Slough supports the principle of residential use/development within the town centre and particularly mixed use schemes.
- 8.5 The principle of high density flats within the town centre is acceptable in principle subject to the consideration of the other matters as set out below.
- 9.0 **Design and Impact on the Street Scene**
- 9.1 The National Planning Policy Guidance, in its overarching Core Planning principles state that planning should: Proactively drive and support sustainable economic development to deliver the homes, business and industrial units infrastructure and thriving local places that the country needs.....always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildingshousing applications should be considered in the context of the presumption in favour of sustainable development.....good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.
- 9.2 Core Policy 8 states that all development in the borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change. With respect to achieving high quality design all development will be:
- a) be of a high quality design that is practical, attractive, safe, accessible and adaptable
 - b) respect its location and surroundings
 - c) 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 requires that development proposals reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of: scale, height, massing, bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees, and relationship to water courses.
- 9.4 The proposed building is rectangular in shape with a footprint of 25.5m deep X 10.5m wide. It displays a fairly typical modern design, with clean lines with facing brick on the ground and top floors of a colour and texture to match that of the existing Westminster House to the west, and contrasting render on the first to third floor levels.

However, with respect to the elevation which faces east towards the church alternative finishes are under discussion, with a view to improving the buildings relationship with the listed church. One option under consideration is to use a reflective cladding which would reflect the trees which currently line the boundary. In addition the projecting balconies have been removed and replaced by Juliette balconies to improve the appearance of this elevation. There is a set back at third and fourth floor levels on the eastern elevation facing towards the listed church of St Marys forming terraces which would be planted again to soften the appearance of the more sensitive elevation facing towards the church.

9.5 There would only be very restricted views/glimpses of the proposed building from the main public realm which is within Windsor Road itself, this is because of the screening already provided by existing/proposed high rise developments along this part of Windsor Road together with the existing tree screen.

10.0 **Heritage Impact**

10.1 In response to the initial comments received from the Council's heritage advisers, the applicant submitted a heritage statement submitted a heritage statement prepared by Asset Heritage Consulting.

10.2 The heritage statement summarises the situation as follows:

“The churchyard of St. Mary’s Church stands by way of contrast to this late 20th- and ongoing early 21st-century development and redevelopment. The church itself, which was built in a Decorated style by the architect, John Oldrid Scott in 1876-78 with Heritage Impact with additions and alterations made in 1911-13, and which has a particularly striking interior (plate 9), is listed at Grade II*, its tall stone-built spire in particular being a notable landmark in this part of Slough.

The war memorial, which stands alongside the west front of the church is individually listed at Grade II and, as stated in the Beams letter of 7 October 2015, the boundary walls, gate piers and gates to the churchyard can also be regarded as ‘listed by virtue of being within (or defining) the curtilage of the church’. The churchyard, ‘remains verdant and unspoilt, and the area to the west (of the church) is at present a fine green space’, as indeed it is on all sides of the church. Parts of the churchyard are enclosed by its original Victorian brick wall, but in others this has been removed as the churchyard has been extended or the wall simply replaced by a close boarded fence.

The application site is separated from the churchyard on its western side by a section of the original walling and to the south (the side alongside which the public footpath from Windsor Road to Church Street cuts across the churchyard) by a close boarded fence. Both wall and fence, together with the lines of mature trees running next to them within the application site, provide an effective screen between the application site and the churchyard, in which connection it is important to note that the photographs of the application site used in this report were obtained by standing on churchyard monuments close to the wall, rather than by looking directly over the wall at eye level.

In terms of the contribution that the application site makes to the setting of the churchyard and the Grade II* listed church and the Grade II listed war memorial, this can therefore be seen to be minima”.

Critically, the application site has never formed part of the churchyard and, while some might argue that its ‘openness’ somehow contributes to the setting of the churchyard and church, I do not see how this position could be justified or sustainable. This is particularly so given the clear views of the looming mass of the rear elevation of the Herschel Street multi-storey car park directly to the north of the application site and the ongoing redevelopment immediately to the north of Westminster House, both of which are clearly visible from various points in the churchyard, including from the public footpath running across it from Windsor Road to Church Street.

In short, there is nothing to suggest that, although the application site abuts part of the extensive churchyard belonging to St. Mary’s Church, it forms an important part of the ‘setting’ of the churchyard as a Grade II* listed building, or adds in any meaningful way to an appreciation of its ‘significance’ as a designated heritage asset. Such views as there of the application site from within the churchyard can fairly be described as ‘incidental’ and, in my professional opinion, the changes to these views as a result of the application proposals are, most unlikely to be harmful “.

In conclusion, for all the reasons set out in the body of this report, I am satisfied that the application proposals will not result in harm to what is significant about the setting of the nearby Grade II* listed St. Mary’s Church, the separately and individually listed Grade II war memorial, or to the churchyard in which they stand. It is therefore my firm professional opinion that there is no material reason in heritage terms why planning permission should not be granted for the application proposals.

10.3 In response to the submitted Heritage Statement, the Council’s heritage advisers have stated: “although the evidence contained in the Heritage Impact Statement supplies the information previously lacking (viz. letter of 7th October 2015) its final paragraph is disputed. That the proposals ‘preserve the setting of the church’ is not accepted. The advice to the LPA of BEAMS is thus to refuse P/02278/081”.

10.4 In consideration of the heritage issues reference is made to the guidance given in the National Planning Policy Framework:

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

- 10.5 Having regard to the guidance given in the NPPF there are a number of factors to consider.

St Marys Church is a grade II* listed building and is thus one of the most important items of historic fabric in the LPA area as well as being of 'regional importance' due to the II* status. The church is one of only 7 Grade II* listed items or groups in the Borough.

- 10.6 The application site adjoins but is not within the curtilage of the listed building.

In terms of the setting of the listed building, it is concluded that views of the Church from the public realm in Windsor Road are limited to glimpses. A partial view is currently available between Observatory House and Westminster House, although the view is reduced by the invasion of the Herschel Street multi storey car park. The development as proposed to the rear of Westminster House will result in some further reduction of what is already a restricted view. The other views are available along the existing access road serving Westminster House and the development site to its rear and via the existing pedestrian footpath to the south of 59 Windsor Road. Both of these existing views would remain, albeit views of the church are restricted by the existence of existing mature trees, including those along the eastern boundary of the application site which are protected by an existing tree preservation order. Further south along Windsor Road views of St Marys church are restricted by the redevelopment of land to provide a 10 storey residential and 8 storey hotel scheme, both of which are currently under construction.

- 10.7 In conclusion it is considered that the impact of the proposed development on existing views from Windsor Road would be minimal and in this respect would not be harmful to the setting of the listed building.

- 10.8 When assessing the impact of the development on the setting of St Marys Church in terms of the views from within the churchyard towards Windsor Road and hence the impact on its wider openness, it is accepted that the development would be visible from the immediate setting of the church and that at present the north west corner is quite open in nature. There is already some natural screening provided by the existing trees within the church grounds and those on the eastern boundary of the site. From other positions within the wider church grounds the development is largely screened from view. Whilst the concerns of the Council's heritage adviser relating to the further erosion of the setting of the listed building are noted, the proposed development has been considered in the current context. For the most part this section of Windsor Road is already characterised by substantial modern high rise developments, to the extent that the setting of the listed building along its western boundary is already severely compromised. It is not considered that the proposed development by itself would add significant additional harm. In addition it should be noted that the scheme has been amended such that the whole development block has been re-sited further west, approximately 3.3m further away from the boundary with the listed building. This increases its distance from the boundary with the church to just under 15 metres and

circa 47/48 metres from the north west corner of the church itself. In addition the scheme has been redesigned to allow a set back at third and fourth floors. In addition other improvements to the design have been secured, as set out in paragraph 9.4 above. Notwithstanding the advice offered by the Council's heritage adviser, it is concluded that these measures coupled with the presence of existing mature boundary trees would provide sufficient mitigation against any further erosion of the setting of the listed building.

The re-siting of the block further west would also allow the proposed car parking spaces to be moved away from the eastern boundary which contains part of the listed wall to the church. This provides additional protection for the wall in addition to the close boarded fence which already exists on the inside of the boundary.

10.9 In determining this application, it is considered, by reference to the NPPF that a proportionate approach is required when considering the impact of the development on the setting of what is a significant heritage asset. It is concluded that given the sites heavily developed context, the minimal impact on existing views from Windsor Road to the west and the less than significant harm to the setting of the listed building through proposed mitigation measures including the re-siting of the development block further away from the boundary with the church, the setting back of the third and fourth floors and the presence of existing mature boundary trees, that the development can be supported in heritage terms. In addition it allows full economic maximum use to be gained from the site whilst at the same time providing additional residential accommodation within the town centre area to meet an ongoing housing need together with a financial contribution towards the provision of affordable housing off site.

11.0 **Impact on Neighbouring Amenity**

11.1 The NPPF provides guidance on impact stating that: planning should always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings. The main issues, here, relate to window to window distances and the potential for overlooking or loss of privacy with the potential for sterilising neighbouring land.

11.2 The re-siting of the block further towards the west, results in the window to window distance between the proposed development and the existing building at Westminster House, which is being converted to residential use under the prior notification procedure, being reduced from 21 to 18 metres. It is considered that such a relaxation is acceptable for a town centre site, where development space is at a premium and maximum use is being made of a brownfield site. To the south west there is a further residential block at 39 Windsor Road, although the window to window distance being maintained between the two developments is circa 31 metres. Along the north facing elevation most windows are shown as obscurely glazed and high level opening serving principally kitchens and bathrooms or providing secondary light to habitable rooms. However, in relation to flats nos. 3, 5, 8, 9, 10, 13 and 14 the proposed bedroom windows in the northern elevation are shown as angled bays to reduce the likelihood of there being direct overlooking of the neighbouring land. Conditions will cover these matters. Full height openable windows are proposed along the southern boundary with the open land which forms part of the wider pedestrian access into the

church grounds. On the basis that this land is highly unlikely to come forward for development in the future and given the presence of heavy tree cover along the southern boundary of the site, no objections are raised on grounds of overlooking.

11.3 Having regard to guidance given in the NPPF, no objections are raised in relation to the impact on neighbouring amenity subject to appropriate planning conditions being imposed.

12.0 **Parking and Highway Safety**

12.1 A Transport Statement has been submitted as part of the application and which has been assessed by the Council's transport and highway engineers, in terms of traffic impact, access arrangements, car and cycle parking and refuse.

12.2 In terms of traffic impact no objections have been raised. Further as no changes are proposed to the existing access arrangements from the Windsor Road service road, no objections are being raised. The existing access road is not wide enough to accommodate two way traffic, but is nonetheless considered to be acceptable. Parking is provided for 6 no. cars, which although low in terms of the overall housing provision, is consistent with policy as the site is located within the town centre, for which nil car parking is required. Secure cycle parking is provided on the ground floor, with the provision of 8 no. Sheffield stands, which complies with the Council's requirements. The refuse store is sited within a 30 m travel distance for the occupiers of the flats, but would exceed defined drag distances for operators. However, the applicant has advised that collection will continue to be carried out by a private contractor and therefore the drag distance would not be an issue.

12.3 No objections are raised in relation to Core Policy 7 of the Slough Local Development Framework Core Strategy Development Plan Document on grounds of highway safety nor Policy T2 of the adopted Local Plan for Slough in relation to car and cycle parking subject to appropriate conditions being imposed.

13.0 **Trees**

13.1 An arboricultural survey was undertaken in April 2013 and submitted as part of the planning application. That survey identified a total of 33 no. trees plus 3 no. tree groups across the wider site with Westminster House to the west.

13.2 Since the survey was undertaken a total of 9 no tree have been removed (3 no. tree of heaven & 6 no. lime trees). Of this total 7 no. of the trees felled were rated as being of low quality and value and the remaining 2 no. trees were rated as being of moderate quality and value.

13.4 An arboricultural method statement has also been submitted which identifies 5 no. trees which require some crown lifting and crown reduction. This to provide adequate clearance over the access road or to provide adequate working room around the proposed development. That document also identifies 3 no. individual trees plus 1 no. group which are covered by tree preservation orders. The trees in question are all located along the eastern boundary with the listed church. The statement also provides guidance on tree protection and construction exclusion zones.

13.5 The statement has been considered by the Council's tree adviser and no objections are being raised subject to any tree works being undertaken by a qualified arboricultural Association Contractor and all tree works being carried out to British standards.

14.0 **Quality of Housing**

14.1 All habitable rooms have a reasonable aspect

A daylight and sunlight study has been submitted and which concludes:

"All rooms meet or surpass the BRE Average Daylight Factor targets.

All rooms pass the room depth test.

Living rooms which face within 90 degrees of due south have been tested for direct sunlight. Not all windows receive ideal levels of direct sunlight. However, the BRE guide acknowledges that it is not always

possible for every dwelling to be well situated to receive direct sunlight.

The report confirms that the proposed design satisfies all of the requirements set out in the BRE guide 'Site Layout Planning for Daylight and Sunlight'.

14.2 The flats have been assessed in terms of room sizes and it is confirmed that the room sizes comply with the Council's approved guidelines for flat conversions, which although not strictly applicable to new build schemes, do nonetheless provide a reasonable rule of thumb.

14.3 Having regard to guidance given in the NPPF which states that: planning should always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings, no objections are raised on grounds of housing quality.

15.0 **Affordable Housing & S106 Planning Obligations**

15.1 In accordance with Core Policy 4 of the Slough Local Development Framework Core Strategy Development Plan Document, as the development proposes more than 15 no. residential units on the site, the proposal attracts and affordable housing financial contribution. Having considered the amended scheme the Council's Housing Development section advises that in line with the developers guide, a financial contribution of £149,800 is payable to fund affordable housing provision off site. This will be a requirement under the terms of a S106 Agreement.

15.2 In accordance with the requirements of Core Policy 4 of the Slough Local Development Framework Core Strategy Development Plan Document and the guidance given in the developers guide, no objections are raised on grounds of affordable housing provision subject to the applicant entering into a S106 Agreement.

16.0 **Sustainable Drainage**

16.1 Two soakaways are proposed on the site, which combined would provide a total

effective volume of approximately 12m³ to drain a roof of 213m² area. This would provide more than sufficient capacity to allow for the effective sustainable drainage of surface water run off from within the site.

16.2 No objections are raised on grounds of sustainable drainage subject to the imposition of appropriate conditions.

17.0 **Land Contamination**

17.1 While there are no potentially contaminative land uses associated with the development site, the nearest potential sources of contamination are: a former Laundry, a Graveyard, and a former Dairy. In addition, the proposed development is located within 150m of three other sites with Disused Tank Registry entries and a former Brickfield/ Gravel Pit.

At least two of the neighbouring sites with Disused Tank Registry entries have had reports of leaks, and while some of the tanks were removed as part of subsequent planning application, the majority were made safe by slurry/sand filling and still remain on site.

Based on the above, it is likely that the prevalent contamination pathway at the site will be the inhalation exposure pathway. Thus, further information is required in order to assess the risk of any active potential vapour/ground gas inhalation pathway and to demonstrate that there are no unacceptable risks to the human health receptors from the proposed development.

17.2 In light of the above findings a number of conditions are proposed as set out in paragraph 6.3 above. No objections are raised in relation to Core Policy 8 of the Slough Local Development Framework Core Strategy Development Plan Document, subject to appropriate conditions being imposed.

PART C: RECOMMENDATION

18.0 **Recommendation**

It is recommended that the application be delegated to the Planning Manager for approval subject to any minor design changes if required, completion of a Section 106 Agreement and finalising conditions.

19.0 **PART D: LIST OF CONDITIONS**

1. Time limit, 3 years.
2. Approved Plans
3. Development to be carried out in accordance with the findings and recommendations of submitted statements
4. Samples of external materials
5. Samples of Surface Materials
6. Parking Provision to be provided and maintained
7. Cycle parking to be provided and maintained
10. Refuse storage to be provided and maintained
11. No gating of service road without prior written approval
14. Working Hours
15. Land Contamination

- 16 Electric Charging Points
- 17 Sustainable Drainage
- 19 Construction Traffic Management Plan/Working Method Statement
- 20 External lighting
- 21 Waste Management Plan
- 22 Car Park Management and Servicing Plan
- 23 Restriction on Delivery Times during Construction
- 29 No additional windows any elevation
- 30 Flank wall windows to be obscurely glazed & high level opening
- 31 Angled bay windows in northern elevation
- 32 Landscaping & boundary treatment
- 33 Insulation from external noise
- 34 Low emission boilers

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1.0 **SUMMARY OF RECOMMENDATION**

Delegate to Planning Manager for Section 106.

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 The development is for 10 three storey houses comprising 6 five bedroom and 4 three bedroom homes. All are semi-detached and 8 of the plots contain substantial single storey garden rooms at the end of the gardens and against the adjacent Park boundary wall. 6 homes have attached garages.
- 2.2 The 5 buildings have hipped roofs with gable ends facing the street and park to the rear for each home. The 4 plots at the north end are lower with the second floor rooms in the roof space. The ground floor of each homes extends out beyond the upper storeys
- 2.3 The separate garden rooms have mono pitched roofs with a large opening on the garden elevation and a high level window facing the Park. The larger rooms will be slightly raised (600 mm) compared to the adjacent Park ground level. The garden rooms are either 44 sqm in size including a WC or for 2 homes 20 sqm with no WC. Indicative room layouts show living accommodation or, for the larger rooms sleeping and living accommodation as a second option.
- 2.4 The 6 larger homes will have 4 parking spaces each with one in a garage all served by individual crossovers on Upton Road and most spaces are located between the buildings. One of the smaller homes has 3 spaces the remaining 3 homes have communal access serving 2 spaces each with a pair of visitor spaces. This access makes use of the existing entry to the former Gurney House.
- 2.5 The homes follow the existing building line of the street but are set back as they come up against Park entrance along the north side of the site. The frontage contains space for new trees and one large street tree is retained. The existing old wall will be removed. At the rear garden lengths vary from 20 to 22 metres inclusive of garden rooms which do not stretch the full width of the plot. Other gardens are between 10 and 14 metres up to either the rear wall or the smaller garden room. Several smaller or poor quality trees will be lost. 4 of the boundary trees are shown as retained. The south side wall be retained. The rear Park wall may be rebuilt; the boundary with the Park entrance will be realigned outwards and reformed.
- 2.6 Materials will be red brick at ground floor level, above will be a combination of pale render and treated vertical timber boarding and slate grey tiles and sedum roofs on some ground floor flat roofs and garden rooms. The garden rooms will be clad with timber and are likely to have photovoltaic panels on the roof.
- 2.7 The application has been submitted by Slough Regeneration Partnership known as Slough Urban Renewal) a joint venture between the Council and Morgan Sindall

Investments. The homes are intended for private sale.

2.8 The applicant has submitted a tree report, ecological assessment and design and access statement.

3.0 **Application Site**

3.1 The 0.37 hectare site is vacant and is within walking distance of the town centre. Gurney House was a Council elderly persons care home until cleared in 2013. Upton Road is a quiet residential street and cul de sac with low density mainly detached or semi detached homes set back from the road with plenty of space for trees and shrubs in the gardens front and back. Most buildings in the street are two storey and date from before the war.

3.2 To the east is Lascelles Park. To the south west is the flank of 2 and half storey semi detached home with some flank windows. Opposite to the north west are semi detached or detached homes. To the north east is a path access from Upton Rd to Lascelles Park and beyond Springfield, a Council owned elderly persons home. The site sits slightly above Upton Road and the Park at the south end.

3.3 There are several trees on or overhanging the site. Most are near the boundaries. They range from small fruit trees to 12 metre high Ash. The site includes part of the landscaped strip next to the Park entrance but not the electric sub station.

4.0 **Site History**

4.1 10 three storey homes approved Jan 2015 Ref. S/00698/001.

5.0 **Neighbour Notification**

5.1 Upton Road 4- - 54 ev; 39-49, 91-95 odd
Springfield 1-16 inclusive.

Notice in local paper.

5.2 One letter received from neighbour to south. Concerned about secondary bedroom window on upper floor that overlooks an existing room. Entrance to plot one extremely close to home owners boundary wall and is tight fit between it and existing tree on frontage.

Response : The window can be obscure glazed with either a high level or no opening. The driveway width is acceptable on plan. To be checked on site.

6.0 **Consultation**

6.1 **Traffic /Highways**

No objection in principle. The proposal will result in a small increase in vehicle trips. Request vehicle crossovers adjusted to tie in with Highway Section's policy; widen narrow footway along frontage to 2 metres width (the existing brick wall is to be removed); remove granite sets on crossovers (inconvenience mobility impaired

pedestrians). Request 106 to restrict residents from obtaining parking permits in future and obligation to sign Sec 278 Highways Agreement for works in highway and dedication of widened footway.

6.2 Environmental Protection

Request condition to require developer to carry out a 'watching brief' while excavation works take place. The site has a low risk of being contaminated.

6.3 Parks Section

In return for the development site encroaching upon the Park access land it is requested that enhancements are made to the Park access to make it more attractive and safer. In particular it is quite dark with poor line of sight from road to Park with hiding places due to the wall arrangement. So creating an even boundary line, cutting back some vegetation, removal of nib of wall next to path, surface improvements and better lighting are requested.

Some concern about potential complaints from anyone living in a garden room about normal Park activity which can at times be noisy.

6.4 Thames Water

No objection. Request condition for a drainage strategy before commencement of development.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The site is not an allocated site in the Local Plan but the principle of residential development of the site, in particular family homes, is acceptable and complies with Core Policy 3 and 4 re type and distribution of housing. The density of the site is below the Core Strategy policy 4 minimum of 37 dwellings per hectare. However the Strategy does allow for exceptions, which for this case are applicable namely it is a small site and the character of the area is low density. In addition the inclusion of some large family homes supports the housing type policy of having a range of house sizes in the town to serve its population.

8.0 Transport and Access

8.1 The development is not expected to generate much more traffic than the former use of the site. The multiple access points are acceptable in principle but spacing should be adjusted to tie in with the Council's crossover policy – amended plan expected. Pedestrian visibility at entry points is needed but can be easily achieved and controlled by condition. Use of the existing access, which is served by a junction on Upton Road shared with Springfield, is acceptable.

8.2 The level of car parking is acceptable. Cycle parking can easily be provided in rear gardens or garages. Subject to the amendments, conditions and planning obligation (re parking permit restriction and footway widening) the proposal complies with Core Policy 7 regarding transport and highway matters. The existing footway is generally less than the standard 2m width because of the old boundary wall. Pedestrian

access will be improved with a standard width footway hence the request for footway widening.

8.0 Layout and Design.

- 8.1 The scheme layout ties in with the character of the area being set back from the road, semi detached buildings, space left for planting and a reasonable size of garden. In addition the buildings will be a similar height to those adjacent. The previously approved scheme had some higher buildings. The setting back of homes at the north end is supported as it helps open up the entrance to the Park off Upton Road.
- 8.2 Architectural detailing is simple. It does not reflect many features from other buildings in the street, which are mostly pre war, but as there is no consistent architectural style in the street there is no significant harm in having some further variety. The timber boarding on the garden rooms provides a softer appearance than brick which is appropriate for the Park setting.
- 8.3 The garden rooms are an unusual feature. In many circumstances this type of development is not acceptable because of poor outlook from windows, unacceptably short gardens remain limits, disturbance of the peace and quiet of adjacent rear gardens, adds to street parking pressure. However this development has adequate garden length and parking. Furthermore there are no homes/gardens to the rear and the garden homes will have a reasonable outlook because of the Park adjacent.
- 8.4 As the garden rooms provide potential bedroom accommodation the homes, inclusive of garden rooms, could accommodate 6 bedrooms or, for the smaller homes, 4 bedrooms providing large family homes near the town centre. This is supported by the Council's Core Strategy, policy 4, which seeks a range of family homes. In addition the separation of the garden rooms from the main house provides flexibility for families to accommodate extended family without all members living in the same building. For example a garden room could become a 'granny annex'. There are few opportunities to gain large family homes near the centre. A condition will prevent the garden rooms being used as separate homes not linked to the associated main dwelling building.
- 8.5 It must be stressed that the specific circumstances of the application are important considerations regarding the garden rooms. Any approval should not be taken as a precedent for bedroom accommodation in buildings in rear gardens elsewhere. The precise wording of the condition restricting the garden rooms will be reviewed by Officers in terms of enforceability to ensure the Council can prevent garden rooms being rented out as independent homes. This restriction may go in the Section 106 Agreement. Whether or not there is scope to reduce the size of the larger garden rooms will be discussed with the applicant regarding minimising the risk of being attractive as potential rental properties.
- 8.6 The loss of some trees is acceptable because of their limited value and the proposal for replacement tree planting. The view of the new homes from the Park, to the rear, can be softened by existing trees near the edge of the Park.

- 8.7 The loss of the old wall along the frontage will change the appearance of this part of the street but, despite its link to the older buildings in the street, there is no strong reason to retain it. Its loss benefits pedestrian access as mentioned above at para 8.2. The north east wall will go as part of the site expansion onto the park access. Although this narrows the access land slightly it is acceptable if the Park entrance is enhanced in terms of appearance and safety as described in the comments of the Parks Section above. Details of enhancement will be covered by condition or planning obligation.
- 8.8 In relation to the adjoining home 91 Upton Road the nearest new home will sit back beyond the rear building line but at ground floor level only. This will not affect the amenity of the existing residents. As the adjacent house has a habitable room window on its flank the new development should respect this to limit overlooking. A condition requiring obscure glazing and limited opening for one first floor secondary window will address this.
- 8.9 Separation distances between dwellings are acceptable. 6.5 metres to the side and 23 metres opposite are the minimum measurements on the layout.
- 8.10 The ecology survey has identified an ivy clad tree and recommends it be surveyed again for possible bat roosts before development commences. It also says the potential for bats to use the site is low.
- 8.11 Overall the proposal complies with Core Strategy policy 9 and Local Plan policy EN1 and EN3 regarding design and landscaping. Similarly Core Policy 12 Community Safety
- 8.12 To help limit disturbance to nearby residents during construction conditions are proposed to cover construction site management and working hours.
- 9.0 Section 106 planning obligation
- 9.1 The proposal is satisfactory subject to minor revisions that are expected prior to the Committee meeting and completion of a satisfactory planning obligation to cover the following :
- i. Construction and dedication as highway maintainable at the public expense, free of charge, the widening of the Upton Road footway fronting the site to a minimum width of 2m.
 - ii. No residents of the development eligible for on-street parking permits in any existing or future on-street parking zones.
 - iii. Park access enhancement to be carried out before occupation of any home. To include the access to Lascelles Park adjacent to the north east site boundary of the site on Council land - removal of nib of wall, new planting, tree branch removal, path surface enhancements and lighting.
- 9.2 As the site is still owned by the Council it cannot sign a Section 106 with itself. Equivalent obligations will instead be contained in a document signed by a Council

Director and the Council will require any purchaser of the site to complete a full Section 106 planning obligation containing the same obligations.

PART C: RECOMMENDATION

10.0 **Recommendation**

Delegate a decision to the Planning Manager for approval subject to receipt of satisfactory amended drawings and completion of a satisfactory Section 106 planning obligation or equivalent thereof and amendment of conditions in relation to outstanding matters.

11.0 **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:

1981 PL 02B Site Plan
1981 PL 03B Plots 1-4 GF FF
1981 PL 04B Plots 1-4 SF
1981 PL 05A Plots 1-4 ELEVATIONS
1981 PL 06B Plots 5-6 GF FF
1981 PL 07B Plots 5-6 SF
1981 PL 08A Plots 5-6 ELEVATIONS
1981 PL 09B Plots 7-8 Floor Plans
1981 PL 10A Plots 7-8 ELEVATIONS
1981 PL 11B Plots 9, 10 Floor Plans
1981 PL 12 A Plots 9, 10 ELEVATIONS
1981 PL 13 A Plots 1-6 garden rooms
1981 PL 14 A Plots 1-6 garden rooms elevations
1981 PL 15 A Plots 7,8 garden rooms
1981 PL 16 Street Scene
1981 PL01A Site Location Plan

SUBJECT TO REVISION RE OUTSTANDING MATTERS

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

3. Samples of materials

Details of external materials and samples of bricks, tiles/slates, cladding to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the 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, boundary treatment

No development shall commence on site until a detailed landscaping, tree planting and boundary treatment 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 and details of boundary treatment.

No dwelling shall be occupied until the boundary treatment has been carried out as approved. The approved soft landscaping 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. Tree Protection

No construction work nor hardstanding removal works shall commence until a detailed arboricultural method statement has been submitted to and been approved in writing by the Local Planning Authority. The statement will be in accordance with British Standard 5837:2005 Trees in Relation to Construction and shall contain details of proposed (1) pruning or removal of trees, (2) specification and location of tree and ground protection and (3) details of construction design and processes for hard surfaces within root protection areas. The statement should also contain details of arboricultural supervision and frequency of inspection along with a reporting process to the Tree Officer. All works are to be carried out in strict accordance with the approved details.

REASON To preserve and enhance the visual amenities of the locality in accordance with policy EN3 of the Local Plan 2004 and policy 9 of the Core Strategy 2006-2026.

6. Obscured Glazing

Plot 1 house (at the east end of the site) shall not be occupied until the first floor flank windows have been glazed with obscure glazing and be either non-opening or provide for opening in the top 20% of the glazed area. The obscure glazing and any provision for opening shall thereafter be retained and maintained as approved.

REASON In the interest of privacy of the residents of the adjacent home.

7. 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. The details shall include widening of the Upton Road footway adjacent to the site to 2 metres width and resurfacing of the footway adjacent to the site.

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 Core Strategy Policy 7 Transport of the Core Strategy 2006-2026 adopted 2008.

8. Alterations to existing access

No development shall commence until details of the alterations to the existing points of access between the application site and the highway have been submitted to and approved in writing by the Local Planning Authority and the access alterations shall be implemented in accordance with the details approved prior to occupation of the development.

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

9. Surface Water Drainage

Development shall not commence until details of surface water drainage (including information on soakage of soil and allowance for climate change) have been submitted to and approved in writing by the local planning authority. The details shall include provision for water to be drained on site and not to a main sewer unless attenuated. The details shall include provision for roof water down pipes to be linked to water butts (or similar storage) with a capacity of at least 200 litres such that each house has one butt. No house shall be occupied until the approved details have been implemented.

REASON In the interest of flood prevention and sustainable development (reduction of water consumption) in accordance with Core Policy 8 of the Core Strategy 2006-2026.

10. Thames Water Foul Drainage

Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

REASON - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

11. Soil Contamination

The developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority to the presence of any unsuspected contamination (to soil or/and water, determined by either visual or olfactory indicators) encountered during the development.

In the event of contamination to land and/or water being encountered, no development or part thereof shall continue until a programme of investigation and/or remedial work to include details of the remedial scheme and methods of monitoring, and validation of such work undertaken has been submitted to and approved in writing by the Local Planning Authority.

None of the development shall be commissioned and/or occupied until the approved remedial works, monitoring and validation of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

In the event that no significant contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be commissioned and/or occupied.

Reason: To ensure that any ground and water contamination is identified and adequately assessed, and that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use.

12. Internal access roads

Prior to first occupation of the development the 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 Core Strategy Policy 7 Transport 2006-2026 adopted 2008.

13. Pedestrian visibility

No dwelling shall be occupied until pedestrian visibility splays of 2.4 x 2.4 metres (measured from the back of footway) have been provided on both sides of the access points and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

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

14. 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 during the construction period. These details shall thereafter be implemented as approved before the 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.

15. Hours of construction

During the site clearance and 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 EN26 of The Adopted Local Plan for Slough 2004.

16. Garage use for parking only

The garage(s) hereby permitted shall only be used to accommodate cars which are used ancillary to the enjoyment of the dwelling-house on the site and shall not be used for any trade or business purposes; nor adapted as habitable room(s) without the prior permission in writing from the Local Planning Authority.

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities and visual amenities of the area in accordance with Policy 7 of the adopted Core Strategy 2006-2026.

17. 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 garden space.

18. Removal of Permitted Development rights - extensions

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 A no building shall be enlarged more than 5 cubic metres without the express permission of the Local Planning Authority.

REASON In the interest of residential amenity in particular the protection of garden space.

19. No independent use of garden rooms.

No garden room (building approved at the far end of the rear garden of plots 1 to 8 on the approved layout) shall be used as independent living accommodation that is not directly associated with the main dwelling building on the plot that contains the garden room.

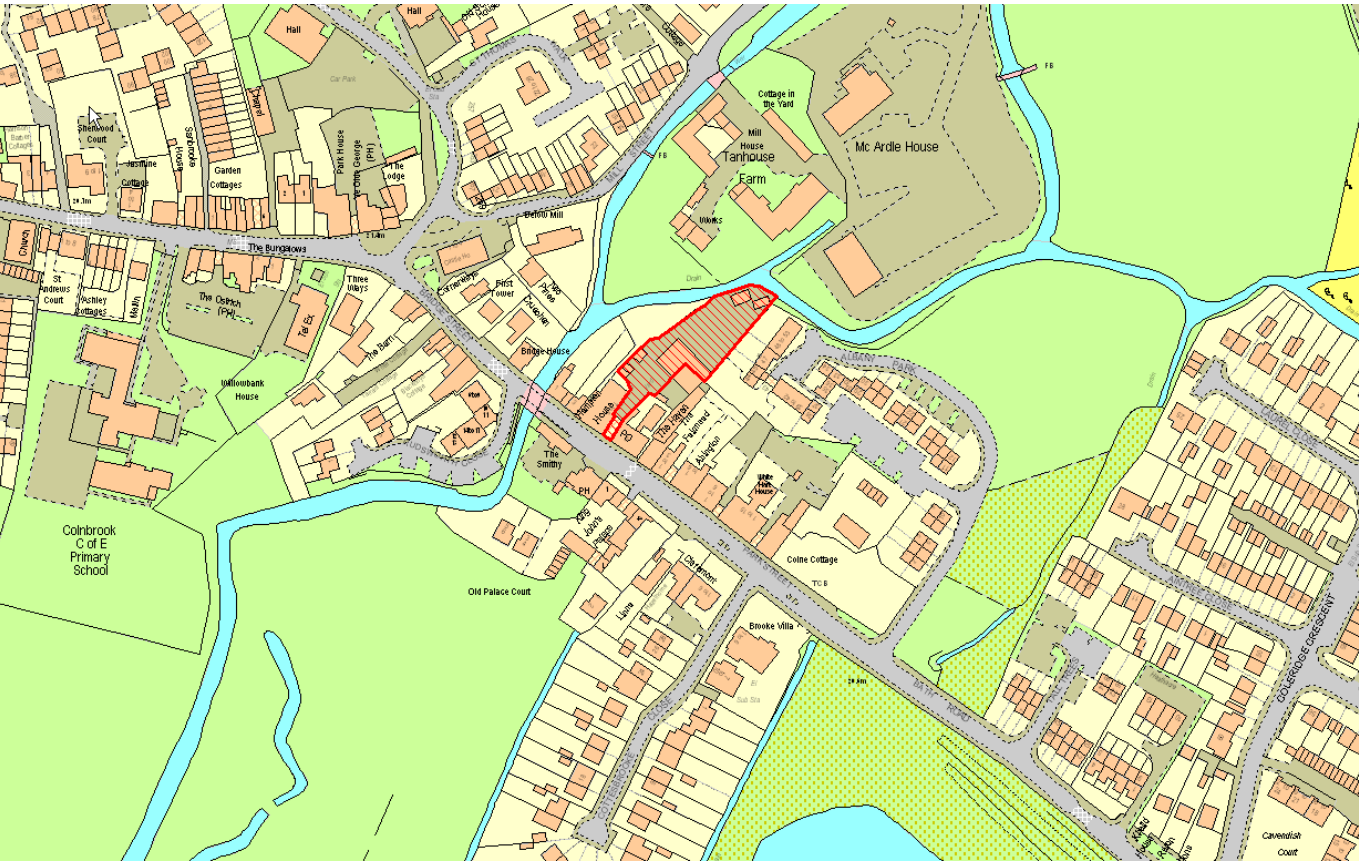
REASON In the interest of the living conditions and the residential amenity of residents on each plot; and to limit any increase in demand for car parking in the interest of the free flow of traffic and conditions of general safety on the nearby highway.

INFORMATIVE(S):

1. Highway Matters. Multiple water meters will not be permitted in the public highway. Surface water from the site must not drain onto the public highway. The applicant will need to enter into a Section 278 Agreement or minor works agreement to carry out works for the new access into the site within the public highway and any associated changes to lighting, drainage, surfacing and signage etc. Notwithstanding the position of the red line application site boundary the overlap of the site with adopted public highway on the frontage (south west corner) any work proposed on this area or the tree needs prior permission from the Highway Authority. For postal numbering/naming of new homes/occupiers please apply to the Council's Local Land Charges Section on 01753 875039 or email 0350SN&N@slough.gov.uk

Registration Date:	29-Dec-2015	Applic. No:	P/10734/004
Officer:	Neetal Rajput	Ward:	Colnbrook with Poyle
Applicant:	Mrs. Gaynor Fletcher	Applic type:	Major
Agent:	Mr. Taylor Cherrett Peter Brett Associates LLP, Caversham Bridge House, Waterman Place, Reading, Berkshire, RG1 8DN	13 week date:	29 th
Location:	Freestone Yard, Park Steet, Colnbrook, SL3 0HT		
Proposal:	Outline application with all matters reserved for subsequent approval for the construction of up to 18no. one and two bedroom flats comprising the conversion of two existing commercial buildings and the erection of a new building, together with ancillary car parking, landscaping, tree works and vehicular and pedestrian access from Park Street.		

Recommendation: Delegate to the Planning Manager for approval



1.0 **SUMMARY OF RECOMMENDATION**

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

1.2 Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations, it is recommended that the application be delegated to the Planning Manager for approval, following consideration of outstanding consultations, finalising of conditions and Section 106 Agreement.

PART A: BACKGROUND

2.0 **Proposal**

2.1 This is an outline planning application for construction of 17no. dwellings, the proposal will comprise of 1no. two bedroom house, 8no one bed flats and 8no. two bed flats. The proposal includes the conversion of two existing commercial buildings and the erection of two new buildings to accommodate the 17no. dwellings, together with ancillary car parking, landscaping, tree works, vehicular and pedestrian access from Park Street. Details relating to appearance, means of access, landscaping, layout and scale have been reserved for subsequent approval.

The application was originally submitted for 18 units, however the number of units have been amended to mitigate the impact of the proposed development to the occupiers of Albany Court.

2.2 The application is accompanied by the following documents:

- Illustrative floor plans, elevations and sections;
- Design and Access Statement;
- Planning Statement;
- Heritage Assessment;
- Townscape & Visual Statement;
- Transport Assessment;
- Flood Risk Assessment & Outline Drainage Strategy;
- Sequential Test Assessment;
- Noise Report;
- Landscape Strategy; and
- Arboricultural Impact Statement

Members are advised that being illustrative the plans are not binding on the Applicant as part of planning permission which may be granted, but are submitted as a means of establishing an appropriate level of development and to allow the Council to set out appropriate planning parameters to control the scale and nature of the development.

2.3 The proposal is to provide 8 no. one bedroom flats, 8 no. two bedroom flats and 1 no. two bedroom house. The units will be provided in part through the conversion of two existing buildings together with new build to the rear of the site adjacent to the

Coln Brook.

2.4 There will be the demolition of a double garage storage, a covered working and storage area and three storage cabins to allow for the proposed development. The existing two storey commercial unit and main workshop and offices above will be converted into residential use. These will provide 6 of the proposed residential units. The application also includes two new buildings to provide the additional 11 units, which are between three storeys high with the provision of roof space, including the potential provision of dormers in the roof space. The proposed building will be between 9.5m - 12.6m in height to the ridge, 8.5m in depth and 35.3m wide. The proposed building also provides a carport area to accommodate car parking.

2.5 It is proposed that 24 spaces will be provided on site for both the proposed development of 17 flats and the existing 6 flats which park here. This results in provision of 1 space per dwelling. 24 cycle parking spaces are to be provided, this is one per dwelling, including the existing 6 flats.

3.0 **Application Site**

3.1 The site area is 0.15 hectares. The site is currently occupied by 80m² of A1 shops use and 290m² of B1a office use. There are 6 existing flats at the front of the site which will be retained. The site is within the Colnbrook Conservation Area and the entrance to the site is formed by an archway under what was a former coach house which comprises, Hampton House and the Post office, both of which are Grade II listed buildings.

3.2 The site is an extensive backland site which stretches northwards as far as the Coln Brook which is a main river, the responsibility for which falls to the Environment Agency. Beyond the river to the north is Tan House Farm and to the north east is the McArdle's site. To the east are the relatively modern part three storey/part two storey flats at Albany Park and to the west is the heavily treed rear garden belonging to Hampden House. Access to the proposal premises is via the protected listed arch facade which falls between Hampden House and the Post Office. Hampton House and the Post Office form part of the original style coaching house and are listed as Grade II buildings on the statutory list.

3.3 By reference to the submitted Planning Statement it is noted that, the existing buildings on site are an eclectic mix of commercial properties, which it is understood provide premises for 3 no. independent and unrelated businesses, the main business being occupied by PH Jackson & Son (Building Ltd).

3.4 The yard is hard surfaced with parking for commercial vehicles and cars, which take access via the existing archway from Park Street.

3.5 The Environment Agency's Flood Zone map shows:

- The south of the site lies mainly in Flood Zone 1 'Low Probability' (less than a 1 in 1000 (0.1%) annual probability of river flooding).
- The north of the site is within Flood Zone 2 'Medium Probability' (between a 1 in 100 (1%) and 1 in 1000 (0.1%) annual probability of river flooding).

There are a number of mature trees within the neighbouring sites and these trees are located along the northern and eastern boundaries of the site. As the trees are located within a Conservation area, a blanket protection is provided for all trees having a stem diameter greater than 75mm when measured at 1.5 metres above ground level.

4.0 **Relevant Site History**

4.1 Relevant site history relating to this site is as follows:

- P/10734/003 CONVERSION OF EXISTING OFFICE BUILDING TO 2NO. FLATS

Withdrawn by Applicant 01-Jul-2004

Post Office Building

- P/10734/002 ERECTION OF A SINGLE STOREY PITCHED ROOF STORAGE AREA

Approved with Conditions 17-Sep-2002

Flats in Freestone Yard

- P/10734/001 INSTALLATION OF NEW WINDOWS, UPVC, CONSERVATION AREA CONSENT

Approved with Conditions; Informatives 28-Nov-2000

Freestone Works

- P/10734/000 ERECTION OF FIRST FLOOR PITCHED ROOF REAR EXTENSION

Approved with Conditions; Informatives 25-Jan-1999

4.2 Pre-application Advice

Prior to submission of the application, the Applicant sought pre-application advice from the Local Planning Authority. Flooding was raised as an issue and it is understood that the Agent's contact the Environment Agency for their views to better gauge the flooding issues in the area prior to submission of a formal planning application. Subsequently a Flood Risk and Sequential Test was submitted with this application. The Environment Agency has confirmed that subject to conditions, they do not have any objections to the proposal.

5.0 **Neighbour Notification**

3, Park Street, Colnbrook, Slough, SL3 0HS, Flat 2, King Johns Palace, Park Street, Colnbrook, Slough, SL3 0JG, Star & Garter, Park Street, Colnbrook, Slough, SL3 0JF, Flat 1, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, Flat 2, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, Flat 3, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, 43, Albany Park, Colnbrook,

Slough, SL3 0JU, Tan House Farmhouse, Mill Street, Colnbrook, Slough, SL3 0JP, 47, Albany Park, Colnbrook, Slough, SL3 0JU, 46, Albany Park, Colnbrook, Slough, SL3 0JU, Flat 3, King Johns Palace, Park Street, Colnbrook, Slough, SL3 0JG, 51, Albany Park, Colnbrook, Slough, SL3 0JU, 52, Albany Park, Colnbrook, Slough, SL3 0JU, 53, Albany Park, Colnbrook, Slough, SL3 0JU, 48, Albany Park, Colnbrook, Slough, SL3 0JU, 49, Albany Park, Colnbrook, Slough, SL3 0JU, 50, Albany Park, Colnbrook, Slough, SL3 0JU, Post Office, 5, Park Street, Colnbrook, Slough, SL3 0HS, Flat 4, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, 2, Park Street, Colnbrook, Slough, SL3 0HS, Badminton, Park Street, Colnbrook, Slough, SL3 0HS, Hampton House, Park Street, Colnbrook, Slough, SL3 0HS, Flat 1, The Haven, Park Street, Colnbrook, Slough, SL3 0HS, Flat 4, King Johns Palace, Park Street, Colnbrook, Slough, SL3 0JG, Flat 1, King Johns Palace, Park Street, Colnbrook, Slough, SL3 0JG, 44, Albany Park, Colnbrook, Slough, SL3 0JU, 1, Park Street, Colnbrook, Slough, SL3 0HS, 45, Albany Park, Colnbrook, Slough, SL3 0JU, The Smithy, Park Street, Slough, Berkshire, SL3 0JF, McArdle House, McArdle Way, Colnbrook, Slough, SL3 0RG, Flat 5, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, Flat 3, The Fairmead, Park Street, Colnbrook, Slough, SL3 0HS, Flat 1b, The Fairmead, Park Street, Colnbrook, Slough, SL3 0HS, Flat 1a, The Haven, Park Street, Colnbrook, Slough, SL3 0HS, Flat 2, The Fairmead, Park Street, Colnbrook, Slough, SL3 0HS, Flat 3b, The Fairmead, Park Street, Colnbrook, Slough, SL3 0HS

5.1 There has been one objection received on 3rd February 2016:

There isn't sufficient access adjoining my grade 2 listed property, for the number of cars proposed.

The height of the archway is less than 3m. A skip lorry would only pass through, with the skip unloaded, and dangling freely. A dangerous and unsafe process.

A fully loaded skip would not pass under the archway. In the past when a skip lorry has tried to access Freestone Yard, it has caused traffic chaos, as it blocks the road, whilst trying to maneuver access.

Customers to the shop have blocked off access to the archway, by parking in front of the archway. This has caused altercations in the shop between Customers and car drivers wanting access.

Over the years a number of lorries have damaged the archway, as they were too large for the space, causing structural damage to my property, as there is a supporting beam that rests on my wall.

The archway is barely wide enough for a single car. It would not be possible for a car and pedestrian to enter or leave at the same time.

There is very poor visibility for cars leaving the archway. Cars parked on both sides of the road, further restricted the view for the seated driver. The lack of visibility whilst seated in a car may be fatally dangerous for both drivers leaving or entering through the archway.

Pedestrians and cyclists on the pavement will be put at risk with the archway under constant use.

The proposal, intends to widen the entrance by a metre outside my property. This will reduce the safe pavement area outside my front door.

It would also run over my existing water meter and the entry point to my property. Customers into the Shop will further be inconvenienced, by the restricted access, especially disabled customers.

There will be a substantial increase in the noise levels in my property as cars and vans accelerate through the small entrance.

The vibrations of the vehicles will cause structural damage to my property.

There is only sufficient space for a single vehicle for 20 metres through the entrance of Archway. Vehicles turning into the archway, will be at greater risk on meeting oncoming traffic, against the flow.

The current refuse collection area is inadequate. Black bin bags full of rubbish, old furniture and disused tyres are left outside my property. This litter will increase with more flats.

Flat owners with dogs, allow their pets to defecate on my property, without cleaning up the mess. With young children living at my property, this is a particular health hazard. The occurrence of this is likely to increase with the number of flats proposed.

I have vehicular access to the rear of my property. Sufficient car space is required for a turning circle on either side of my access to allow myself and my disability card carrying wife, to park our car.

6.0 **Consultation**

6.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, one site notice was displayed at the site on 12th January 2016. The application was advertised in the 15th January 2016 edition of The Slough Express.

6.2 **Highways & Transport**

Trip Generation

In pre-application guidance it was advised that, due to concerns over the listed access to the site and the restrained visibility, for the development to be acceptable it must be demonstrated that there is no intensification in the use of the access, therefore no increase in the number of trips between the current and the proposed development.

In line with pre-application advice the applicant has carried out paper surveys (agreed with the Local Highway Authority prior to them being carried out) for the

existing use of the site, on a weekday between the hours of 05:30 and 19:00, to record the number of vehicles and pedestrians entering and leaving the site. In the Transport Statement the following results are presented:

Movement Type	AM Peak 0800-0900		PM Peak 1700-1800		Daily Trips	
	Arrival	Departure	Arrival	Departure	Arrival	Departure
Car	3	0	1	8	21	20
LGV	0	1	1	0	11	10
HGV	0	0	0	0	2	1
Peds	0	0	0	1	10	11

This shows 65 total daily two way vehicle trips were observed (or 68 PCUs).

In order to compare this to the proposed use and calculate net trips the applicant carried out a TRICS analysis for 18 privately owned flats located in a suburban or residential location, this method is accepted. The following results were collected:

Time Period	Vehicle Trip Generations (18 dwellings)		
	Arrival	Depart	2-way
0800-0900	1	5	6
1700-1800	6	2	8
Daily	35	32	67

(Please note that amendments have been made to reduce the units to 17)

This means that that the proposed development is likely to generate a similar number of daily trips per day. From this trip generation exercise therefore it can be agreed that there is unlikely to be an intensification in the use of the site in regards to vehicle trips. The benefit of the proposed development is there will be a reduction in LGV and HGV movements as the industrial use at the rear of the site will discontinue.

S106 agreement

The applicant will need to enter into a section 106 agreement with Slough Borough Council to secure the following obligations:

- Residents of the development ineligible to apply for on-street parking permits in any existing or future on-street parking schemes;
- 6 of the 24 spaces to be assigned to the 6 existing flats;
- Splayed entry crossover with transition kerbs of 1m on either side of the access using granite kerb materials and resurfacing the carriageway crossover – it may be appropriate for the applicant to agree a small contribution to cover this cost.

Recommendation

Such to the applicant agreeing to the S106 requests I would raise no highway objection.

6.3 Colnbrook with Poyle Parish Council

Members had concerns over the vehicle access especially in relation to pedestrian safety.

Local Planning Authority Response

The access currently serves a commercial and residential use at the site.

From the trip generation analysis, there is unlikely to be an intensification in the use of the site in regards to vehicle trips. The benefit of the proposed development is there will be a reduction in LGV and HGV movements as the industrial use at the rear of the site will discontinue as stated within the Highways & Transport comments.

In addition the access has always been shared for both vehicles and pedestrians and there is no scope to increase the width due to the constraints of the built archway.

6.4 Land Contamination

Historical mapping indicates there was an engineering works on site from at least 1971, and the 1995 maps indicate the works are still present (just labelled as 'works'). Given the history of various workshops on the site, the potential for contamination is likely to be medium.

The nearest potential sources of off-site contamination are: a former Smithy approximately 85m west, a former Factory workshop approximately 95m to the south-east and a historic landfill approximately 130m to the south-east of the proposed development.

Based on the above I would recommend pre-commencement conditions to be placed on the application.

6.5 Housing Development

The following commuted sum is required for Affordable Housing:

Unit Type	Full scheme	Number (at 30%)	Funding Shortfall	Total Funding Shortfall
1BF	8	2	£30,000	£60,000
2BF	8	2	£35,000	£70,000
2BH	1	0	£59,500	£0
total	17	4		

Total commuted sum payable **£130,000**

6.6 Drainage Engineer

The Council's Drainage Engineer has advised that given that this is an outline

planning application that a drainage strategy is required to demonstrate that the site can be suitably drained using SUDs, relevant conditions have been attached.

6.7 **Flood Management Team Leader**

On the condition that ground levels within floodplain 2 and 3 are not raised and that the development is constructed as per the flood mitigation strategy outlined in the Flood Risk Assessment, Slough Borough Council considers the development to be acceptable with regard to flood risk.

6.8 **Berkshire Archaeology**

An archaeological watching brief can be secured by condition, should the application be permitted.

An archaeological watching brief, focused on the new building to the rear of the property and any associated service runs, would adequately mitigate the impacts of proposed development in accordance with national and local planning policy. Alternatively the applicant may wish to consider the excavation of an exploratory trial trench within the foot print of the new building at an early stage in order to address the uncertainty.

6.9 **Thames Water**

No representations have been received at the time of writing this report. Should any representations be received, they will included on the Amendment Sheet.

6.10 **Environment Agency**

We have no objections to the proposed development, as submitted, subject to the inclusion of the below condition in any planning permission granted. Without the inclusion of this condition we consider that the development poses an unacceptable risk to people and property from flooding.

Condition – Flood risk mitigation

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (PBA ref. 31822/001, dated December 2015) and the following mitigation measures detailed within the FRA:

1. Provision of measures for compensatory flood storage, including voids to the new apartment building, designed in accordance with the details contained in the FRA.
2. Finished floor levels set no lower than 20.9m AOD.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons: The proposed new apartment building is located within the 1% AEP (annual exceedance probability), including an allowance for climate change, flood

extent. Therefore, there is a high probability of flooding to the development within its lifetime. The above mitigation measures are required in order to ensure that the development is safe, without displacing flood risk elsewhere, as required by paragraph 100 of the National Planning Policy Framework (NPPF).

Sequential Test

We note that the FRA is accompanied by a report on how the proposals pass the flood risk Sequential Test, as required by paragraph 101 of the NPPF. Please note it is the role of the local planning authority to determine and assess the acceptability of the Sequential Test. Our role is to advise on the process of the Sequential Test. We do not comment upon comparative assessment of land, its availability or suitability for a particular form of development.

Groundwater protection

Due to increased workload prioritisation we are unable to make a detailed assessment of this application with regards to groundwater protection. We have checked the environmental constraints for the location and have the following guidance.

The environmental risks to groundwater relate to the underlying Alluvium, designated as a Secondary A Aquifer. This designation indicates a permeable layer capable of supporting water supplies at a local rather than strategic scale, and in some cases forming an important source of base flow to rivers.

The Planning Statement states that there have been previous commercial/manufacturing uses at the site, but we are not clear on the full history of the site and the associated risks.

Previous industrial uses could have resulted in land or groundwater at the site being contaminated. Development of the site could increase these risks, by creating new pathways for contaminants to pollute groundwater.

If infiltration drainage is proposed then it must be demonstrated that it will not pose a risk to groundwater quality. We consider any infiltration SuDS greater than 3m below ground level to be a deep system and generally not acceptable. All infiltration SuDS require a minimum of 1m clearance between the base and peak seasonal groundwater levels. All need to meet the criteria set out in our Groundwater Protection: Principles and Practice (GP3) document¹. In addition, they must not be constructed in ground affected by contamination.

Advice to developer – Flood Defence Consent

We recommend that the following advice is included as an informative in the decision notice to any planning permission: Under the terms of the Water Resources Act 1991, and the Thames Land Drainage Byelaws 1981, the prior consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Colne and Country Ditch, both designated as 'main rivers'.

6.11 Crime Prevention Design Advisor, Local Policing

No representations have been received at the time of writing this report. Should any representations be received, they will included on the Amendment Sheet.

6.12 Tree Management Officer

No representations have been received at the time of writing this report. Should any representations be received, they will included on the Amendment Sheet.

6.13 Environmental Quality

No representations have been received at the time of writing this report. Should any representations be received, they will included on the Amendment Sheet.

6.14 Environmental Protection

No representations have been received at the time of writing this report. Should any representations be received, they will included on the Amendment Sheet.

6.15 BEAMS Ltd, Conservation

No representations have been received at the time of writing this report. Should any representations be received, they will included on the Amendment Sheet.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The application will be assessed against the following policies:

7.2 The National Planning Policy Framework (NPPF) 2012 and the Planning Practice Guidance

In its overarching Core Principles the National Planning Policy Framework states that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units infrastructure and thriving local places that the country needs..... and requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and futures occupiers. The NPPF further states that: good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making places better for people

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.....To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

7.3 Local Development Framework, Core Strategy 2006-2026, Development Plan Document December, Adopted December 2008

- Core Policy 1 (Spatial Strategy)
- Core Policy 3 (Housing Distribution)
- Core Policy 4 (Type of Housing)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability and the Environment)
- Core Policy 9 (Natural & Built Environment)
- Core Policy 12 (Community Safety)

7.4 Adopted Local Plan for Slough, Adopted 2004

- EN1 (Standards of Design)
- EN3 (Landscaping Requirements)
- EN5 (Design and Crime Prevention)
- EN13 (Conservation Areas)
- EN16 (Setting of a Listed Building)
- EN19 (Protection of Archaeological Sites)
- EN20 (Archaeology Remains)
- H13 (Backland/Infill Development)
- H14 (Amenity Space)
- T2 (Parking Restraint)
- T8 (Cycling Network and Facilities)
- T9 (Bus Network and Facilities)
- EMP3 (Loss of Employment Land)

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

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

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

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

The Council has also formally announced its intention to prepare a Local Plan

Development Plan Document and is seeking comments on the proposed scope and content of the document – this consultation period runs from Friday 4th December 2015 to 15th January 2016.

7.6 Other Relevant Documents/Statements

Slough Borough Council Developer's Guide Parts 1-4
Slough Local Development Framework Proposals Map
Colnbrook Conservation Appraisal 1997
Planning Guidelines for Flat Conversions (Indicative Room Sizes)

7.7 The main planning considerations are considered to be:

- Principle of development
- Design and appearance on the character of the area
- Impact on neighbouring Uses/Occupiers
- Transport, Highways and parking
- Housing Mix & Affordable Housing
- Quality of Housing
- Noise
- Flood Risk & Sustainable Drainage System
- Land Contamination
- Archaeology
- S106 Requirements

8.0 **Principle of Development**

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

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

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

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

- 8.3 Core Policy 1 sets out the overall spatial strategy for Slough requiring all developments to take place within the built up area, predominately on previously developed land. The policy seeks to ensure high density housing is located in the appropriate parts of Slough Town Centre with the scale and density of development elsewhere being related to the sites current or proposed accessibility, character and surroundings.
- 8.4 Core Policy 4 again emphasises that high density housing should be located in the Town Centre area and that outside the Town Centre the development will be predominately family housing at a density related to the character of the area. In particular, in suburban residential areas, there will only be limited infilling consisting of family houses which are designed to enhance the distinctive suburban character and identity of the area. The site is not identified as a development site within the Slough Local Development Framework Site Allocation Document DPD.
- 8.5 The site falls outside of the town centre area. Core Policy 4 states that in urban areas outside of the town centre new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the accessibility of the location and the availability of existing and proposed local services facilities and infrastructure. Hence Core Policy 4 does not rule out flats within the urban areas of the town, subject to the sites context location and availability of services.
- 8.6 Whilst the proposed housing scheme is a flatted scheme and not in accordance with planning policy guidance given in the LDF Core Strategy, there are a number of mitigating circumstances. Firstly, the site is essentially a non conforming commercial use within the residential setting of Colnbrook historic village. Secondly, at least part of the proposal would involve the conversion of existing buildings from commercial to residential use. Thirdly, the proposals would bring about positive environmental and social benefits to the wider Conservation Area site. Fourthly, given existing aircraft noise, it is not considered to be a good location for family housing area which would be more reliant on the use of outdoor amenity space. Fifthly, there are likely to be abnormal costs in the form of land contamination mitigation measures.

Having regards to the NPPF and Core Policies 1 and 4 of the LDF Core Strategy, there are no objections to the principle of residential development on this site, nor, having regard to the factors outlined in the paragraph above, to the provision of flats rather than family housing.

9.0 **Design and appearance on the character of the area**

- 9.1 The National Planning Policy Guidance, in its overarching Core Planning principles state that planning should: *Proactively drive and support sustainable economic development to deliver the homes, business and industrial units infrastructure and thriving local places that the country needs.....always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildingshousing applications should be considered in the context of the presumption in favour of sustainable development.....good design is a key aspect of sustainable development, is indivisible from good planning and should contribute*

positively to making places better for people.

- 9.2 Core Policy 8 states that *all development in the borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change. With respect to achieving high quality design all development will be:*
- a) Be of a high quality design that is practical, attractive, safe, accessible and adaptable;*
 - b) Respect its location and surroundings;*
 - c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and*
 - d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.*

The design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area.

- 9.3 Policy EN1 of the adopted Local Plan requires that *development proposals reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of: scale, height, massing, bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees, and relationship to water courses.*

- 9.4 The general approach to development is considered acceptable, although as this is an outline planning application with matters of appearance, layout and scale reserved for subsequent approval. However, a number of illustrative plans, including outline elevations and sections, have been submitted which show how the scheme could be implemented.

- 9.5 This is a backland site which would not be highly visible from the street or public realm, with a backcloth of three storey modern flats to the east, quasi industrial uses to the north and north west, significant tree cover to the west but with a number limited views into the site for existing neighbouring residential occupiers from the rear of existing properties in Park Street. The maximum height of the proposed development is shown to be three storeys high plus accommodation within the roof space and given the site's context, it is considered that a suitable and sympathetic design can be achieved. The proposed new buildings are located towards the rear of the site, away from the main sensitive parts of the site in heritage terms. However, as the site is located within a Conservation Area, the design will need to compliment and be sympathetic its heritage setting and which should include a suitable pallet of external construction and surface materials, this will be conditioned accordingly.

9.6 Heritage

Paragraph 128 of the national Planning Policy Framework provides guidance when determining planning applications which may have an impact on existing heritage assets, it states that:

“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance...In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- the desirability of new development making a positive contribution to local character and distinctiveness”.*

Policy EN13 ‘Conservation Areas’ from the Council’s Local Plan states that:

“a) development will not be permitted unless it preserves or enhances the character or appearance of the area;

b) new development will be permitted only if it:

(i) harmonises with the character of the area in terms of scale, height, massing, alignment, and appropriate materials;

(ii) retains boundary walls, important trees, and other features, including watercourses, which make a positive contribution to the character or appearance of the conservation area; and

(iii) does not cause the loss of open spaces important to the character or historic value of the area as well as important views within, into and out of the area.

c) an alteration or extension to an unlisted building which requires planning permission will only be permitted if it is sympathetic in design, scale, materials, and colour to the rest of the building.

d) proposals for change of use will be permitted if they respect the character of the building and the overall conservation area and do not lead to any intensification of activities such as increased traffic, car parking, or noise which would be detrimental to the character and appearance of the conservation area;

e) major development proposals outside the conservation area which would affect its setting or views into or out of the area will be permitted only if they are designed to harmonise, in terms of their overall design, scale, form and materials, with adjacent buildings and open spaces in the conservation area; and

f) total or substantial demolition will be permitted only if the structure makes no positive contribution to the character or appearance of the conservation area and detailed proposals for the re-use of the site, including any replacement building or other structure, have been approved.”

Policy EN16 on ‘Setting of a Listed Building’ states:

“Any development which would adversely affect the setting of a listed building will not be permitted.”

Core Policy 9 of the Local Development Core Strategy (2006 – 2026) Development Plan Document states *development will not be permitted unless it:*

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

A Character Appraisal of Colnbrook Conservation Area was carried out in 1997 and although now somewhat dated, the principles contained in that study are still very much relevant today. That being said there is nothing specifically contained in that study, such as a need to protect important views, which would preclude development on this site. Nonetheless, any development would need to be assessed in terms of its potential impact on the setting of the listed buildings in Park Street and the wider Conservation area itself.

A Heritage Statement has been submitted with this application and it takes into account heritage sensitive receptors in or near the proposed development site. The report states that:

“The closest listed building to the Proposed Development Area (PDA) is Badminton House, Post Office, adjoining house and Hampton House located immediately to the right of the PDA along Park Street. The designation comprises a row of late 18th Century houses with a central carriageway. Although it lies closest to the PDA, the development is secluded from view as it is situated behind the listed buildings and accessed through the central carriageway. Residential development is already popular down Park Street with properties from different eras. Modern flats (thought to have been constructed in 1990s) are located to the south west of the PDA therefore the development will be in keeping with its surroundings.”

The conclusion of the Heritage Statement states the following:

“The proposed development will result in no changes to the setting of the heritage assets as there is no or limited visibility of the assets. The setting of the Conservation Area and heritage assets in which the development will be situated will be retained as the development is located behind the listed buildings on Park Street and is secluded from view. Furthermore, the setting of the heritage assets and Conservation Area is a residential one which the proposed development will do nothing to alter.”

The Council has consulted with BEAMS Ltd, Conservation Advisors and their comments will be provided on the Amendment Sheet.

9.7 Impact on trees & landscaping

An Arboricultural Impact Report has been submitted in support of this application to address the proposed tree works. The report notes that the design has been developed with careful consideration to minimise the impact on the most important trees. Overall 14 individual trees and 4 tree groups were surveyed.

The report recommends that:

- One tree as identified as Tree G1 is removed to facilitate the development and also recommends that trees of trees poor condition should be removed.
- The reports also highlights that protection measures have been set out to ensure that retained trees are not damaged during the construction phase and to enable their successful development post construction.
- Where conflict with Root Protection Areas occurs, measures have been set out in order to mitigate the potential impact on retained trees, as illustrated

on the Tree protection Plan.

- 9 tree features will be subject to construction within their root protection areas. Special measures are recommended to ensure that these trees are not damaged. These measures are illustrated on the Tree Protection Plan.
- 3 retained trees (T14, T15, T16) require remedial tree work to facilitate the development and to reduce the likelihood of their being subject to excessive pressure after the completion of the development.

The proposed development incorporates outline proposals for enhanced hard and soft landscaping to complement the proposed developments and enhance its setting and that of the public realm.

This planning application is supported by a landscape strategy/masterplan, the detail of which has been conditioned.

Impact on neighbouring Uses/Occupiers

10.1 As stated above, in the National Planning Policy Framework, twelve core planning principles are identified which both should underpin plan making and decision taking. A number of these core principles are relevant to the current proposals and include that planning should:

- *Always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings.*

Core Policy 8 of the Slough Local Development Framework Core Strategy states that all development in the borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change. With respect to achieving high quality design all development will:
b) respect its location and surroundings.

Policy EN1 requires that development proposals reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of.....*relationship to nearby properties*.....

10.2 When assessing proposals in detail, consideration will need to be given to any potential impacts on amenity for existing residential occupiers. Any such impacts would need to be significant and result in harm to interests of acknowledged importance such as outlook, privacy, overlooking, loss of sunlight or daylight dominance and overbearing impact. This assessment would need to occur at a subsequent stage in the design process, once more information is available in relation to floor layouts and positions of windows.

The following potential impacts are identified:

- a) Potential overlooking and loss of privacy to the neighbouring occupiers in Albany Court, at its closest point the development is approximately 15m away from the front elevation of these properties. As such, a condition will be attached to ensure that all rooms facing Albany Court at first, second and third floor are non-habitable and windows in this rear elevation are to be of obscure glass and high level opening. With this condition in place there would

be no direct overlooking or loss of privacy. The 15m separation distance is in accordance with the Council's guidelines for habitable to flank elevations, as such issues relating to potential overlooking and loss of privacy can be overcome.

- b) Potentially overbearing and overly dominant outlook for the residential occupiers of the first/second floor residential occupiers located within Albany Court, the height of the proposed development will be 3m higher, however given the separation distance of 15m and the screening by the mature trees, it is not considered that there would not be a detrimental impact to these occupiers. There is a small proportion of the proposed building that will be 3m higher in relation to Albany Court and this relates to the siting of the existing flats at Albany Court. This section in particular is widely interspersed with mature trees, as such the views to the proposed development in summer months will be limited. In the winter months, there would be exposure, however, it would be difficult to refuse this application on the basis that the height exceeds that of the adjoining property in context of the separation distance and proposed landscaping strategy.

It should be noted that the application was originally submitted for 18 no units, this resulted in the proposal being 5m higher than the two storey residential properties located at Albany Court. One of the unit has now been omitted from the scheme and as such this reduces the impact to the two storey properties at Albany Court in terms of being overbearing and overdominance.

Within the proposed development itself, it is not considered that there will be issues of overlooking/loss of privacy and overbearing between the two new buildings and conversion of the existing buildings due to the proposed siting and relationship amongst these buildings. With regard to the conversion of the existing properties, a condition will be attached to ensure that there are no new windows inserted into any of the elevations to protect the amenities of the residents along Park Street. With respect to the occupiers of Park Street, the conversion of the existing commercial unit will screen the proposed new buildings, as such no detrimental impact is considered significantly affect these properties.

11.0 **Transport, Highways and Parking**

11.1 *Vehicle Access*

The existing vehicle access through the listed arch onto Park Street will be retained. This arch and the adjoining buildings are protected and therefore cannot be modified. Concerns were raised in pre-application discussions over sight lines and pedestrian visibility which are very constrained and cannot be improved, therefore it was requested that there be no intensification in its use, which the surveys have demonstrated.

The access is approximately 3.6m wide. As it is through a protected arch this is not considered sufficient for a refuse vehicle therefore, any servicing will take place from Park Street.

It is considered that the current condition of the crossover at the access point could

be improved, and therefore a splayed entry crossover is requested with transition kerbs of 1m on either side of the access. The crossover also needs resurfacing to the current carriageway standard. Any changes to kerbs will need to be made using conservation materials – e.g. granite kerbs etc.

11.2 *Cycle and Pedestrian Access*

Cyclists and pedestrians will also enter the site through the existing archway access.

11.3 *Vehicle Parking*

It is proposed that 24 spaces will be provided on site for both the proposed development of 17 flats and the existing 6 flats which park here. This results in provision of 1 space per dwelling. This is slightly below the parking standards as set out in the Slough Developer's Guide part 3, which states that one bed flats should be supplied with 1.25 spaces per dwelling and 2 bed flats should have 1.75 spaces, this would result in 27 spaces. A slightly reduced provision has been accepted as this has allowed the local highway authority to request that 6 of the spaces be allocated to the existing 6 flats, so the 17 proposed dwellings and the 6 existing flats will have a minimum of 1 space each. This arrangement needs to be secured in the S106 agreement so that this benefit is not lost to the existing flats.

11.4 *Cycle Parking*

24 cycle parking spaces are to be provided, this is one per dwelling, including the existing 6 flats. The cycle parking will be in the form of 1 x 2m cycle lockers as requested in pre-application discussions. The cycle lockers will be in two locations, one near the entrance to the site and one behind the most northern apartment building. It is considered that the parking by the access is well located as it will be covered by natural observation and easy to access however, the cycle parking behind the more northern apartment building is quite tucked away and will not be covered by natural observation. Although there are concerns over this and it would be better if it were located elsewhere, if there are no alternative locations that can be used, as the cycle stores will be secure this location will be accepted.

11.5 *Refuse and Servicing*

Due to the constrained nature of the access, refuse collection will need to take place from Park Street. There will be two locations for the bins to ensure that residents from all the apartment blocks can reach them easily and to ensure they are not located too far from the access point.

As the drag distance for the bins will be more than the maximum drag distance for bin collection operatives, as set out in the Slough Developer's Guide part 4, a management company will need to be employed to move the bins on collection day. The drag distance from the closest bin location to the collection point will be at least 28m while the further bin point is located 43m away. Residents should not need to carry their refuse more than 30m to a bin, again in line with the Slough Developers Guide p4 standards. For the residents in the most northerly apartment block there is a distance of approximately 33m to the nearest bins, due to the constrained nature of the site this distance is accepted. For residents in the other blocks the bins are located very close to the buildings.

As a pre-commencement condition, submission of refuse details will be required.

12.0 **Housing Mix & Affordable Housing**

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

12.2 The site being located within a neighbouring shopping centre is not considered appropriate for the provision of family housing as retail is to be re-provided on the ground floor. It is further considered that an appropriate mix of 1 and 2 bed flats are being provided.

12.3 Core Policy 4 of the Slough Local Development Framework Core Strategy states that for *All sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.* By reference to the Developers Guide being a development of 17 no. units requires payment of a financial contribution to fund the provision of affordable housing off site. The Housing Development Section have advised a contribution of £130,000 based upon the details in paragraph 6.5.

13.0 **Quality of Housing**

13.1 The National Planning Policy Framework states that local planning authorities should aim *“to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.....”*

As this is an outline application, details have not been submitted with respect to layout and as such this has been conditioned to be assessed via the reserved matters application.

13.2 With respect to the unit sizes as indicated on the indicative lay-outs, these have been assessed against the Council's Flat Conversion Guidelines. The floors space of each of the units fall well within the Council's guidelines: the 2 bedroom units will have 65sqm of floor area and the 1 bedroom units are between 44sqm to 57sqm floor area, as such no objection is raised with respect to the minimum required floor space. In addition, the 2 bedroom house also meets the Council's minimum requirement of floor area (76sqm), whereby the house will provide 80sqm of floor area.

13.3 Given the positioning of the two new buildings, set away from the boundary of the site and the conversion of the existing buildings, it is considered that all the flats will have a reasonable aspect and would receive sufficient light.

13.4 Amenity

The proposed conversion of the commercial unit to the 2 bedroom house, requires external amenity space in accordance with Core Policy 4, a small usable area can be provided to its side subject to relocating the refuse store, this has been requested by the Agent.

With respect to the flats, 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 in close walking distance to accessible open amenity areas, such as Albany Park.

14.0 **Noise**

14.1 Core Policy 8 from the Core Strategy, states that development shall not give rise to unacceptable levels of pollution including noise and shall not be located in noisy environments unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors.

14.2 A Noise Assessment is submitted with the application and considers noise from a number of potential sources, including aircraft noise and potential local sources, including the industrial uses located within close proximity of the application site, namely Tan House Farm.

14.3 The results of the Noise Assessment has determined that the internal sound levels in the proposed dwelling are likely to be achieved with the appropriate noise mitigation measures i.e. in terms of the right specification of glazing and external building envelopment. Further, based on the results of the noise survey and the assumed building fabric constructions, the suggested internal noise criteria are likely to be met during both daytime and night-time periods. The report notes that a detailed assessment should be undertaken during RIBA's Work Stage in order to ascertain the exact acoustic specification requirements for the various elements of the external building fabric.

14.4 On the basis of this assessment and subject to the incorporation of the recommendations set out in the report, it is considered that noise should not pose a material constraint to the proposed development.

15.0 **Flood Risk & Sustainable Drainage System**

15.1 The Environment Agency's Flood Zone map shows:

- The south of the site lies mainly in Flood Zone 1 'Low Probability' (less than a 1 in 1000 (0.1%) annual probability of river flooding).
- The north of the site is within Flood Zone 2 'Medium Probability' (between a 1 in 100 (1%) and 1 in 1000 (0.1%) annual probability of river flooding).

Core Policy 8 of the Core Strategy states that development will only be permitted where it is safe and it can be demonstrated that there is minimal risk of flooding to the property, and it will not impede the flow of floodwaters, increase the risk of flooding elsewhere or reduce the capacity of a floodplain. It also states that development must manage surface water arising from a site in a sustainable manner which will also reduce the risk of flooding and improve water quality. Sustainable drainage systems should be used to attenuate surface water runoff and to minimise the risk of future sewer flooding where this is practical in terms of ground water levels, geology and land quality.

15.2 Peter Brett Associates has undertaken a Flood Risk Assessment (FRA) in support of the application. As a 'More Vulnerable' use, the development is considered

appropriate within Flood Zone 1 and 2.

A Sequential Test has been undertaken for the site by Peter Brett Associates which demonstrates that there are no alternative sites available for the proposed development in an area of lower flood risk within the Borough of Slough; as such the proposals pass the Sequential Test.

In considering the proposals, the following key aspects have been addressed:-

- Vulnerability to flooding from all sources.
- Protection of occupants and users of the new development.
- No increased flood risk to third parties as a result of the development.

Flood risk will be appropriately mitigated through measures including:

- Proposed ground floor levels set a minimum of 300mm above the modelled 1 in 100 (1%) annual probability plus climate change level, in accordance with EA and SBC requirements;
- Continuous safe access arrangements provided at the modelled 1 in 100 (1%) annual probability plus climate change flood level via raised elements (including natural ground and raised walkways) running through the north of the site on to higher ground at the south of the site. This is supplemented by the provision of a Flood Risk Management Plan for all dwellings.
- A flood compensation scheme demonstrating an increase in floodplain storage capacity over the site up to the modelled 1 in 100 (1%) annual probability plus climate change flood level.
- A surface water drainage strategy, designed to the 1 in 100 (1%) annual probability plus 30% allowance for climate change storm event will be put in place to significantly reduce runoff from the site.

As such, the FRA confirms that the development is safe, it does not increase flood risk and does not detrimentally affect third parties, in accordance with the objectives of the NPPF.

The Environment Agency has been consulted on the proposal and they raise no objection.

15.3 On 6th April 2015, the government introduced a requirement for all major development schemes to comply with the current Sustainable Drainage Regulations. This is now a material consideration in the determination of major planning applications, which necessitates the drainage system being designed in detail at an early stage in the planning process. However, as this is an outline application with all matters reserved for subsequent approval, it has been agreed that a sustainable drainage strategy can be conditioned.

16.0 Land Contamination

16.1 Core Policy 8 (Sustainability and the Environment) of the SBC's Core Strategy Document states that development shall not 'cause contamination or deterioration in land, soil or water quality' nor shall development occur on polluted land unless appropriate mitigation measures are employed.

16.2 The National Planning Policy Framework (NPPF) identifies land identifies land contamination as a material consideration in the planning process and notes that decisions by Local Planning Authorities should ensure the site is suitable for its intended use. Where a site is affected by contamination identified to pose unacceptable risks to receptors, the responsibility for securing a safe development rests with the developer and/or landowner.

16.3 The Council's Land Contamination Officer has been consulted on the proposals for the site and has responded as follows:

"Historical mapping indicates there was an engineering works on site from at least 1971, and the 1995 maps indicate the works are still present (just labelled as 'works'). Given the history of various workshops on the site, the potential for contamination is likely to be medium.

The nearest potential sources of off-site contamination are: a former Smithy approximately 85m west, a former Factory workshop approximately 95m to the south-east and a historic landfill approximately 130m to the south-east of the proposed development."

Given the above, conditions have been recommended with respect to land contamination.

17.0 **Archaeology**

17.1 Policy EN19 from the Local Plan which refers to the protection of a Archaeological sites states that:

"There is a presumption in favour of the preservation of the integrity of all scheduled ancient monuments and other archaeological remains of importance and their setting. Development will not be permitted if it fails to preserve the archaeological value and interest of the archaeological remains or their setting."

In addition Policy EN20 relates to archaeological remains and this states:

"In areas with archaeological potential, a prospective developer will be required to carry out an archaeological field evaluation before any decision is taken on a planning application. Where archaeological remains will be affected by a developer, conditions will be imposed to preserve the remains in situ. Where preservation is not required, appropriate arrangements will be required by condition for the excavation and recording of archaeological sites prior to commencement."

17.2 The following comments below are from Berkshire Archaeology:

"An 'Heritage Assessment' report has been submitted in support of this application (Peter Brett Associates, December 2015). This report usefully sets out the archaeological background to the application site and makes an assessment of its archaeological potential based on currently available information.

The report notes (para. 4.6.3) that the application site lies within the medieval and post-medieval settlement of Colnbrook. The report therefore concludes (para. 5.4.2)

that there is a potential for the proposed development to have an impact on the remains of medieval and post-medieval buildings. The report notes (paras 4.6.1 and 4.6.2) that the potential for buried remains of prehistoric and Roman date within the application site is low, although this is based on the little known evidence within the 500m study area of the assessment and perhaps the author overlooks the picture in the wider landscape where large scale archaeological excavations at Terminal 5 Heathrow, Kingsmead Quarry, Horton, and Horton Brook Quarry, Colnbrook (to name just three of several) have shown the remarkable density of prehistoric and Roman remains in the valley of the River Colne and Colne Brook.

The report also states that no designated heritage assets lie within the application site, although, as Berkshire Archaeology understands it, the carriageway entrance into the application site, separating Hampton House from the Post Office, is part of Listed Building Entry 1187059 'Badminton House, Post Office, adjoining house and Hampton House' and therefore falls within the application site. The List Entry describes it as a 'row of late 18th century houses with central carriageway'.

The report notes (Section 4.2) the largely negative archaeological interventions that have previously been undertaken within historic Colnbrook. While the report states (5.2.1) that construction for the proposed development would have an impact on any buried archaeological remains within the site, it also goes on to state (para. 5.4.2) that previous development on the site will have already disturbed and removed any archaeological remains. On this basis the report concludes (para. 6.1.3) that no further 'investigation, evaluation or mitigation is considered necessary'.

While Berkshire Archaeology acknowledges that there is likely to have been some below ground impacts from previous development, no evidence or information is presented to demonstrate unequivocally that the site has nil archaeological potential. This is a proposed development of reasonable scale within historic Colnbrook and close to a braid of the Colne Brook, adjacent to which is evidence for historic industrial activities such as milling and tanning at Tanhouse Farm.

On this basis, Berkshire Archaeology considers the application area retains an archaeological potential but that this can be addressed through archaeological monitoring (a watching brief) during the construction of the new building to the rear of the application site and any associated service runs. This will enable any buried remains to be recorded so as to advance our understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance as set out in Paragraph 141 of the NPPF."

18.0 **S106 Agreement**

18.1 A financial contribution is payable in lieu of the provision of affordable housing and the Council's Transport and Highway Engineers have advised the following additional S106 requirements:

- Residents of the development ineligible to apply for on-street parking permits in any existing or future on-street parking schemes;
- 6 of the 24 spaces to be assigned to the 6 existing flats; and
- Splayed entry crossover with transition kerbs of 1m on either side of the

access using granite kerb materials and resurfacing the carriageway crossover – it may be appropriate for the applicant to agree a small contribution to cover this cost.

The contributions are considered to be reasonable and necessary to mitigate the impacts of the development. This obligation would comply with Regulation 122 of the Community Infrastructure Levy.

The Agent has agreed to the S106 to secure the above.

19.0 **PART C: RECOMMENDATION**

19.1 It is recommended that the application be delegated to the Planning Manager for approval, following consideration of outstanding consultations, finalising of conditions and Section 106 Agreement.

20.0 **PART D: CONDITIONS**

The main heads for proposed conditions are set out below but the final conditions and their wording is to be determined by the Planning Manager following the receipt of outstanding consultations and prior to final determination.

20.1 **DRAFT CONDITIONS**

1. Reserved Matters Application

Details of the following reserved matters for the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development shall include:

- The layout of development;
- The scale of the development;
- The appearance of the development;
- Detailed landscaping strategy, including details of proposed maintenance or of alternative new planting.

REASON To ensure that the proposed development is satisfactory and to comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. 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 three years 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 5 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 / Maximum Parameters

The development/application relates to the following site:

(a) Site Location Plan, Dated 15/07/2014, Recd On 29/12/2015

The following maximum parameters for development in terms of siting and height are set below and the detailed proposed development shall be in accordance with these:

- The siting of the proposed new two buildings as indicated on the Illustrative Drawing No. rpf909sht8c.dwg shall maintain the separation distance of 15m from the Albany Court elevation to the rear elevation of the proposed development.
- The height which are shown as part three storey plus accommodation within the roof space (12.64m to the ridge) and part two storey plus accommodation within the roof space (9.5m to the ridge) as shown on the Illustrative Drawing No. rpf909sht7c.dwg shall not be exceeded.

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. Sample of external materials - Development

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

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

5. Sample of external materials - Access

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

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

6. External Lighting

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, December 2008.

7. Landscaping Design

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.

8. Boundary Treatment

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

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

9. Drainage

No development shall commence on site until a scheme for the drainage strategy

and the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON To ensure that the development can be adequately drained and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

10. Disposal Sewerage

No development shall commence on site until details of the works for the disposal of sewerage have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON To ensure that the proposal is provided with a satisfactory means of drainage and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

11. Archaeology

No development shall take place until the Applicant or their Agents or Successors in title have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the planning authority.

REASON The site lies in an area of archaeological potential, particularly in relation to medieval and pots-medieval Colnbrook.

12. Working Method Statement

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 and the size of these vehicles to prevent damage to the existing Archway.

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 and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

13. 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 Local Plan for Slough 2004, and to meet the objectives of the Slough Integrated Transport Strategy.

14. Bin storage

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

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

15. Windows

Prior to the commencement of development, the windows in the first, second and third floors within the eastern rear main wall elevation of the proposed development, fronting Albany Court shall be obscurely glazed in accordance with a sample which shall be submitted to and approved in writing by the Local Planning Authority. The same windows shall be high level opening at a minimum height of 1.8 metres above the finished internal floor level.

REASON To maintain the privacy of amenity of future residential occupiers and those located within Albany Court and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

16. Noise (FINAL WORDING TCB)

Prior to first occupation of the dwellings as hereby approved the insulation scheme of the proposed dwellings shall ensure that the external noise (from aircraft noise) shall not cause an internal noise level greater than 30dB(A)eq(T) in bedrooms (with the windows closed) nor 45dB(A)eq(T) in living rooms (with the windows closed) between the hours of 23:00 and 07:00. Any individual noise event from road and aircraft noise shall not result in internal noise levels exceeding 45dB(A)LAmax. Any works which form part of the scheme shall be carried out in accordance with the Sound Impact Assessment prepared by Peter Brett Associates LLP, Dated

December 2015 and completed in accordance with the approved scheme and to the full satisfaction of the Local Planning Authority.

REASON To ensure satisfactory living conditions for the future occupiers of the development and protection from nuisance caused by excessive noise in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

17. Tree Protection

No development shall commence until the tree protection measures detailed in the submitted Arboricultural Impact Assessment (Report Reference Number: 151222-1.0-FYC-AIA-MW), including all the Appendices prepared by Treework Environmental Practice, Dated 22/12/2015 and have been implemented, in accordance with the recommendations set out in *BS 5837:2012 – Trees in relation to design, demolition and construction. Recommendations*. These measures shall be implemented prior to works beginning on site, and shall be provided and maintained during the period of construction works.

REASON To ensure the satisfactory protection of trees to be retained in the interest of visual amenity and to meet the objectives of Policy EN3 of The Local Plan for Slough 2004, Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the National Planning Policy Framework.

18. Windows

There shall be the insertion of no new windows or changes to the existing windows to the two covered properties without the prior consent of the Local Planning Authority in writing.

REASON To prevent overlooking or loss of privacy for existing and future residential occupiers.

19. Householder - Removal of Permitted Development Rights

Notwithstanding the terms and provisions of the Town & Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order), Schedule 2, Part 1, Classes A, B, C, D & E, 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 Planning Authority

REASON To protect the character of the area and the visual amenity of the neighbouring occupiers within the Conservation Area.

20. Maximum Number of Units

The maximum number of residential units provided on site shall be restricted to 17 only.

REASON To ensure satisfactory living conditions for the future occupiers of the development and ensuring that the use benefits from satisfactory car parking provision in accordance with Core Policies 7 and 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

21. Car Parking Provision

Prior to first occupation of the proposed development, the 24 no. car parking spaces shall be provided and made available for use in connection with the proposed residential units and maintained for the parking of cars thereafter. The car parking spaces shall not be used for any separate business or commercial use.

REASON In the interests of ensuring that the use benefits from satisfactory car parking provision in the interests of the amenities of the area in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

22. Access

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

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

23. Flood Mitigation (EA)

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (PBA ref. 31822/001, dated December 2015) and the following mitigation measures detailed within the FRA:

1. Provision of measures for compensatory flood storage, including voids to the new apartment building, designed in accordance with the details contained in the FRA.
2. Finished floor levels set no lower than 20.9m AOD.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON The above mitigation measures are required in order to ensure that the development is safe, without displacing flood risk elsewhere, this in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and as required by paragraph 100 of the National Planning Policy Framework.

24. Phase 1 Desk Study (LPA)

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.

25. Phase 2 Intrusive Investigation Method Statement (LPA)

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.

26. Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy (LPA)

Development works shall not commence until a quantitative risk assessment has been prepared for the site, based on the findings of the intrusive investigation. The risk assessment shall be prepared in accordance with the Contaminated Land report Model Procedure (CLR11) and Contaminated Land Exposure Assessment (CLEA) framework, and other relevant current guidance. This must first be submitted to and approved in writing by the Local Planning Authority and shall as a minimum, contain, but not limited to, details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM) (prepared as part of the Phase 1 Desk Study), details of the assessment criteria selected for the risk assessment, their derivation and justification for use in the assessment, the findings of the assessment and recommendations for further works. Should the risk assessment identify the need for remediation, then details of the proposed remediation strategy shall be submitted in writing to and approved by

the Local Planning Authority. The Site Specific Remediation Strategy (SSRS) shall include, as a minimum, but not limited to, details of 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 potential risks from land contamination are adequately assessed and 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.

27. Remediation Validation (LPA)

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and 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.

Informatives:

1. The development/application was assessed having regard to the following submitted illustrative plans:
 - a) Drawing No. rpf909sht1c.dwg, Dated 19/12/2015, Recd On 29/12/2015
 - b) Drawing No. rpf909sht2c.dwg, Dated 19/12/2015, Recd On 29/12/2015
 - c) Drawing No. rpf909sht3c.dwg, Dated 19/12/2015, Recd On 29/12/2015
 - d) Drawing No. rpf909sht4c.dwg, Dated 19/12/2015, Recd On 29/12/2015
 - e) Drawing No. rpf909sht5c.dwg, Dated 19/12/2015, Recd On 29/12/2015
 - f) Drawing No. rpf909sht6c.dwg, Dated 19/12/2015, Recd On 29/12/2015
 - g) Drawing No. rpf909sht7c.dwg, Dated 19/12/2015, Recd On 29/12/2015
 - h) Drawing No. rpf909sht8c.dwg, Dated 27/01/2016, Recd On 28/01/2016
2. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming

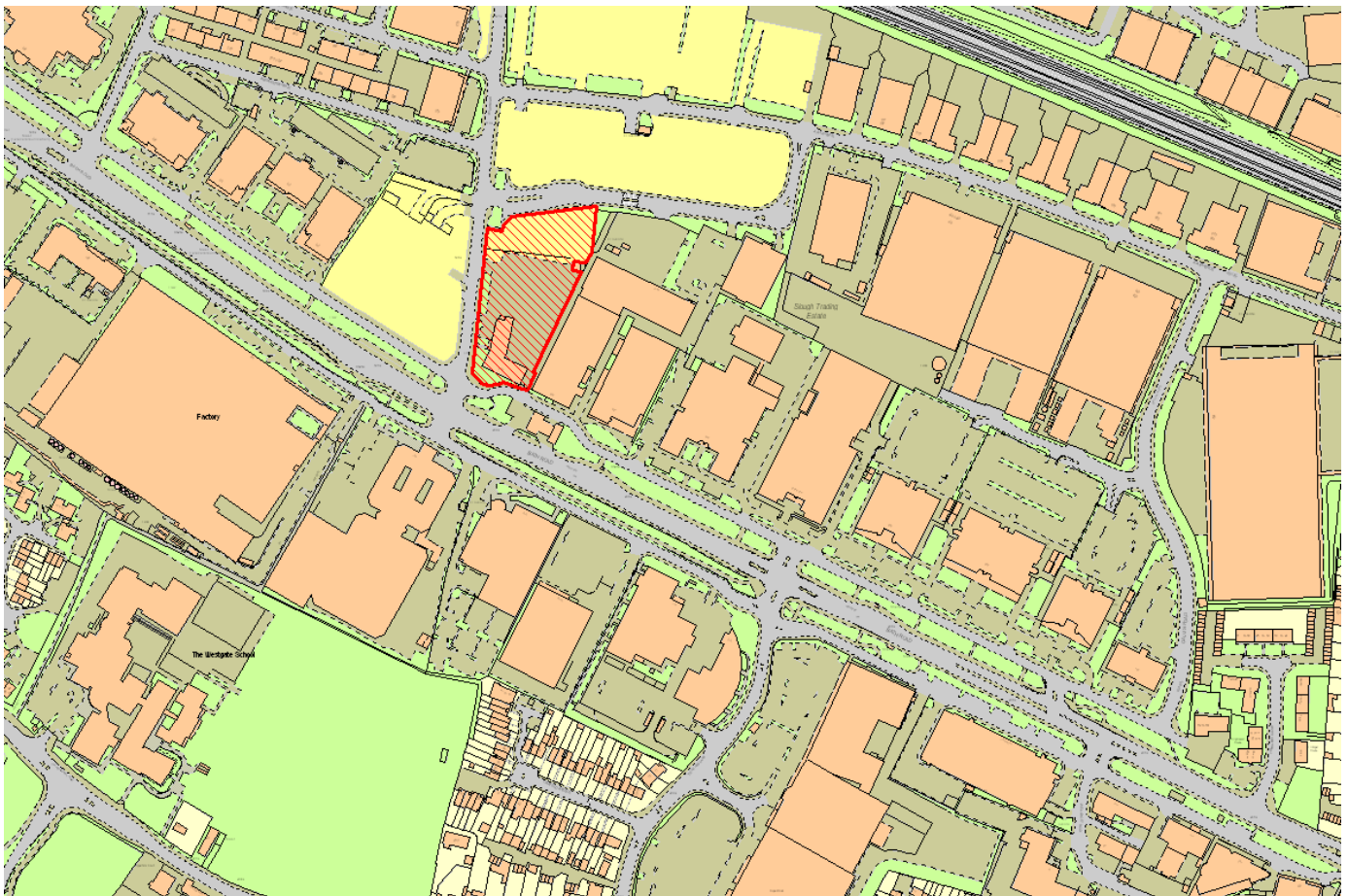
and/or numbering of the unit/s.

3. No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.
4. The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.
5. The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.
6. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
7. The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.
8. The applicant is advised that under the terms of the Water Resources Act 1991, and the Thames Land Drainage Byelaws 1981, the prior consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Colne and Country Ditch, both designated as 'main rivers'.
9. 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.
10. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

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Registration Date:	19-Jan-2016	Applic. No:	P/01573/010
Officer:	Mr. J. Dymond	Ward:	Farnham
Applicant:	Slough Trading Estate & Atlas Hotels Ltd		
Agent:	Benjamin Taylor, Barton Willmore Regent House, 4, Horner Road, Solihull, West Midlands, B913QQ		
Location:	230, Bath Road, Slough, SL1 4DX		
Proposal:	Construction of a hotel (use class C1) with ancillary restaurant (use class A3) means of access, formation of surface car park, replacement substation, cycle parking facilities, drainage, landscaping and ancillary works.		

For Comment and Consideration



- 1.1 A planning application has been submitted for construction of a hotel (use class C1) with ancillary restaurant (use class A3) means of access, formation of surface car park, replacement substation, cycle parking facilities, drainage, landscaping and ancillary works.
- 1.2 The purpose of this item is to make Members aware of the application and to receive feedback on the principle of development, but primarily the design of the proposed development. Members are therefore not requested to make a decision and therefore no recommendation has been presented. Members input at this early stage will be used to feed into the process of coming to a final recommendation. The application is for a major development and will be reported to the planning Committee on 31 March 2016 for Member's consideration.

SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee **DATE:** 18th February 2016
CONTACT OFFICER: Lorna Brown, Senior Monitoring Officer
(For all Enquiries) 01753 875829
WARD(S): Colnbrook with Poyle

PART 1

FOR DECISION

TREE PRESERVATION ORDER NO. 4 OF 2015 IN RESPECT OF LAND ADJACENT TO 10 LAYBURN CRESCENT, SLOUGH, SL3 8QN

1.0 **Purpose of Report**

1.1 To seek confirmation of Tree Preservation Order No. 4 of 2015 served on 29th October 2015.

2.0 **Recommendation(s)/Proposed Action**

The Committee is requested to resolve that Tree Preservation Order No. 4 of 2015 be confirmed.

3.0 **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

3.1 **Slough Joint Wellbeing Strategy Priorities**

Protecting a tree with amenity value will have an impact upon the following SJWS priorities:

- *Regeneration and Environment*
- *Housing*

3.2 **Five Year Plan Outcomes**

Protecting the tree will not directly relate to any of the outcomes in the Five Year Plan

4.0 **Other Implications**

(a) **Financial**

The proposed work can be carried out within existing budgets and so there are no financial implications of the proposed action.

(b) Risk Management

It is considered that the risks can be managed as follows:

<i>Recommendation</i>	<i>Risk/Threat/Opportunity</i>	<i>Mitigation(s)</i>
That the Tree Protection Order is confirmed.	An important mature tree, which contributes to the local amenity will be lost as part of the redevelopment of the site.	Agree the recommendations.

(c) Human Rights Act and Other Legal Implications (*compulsory section to be included in **all** reports*)

There are no Human Rights Act Implications as a result of this report.

(d) Equalities Impact Assessment

There are no equality impact issues.

5.0 **Supporting Information**

5.1 On 29th October 2015 a Tree Preservation Order (No. 4 of 2015) was served on the following:

- Scott Terence William Byrant 8 Layburn Crescent, Slough, SL3 8QN
- The Owner 8 Layburn Crescent, Colnbrook, SL3 8QN
- The Occupier 8 Layburn Crescent, Slough, SL3 8QN
- Luisa Michelle Bryant 8 Layburn Crescent, Slough, SL3 8QN
- The Owner 9 Layburn Crescent, Colnbrook, SL3 8QL
- The Occupier 9 Layburn Crescent, Colnbrook, SL3 8QL
- Jairaj Ramji Singadia 9 Layburn Crescent, Colnbrook, SL3 8QL
- Pushpa Jairaj Singadia 9 Layburn Crescent, Colnbrook, SL3 8QL
- The Owner 10 Layburn Crescent, Slough, SL3 8QN
- The Occupier 10 Layburn Crescent, Slough, SL3 8QN
- Kevin Barry Jennings 10 Layburn Crescent, Slough, SL3 8QN
- The Owner 12 Merlin Close, Colnbrook, SL3 8QN
- The Occupier 12 Merlin Close, Colnbrook, SL3 8QN
- Stephen James Hegarty 12 Merlin Close, Colnbrook, SL3 8QN
- Keren Andrea Hegarty 12 Merlin Close, Colnbrook, SL3 8QN

- Nationwide Building Society, Nationwide House, Pipers Way, Swindon SN38 1 NW
- Bank of Scotland PLC, Halifax Division, 1 Lovell Park Road, Leeds, LS1 1NS
- Thames Water Utilities Limited, Clearwater Court, Vastern Road, Reading, Berkshire, RG1 8DB
- Barclays Bank PLC, PO Box 187 Leeds, LS11 1AN

- National Westminster Bank Plc, Mortgage Centre, PO Box 12201, 7 Brindley Place, Birmingham, B2 2NA

With documents described as:

- (1) **letter;**
- (2) **Formal Notice**
- (3) **Tree Preservation Order 4 of 2015; and**
- (4) **Guidance**

The reason given for making this Order was 'without a TPO preventing unauthorised work to the tree, it is likely that any work would have a significant detrimental impact both aesthetically and from an arboricultural point of view. It is therefore in the interests of the tree and consequently of the local amenity to make it subject to TPO'.

A site visit was carried out but our Tree Consultants, R Watts and Sons and on their recommendations a Tree Preservation Order was issued and served.

5.2 The Tree Preservation Order includes 2 no. Fraxinus Exelsior (Common Ash)

5.3 On 18th November 2015 we received one objection to 'T2' on the plan from an interested party who was interested in buying the land for development purposes. The land has now been sold to a different person(s).

5.4 It is considered the opinion of R Watts & Sons being the tree consultants to Slough Planning Department that it is the responsibility of the Local Planning Authority to consider all requests for new Tree Preservation Orders with reference to the relevant guidelines. Please see below outcome of tree evaluation:

5.4.1 Condition & suitability for TPO is suitable (fair/satisfactory)

5.4.2 Retention span (in years) & suitability for TPO is highly suitable ('100+ years').

5.4.3 Relative public visibility & suitability for TPO is suitable (large trees, or medium trees clearly visible to the public)

6.0 **Conclusion**

In light of the above it is being recommended that Tree Preservation Order No. 4 of 2015 be Confirmed.

7.0 **Background Papers**

None other than those referred to in the report.

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SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee **DATE:** 18th February 2016

CONTACT OFFICER: Paul Stimpson
Planning Policy Lead Officer

(For all Enquiries) 01753 875820

WARD(S): All

PART I
FOR DECISION

CONSULTATION ON SOUTH BUCKS AND CHILTERN LOCAL PLAN (REG 18)

1 Purpose of Report

The purpose of the report is to respond to the consultation document that has been prepared for a new joint South Bucks and Chiltern Local Plan.

2 Recommendation(s)/Proposed Action

The Committee is requested to resolve that:

- a) South Bucks and Chiltern be thanked for consulting the Council on the new Joint Local Plan for South Bucks and Chiltern Districts;
- b) the Councils should be formally requested to consider the scope in the new Joint Local Plan for an urban extension of Slough in the form of a new 'Garden Suburb' which will help to meet the housing needs within the area;
- c) the detailed comments set out in paragraphs 5.21- 5.45 below be agreed and forwarded to South Bucks and Chiltern Districts in response to the Consultation;
- d) Delegated powers be granted to the Planning Manager to make further detailed comments on the technical matters within the consultation document and supporting evidence base;
- e) the Council would welcome the opportunity to continue to discuss planning matters in accordance with the Duty To Co-operate.

3 The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

3a. Slough Joint Wellbeing Strategy Priorities

Ensuring that local needs are met within Local Plans will have an impact upon the following SJWS priorities:

- *Health*
- *Economy and Skills*
- *Regeneration and Environment*
- *Housing*

- *Safer Communities*

3b. **Five Year Plan Outcomes**

Ensuring that development is properly planned around Slough will contribute to the following Outcomes:

- 1 *Slough will be the premier location in the South East for businesses of all sizes to locate, start, grow and stay.*
- 2 *There will be more homes in the borough with the quality improving across all tenures to support our ambition for Slough.*
- 3 *The centre of Slough will be vibrant, providing business, living and cultural opportunities.*

4 **4. Other Implications**

(a) Financial

There are no financial implications of the proposed action.

(b) Risk Management

It is considered that the risks can be managed as follows:

<i>Recommendation</i>	<i>Risk/Threat/Opportunity</i>	<i>Mitigation(s)</i>
That comments on the South Bucks and Chiltern Joint Local Plan Consultation be forwarded to South Bucks Council	Not commenting upon the proposals risks losing the ability to influence both the way that development takes place in adjoining areas; and obligations under the Duty to Co-operate.	Agree the recommendations.

(c) Human Rights Act and Other Legal Implications

There are no Human Rights Act Implications as a result of this report.

(d) Equalities Impact Assessment

There are no equality impact issues.

5 **Supporting Information**

Background

- 5.1 Up until recently South Bucks and Chiltern Councils were preparing separate Local Plans for their respective districts. As part of this work South Bucks produced a Regulation 18 Consultation Document in February 2015 which this Council responded to in compliance with the Duty to Co-operate in April 2015.
- 5.2 In November 2015 South Bucks and Chiltern confirmed they would now produce a joint Local Plan. This means that they have to carry out all of the consultation again and while they have considered the outcomes of previous consultations as a whole, any specific representations made in that process will not be able to be considered as part of taking the new joint plan forward.

- 5.3 The new consultation consists of three elements which are:
- a) **Regulation 18 Consultation on a joint Chiltern and South Bucks Local Plan** – to seek views on the scope of the plan, what the plan should seek to address and to help inform the plan vision, development strategy and plan objectives.
 - b) **Issues and Options Consultation on a joint Chiltern and South Bucks Local Plan** – to seek views on what the councils consider to be the key issues (subject to additional issues being raised as part of this consultation) that the Joint Local Plan will need to address and to seek views on the options identified to be tested during the next stage of the plan process. The Issues and Options consultation being informed by the emerging evidence base, Duty to Co-operate discussions and national planning policy and guidance.
 - c) **The opportunity to comment on the Joint Local Plan evidence base**
- 5.4 The consultation closes on the 14th March 2016. The Councils then intend to produce a Preferred Options consultation in Oct/Nov 2016 followed by a Draft Plan for public consultation in early 2017 and submission later in the year.
- 5.5 The consultation paper highlights the importance of this stage in the Joint Local Plan process as it will:
- a) provide the opportunity for local residents, businesses and other interested parties to help establish the scope of the Plan;
 - b) consider key evidence base studies, test their findings and implications, enable comments on draft evidence base work and consider whether there are any gaps in the evidence base;
 - c) update on Duty to Co-operate discussions and consider further co-operation issues that may need to be addressed;
 - d) establish and test the key issues that the Joint Local Plan will need to address;
 - e) consider options for a development strategy to meet development needs and options for strategic development proposals
 - f) consider sustainability criteria against which options and the plan will be tested;
 - g) scope the development management policies to be included in the plan;
 - h) encourage local communities and neighbourhoods to suggest 'local measures' they would like to see included in the Plan;
 - i) provide the opportunity for other issues, concerns or opportunities to be raised; and
 - j) secure views from local residents, groups, businesses, land owners, developers and organisations to help shape the Plan
- 5.6 The joint plan is being prepared upon the basis that there is a need for 15,100 houses to be built between 2014 and 2036. This is made up from a need of 7,800 in South Bucks and 7,300 in Chiltern but there will not be separate allocations for the two districts. There is also a need for an additional 15 hectares of employment land of which 13 hectares are needed in South Bucks.
- 5.7 The Councils are carrying out a Housing and Economic Land Availability Assessment (HELAA) to identify the potential development land within the plan area. This work has not yet been completed but a draft HELAA has been prepared in order to inform the Issues and Options stage. This has concentrated upon identifying sites within the existing built-up areas and on previously developed land within the Green Belt.

- 5.8 Although the Councils state that they are seeking to maximise development within the plan area to meet needs, they recognise that it is probable that they will not be able to meet all needs because of Green Belt, Areas of Outstanding Natural Beauty (AONB) and other constraints /limitations.
- 5.9 Although they have carried out a Green Belt Assessment, which identifies parcels of land to be assessed in a further study to see whether they should be removed from the Green Belt, there is no commitment to do so at this stage.
- 5.10 The Councils are exploring whether there are options for meeting their needs outside of the joint local plan area. They have made submissions to the Aylesbury Vale Local Plan Issues and Options consultation requesting that they explore the scope for 7,500 dwellings and supporting employment needs from the Chiltern/South Bucks Plan area to be accommodated in Aylesbury Vale.
- 5.11 The consultation document states that there appears to be no scope to within the joint plan area to accommodate any unmet need from adjacent areas, although this will be kept under review.
- 5.12 This is a major issue for Slough because in our representations to South Bucks' previous Regulation 18 consultation we made it clear that there was a need to at least test the development of urban extensions to Slough.

Spatial Strategies

- 5.13 The consultation states that, given the overall levels of need and limited scope for development to meet that need, the Councils consider that there are exceptional circumstances which justify a review of the Green Belt and the existing settlement hierarchy. As a result they intend to test a number of spatial strategy options.
- 5.14 There are 11 options set out in the consultation document which include:
- Option A - Making more efficient use of land within the built up areas;
 - Option C - Extensions to the principle settlements of Chesham, Amersham, Little Chalfont, Beaconsfield, Chalfont St Peters, Gerrards Cross and Burnham;
 - Option D - Extensions to principle settlements outside of the plan area such as Wycombe, Uxbridge, Slough and Maidenhead;
 - Option E - Extensions to a wider range of settlements including Farnham Royal;
 - Option J - Growth options close to the train stations at Chesham, Great Missenden, Amersham, Little Chalfont, Seer Green, Iver and Taplow
 - Option K - New employment sites
- 5.15 Preliminary work has been carried out for some of these Options by identifying sites for further testing and consideration as part of the next stage of the Local Plan:
- For *Option C* - a number of potential Green Belt sites have been identified for housing but none of them are around Burnham.
 - For *Option D* - two sites to the west and south of George Green (referred to as Middle Green) have been identified but no other sites adjacent to Slough.

For *Option E* - sites to the north of Farnham Royal and south of Stoke Pages have been identified.

For *Option K* - an Employment Area of Search has been identified south of Taplow station and reference is made to the possibility of redeveloping existing employment land near Iver should the Heathrow Airport expansion proceed.

- 5.16 Whilst the fact that South Bucks and Chiltern are considering so many options is welcomed it remains a concern that they are still not considering this Council's preferred option which is for the northern expansion of Slough through the construction of a new 'Garden Suburb' on land adjoining Slough.
- 5.17 There is also concern about the extent to which these Options will actually be tested in practice since it is not clear on what basis any of the sites would actually be allocated for development.
- 5.18 In addition, apart from the possible employment site south of Taplow, no sites have been identified which could help to implement the option of having growth points around Taplow and Iver Stations.
- 5.19 As a result it is suggested that South Bucks and Chiltern Councils should be requested to develop a comprehensive strategic planning option which would consider a major urban expansion of Slough combined with selective growth around Taplow and Iver stations. This would complement a similar option which could be developed through the review of the Local Plan for Slough of having selective growth points around the other Crossrail stations at Burnham, Slough and Iver.

Specific Questions on the Consultation

- 5.20 The consultation is set out with a series of questions. Based upon the assessment set out above it is considered that the following detailed responses should be made where appropriate.

<p><i>Question 1: Do you have any comments on the definition of housing and functional economic market areas being used, on the draft Buckinghamshire Housing and Economic Development Needs Assessment or on the needs assessment work planned during the next stages of the Joint Local Plan process?</i></p>

- 5.21 South Bucks and Chiltern have been identified as being in different Housing Market Areas in the work carried out by ORS for the Buckinghamshire authorities and by GL Hearn for the Berkshire authorities. It is only because they have now decided to prepare a single plan that they have decided to include South Bucks in a single larger (Central Buckinghamshire) Housing Market Area for pragmatic reasons.
- 5.22 The fact that South Bucks has now been added to the Buckinghamshire Housing Market Area for administrative purposes does not however alter the functional geographic relationship between Slough and South Bucks.
- 5.23 Chiltern and South Bucks are now seeking to use the change to the groupings within the HMAs, which was made for purely administrative reasons, to justify changing the way in which planning is carried out in the area. They have therefore made representations to Slough's Regulation 18 Consultation that they would

expect Slough to first seek to accommodate any of its unmet development within the Berkshire-wide housing market area rather than South Bucks.

- 5.24 It is considered that this approach ignores the evidence that there is a strong functional relationship between South Bucks and Slough which cannot be ignored because a pragmatic “best fit” approach has been adopted for defining HMAs. The ORS report also concluded, “we would emphasise again that this “best fit” grouping does not change the actual geography of the functional housing market areas that have been identified. In developing their Joint Plan, it will be important for the Councils to consider any decisions about the spatial distribution of housing and employment in the context of the functional geographies”.
- 5.25 The position with regards to determining the Objectively Assessed Housing Need figure is also complicated by the pragmatic decision to move South Bucks into the Buckinghamshire HMA. The Berkshire and South Bucks SHMAA produced by GL Hearn had a figure of 376 per year for South Bucks. ORS have now recalculated what the Objectively Assessed need for South Bucks should be when it is in the Bucks HMA and come up with a slightly lower figure of 354.5 per year. Whilst the change is partly due to the new aggregation of data it is also due to ORS making different assumptions particularly in the way that the Government’s Household Projections should be discounted. Further representations may need to be made about this in due course but in the meantime it is considered that the housing needs figure provides a pragmatic basis for preparing the Local Plan.
- 5.26 The Economic Development Needs Assessment (EDNA) being prepared for Berkshire by Nathaniel Litchfield identifies South Bucks as being part of a wider Functional Economic Market Area which includes Slough (and Windsor and Maidenhead). The EDNA study will not include an employment land figure for South Bucks and so the figure of 15 hectares of new employment need is the most appropriate to use in the Joint plan. It is considered that the evidence that there is far greater need for new employment land in South Bucks than Chiltern should be reflected in the distribution of any new allocations.

Question 2: Do you have any comments on the draft HELAA, particularly in relation to whether included sites are likely to be deliverable by 2036 and whether additional sites should be added?

- 5.27 The part of the draft HELAA which assesses whether sites in South Bucks are suitable, available and achievable has not yet been published but they are unlikely to be of strategic importance because they do not include Green Belt sites. It will, however, be important that optimum densities are achieved on all sites that come forward for development, and that demand for employment land is met as close to where it arises as possible.

Question 3: Are there any existing uses/sites not currently identified in the HELAA and within the built up areas that may be surplus to requirements or where the existing use could be consolidated or re-provided elsewhere such as open spaces?

- 5.28 No comments

Question 4: Do you agree with the approach to the Joint Local Plan Vision and Objectives and if not what changes or additions do you consider are needed?

Please explain your reasoning for suggesting any alterations.

- 5.29 The Vision for the Joint Plan will need to be adjusted to reflect the fact that it will no longer be possible to protect all of the Green Belt if all local needs are to be met.

Question 5: What spatial strategy option or options do you think that the councils should consider and what should be the priority order?

- 5.30 It is considered that in order to accommodate the growth pressures originating in South Bucks/Chiltern and Slough, an option which promotes the northern expansion of Slough on a comprehensive basis to create a new 'Garden Suburb' should be considered. This is likely to be the most sustainable location for new housing within the plan area because it would be located next to the largest conurbation with all of its existing facilities and employment opportunities. The preliminary work that has been carried out so far as part of the testing of Option D has not identified where the most accessible locations are for new development. As a result a new exercise should be carried out to see how new housing can be provided in a more comprehensive and sustainable way north of Slough as part of Option D.
- 5.31 In addition further work should be carried out to identify sustainable growth options around the future Crossrail stations in accordance with Option J. This would be consistent with the proposed changes to the NPPF to encourage development around Commuter Hubs.

Question 6: Do you have comments on individual options generally or specific settlements/sites that could be part of these options?

- 5.32 Having identified the need to consider the expansion of Slough together with the areas around Taplow and Iver stations Burnham and Richings Park it is not proposed to identify any specific sites at this stage.

Question 7: Do you have comments on the suggested level of unmet needs in Chiltern/South Bucks?

- 5.33 In the absence of all of the evidence it is not possible to properly assess what the level of unmet need is in Chiltern and South Bucks. It can only be assumed from the request that Aylesbury Vale should explore the scope for accommodating 7,500 dwellings and supporting employment needs that this is the shortfall. It is not clear what assumptions have been made about releasing Green Belt land for development or what other policy responses have been considered in coming to the conclusion about unmet need.
- 5.34 As a result it is not considered that any definitive conclusions can be made about unmet need at this stage of the plan process.

Question 8: Do you have comments or suggestions on how the councils can meet its local affordable housing need?

- 5.35 It is not clear from the consultation document what type of affordable housing is being proposed in the plan but it is considered that a full range of accommodation, including affordable housing for rent, should be provided to meet the identified

needs.

5.36 It is considered that viability issues relating to the supply of affordable housing can best be overcome by the release of Green Belt land on a properly planned basis. If it is necessary to secure a higher amount of affordable housing an increased level of market housing should be considered.

5.37 The proposal to meet the unmet need for general housing in Aylesbury Vale should not result in insufficient affordable housing being built to meet the needs arising from existing residents in South Bucks and Chiltern.

Question 9: *Do you have comments on the above options to meet the needs of Gypsies, Travellers and Travelling Showpeople?*

5.38 No comments at this stage.

Question 10: *How do you think that the Joint Local Plan can best meet specialist elderly accommodation needs, both in global and affordable needs?*

5.39 The plan should provide the authorities with the ability to specify what the appropriate mix of accommodation should be on a site by site basis which will meet the needs at the time.

Question 11: *Do you have a view on the Heritage Strategy?*

5.40 No Comments.

Question 12: *Are you aware of any currently unprotected local heritage assets that should be identified?*

5.41 No comments.

Question 13: *Local Green Space nominations?*

5.42 No comments.

Question 14: *Do you have any nominations for Local Measures?*

5.43 No comments.

Question 15: *Do you have a view on the scope of policies proposed in Appendix 7?*

5.44 No comments at this stage.

Question 16: *Do you have any comments on the Settlement /infrastructure Capacity Study?*

5.45 The Infrastructure capacity work should also consider settlements such as Slough which are on the edge of the plan area and have the ability to expand.

6 Conclusion

- 6.1 The consultation on the Chiltern and South Bucks 2014-2036 Local Plan Issues and Options raises a number of issues for Slough which we have highlighted in the previous consultation response and through the Duty to Co-operate.
- 6.2 Whilst the fact that South Bucks and Chiltern are considering a number of options is welcomed, it remains a concern that they are still not considering this Council's preferred option which is for the northern expansion of Slough through the construction of a new 'Garden suburb'.
- 6.3 As a result it is recommended that South Bucks and Chiltern Councils should be requested to develop a comprehensive strategic planning option which would consider a major urban expansion of Slough combined with selective growth around Taplow and Iver stations. This would complement a similar option which could be developed through the review of the Local Plan for Slough of having selective growth points around the other Crossrail stations at Burnham, Slough and Iver.
- 6.4 Meetings have been held at Member and Officer level to discuss the key planning issues in accordance with the Duty to Co-operate and it suggested that these should continue to be used to try to resolve outstanding issues.

7 Background Papers

- '1'- Report to Planning Committee 1st April 2015 "Consultation on South Bucks and Spelthorne Local Plans"
- '2'- Emerging Chiltern and South Bucks Local Plan 2014 – 2036 Initial Consultation (Regulation 18) Incorporating Issues and Options – January 2015

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SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee

DATE: 18th February 2016

PART 1

FOR INFORMATION

Planning Appeal Decisions

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

WARD(S)	ALL	
Ref	Appeal	<u>Decision</u>
P/16184/000	44, St. Johns Road, Slough, SL2 5EZ Demolition of existing single storey rear extension and replacement with a new rear extension and a conservatory. Alterations to the roof including two side dormers.	Appeal Dismissed 24 th November 2015
P/11098/004	The Garibaldi P.H., 6, The Green, Chalvey, Slough, SL1 2SN Demolition of an existing locally listed pub and construction of a new building to accommodate 7 self contained flats, associated parking and amenity.	Appeal Dismissed 23 rd November 2015
P/15723/001	324, Cippenham Lane, Slough, SL1 2YD Retrospective application for a two storey rear extension and rear dormer and skylight. The appeal for the first floor part side and rear extension was allowed, but the rear dormer and skylights were dismissed, therefore this summary is confined to the later part. The Inspector stated that the height of the rear dormer in the roof space was not particularly visible within the street scene however it would be highly visible from the rear gardens of Keel Drive and as such it has a harmful impact on the character and appearance of the private realm. It also causes harm to the original dwelling and conflicts with Council policies. As the extensions have not being built in accordance with the plans submitted the Inspector included a condition stating that " Within one month of the date of the decision plans should be submitted to the Local Planning Authority for the retention of the side and part rear two storey extension."	Rear dormer Appeal Dismissed First floor rear extension Appeal Granted 26 th November 2015

Y/16008/002	<p>114, Long Readings Lane, Slough, SL2 1QB</p> <p>THE ERECTION OF A SINGLE STOREY REAR EXTENSION, WHICH WOULD EXTEND BEYOND THE REAR WALL OF THE ORIGINAL HOUSE BY 6.0M, WITH A MAXIMUM HEIGHT OF 3.8M, AND EAVES HEIGHT OF 2.970M.</p> <p>The inspector felt that in relation to No 116, the new extension would not project significantly beyond the rear elevation of the existing outbuilding to the rear of the host property and was not convinced that the modest increase in height and length of the extension over and above the outbuilding would result in a material change in outlook from the rear of No 116. The new extension would be sited to the south of the rear elevation of No 116. Whilst the Council's concern in respect of light and overshadowing to this property was noted, the inspector felt that it is likely that the existing outbuilding casts a shadow over part of the rear garden closest to the rear elevation of No 116 in the early afternoon. The new extension would have a similar effect. In the absence of convincing evidence to demonstrate otherwise, the Inspector considered that any additional overshadowing or loss of light to the rear of No 116 as a result of the increase in scale of the new extension would be minimal and that this change would be so significant to be harmful to the amenity of occupiers of No 116. The Inspector concluded that the amenity of adjoining premises would not be adversely affected by the proposal. There would be no conflict with the amenity objective of Core Policy 8 of the Core Strategy Development Plan Document and Policy H15 of the Local Plan For Slough (LP). Nor would there be conflict with the respective objectives of Policies EN1, EN2 and H14 of the LP relating to the relationship to nearby properties, sunlight and overshadowing and amenity space.</p>	<p>Appeal Granted</p> <p>4th December 2015</p>
2014/00218/ENF	<p>128, Waterbeach Road, Slough, SL1 3JY</p> <p>Without planning permission, the erection of a front extension to the front elevation of the building on the land.</p>	<p>Appeal Dismissed</p> <p>15th December 2015</p>

P/05386/002	71, Marescroft Road, Slough, SL2 2LN Construction of a first floor rear extension.	Appeal Dismissed 17 th December 2015
P/16047/000	9, Tyler Walk, Slough, SL3 7GT RETROSPECTIVE APPLICATION FOR CONSTRUCTION OF A CYCLE STORE AND REAR CANOPY.	Appeal Part Dismissed (Canopy /Extension) Part Granted (Cycle Store) 23 rd December 2015

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MEMBERS' ATTENDANCE RECORD 2015/16
PLANNING COMMITTEE

COUNCILLOR	01/06/15	01/07/15	30/07/15	09/09/15	15/10/15	26/11/15	13/01/16	18/02/16	31/03/16	27/04/16
Ajaib	P*	P	P	P	P	P	P			
Bains	P	P	P	P	P	P	P			
Chaudhry	P	P	Ap	P	P	Ap	P			
Dar	P	P	P	P	P	P	P			
Davis	P	P	P	P	P	P	P			
M. Holledge	P	P	P	P	P	P	P			
Plenty	P	P	P	P	P	P	P			
Smith	P	P*	P*	P	P	P	P			
Swindlehurst	P	P	P	P	P	P	P			

P = Present for whole meeting
 Ap = Apologies given

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

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