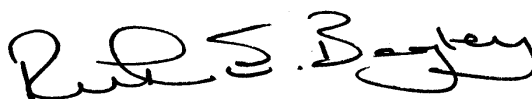


Date of issue: 21<sup>st</sup> March, 2016

<b>MEETING</b>	<b>PLANNING COMMITTEE</b> (Councillors Dar (Chair), M Holledge, Ajaib, Bains, Chaudhry, Davis, Plenty, Smith and Swindlehurst)
<b>DATE AND TIME:</b>	THURSDAY, 31ST MARCH, 2016 AT 6.30 PM
<b>VENUE:</b>	VENUS SUITE 2, ST MARTINS PLACE, 51 BATH ROAD, SLOUGH, BERKSHIRE, SL1 3UF
<b>DEMOCRATIC SERVICES OFFICER:</b> (for all enquiries)	TERESA CLARK 01753 875018

NOTICE OF MEETING

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



**RUTH BAGLEY**  
Chief Executive

AGENDA

PART 1

<u>AGENDA</u> <u>ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
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**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 be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 3*



<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	<p><i>paragraphs 3.25 – 3.27 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 3.28 of the Code.</i></p> <p><i>The Chair will ask Members to confirm that they do not have a declarable interest.</i></p> <p><i>All Members making a declaration will be required to complete a Declaration of Interests at Meetings form detailing the nature of their interest.</i></p>		
2.	Guidance on Predetermination/Predisposition - To Note	1 - 2	
3.	Minutes of the Last Meeting held on 18th February 2016	3 - 10	
4.	Human Rights Act Statement - To Note	11 - 12	
	<b>PLANNING APPLICATIONS</b>		
5.	S/00681/001 - Garage Site, R/O 35-45 Wordsworth Road, Britwell, Slough, SL2 2NU	13 - 30	Haymill and Lynch Hill
	<b>Officer Recommendation:</b> Delegate to Planning Manager for Approval		
6.	S/00715/000 - Former Lock-up Garage Court, R/O 8 Egerton Road, Slough, SL2 2ND	31 - 48	Britwell and Northborough
	<b>Officer Recommendation:</b> Delegate to Planning Manager for Approval		
7.	S/00719/000 - Land Opposite 74-88 Belfast Avenue, Slough, SL1 3HH	49 - 58	Baylis and Stoke
	<b>Officer Recommendation:</b> Delegate to Planning Manager for Approval		
8.	P/03678/019 - 76-78 Stoke Road, Slough, SL2 5AP	59 - 80	Central
	<b>Officer Recommendation:</b> Delegate to Planning Manager for Approval		
9.	P/00106/012 - Lady Haig RBL (Slough) Club Ltd, 70 Stoke Road, Slough, SL2 5AP	81 - 112	Central
	<b>Officer Recommendation:</b> Delegate to Planning Manager for Approval		

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
10.	P/04915/013 - BP Langley Connect, Parlaunt Road, Slough, SL3 8BB	113 - 122	Langley St Mary's
	<b>Officer Recommendation:</b> Approve		
11.	P/06348/011 - Lion House, Petersfield Avenue, Slough, SL2 5DN	123 - 142	Central
	<b>Officer Recommendation:</b> Delegate to Planning Manager for Approval		
12.	P/09419/006 - 53 Broadmark Road, Slough, SL2 5QD	143 - 146	Wexham Lea
	<b>Officer Recommendation:</b> Approve		

#### **MATTERS FOR INFORMATION**

- |     |                           |           |
|-----|---------------------------|-----------|
| 13. | Planning Appeal Decisions | 147 - 148 |
| 14. | Members Attendance Record | 149 - 150 |
| 15. | Date of Next Meeting      |           |

27<sup>th</sup> April, 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 Thursday, 18th February, 2016.**

**Present:-** Councillors Dar (Chair), M Holledge (Vice-Chair), Ajaib, Bains, Chaudhry, Davis, Plenty, Smith and Swindlehurst (from 6.36 pm)

**PART I**

**94. Declarations of Interest**

Councillor Swindlehurst declared an interest in respect of planning application: P/06350/001- Former Gurney House, Upton Road, Slough, in that he had participated in Cabinet meeting discussions relating to the land ownership. He advised that he would approach the application with an open mind.

Councillor Smith declared an interest in respect of planning application: P/10734/004- Freestone Yard, Park Street, Colnbrook, in that the application site was in his Ward and he was a Colnbrook with Poyle Parish Councillor. He advised that he had not debated the application at Parish Council level and would approach the application with an open mind.

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

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

**96. Minutes of the Last Meeting held on 13th January, 2016**

**Resolved -** That the minutes of the meeting held on 13<sup>th</sup> January, 2016 be approved as a correct record.

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

The Human Rights Act Statement was noted.

**98. Planning Applications**

Details were tabled in the amendment sheet of alterations and amendments received 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/06350/001-Former Gurney House, Upton Road, Slough; an Objector and the Applicant's Architect addressed the Committee:-

## Planning Committee - 18.02.16

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.

### 99. P/06350/001 - Gurney House, Upton Road, Slough, SL1 2AE

Application	Decision
Erection of 6no. 5 bedroom semi-detached houses with garages and garden rooms, 2no. 3 bedroom semi-detached houses with garden rooms and 2no. 3 bedroom semi detached houses. Associated new hard and soft landscape works and modifications to existing boundary walls. Formation of 7no. new vehicular cross-overs to the footpath along Upton Road.	Delegated to the Planning Manager for approval subject to the completion of a satisfactory Section 106 planning obligation or equivalent thereof, minor amendment of conditions and consideration of any further observations received.

### 100. 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 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.	Delegated to the Planning Manager for approval, subject to acceptable sustainable drainage, further consideration of concerns relating to design of roof top submitted by Thames Valley police) completion of Section 106 Agreement and finalising of conditions.



## Planning Committee - 18.02.16

### 101. P/04622/014 - 354 Buckingham Avenue, Slough, SL1 4PF

Application	Decision
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.	Approved.

### 102. P/02278/018 - Westminster House, 31-37 Windsor Road, Slough, SL1 2EL

Application	Decision
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.	Application withdrawn by the Planning Officer prior to the meeting with the agreement of the Applicant, to allow for a further design of the scheme.

### 103. P/10734/004 - Freestone Yard, Park Street, Colnbrook, SL3 0HT

Application	Decision
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.	Delegated to the Planning Manager for approval, following consideration of outstanding consultations, finalising of conditions and Section 106 Agreement.

### 104. P/01573/010- 230 Bath Road, Slough, SL1 4DX

The Officer advised that a planning application for major development had been submitted for 230, Bath Road, Slough, for the 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.

The Committee was advised that the purpose of the report was to make Members aware of the application and to obtain feedback on the principle of development, but primarily to seek Members views on the design of the proposed development. It was highlighted that Members were not required to make a decision on the application at this stage and therefore no Officer recommendation had been presented. Members input at this early stage would be used to feed into the process of coming to a final recommendation. The application would be reported to the Planning Committee on

## Planning Committee - 18.02.16

31st March, 2016 for Member's consideration.

The Officer provided an outline of the application and a slide presentation.

Members raised a number of questions/ and individual comments which included the following:

- What cladding material would be used for the exterior of the building?  
*The Officer advised that the building was of modular construction and the cladding was of a muted design, being a white painted textured surface.*
- What classification would the hotel be and what size would the restaurant be ?  
*The Officer advised that it would be a 3 star plus hotel and the restaurant would be 798 m2.*
- It was not considered that the white exterior of the building would age well and the appearance was not in keeping with its 3 star plus classification. It was felt that a darker shade would be better and that more work was needed to improve the exterior appearance of the building.
- A concern was expressed that the building was too high and would set a precedent for future applications in the locality.  
*The Officer advised that the height limits were set out in the Simplified Planning Zone and this building was an exception.*
- A Member considered that whilst there was no problem with the principle of the hotel application, there was an issue with the design. The building appeared uninspiring and needed to fit better into its surroundings.
- It was felt that the design was heavy, oppressive and too high.
- If this building was the 'gateway' it should be a lot more attractive.

**Resolved-** That Member comments be noted.

### **105. Tree Preservation Order No. 4 of 2015 in Respect of Land Adjacent to 10 Layburn Crescent, Slough, SL3 8QN**

The Planning Policy Lead Officer advised Members that in October, 2015, a Tree Preservation Order (TPO) (Number 4 of 2015) in respect of Land Adjacent to 10 Layburn Crescent, Slough, was served on a number of interested parties. The reason for the Order was that any unauthorised work on the tree would have a significant detrimental impact both aesthetically and from an arboricultural aspect.

It was noted that one objection was submitted by a prospective purchaser of the land in question. The land was sold to a different individual who had subsequently submitted a late objection to the Order.

The Committee was reminded that it was the responsibility of the Planning Authority to determine all requests for new TPO's and the Officer

## **Planning Committee - 18.02.16**

recommended that the Order be confirmed. Members asked a number of questions of detail around the TPO process.

**Resolved** – That Tree Preservation Order Number 4 of 2015 be confirmed.

### **106. Consultation on South Bucks and Chiltern Local Plan (Reg 18)**

The Planning Policy Lead Officer, outlined a report to consider the Council's response to the consultation document which had been prepared for a new joint South Bucks and Chiltern Local Plan.

The Committee was reminded that until recently South Bucks and Chiltern Councils were preparing separate Local Plans for their respective districts and South Bucks had produced a Regulation 18 Consultation Document in February 2015. Slough BC had responded in April 2015 in compliance with the Duty to Co-operate. South Bucks and Chiltern had confirmed in November 2015 that they would now produce a joint Local Plan. The Officer discussed their resulting need to consult by 14<sup>th</sup> March 2016, in order to seek views on the scope of the plan and its objectives.

The Officer advised that consultation would close on 14th March 2016 and the Councils then intended to produce a Preferred Options consultation in October/November 2016 followed by a Draft Plan for public consultation in early 2017 and submission later that year.

The joint plan would be prepared on the basis that there was a need for 15,100 houses to be built between 2014 and 2036, comprising 7,800 in South Bucks and 7,300 in Chiltern but there would not be separate allocations for the two districts. There was also a need for an additional 15 hectares of employment land of which 13 hectares was required in South Bucks.

The Officer advised that the Councils were exploring whether there were options to meet their needs outside of the joint local plan area and submissions had been made 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.

It was noted that the consultation document stated that there appeared to be no scope within the joint plan area to accommodate any unmet need from adjacent areas, but this would be kept under review. It was highlighted that this was a major issue for Slough because in the Council's representations made to South Bucks' previous Regulation 18 consultation it was made clear that there was a need to at least test the development of urban extensions to Slough.

The Officer advised that the Councils intended to test a number of spatial strategy options and discussed the eleven options within the consultation document, which included making more efficient use of land within built up areas and extensions to the principle settlement areas. It was highlighted that

## **Planning Committee - 18.02.16**

two sites to the west and south of George Green had been identified but no other sites adjacent to Slough. Also, sites to the north of Farnham Royal and south of Stoke Pages had been identified.

The Officer advised that although South Bucks and Chiltern were considering so many options, the concern remained that they were still not considering Slough BC's preferred option for the northern expansion of Slough through the creation of a new 'Garden Suburb' on land adjoining Slough. It was therefore 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.

The Committee noted the detail of the questions set out within the consultation document and the draft detailed Slough BC responses.

The Officer advised that meetings had been held at Member and Officer level to discuss the key planning issues in accordance with the Duty to Co-operate and it was suggested that these should continue to be used to try to resolve outstanding issues.

The Committee was referred to a further abbreviated report set out in the amendment sheet and the Officer responded to a number of questions of detail.

### **Resolved-**

- a) That South Bucks and Chiltern Councils be thanked for consulting Slough BC on the new Joint Local Plan for South Bucks and Chiltern Districts;
- b) That 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) That the detailed comments set out in paragraphs 5.21- 5.45 of the report be agreed and forwarded to South Bucks and Chiltern Districts together with the information set out on the tabled amendment sheet, in response to the Consultation;
- d) That 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) That the Council would welcome the opportunity to continue to discuss planning matters in accordance with the Duty To Co-operate.

## **107. Planning Appeal Decisions**

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

**Planning Committee - 18.02.16**

**108. Members Attendance Record**

**Resolved** - That the Members Attendance Record be noted.

**109. Date of Next Meeting**

The date of the next meeting was confirmed as 31<sup>st</sup> March, 2016.

Chair

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

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

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

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

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

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

	<b>OFFICER ABBREVIATIONS</b>
WM	Wesley McCarthy
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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<b>Registration Date:</b>	23-Dec-2015	<b>Applic. No:</b>	S/00681/001
<b>Officer:</b>	Neetal Rajput	<b>Ward:</b>	Haymill and Lynch Hill
<b>Applicant:</b>	Mr. Mike Broom, Slough Borough Council		
<b>Agent:</b>	Mr. Stephen Reed, Kendall Kings Glentworth Court, Lime Kiln Close, Stoke Gifford, Bristol, BS34 8SR		
<b>Location:</b>	Garage Site R/O, 35-45 Wordsworth Road, Britwell, Slough, SL2 2NU		
<b>Proposal:</b>	Construction of a detached bungalow house (2no.bedrooms) with provision of amenity, car parking and associated works.		

**Recommendation:** Delegate to 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 has been submitted by Slough Borough Council Housing Department (Regulation 3 Application) and an objection has been received.
- 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 following finalising of conditions.

## **PART A: BACKGROUND**

### 2.0 **Proposal**

- 2.1 This is a full planning application for construction of a detached 2 bedroom bungalow with parking, amenity and associated works.
- 2.2 The proposed bungalow will measure 10.3m in width, 8.7m in depth and 5m in height with a pitched roof. There will be the provision of two car parking spaces, with the provision of private amenity space. Access to the property will be provided from the existing access from Wordsworth Road.

### 3.0 **Application Site**

- 3.1 The site is 0.03 hectares in area and is located off a private road off Wordsworth Road. The site is bound by two storey residential dwellings, fronting Wordsworth Road, Whittaker Road and Haymill Road. The application site is a historic garage site, which were demolished and in recent years has been subject to a number of fly tipping reports.
- 3.2 The site falls outside of the town centre boundary. 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 S/00681/000 APPLICATION FOR PRIOR NOTIFICATION OF PROPOSED DEMOLITION FOR GARAGE BLOCK (24 GARAGES)

Prior Approval Not Required      15-Dec-2011

### 5.0 **Neighbour Notification**

- 5.1 42, Kingsley Path, Slough, SL2 2NS, 80, Haymill Road, Slough, SL2 2NR, 78, Haymill Road, Slough, SL2 2NR, 37, Wordsworth Road, Slough, SL2 2NU, 35, Wordsworth Road, Slough, SL2 2NU, 41, Wordsworth Road, Slough, SL2 2NU, 76, Haymill Road, Slough, SL2 2NR, 74, Haymill Road, Slough, SL2 2NR, 33, Wordsworth Road, Slough, SL2 2NT, 84, Haymill Road, Slough, SL2 2NR, 43, Wordsworth Road, Slough, SL2 2NU, 45, Wordsworth Road, Slough, SL2 2NU, 50, Kingsley Path, Slough, SL2 2NS, 52, Kingsley Path, Slough, SL2 2NS, 54, Kingsley Path, Slough, SL2 2NS, 44, Kingsley

Path, Slough, SL2 2NS, 46, Kingsley Path, Slough, SL2 2NS, 48, Kingsley Path, Slough, SL2 2NS, 82, Haymill Road, Slough, SL2 2NR, 39, Wordsworth Road, Slough, SL2 2NU, Flat 5, 35, Wordsworth Road, Slough, SL2 2NU, Flat 2, 35, Wordsworth Road, Slough, SL2 2NU, Flat 3, 35, Wordsworth Road, Slough, SL2 2NU, Flat 4, 35, Wordsworth Road, Slough, SL2 2NU

5.2 There has been one objection received, this is summarised below:

1. The garages where bungalow has to be build were demolished to free-up parking space - at least, this was the justification that was communicated to us. Building the bungalow will not help with parking, it will only further reduce the number of spaces available.
2. I have 3 cars in the family. My car is parked in the garage, 2 others are parked all the time at the parking spaces where bungalow has to be build. We are short of parking spaces in front of my house, so where we will park the cars in the case if bungalow will be built?
3. Every day to park my car I use my garage built on my land next to these parking spaces, and during construction of bungalow the access to the garage will be blocked. This is our main access to the property that we are using every day and much more frequently than our front door. Blocking it will result in major inconveniences for all my family.
4. I have to mention that similar problems will affect all our neighbours, as well as noise and dirt inevitably accompanying the construction of bungalow.

#### **Local Highway Authority response:**

An objection has been received from an adjoining resident that the loss of car parking by the removal of garages is an unacceptable loss, but I visited the site both in the day 15.00 and at 20.15 at night and in the day-time I observed one vehicle parking in the garage court and in the evening three vehicles – one of which was a trade vehicle (locksmith) with its engine running. There were also a further 6 spaces available on-street in the immediate Wordsworth Road area.

The loss of the garages does not in my opinion warrant additional parking spaces to be provided, but if the landowner SBC Housing did decide to provide to implement additional parking then this would be best provided in the raised rectangle area in front of the terrace of properties numbers 37-41. The occupier of No. 41 does have a garage that has a garage door facing onto the private road, but there is no vehicle crossover so it is unclear whether vehicle rights do exist and this would need to be confirmed by SBC Housing.

#### 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, noise, site lighting and onsite refuse.

Relevant conditions relating to the proposal have been included.

6.3 Transport and Highways

6.4 Detail comments can be found in Section 11 of this report.

6.5 Thames Water

6.6 *Surface Water Drainage*

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

*Water Comments*

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

6.7 Land Contamination

6.8 Reviewed the information submitted by the applicant, together with our database

of potentially contaminated land sites.

Historical mapping indicates that there is no potentially contaminated land use associated with this site. However, the nearest off-site source of potential contamination is a former landfill site located within 250m of the proposed development.

In addition, the proposed development is located in a radon affected area. This was confirmed by data published by the Health Protection Agency (HPA) on 12<sup>th</sup> November 2007. These latest maps confirm that this area of Slough is an area where 1% or more of homes are estimated to be at or above the Action Level.

Given the above comments, recommended pre-commencement conditions have been included.

6.9 Lead Local Flood Authority

6.10 Sustainable drainage comments:

- Fluvial flood risk – no objections
- Surface water drainage – no objections.

All connections to the foul and surface water sewer must be agreed with Thames Water.

## **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 4 – Housing
- Core Policy 7 – Transport
- Core Policy 8 – Sustainability and the Environment

The Local Plan for Slough, Adopted March 2004

- Policy EN1 – Standard of Design
- Policy H13 - Backland/Infill Development
- Policy H14 - Amenity Space
- Policy T2 – Parking Restraint

## Other Relevant Documents

- Slough Borough Council Developer's Guide Parts 1-4
- Slough Local Development Framework Proposals Map
- Residential Extensions Guidelines, Supplementary Planning Document, Adopted January 2010.

## 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.

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 neighbour amenity;
- 4) Parking and highway safety;
- 5) Planning obligations;
- 6) Other matters.

## 8.0 **Principle of Development**

8.1 At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a "golden thread running through both plan making and

decision taking". In respect of decision taking this means inter alia approving development proposals that accord with the development plan without delay.

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

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

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

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

8.3 The principle of family sized housing is an acceptable concept in this area. The formation of a house on this location is considered acceptable and in fact accords with Core Strategy Policy 4, which actively encourages the use of locations such as the proposal site for the development of family sized housing:

*"In urban Areas outside 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. Within existing residential areas, there will only be limited infilling which will consist of family houses that are designed to enhance distinctive suburban character and identity of the area".*

8.4 The area is predominantly residential and able to accommodate residential development. The proposed development would contribute to the Council's supply of family dwellings.

## 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 buildings .....housing 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 design of the proposed development is considered to be acceptable, given the site specifics, a single storey two bedroom bungalow with a pitched roof is proposed. The materials have been conditioned, requesting sample details to ensure that high quality materials can be achieved on this site.

9.5 Furthermore, the form, scale, height and massing of the proposal is considered to be acceptable, the height of the roof to the ridge has been set at 5m, this respects the relationship to the neighbouring occupiers in terms of outlook and overdominance.

9.6 In this context, it is considered that the design of the proposal would be acceptable. Giving the siting of the dwelling at the end of the cul-de-sac and that it is bound by two storey residential dwellings, it will not be seen from the wider street scene of Whittaker Road.

9.7 *Living conditions*

The full definition of a family house is contained within The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, and is as follows:



*“A fully self-contained dwelling (with a minimum floor area of 76 square metres) that has direct access to a private garden. Comprises a minimum of two bedrooms and may include detached and semi-detached dwellings and townhouses but not flats or maisonettes.”*

The proposal complies with the above. Given the layout of the bungalow and its positioning, it is considered the bungalow will receive reasonable aspect and would receive sufficient light.

9.8 *Amenity Provision*

The proposed garden area for the proposed dwellings is over 50sqm, this is in keeping with the Council's guidelines for the provision of amenity space for a two bedroom property as outlined in the Supplementary Planning Document 'Residential Extensions Guidelines' and Policy H14 of the Adopted Local Plan for Slough, 2004.

With regard to the proposed development, the garden depth is only 8m as such Permitted Development Rights have been removed to prevent overdevelopment of the application site, this will ensure that the remaining amenity area is protected. As such the proposal is considered acceptable.

9.5 It is considered that the proposed development would comply with Core Policy 8 of the Core Strategy and Policies EN1 and H13 of The Adopted Local Plan for Slough.

10.0 **Potential Impact on Neighbour Amenity**

10.1 As previously stated within 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.*

10.2 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.*

10.3 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*.....

10.4 Impact to No's. 50 -54 Kingsley Path:  
The separation distance of 21m is required for proposed habitable rooms facing existing habitable rooms, the distance of over 23m is provided, as such the impact of the proposed development will be minimal in terms of overlooking or overdominance to the occupiers of the existing properties.

- 10.5      Impact to No's.78-82 Haymill Road:  
The separation distance of 21m is required for proposed habitable rooms facing existing habitable rooms, the distance of over 18m is provided, this is considered acceptable as there will be no flank windows in this elevation, as such there will be no issues relating to overlooking or loss of privacy.
- 10.6      Impact to No's. 41 – 45 Wordsworth Road:  
In relation to the above properties, the rear wall of the proposed development at it's closest will be 10m, this is considered to acceptable as the siting of the proposed development has been set at an angle and this orientation is considered to have a limited impact in terms of direct overlooking and loss of privacy. Furthermore, it was noted during the site visit that the closest windows of the above properties are of obscure glass. With respect to loss of light and sense of enclosure, the proposed development is single storey in nature and will only be 5m in height. As such, the shortfall of separation distance is considered to be acceptable to not detrimentally impact their amenity and it is considered that the separation distance alone would not be a sufficient reason to warrant refusal.
- 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:
- 11.4      **Access**  
Access to the site is via an existing vehicle entrance point from Wordsworth Road. The access road leading to the development is private. The removal of the garages will reduce the number of vehicle movements to the site, which will reduce the intensification of the use of the access road.
- From a servicing perspective it is unclear whether the refuse vehicle can access this area and turn around and leave in a forward gear. The applicant will need to provide autotracking of this road and turning facility to demonstrate, if this is not possible then a refuse collection area will need to be identified.

- 11.5 *Car Parking*  
Under the Slough Local Plan parking standard in a residential area, a minimum of 2 car parking spaces are required per 2 bedroom dwelling in a residential area (all spaces assigned). This requires a minimum of 2 car parking spaces for this development; therefore this is acceptable.
- 11.6 *Cycle Parking*  
Cycle stores in the form of garden sheds are required for a proposed residential property. The application shows that there is a garden shed to the rear of the property large enough to accommodate a bicycle, therefore this is acceptable.
- 11.7 *Refuse and recycling*  
The application shows details for refuse, recycling storage and green waste within a fenced bin store; this is acceptable subject to comments on service access.
- 12.0 **Planning obligations**
- 12.1 Given the nature of the proposal and in light of the comments received from consultees, there will be no S106.
- 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 delegated to the Planning Manager for approval following finalising of conditions.

## **PART C: RECOMMENDATION**

- 15.0 **Recommendation**
- 15.1 It is recommended that the application be delegated to the Planning Manager for approval following finalising of 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) Site Location Plan L(0)05, Dated 19/02/2015, Recd On 23/12/2015
- (b) Drawing No. L(0)114 Rev A, Dated 11/01/2015, Recd On 23/12/2015
- (c) Drawing No. L(0)140, Dated 11/12/2015, Recd On 23/12/2015
- (d) Drawing No. L(0)30A Rev A, Dated 24/06/2015, Recd On 23/12/2015

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

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

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

5. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of construction work has been submitted to and approved in writing by the Local Planning Authority. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of 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, other effluvia
- (iii) control of surface water run off
- (iv) site security arrangements including hoardings and site lighting
- (v) proposed method of piling for foundations

(vi) construction working hours, hours during the construction phase, when delivery vehicles taking materials are allowed to enter or leave the site.

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

REASON: To protect the amenity of residents within the vicinity of the site in accordance with the objectives of Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

6. No development shall take place until a scheme for external site lighting including details of the lighting units, levels of illumination and hours of use has been submitted to and approved in writing by the Local Planning Authority. 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. No part of the development shall be occupied until the altered means of access with dropped kerbs for pedestrian use has been sited and laid out in accordance with plans to be submitted to and approved in writing by the local planning authority and constructed in accordance with Slough Borough Council's Design Guide.

REASON In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and in with Core Policy 7 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

8. No windows, other than those hereby approved, shall be formed in the flank elevations of the development without the prior written approval of the Local Planning Authority.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Policy H15 of The Adopted Local Plan for Slough 2004.

9. The proposed window in the ground floor flank elevation of the proposed development, severing the bathroom as shown on Drawing No. L(0)30A Rev A, hereby approved shall be glazed with obscure glass and any opening shall be at a high level (above 1.8m internal floor height) only.

REASON To minimise any loss of privacy to adjoining occupiers in accordance with Policy H15 of The Adopted Local Plan for Slough 2004.

10. 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 & F, no extension to the house hereby permitted or buildings or enclosures shall be erected constructed or placed on the site without the express permission of the Local Planning Authority.

REASON In the interests of design and amenity space in accordance with Policies EN1 and H14 of The Adopted Local Plan for Slough 2004.

11. The height of the garden store as shown on Drawing No. L(0)30A Rev A shall not exceed 2.5m in height.

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.

12. The bin storage shall be provided in accordance with the approved Drawing No. L(0)30A Rev A 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 refuse and recycling storage to serve the development.

13. Before the dwellings hereby approved are occupied, the boundary/means of enclosure treatment as shown on Drawing No. L(0)30A Rev A shall be erected along the site boundaries and the said boundary shall be maintained in its permitted form in perpetuity.

REASON To safeguard the visual amenities of the locality and the privacy and amenity of adjoining properties, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

14. 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.

15. 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.

16. 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.

17. 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 applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to [0350SN&N@slough.gov.uk](mailto:0350SN&N@slough.gov.uk) for street naming and/or numbering of the unit/s.
2. No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.
3. The 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.
4. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
5. The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The Council at the expense of the applicant will carry out the required works.
6. The 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.
7. The applicant is advised that with regard to surface water drainage With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain



access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

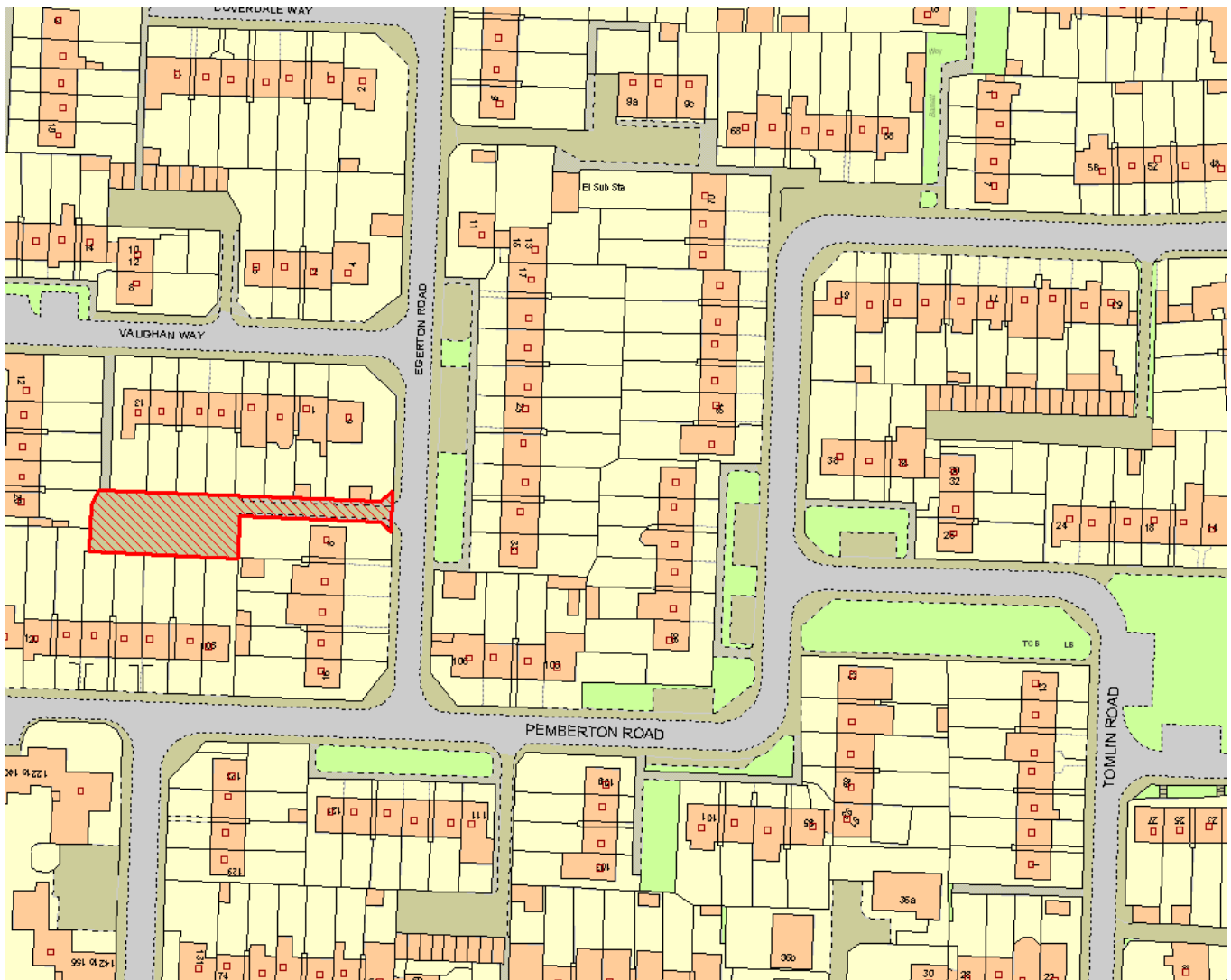
Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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

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<b>Registration Date:</b>	18-Dec-2015	<b>Applic. No:</b>	S/00715/000
<b>Officer:</b>	Neetal Rajput	<b>Ward:</b>	Britwell and Northborough
<b>Applicant:</b>	Slough Borough Council		
<b>Agent:</b>	Mr. Stephen Reed, Kendall Kingscott Ltd Glentworth Court, Lime Kiln Close, Stoke Gifford, Bristol, BS34 8SR		
<b>Location:</b>	Former Lock-up Garage Court, R/O 8 Egerton Road, Slough, SL2 2ND		
<b>Proposal:</b>	Construction of 2no. pair semi detached houses (2no.bedrooms) with parking and amenity and associated works.		

**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 has been submitted by Slough Borough Council Housing Department (Regulation 3 Application) and two objections have been received.
- 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 following finalising of conditions.

## **PART A: BACKGROUND**

### 2.0 **Proposal**

- 2.1 This is a full planning application for construction of 2 no. semi-detached houses (2 no. bedrooms) with parking, amenity and associated works.
- 2.2 The proposed dwellings will measure 5m in width, 9m in depth and 8m in height with a gable roof. There will be the provision of four car parking spaces in total, with the provision of private amenity space. Access to the properties will be provided from the existing access from Egerton Road.

### 3.0 **Application Site**

- 3.1 The site is 0.05 hectares in area and is located off Egerton Road. The site is bound by two storey residential dwellings, fronting Egerton Road, Pemberton Road and Vaughan Way. The application site is a historic garage site designed for 12 garages, which were demolished and for the last few years the site has been securely fenced off.
- 3.2 The site falls outside of the town centre boundary. 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 There is no relevant planning history.

### 5.0 **Neighbour Notification**

- 5.1 108, Pemberton Road, Slough, SL2 2LE, 7, Vaughan Way, Slough, SL2 2ND, 13, Vaughan Way, Slough, SL2 2ND, 118, Pemberton Road, Slough, SL2 2LE, 1, Vaughan Way, Slough, SL2 2ND, 112, Pemberton Road, Slough, SL2 2LE, 16, Egerton Road, Slough, SL2 2LB, 14, Egerton Road, Slough, SL2 2LB, 11, Vaughan Way, Slough, SL2 2ND, 12, Egerton Road, Slough, SL2 2LB, 10, Egerton Road, Slough, SL2 2LB, 8, Egerton Road, Slough, SL2 2LB, 5, Vaughan Way, Slough, SL2 2ND, 116, Pemberton Road, Slough, SL2 2LE, 20, Kestrel Path, Slough, SL2 2NB, 18, Kestrel Path, Slough, SL2 2NB, 16, Kestrel Path, Slough, SL2 2NB, 14, Kestrel Path, Slough, SL2 2NB, 12, Kestrel Path,

Slough, SL2 2NB, 110, Pemberton Road, Slough, SL2 2LE, 6, Egerton Road, Slough, SL2 2LB, 120, Pemberton Road, Slough, SL2 2LE, 33, Egerton Road, Slough, SL2 2LB, 31, Egerton Road, Slough, SL2 2LB, 9, Vaughan Way, Slough, SL2 2ND, 3, Vaughan Way, Slough, SL2 2ND, 114, Pemberton Road, Slough, SL2 2LE, 29, Egerton Road, Slough, SL2 2LB, 27, Egerton Road, Slough, SL2 2LB

- 5.2 There have been two objections received, these are summarised below:
1. Overlooking, loss of privacy and light.
  2. Generate more traffic to a road that you are only able to pass in single file due to parking.
  3. Objector's property looks out onto the garages and it looks like these semi are going to be built at end - do not need noise and anyone overlooking their gardens.
  4. If you have to build there why can't they be bungalows so that elderly people can live in them.

## 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, noise, site lighting and onsite refuse.

Relevant conditions relating to the proposal have been included.

### 6.3 Transport and Highways

- 6.4 Detail comments can be found in Section 11 of this report.

### 6.5 Thames Water

- 6.6 Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Water Comments

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

6.7 Land Contamination

6.8 Reviewed the information submitted by the applicant, together with our database of potentially contaminated land sites.

Historical mapping indicates that there is no potentially contaminated land use associated with this site. However, the nearest off-site source of potential contamination is a former landfill site located within less than 30m to the west of the proposed development.

In addition, the proposed land use change from commercial/industrial to residential introduces a more sensitive receptor, which requires further investigation and risk assessment.

Given the above comments, recommended pre-commencement conditions have been included.

6.9 Lead Local Flood Authority

6.10 Sustainable drainage comments:

- Fluvial flood risk – no objections
- Surface water drainage – no objections.

All connections to the foul and surface water sewer must be agreed with Thames Water.

**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 4 – Housing
- Core Policy 7 – Transport
- Core Policy 8 – Sustainability and the Environment

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

- Policy EN1 – Standard of Design
- Policy H13 - Backland/Infill Development
- Policy H14 - Amenity Space
- Policy T2 – Parking Restraint

#### Other Relevant Documents

- Slough Borough Council Developer's Guide Parts 1-4
- Slough Local Development Framework Proposals Map
- Residential Extensions Guidelines, Supplementary Planning Document, Adopted January 2010.

#### 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.

- 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 neighbour amenity;
- 4) Parking and highway safety;
- 5) Planning obligations;
- 6) Other matters.

## 8.0 **Principle of Development**

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

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

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

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

- 8.2 Core Policy 1 sets out the overall spatial strategy for Slough requiring all developments to take place within the built up area, predominately on previously developed land. The policy seeks to ensure high density housing 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.
- 8.3 The principle of family sized housing is an acceptable concept in this area. The formation of a house on this location is considered acceptable and in fact accords with Core Strategy Policy 4, which actively encourages the use of locations such as the proposal site for the development of family sized housing:

*“In urban Areas outside 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.*



*Within existing residential areas, there will only be limited infilling which will consist of family houses that are designed to enhance distinctive suburban character and identity of the area”.*

- 8.4 The area is predominantly residential and able to accommodate residential development. The proposed development would contribute to the Council’s supply of family dwellings.

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 buildings .....housing 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 design of the proposed development is considered to be acceptable. It is modern but yet the materials and the height to the ridge have been conditioned to match the neighbouring property, No’s 112-114 Pemberton Road.
- 9.5 Furthermore, the form, scale, height and massing of the proposal is considered to be acceptable, for example the proposed roof form matches that of the

neighbouring properties and as such the development is considered to be in keeping with surrounding locality.

- 9.6 In this context, it is considered that the design of the proposal would be acceptable. Giving the siting of the dwellings, they are bound by two storey residential dwellings and as such the proposed dwellings will not be seen from the street scene.

9.7 *Living conditions*

The full definition of a family house is contained within The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, and is as follows:

*“A fully self-contained dwelling (with a minimum floor area of 76 square metres) that has direct access to a private garden. Comprises a minimum of two bedrooms and may include detached and semi-detached dwellings and townhouses but not flats or maisonettes.”*

The proposal complies with the above. Given the layout of the dwellings and their positioning, it is considered that each dwelling will receive reasonable aspect and would receive sufficient light.

9.8 *Amenity Provision*

The proposed garden area for the proposed dwellings is 8m in depth, this is in keeping with the Council’s guidelines for the provision of amenity space for a two bedroom property as outlined in the Supplementary Planning Document ‘Residential Extensions Guidelines’ and Policy H14 of the Adopted Local Plan for Slough, 2004.

With regard to the proposed development, the garden depth is only 8m as such Permitted Development Rights have been removed to prevent overdevelopment of the application site, this will ensure that the remaining amenity area is protected. As such the proposal is considered acceptable.

- 9.9 It is considered that the proposed development would comply with Core Policy 8 of the Core Strategy and Policies EN1 and H13 of The Adopted Local Plan for Slough.

10.0 **Potential Impact on Neighbour Amenity**

- 10.1 As previously stated within 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.*

- 10.2 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.*

- 10.3 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*.....
- 10.4 Impact to No's.8-16 Egerton Road:  
The separation distance of 21m is required for proposed habitable rooms facing existing habitable rooms, the distance of over 25.2m is provided, as such the impact of the proposed development will be minimal in terms of overlooking or over dominance to the occupiers of the existing properties.
- 10.5 Impact to No's. 108 – 120 Pemberton Road:  
With regard to these properties, the flank wall of the proposed dwellings will be fronting the habitable room windows, as such a minimum separation distance of 15m is required, and the proposal complies with this requirement. The proposed window in the flank elevation has been conditioned to be of obscure glass.
- 10.6 Impact to No's. 12 – 22 Kestrel Path:  
With regard to the above properties the separation distance of 21m is required for proposed habitable rooms facing existing habitable rooms, the distance of 19.3m is provided, although there is a shortfall, the proposed development will only be 8m in height, it is considered that this will alleviate issues relating to sense of enclosure and over dominance. It is considered that the separation distance alone would not be a sufficient reason to warrant refusal.
- 10.7 Impact to No's. 1-13 Vaughan Way:  
With regard to these properties, the flank wall of the proposed dwellings will be fronting the habitable room windows, as such a minimum separation distance of 15m is required, there is a shortfall of 0.4m, this is considered to be acceptable. It has been noted that there are no flank windows in this elevation at ground and first floor and the insertion of any new windows would require planning permission.
- 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:

11.4 **Access**

The vehicular access for these properties is proposed at 2.4 m, with a 0.85m footway to one side of the road and a 0.25m service strip to the other side, therefore the total width of carriageway and footway is between 3.5m and 3.7m wide along its length. Of concern is whether the access road is wide enough to allow for a fire tender to reach the proposed dwellings.

The distance between the junction of Egerton Road and the front door of the two dwellings is between 41-44m to the front door but over 45m to the furthest extremities of the properties. I have raised this concern with the applicant's project manager, Mike Broom of Slough Borough Council, and he has forwarded me an email regarding a similar development in Mansel Close to which the Council has previously sought further advice from the Local Fire Safety Officer, John Ellis of Royal Berkshire Fire & Rescue Service. John Ellis advised on 21/12/15 that he had visited Mansel Close and he had found *"the access road is too narrow for an appliance to drive down. It cannot be widened due to the garden walls."* He advised that *"Would the appliance be within 45m of the furthest point in the houses? If not I would recommend domestic sprinklers in all the houses or just in the ones in excess of the 45 metres."* So from a highways perspective it would be acceptable to allow the development with a reduced access road width below that set out in Manual for Streets as set out above so long as the appropriate mitigation measures are implemented. Therefore this can be considered a Building Control issue rather than a Local Highway Authority issue.

*Car Parking*

11.5 Under the Slough Local Plan parking standard in a residential area, a minimum of 2 no. car parking spaces are required for dwellings with 2 no. bedrooms. Therefore 4 no. car parking spaces are proposed for the 2 no. dwellings as proposed; this is acceptable.

There is an error in the car park layout drawing – the 1m wide path needs to be located in front of the houses providing pedestrian access to the front doors. The drawing would need to be amended prior to determination to correct this oversight. An amended plans has been received to address this issue.

11.6 *Cycle Parking*

Cycle stores in the form of garden sheds are required for a proposed residential property. The application shows that there is a garden shed to the rear of the property large enough to accommodate a bicycle, therefore this is acceptable.

11.7 *Refuse and recycling*

The application shows details for refuse, recycling storage and green waste to the rear of the properties; this is acceptable. As the development is greater than 25m from the edge of the highway the applicant has marked a refuse

collection area on the plans. The refuse collection area is too small for the number of bins, but there is sufficient space on the adjoin private footway and therefore I am satisfied that this arrangement can work now that full consideration has been taken to the width of the access road for fire service access.

#### 11.8 *Pedestrian Access*

The applicant should fund the implementation of dropped kerbs for pedestrian use on either side of the vehicular access. This will need to be secured through a planning condition.

There is an existing adopted path for pedestrian use to the site from the north, Vaughan Way, which previously provided access to the garages and there are also some pedestrian access gates from properties no. 12-18 Kestral Path that use this path to put out there bins on and they are collected from here. As the path will no longer provide access to the garage court I see no reason for the path to remain adopted and therefore I would recommend that the path is stopped up as public highway as part of this application and then it could be gated. The path would then return to the original landowner, which potentially could be SBC Housing and the landowner in turn could dispose of this land to the owners of 12-18 or retain the land for themselves. There are three main reasons to pursue this proposal:

- Firstly, from a maintenance and cleansing perspective there is no requirement for this path to remain adopted;
- Secondly, from a crime and anti-social behavior perspective if the southernmost 3-4m of the existing path became part of the garden to No. 18 Kestral Path then there would be no direct access to the new dwellings from this path and this would reduce the opportunity for uninvited access;
- Thirdly, it will also reduce the risk of uninvited access to the properties of 12-18 Kestral Path and 13 Vaughan Way as the path will be gated.

The applicant has agreed to the stopping up of the pathway.

#### 12.0 **Planning obligations**

12.1 Given the nature of the proposal and in light of the comments received from consultees, there will be no S106, the Highway works required will be secured via a condition.

#### 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 delegated to the Planning Manager for approval following finalising of conditions.

### **PART C: RECOMMENDATION**

#### **15.0 Recommendation**

- 15.1 It is recommended that the application be delegated to the Planning Manager for approval following finalising of conditions.

#### **16.0 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) Site Location Plan L(0)03, Dated 11/05/2015, Recd On 18/12/2015
- (b) Drawing No. L(0)113, Dated 11/01/2011, Recd On 18/12/2015
- (c) Drawing No. L(0)130, Dated 11/12/2015, Recd On 18/12/2015
- (d) Drawing No. L(0)20C Rev C, Dated 24/06/2015, Recd On 09/02/2016

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 works of the proposed development shall be carried out in materials that match as closely as possible the colour, texture and design of the of the adjoining property (No.8 Egerton Road) 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. The external materials to be used in the construction of the access road, pathways and communal areas within the development hereby approved shall be carried out in materials that match as closely as possible the colour,

texture and design of the adjoining property (No. No.8 Egerton Road) at the date of this permission.

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

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

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

REASON: To protect the amenity of residents within the vicinity of the site in accordance with the objectives of Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

6. No development shall take place until a scheme for external site lighting including details of the lighting units, levels of illumination and hours of use has been submitted to and approved in writing by the Local Planning Authority. 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. *Full wording TBC with Highways Officer*

Prior to first occupation of the proposed development, the pedestrian path from Vaughan Way to the site and gate the path shall be stopped up.

REASON In order to minimise danger, obstruction and inconvenience to users of the highway and of the development, in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 -

8. *Full wording TBC with Highways Officer*

No part of the development shall be occupied until the altered means of access with dropped kerbs for pedestrian use has been sited and laid out in accordance with plans to be submitted to and approved in writing by the local planning authority and constructed in accordance with Slough Borough Council's Design Guide.

REASON In order to minimise danger, obstruction and inconvenience to users of the highway and of the development, in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

9. The height of the roof (including the ridge) of the proposed dwellings shall not exceed 8 metres in height.

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.

10. No windows, other than those hereby approved, shall be formed in the flank elevations of the development without the prior written approval of the Local Planning Authority.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Policy H15 of The Adopted Local Plan for Slough 2004.

11. The proposed windows in the first floor flank elevations of the proposed development as shown on Drawing No. L(0)113, hereby approved shall be glazed with obscure glass and any opening shall be at a high level (above 1.8m internal floor height) only.

REASON To minimise any loss of privacy to adjoining occupiers in accordance with Policy H15 of The Adopted Local Plan for Slough 2004.

12. 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 & F, no extension to the house hereby permitted or buildings or enclosures shall be erected constructed or placed on the site without the express permission of the Local Planning Authority.

REASON In the interests of design and amenity space in accordance with Policies EN1 and H14 of The Adopted Local Plan for Slough 2004.

13. The height of the garden store as shown on Drawing No. L(0)20B Rev B shall not exceed 2.5m in height.



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.

14. The bin storage shall be provided in accordance with the approved Drawing No. L(0)20B Rev B 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 refuse and recycling storage to serve the development.

15. Before the dwellings hereby approved are occupied, the boundary/enclosure details as shown on Drawing No. L(0)20B Rev B shall be erected along the site boundaries and the said boundary shall be maintained in its permitted form in perpetuity.

REASON To safeguard the visual amenities of the locality and the privacy and amenity of adjoining properties, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

16. 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.

17. 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.

18. 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.

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

2. No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.
3. The 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.
4. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
5. The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.
6. The 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.
7. The applicant is advised that with regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

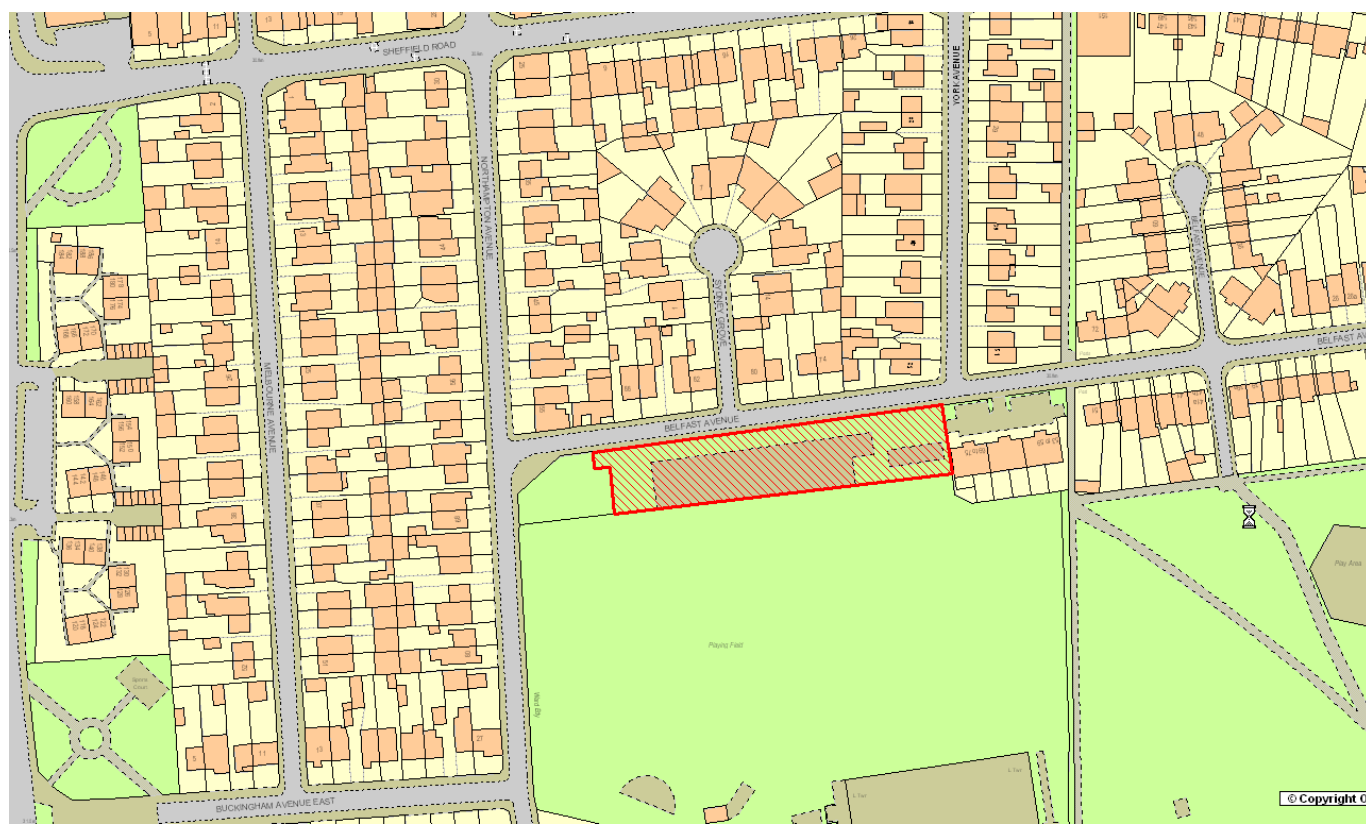
Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

8. 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:	13-Jan-2016	Applic. No:	S/00719/000
Officer:	Mr. Albertini	Ward:	Baylis and Stoke
		Applic type:	
		13 week date:	
Applicant:	Mr. Mike Broom, Slough Borough Council		
Agent:	Michael Dyson Associates Ltd West House, Meltham Road, Honley, Holmfirth, HD9 6LB		
Location:	Land Opposite 74-88 Belfast Avenue, Slough, SL1 3HH		
Proposal:	Construction of 7 two storey houses (4 two bedroom and 3 three bedroom)		

**Recommendation:** Delegate to Planning Manager for Approval



## 1.0 **SUMMARY OF RECOMMENDATION**

Delegate to Planning Manager for approval.

### **PART A: BACKGROUND**

#### 2.0 **Proposal**

- 2.1 This Slough Borough Council planning application is for a development of 7 two storey homes comprising 3 three bedroom and 4 two bedroom homes. All are to be social rented tenure. One of the three bedroom homes is detached; the rest are semi detached.
- 2.2 Five of the homes face the street and the two at the east end of the site are at 90 degrees to the street facing the flank of the detached home. This arrangement is due to three trees with preservation orders standing at the end of the site. Two parking spaces per home are included and sit between the homes or, for the east end plots, at the bottom of the garden.
- 2.3 Gardens lengths vary between 5.2 and 5.8 metres for the homes facing the street. All but one of those gardens is quite wide. The 2 east end plots have extra long gardens and include the trees referred to above.
- 2.4 The buildings will be traditional in form having pitched roof and gable ends. Materials will be a combination of brick, with a vertical rendered feature panel, concrete interlocking roof tiles and soldier course above and below windows. Brick colour will be two shades of buff; tiles and window frames will be grey.
- 2.5 Applications of this size (less than 10 homes) are normally dealt with under delegated powers. The application is being presented to Planning Committee because it is a Slough Borough Council application and an objection has been received.

#### 3.0 **Application Site**

- 3.1 This 0.186 hectare site is vacant having once contained an old community building created out of a former stadium building linked, historically, to the adjacent school playing field. It site is sometimes referred to as being linked to the nearby Rotunda site.
- 3.2 It is a narrow site 17 metres wide. Immediately behind is a wide hedge (5 metres) belonging to and forming the Herschel School Playing Field north boundary. To the west is a small corner plot of land containing 2 trees with preservation orders (17m and a 14m Oak). One overlaps the site. Three trees with preservation orders lie at the east end of the site; a 16m Birch, 14m Whitebeam and a group of 8m Sycamores.
- 3.3 To the north opposite the site are semi detached two storey homes and the junction with Sydney Grove. To the east is a small block of flats built in the late 1980's set back from Belfast Avenue with its car parking in front. The latter abuts the

application site.

4.0 **Site History**

4.1 None Relevant.

5.0 **Neighbour Notification**

5.1 Belfast Ave. 69 – 75 odd; 74 - 88 ev  
York Ave. 48 to 52 incl.  
Northampton Ave. 51,53,55. 58 – 70 ev.  
Herschel Grammar School

5.2 One petition received with 38 signatures of residents in nearby streets objecting to the proposal for the following reasons :  
Existing quiet street. Proposal will increase number of cars/traffic; restrict parking. Traffic levels already high due to school drop off etc. Most houses in area have 2 to 4 cars per household which could very likely be the case for new homes. Concern that site cannot accommodate proposal. Ask if police have been informed re impact of traffic and parking.

Concern about increase in crime, noise, disturbance, anti social behaviour and refer to reputation of Council and Housing Association tenants. Provide listing of 353 crimes during Dec 2015 within 1 mile of site.

Response : Extra traffic will be modest; 2 parking spaces per dwelling proposed meets the Council's standard. The Police have not been consulted as traffic/parking matters are Council responsibilities. Whilst new homes may result in some additional noise compared to now the level of noise from residential use is not a material consideration. Individual incidences of high noise level would be addressed through environmental health powers. New homes do not automatically mean anti social behaviour and crime levels will increase and the Planning system cannot differentiate between tenures when considering environmental effects. Housing management can address anti social behaviour.

6.0 **Consultation**

6.1 **Traffic/ Highways**

There would be some extra traffic generated compared to the previous community building use. Access is acceptable subject to highway agreement for alterations to existing highway. Request one of the pair of crossovers combined to assist pedestrians. Request low boundary (to prevent parking on front gardens) plus visibility splays. Request existing narrow (1.5m) footway widened to normal 2 m width. Request footway widening dedicated as public highway.

6.2 **Environmental Protection**

Standard condition to ensure soil quality acceptable for residential use.

6.3 **Tree Officer**

Existing protected trees on site and adjacent have good amenity value and no

indication of defects. There are no grounds for loss of trees.

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

- 7.1 The site is not allocated in the Local Plan. Residential use is supported and complies with Core Strategy 4 that seeks family homes outside central areas and the strategic objective of reuse of previously developed sites. The previous small community use on the site has not been in operation for many years.

### **8.0 Layout, Design and Access**

- 8.1 The form and height of the buildings are acceptable as they broadly tie in with homes opposite. The sites narrowness does result in some compromises in particular garden length and separation from homes opposite. 5 of the homes are 19.8 or 19.9 metres from the homes opposite. A minimum distance of 21 metres is normally sought between new and existing main elevations were the character of the area is clearly normal medium or low density suburban housing. The applicant has been asked to review this and any changes will be on the meeting amendment sheet.
- 8.2 5 of the homes have gardens that are shorter than the normal 9 metre length required for suburban homes. The short gardens are a result of the narrow site, need to separate them from homes opposite and the desire for family homes. An exception can be made for this development because of the constraints mentioned combined with the following. Firstly wider than normal gardens are proposed. Secondly the space behind the site (playing field) is unlikely to be developed thus minimising the possibility of buildings close by. Thirdly the social rent tenure proposed that is meeting a specific need in the town.
- 8.3 The 5 metre wide hedge behind the site, if narrowed, could provide extra garden space. However the School, who control, it are not prepared to release it but in the future this might happen.
- 8.4 The elevational treatment proposed is broadly satisfactory. The applicant has been asked to review the buff bricks chosen as they are not a typical colour in the area.
- 8.5 Access and parking are generally acceptable subject to the changes requested by Highways/Transport. In addition the remote parking spaces for the east end homes could be considered more vulnerable to crime being at the bottom of a long garden. A gate would help and the practicality of this being investigated. The remote parking is partly due to the trees on the site limiting design options.
- 8.6 The trees are prominent in the street scene and provide a pleasant an interesting feature for this suburban street. As the trees are protected by a Tree Preservation Order and have good amenity value it is important that new development does not threaten the long term health of the trees. A condition is proposed to protect trees during construction and require special construction where works encroach upon the root protection area.



- 8.7 One home will have the edge of the crown of a protected tree approximately 5 metres from their rear windows. Whilst this will not result an unsatisfactory level of light to rooms some residents may not like it. An informative can be added to any planning permission advising the developer to make it clear to the first occupant that the tree is protected and that there is no presumption that felling or cutting back will be allowed.
- 8.8 Subject to changes requested the proposal complies with Local Plan policy EN1 design and EN3 Landscaping plus associated Core Strategy policy 8 Sustainability and the environment, policy 9 Natural and built environment plus policy 12 Community safety.
- 8.9 Regarding access and transport matters the proposal is acceptable subject to the changes requested by Transport/Highway Officers and a commitment to dedicate the widened footway as public highway. Subject to the changes and conditions the proposal complies with Core Strategy policy 7 Transport.

### **Section 106 Matters**

- 8.10 There needs to be a commitment to dedicate the widened footway as public highway. Normally this would go in a Section 106 planning obligation. As the applicant is Slough Borough Council it cannot sign an obligation with itself so an equivalent commitment is needed. This will be arranged through Legal Services together with a commitment for a Section 106 to be signed should the site be sold with planning permission.

### **PART C: RECOMMENDATION**

#### **9.0 Recommendation**

Delegated to Planning Manager for approval, subject to receipt of satisfactory revisions, completion of a Section 106 planning obligation or its equivalent and variation of conditions in relation to the revisions and 106.

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

1. Commence within three years  
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:

01-(90)-7705 Proposed Site Plan Rev C  
03-(SK)-7705 3B6P Detached House Floor Plans  
06-(SK)-7705 3B6P Detached House Elevations  
09-(SK)-7705 3B6P Semi detached House Floor Plans  
10-(SK)-7705 3B6P Semi detached Elevations  
07-(SK)-7705 2B4P Floor Plans Semi Detached  
08-(SK)-7705 2B4P Elevations Semi Detached  
002-(90)-7705 Existing Site Plan  
[drawings subject to revision]

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 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 Scheme

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

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

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

5. 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 the boundary treatment shall be implemented on site in accordance with the approved plans and retained at all time in the future. The boundary treatment shall include a 600 mm barrier between vehicle crossovers along the frontage of the houses and provide for 2.4

x 2.4m pedestrian visibility splays at the back edge of the footway. 600 mm within the visibility splay to be measured from the nearside channel level of the carriageway.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004. And to prevent over-running of the footway by vehicles and to minimise danger, obstruction and inconvenience to users of the adjoining highway. And 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.

6. Tree Protection

No construction works shall commence on site until a tree protection scheme and details of no dig construction (for areas of hardstanding and excavation within tree root protection zones shown on the approved layout) have been submitted to and approved in writing by the Local Planning Authority.

Construction of hard surfaces and any excavation within root protection zones of trees on the site and adjacent to the site shall be implemented in accordance with the approved details. The tree protection shall be in the form of an arboricultural method statement in accordance with BS5837. No construction work shall commence until the approved tree protection scheme has been implemented on site and shall remain in place during the construction phase.

REASON In the interest visual amenity for the area in particular protection of trees on and adjacent to the site.

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.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions prejudicial of general safety along the neighbouring highway in accordance with Policy 7 of the Core Strategy 2006 to 2016.

8. Footway widening

No house shall be occupied until the existing footway has been widened to 2 metres width along the frontage of the site from the west end to a point in line with the east elevation of plot 7. The widening shall be in accordance with details first approved in writing by the local planning authority.

REASON In the interest of promoting non-car modes of travel in particular pedestrian safety and convenience.

9. Time scale for the provision of parking

The parking spaces shown on the approved plan shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles.

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities of the area in accordance with Core Strategy (2006-2026) Policy T3 Transport.

10. Surface Water Drainage

No construction work shall commence until sustainable surface water drainage details have been submitted to and been approved in writing by the local planning authority. No house shall be occupied until its associated drainage has been implemented in accordance with the approved details. The drainage shall be retained and maintained thereafter.

REASON In the interest of public safety and protection of property from flooding.

11. Phase 1 Desk Study

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

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

12. Phase 2 Intrusive Investigation Method Statement

Should the findings of the Phase 1 Desk Study approved pursuant to the Phase 1 Desk Study condition identify the potential for contamination, development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA 665 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

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

13. Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy

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.

#### 14. Remediation Validation

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.

#### 15. 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.

## 16. 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.

### **Informatives**

#### 1. Section 106 Legal Agreement

The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 (or its equivalent with regard to Council owned land) has been entered into with regards to the application hereby approved regarding dedication of the widened footway as public highway. If the Council sell the site with planning permission the purchaser must sign the Section 106 planning obligation.

#### 2. Highway Matters

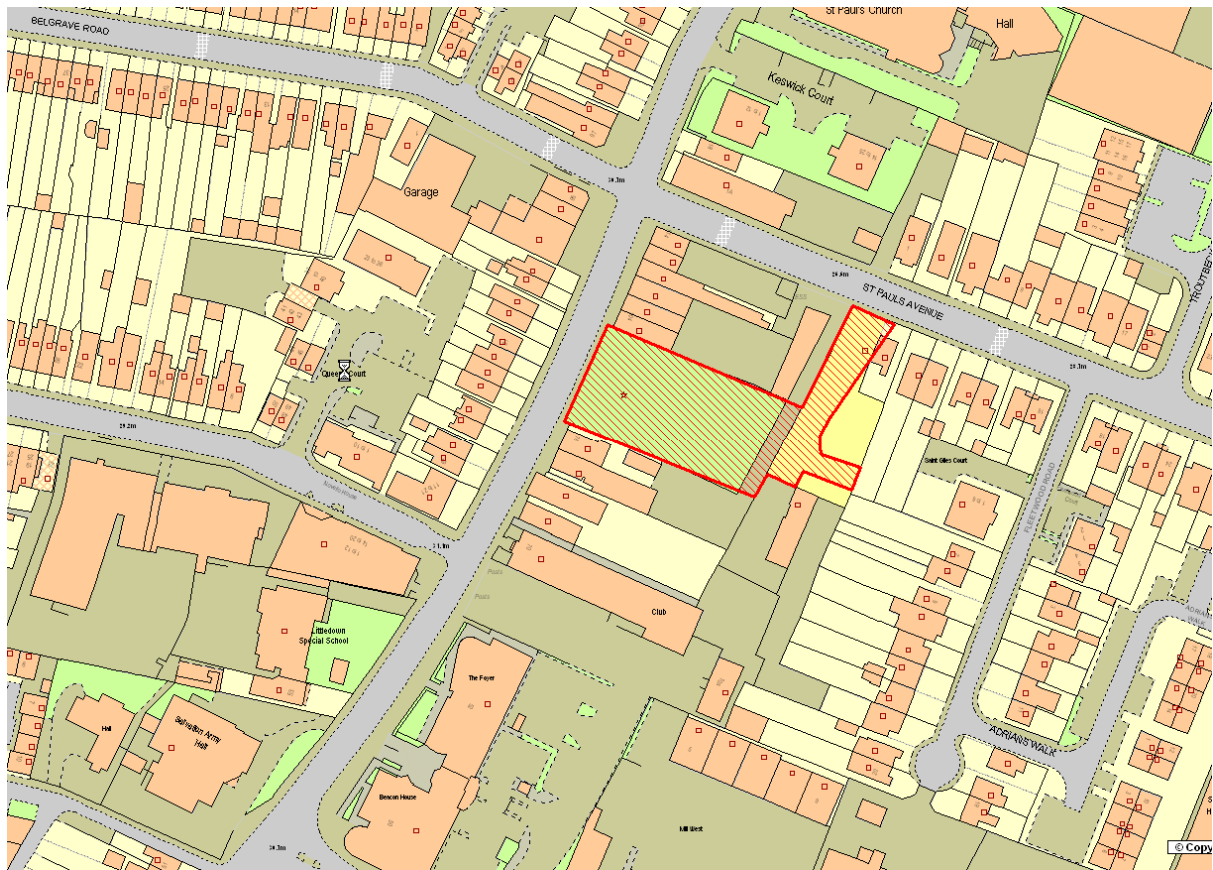
- The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.
- No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for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

#### 3 Tree Preservation Orders

Trees on and adjacent to the west site boundary are the subject of Tree Preservation Orders.

Registration Date:	21-Dec-2015	Applic. No:	P/03678/019
Officer:	Mr Smyth	Ward:	Central
		Applic type:	<b>Major</b>
		13 week date:	<b>21<sup>st</sup> March 2016</b>
Applicant:	Renton Development Ltd		
Agent:	Ching Liu, GA&A Design Mountbatten House, Fairacres, Dedworth Road, Windsor, SL4 4LE		
Location:	76-78, Stoke Road, Slough, SL2 5AP		
Proposal:	Demolition of existing buildings and construction of a part 5 storey building with undercroft car parking, ground floor retail unit (278sqm), 24 flats (12no. x 1 bed and 12no. x 2 bed) and cycle parking.		

**Recommendation:** Delegate to Planning Manager for Approval



## 1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 Delegate the planning application to the Planning Manager for approval, subject to resolution of outstanding transport/highway issues, sustainable drainage matters, development viability issues, minor design changes, finalising conditions, completion of a S106 Agreement and final determination.
- 1.2 Having considered the relevant Policies below, the development is considered not to have an adverse affect on the sustainability and the environment for the reasons set out.

## **PART A: BACKGROUND**

### 2.0 **Proposal**

- 2.1 This is a full detailed planning application for “Demolition of existing buildings and construction of a part 5 storey building with undercroft car parking, ground floor retail unit (278sqm), 24 flats (12no. x 1 bed and 12no. x 2 bed) and cycle parking”.
- 2.2 The application is accompanied by floor plans, elevations and sections. In addition a number of supporting documents are submitted including:
- a desk based archaeological study
  - a geotechnical report
  - a noise impact assessment report
  - a transport assessment
- 2.3 The scheme has been modelled on the basis of the approved scheme of development on the neighbouring site at 94 – 102 Stoke Road which was granted planning permission on 2nd June 2014, following protracted negotiations with minor amendments to the scheme subsequently approved on 21st January 2015. A further 2 no. planning applications for minor amendments to that scheme have been submitted and approved in principle subject to completion of Section 106 Agreements. Although the proposal is submitted as a free standing scheme and is being assessed on that basis, in terms of its siting scale massing bulk layout form design and appearance, it is designed to read as an integral part of the approved scheme at 94 – 102 Stoke Road or as extension to it.
- 2.4 The building is 5 storeys high, with the top floor being set back. Given the substantial level difference between Stoke Road and the rear of the site, the fourth floor on the Stoke Road frontage is set back from the Stoke Road frontage and substantially set back from the rear of the site, to reduce its impact. This reflects the pattern of development as was approved on the neighbouring site to the north. Also as per that scheme, vehicular access to the site is at lower



ground floor level, via a proposed rear service road providing car parking undercroft of the building for 17 no. cars (including 3 no. disabled spaces) together with servicing and bin store and cycle storage provision. The car park is designed to operate in isolation or in conjunction with the proposed neighbouring development scheme to the north and will be utilising a one way internal circulation.

- 2.5 At upper ground floor level, a retail unit of 278 sq m is proposed on the Stoke Road frontage and there are two X 1 bed flats to the rear of the building. On each of the first and second floors there are 4 no. X 1 bed and 2 no. X 2 bed flats and on the third floor there are 5 no. X 1 bed and 1 no. X 2 bed flats. At fourth level there are 4 no. X 1 bed flats.

### **3 Application Site**

- 3.1 The application site is situated on the east side of Stoke Road and is a roughly triangular site which dimensions 15 metres in width X 60 metres in depth. Vehicular access to the site is available from the rear. Currently the site is occupied by a single building with a half hipped roof. The building scales two storeys on the Stoke Road frontage and three storeys at the rear, reflecting a substantial fall in the land from west to east across the depth of the site. At ground floor on the Stoke Road frontage there are two retail units with residential on the first and second floors. To the rear of the building there are two substantial outbuildings together with a shipping container, providing storage for the shops with the remainder of the site being hard surfaced and used for parking and servicing.
- 3.2 Immediately to the north of the site is a vacant site which has planning permission for a mixed residential and retail development and is enclosed by hoardings. To the south of the site are two buildings with retail uses on the ground floor and residential above. As with the application site both buildings scale two storeys on the Stoke Road frontage and two/three storeys to the rear. Rear extensions have been constructed to both properties. As with the application site the rear has been hard surfaced and is used for parking and servicing.
- 3.3 To the west on the opposite side of Stoke Road are two storey Victorian cottages. To the east of the site is a rear service track separating the site from a car repair and body workshop with the rear gardens of residential properties in Fleetwood Road beyond.
- 3.4 The site lies outside but on the fringe of the town centre area. The immediate surroundings are characterised by a mix of residential and quasi commercial uses. The overall impression is one of gradual decline.

### **4 Relevant Site History & Background**

4.1

P/03678/0 12 Proposal:	14-Apr-1986	08-Aug-1986	Approved with Conditions INSTALLATION OF ILLUMINATED FASCIA SIGN.
P/03678/0 16 Proposal:	28-Oct-1991	29-Nov-1991	Approved with Conditions USE OF GROUND FLOOR UNIT AS (CLASS A2) OFFICES
P/03678/0 11 Proposal:	16-Jan-1986	03-Mar-1986	Refused CHANGE OF USE OF FIRST FLOOR FLAT TO OFFICES
P/03678/0 15 Proposal:	01-Dec-1989	12-Feb-1990	Approved with Conditions CHANGE OF USE FROM CAR HIRE TO SHOP (A1)
P/03678/0 08 Proposal:	24-Apr-1980	07-Jul-1980	Refused CHANGE OF USE OF FIRST FLOOR FROM RESIDENTIAL TO OFFICE
P/03678/0 10 Proposal:	06-Dec-1985	03-Feb-1986	Approved (Limited Period Permission) RELAXATION OF CONDITION 2 OF PLANNING CONSENT P3678/09 TO ALLOW THE CHANGE OF USE OF GROUND FLOOR AND BASEMENT TO CAR HIRE RECEPTION AND OFFICE WITH CAR PARKING AT THE REAR.
P/03678/0 14 Proposal:	22-Jun-1989	17-Jul-1989	Approved with Conditions CHANGE OF USE TO A PRIVATE CAR HIRE BUSINESS BY RELAXATION OF CONDITION NO. 2 OF P/03678/009.
P/03678/0 09 Proposal:	09-Sep-1985	21-Oct-1985	Approved with Conditions USE OF GROUND FLOOR UNIT AS CLASS A2 OFFICES/INSURANCE FINANCIAL SERVICES.
P/03678/0 13	16-Sep-1988	31-Jan-1989	Approved with Conditions

Proposal:	RELAXATION OF CONDITION NO. 1 OF PLANNING PERMISSION P/3678/10 TO ALLOW PERMANENT USE OF THE GROUND FLOOR AND BASEMENT AS A CAR HIRE OFFICE.
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P/03678/017	11-Jan-1995	20-Mar-1995	Invalid Application
Proposal:	ERECTION OF TEMPORARY USE OF OFFICE FOR CAR SALES		

P/03678/018	15-Jul-2015	Approved in Principle Subject to a Section 106 Agreement
Proposal:	Demolition of existing buildings and construction of a 5 storey building to provide 24no. flats plus 320 sq metres of ground floor retail floorspace together with ancillary car parking and servicing. Outline planning application with all matters reserved for subsequent approval.	

4.2 Of particular relevance is planning application reference P/03678/018, as set out above, which is an outline planning application with all matters reserved for subsequent approval. The proposed development bears many similarities to the current planning application in terms of its scale, massing, bulk, design and appearance, together with the type of development being proposed, including the number of flats, the siting and scale of the retail element and the number and layout of car parking spaces. The most notable difference between the two applications is the housing mix, the current proposal now showing more 2 bed units than the previous scheme. That application was considered by this Committee at its Meeting on 15th October 2015 and approved in principle subject to resolution of outstanding sustainable drainage matters, finalising conditions completion of a S106 Agreement and final determination.

4.3 In addition to the planning history relevant to the application site, the recent planning history for the neighbouring site to the north at 94 – 102 Stoke Road, the development of which is intrinsic to the redevelopment of this site is also important to note:

P/01295/009, ERECTION OF A PART 5/PART 4/ PART 2 STOREY BUILDING COMPRISING 55 NO. APARTMENTS (46 NO. ONE BEDROOM, 5 NO. TWO BEDROOM AND 4 NO. THREE BEDROOM), 2 NO. GROUND FLOOR RETAIL UNITS PROVIDING 420 SQ M OF A1 RETAIL FLOORSPEACE, TOGETHER WITH UNDERGROUND UNDERCROFT PARKING FOR 38 NO. CARS / CYCLE PARKING, AMENITY SPACE / LANDSCAPING AND CONSTRUCTION OF REAR SERVICE ROAD

Approved 04-Jun-2014

P/01295/010, APPLICATION FOR VARIATION OF CONDITIONS  
02 (APPROVED DRAWINGS) AND 11 (SCOOTER &  
BICYCLE PARKING) TO ALLOW A MINOR MATERIAL  
AMENDMENT TO PLANNING PERMISSION  
REFERENCE P/01295/009 DATED 04/06/2014 FOR:

SETTING BACK OF SOUTH EASTERN CORNER OF  
BUILDING FROM REAR SERVICE ROAD (GROUND &  
UPPER GROUND LEVELS)  
CHANGES TO LAYOUT OF UNDERCROFT PARKING  
UNITS 2, 3 & 4 MOVED WESTWARDS  
UNITS 2 AND 3 marginally reduced in size  
EAST FACING LIVING ROOM WINDOW TO PLOT 2  
WIDENED  
BALCONIES TO PLOTS 10 & 11 WIDENED (FIRST  
FLOOR LEVEL)  
DEEPER OVERHANG AT UPPER LEVELS ABOVE  
GROUND AND LOWER GROUND FLOORS ON  
EASTERN SIDE.

- 4.2 The application site along with other sites in Stoke Road were previously identified as commercial redevelopment sites in the previous Adopted Local Plan. Although, these proposal sites were not carried forward within the current Adopted Local Plan, the aim of achieving long term comprehensive regeneration of the area has remained a broad objective of the Council.

## **5 Neighbour Notification**

- 5.1 Neighbours Consulted: The Occupier, 70b, Stoke Road, Slough, SL2 5AP  
The Occupier, 74a, Stoke Road, Slough, SL2 5AP  
The Occupier, 74, Stoke Road, Slough, SL2 5AP  
The Occupier, 72b, Stoke Road, Slough, SL2 5AP  
The Occupier, Today's Newmarket, 72, Stoke Road, Slough, SL2 5AP  
The Occupier, 72a, Stoke Road, Slough, SL2 5AP  
The Occupier, 67b, Stoke Road, Slough, SL2 5BJ  
The Occupier, 67a, Stoke Road, Slough, SL2 5BJ  
The Occupier, 69a, Stoke Road, Slough, SL2 5BJ  
The Occupier, 69b, Stoke Road, Slough, SL2 5BJ  
The Occupier, 71, Stoke Road, Slough, SL2 5BJ  
The Occupier, 73a, Stoke Road, Slough, SL2 5BJ  
The Occupier, 73, Stoke Road, Slough, SL2 5BJ  
The Occupier, 75a, Stoke Road, Slough, SL2 5BJ  
The Occupier, 75, Stoke Road, Slough, SL2 5BJ  
The Occupier, 77a, Stoke Road, Slough, SL2 5BJ

The Occupier, 77, Stoke Road, Slough, SL2 5BJ  
 The Occupier, 79a, Stoke Road, Slough, SL2 5BJ  
 The Occupier, 79, Stoke Road, Slough, SL2 5BJ  
 The Occupier, 81a, Stoke Road, Slough, SL2 5BJ  
 The Occupier, 81, Stoke Road, Slough, SL2 5BJ  
 The Occupier, 12a, Fleetwood Road, Slough, SL2 5ET  
 The Occupier, 12, Fleetwood Road, Slough, SL2 5ET  
 The Occupier, 14, Fleetwood Road, Slough, SL2 5ET  
 The Occupier, 14a, Fleetwood Road, Slough, SL2 5ET  
 The Occupier, 10b, Fleetwood Road, Slough, SL2 5ET  
 The Occupier, 10, Fleetwood Road, Slough, SL2 5ET  
 The Occupier, 10a, Fleetwood Road, Slough, SL2 5ET  
 The Occupier, 8, Fleetwood Road, Slough, SL2 5ET  
 The Occupier, 6b, Fleetwood Road, Slough, SL2 5ET  
 The Occupier, 6, Fleetwood Road, Slough, SL2 5ET  
 The Occupier, 6a, Fleetwood Road, Slough, SL2 5ET  
 The Occupier, 4, Fleetwood Road, Slough, SL2 5ET  
 The Occupier, 4a, Fleetwood Road, Slough, SL2 5ET  
 The Occupier, 2, Fleetwood Road, Slough, SL2 5ET  
 The Occupier, Dobsons Timber & Builders Merchant, 104-106  
 Stoke Road, Slough, SL2 5AP,  
 The Occupier, 106, Stoke Road, Slough, SL2 5AP  
 The Occupier, 108, Stoke Road, Slough, SL2 5AP  
 The Occupier, 110, Stoke Road, Slough, SL2 5AP  
 The Occupier, 110a, Stoke Road, Slough, SL2 5AP  
 The Occupier, 112, Stoke Road, Slough, SL2 5AP  
 The Occupier, Stephen Williams Partnership, St. Pauls House  
 114, Stoke Road, Slough, SL2 5AP  
 The Occupier, Motorcare, 2a, St. Pauls Avenue, Slough, SL2 5ES  
 The Occupier, 4, St. Pauls Avenue, Slough, SL2 5ES  
 The Occupier, 3, St. Pauls Avenue, Slough, SL2 5EX  
 The Occupier, 1, St. Pauls Avenue, Slough, SL2 5EX

Notices placed on site  
 Notice published in local press

NO OBJECTIONS RECEIVED

## 6 **Consultation**

### 6.1 **Highways & Transport**

A transport assessment has been submitted. However, further information and revisions relating to servicing, sight lines and parking have been requested. Final comments will be reported on the Amendment Sheet.

### 6.2 **Neighbourhood Enforcement**

The following conditions to be imposed:

### *New Dwellings*

#### Issue 1 – Noise

Occupiers of the development may be adversely affected by road traffic noise from the activities from the retail units, plant noise and noise from the car park. As such, I suggest the following planning conditions are attached to any planning permission granted:

Condition - Measures to minimise effects of external noise on new dwellings

The development shall not begin until a scheme for protecting the proposed dwellings from external noise has been submitted to and approved by the Local Planning Authority. Any works, that form part of the scheme approved by the Local Planning Authority, shall be completed before any permitted dwelling is occupied, unless an alternative period is agreed in writing by the Local Planning Authority.

REASON: To ensure that the amenities of the future residents is not adversely affected by noise.

Occupiers may also be adversely affected by noise associated with the retail units such as customers. As such, consideration must be given to the hours of operation of the units. I would recommend that hours of operation mirror those to similar premises in the area so as not to increase the noise levels in the area.

#### Issue 2 – Odours

The application does not advise whether the retail will be A3 or A5 use. If so, consideration will need to be taken into account regarding the effect of odours from cooking. Odours produced by cooking activities within the kitchen may cause a nuisance to neighbouring residents if not adequately controlled. I would therefore suggest that the following condition be attached:

*The ventilation system should include a filtration system capable of neutralising odours.*

REASON: *To protect local residents from nuisance caused by odours*

#### Issue 3 Waste disposal

Where there is a combination of retail units and residential dwellings, there are often problems associated with the disposal of waste where domestic waste may become confused with commercial waste. It is therefore essential that there is a system in place which clearly identifies both types of waste and how each of these two are disposed of. I would recommend a condition in this regard.

### 6.3 Environmental Quality

In line with other recent residential housing schemes and as part of any decision given electric charging points will be required.

### 6.4 Land Contamination

I have reviewed the documents submitted by the applicant, together with our database of potentially contaminated sites and historical mapping.

The Report submitted with the above application: "Geotechnical Report for Block of Flats at 94-102, Stoke Road, Slough, LS2 5AP", dated May 2015 and prepared by JMS Civil and Structural Engineers is NOT suitable document for the following reasons:

- The Report refers to the site at no. 94-102 Stoke Road, not the proposed development at 76-78 Stoke Road;
- The Report is a Geotechnical Report, assessing mainly the ground conditions for the purpose of foundations design. However, the requirement is for a Desk Study / Preliminary Risk Assessment / Contaminated Land Site Investigation, designed to assess the potential contamination risks to end users, associated with the proposed development.
- The Report does not contain as a minimum a Conceptual Site Model (CSM), or details of any gas and groundwater monitoring installations present in the investigated boreholes.

The proposed development is partially located on a former Brickworks. This site has been identified as a high ranking priority site as part of the Council's inspection prioritisation and it is considered a priority for further site investigation. The proposed development is also located within 250m of several other potentially contaminated land sites, six of which have entries in the Disused Tank Registry.

Based on the above, the previously recommend conditions should be placed on the Decision Notice.

### 6.5 Housing Development

In respect of the previous outline planning application and as per the Update in the Developers Guide, an affordable housing contribution of £290, 400 is required. This was based upon a total housing mix of 19 no. X 1 bed units and 5 no. X 2 bed units @ 30% target rent.

Under the current application, the housing mix has been changed to 12 no. X 1 bed units and 12 no. X 2 bed units, which would result in a higher financial contribution being sought. However, an updated financial contribution has not been sought from the Councils Housing

Development section at this juncture, because a development viability assessment has been submitted. That study which looks at two options concludes that, in both cases the development produces a negative return and that the scheme cannot support an affordable housing or other financial contributions. The report is currently being assessed by the Council's Asset Management section with an input from External Quantity Surveyors on build costs. An update will be provided on the Amendment Sheet.

6.6 Drainage Engineer

A detailed drainage design has been requested and is still outstanding at the time of writing this report. Any update will be included on the Amendment Sheet.

**7 PART B: PLANNING APPRAISAL**

**7.1 Policy Background**

7.2 The application will be assessed against the following policies:

7.3 The National Planning Policy Framework (NPPF) 2012

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.

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



- 7.5      Adopted Local Plan for Slough 2004  
            H7 (Town Centre Housing)  
            H14 (Amenity Space)  
            EN1 (Standards of Design)  
            EN3 (Landscaping Requirements)  
            EN5 (Design and Crime Prevention)  
            OSC17 (Loss of Community, Leisure or Religious Facilities)  
            T2 (Parking Restraint)

- 7.6      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

- 7.7      The main planning considerations are considered to be:
- Principle of development
  - Design and Street Scene Impact
  - Impact on neighbouring Uses/Occupiers
  - Transport, highways and parking
  - Housing Mix and Affordable Housing
  - Housing Quality
  - Flood Risk & Sustainable Drainage System
  - Land Contamination
  - Archaeology

- S106 Requirements

### Principle of Development

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

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

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

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

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.

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.

The site falls outside of the town centre area but is within the urban area on the fringe of the town centre. 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.

The site in question falls within the Stoke Road neighbourhood shopping area, and is located within a highly sustainable location within easy walking distance of the town centre with its shops and facilities and the train and bus stations. In terms of the sites context, it is located within a mixed area which includes existing and proposed high density residential schemes and is an area which is undergoing much needed change and regeneration with inward investment. Such regeneration is both welcomed and supported.

It is further considered that in terms of viability that for any scheme of development to support infrastructure requirements including the provision of affordable housing, if the scheme is able to sustain such provision, land for road widening across the Stoke Road frontage and the provision of a rear service road, that a high density scheme would be necessary.

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

- 7.9 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 buildings .....housing 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.*
- 7.10 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

- 7.11 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.
- 7.12 The scale, bulk height massing and appearance is similar to the previous outline planning scheme for the site which has been approved in principle subject to a S106 Agreement. The current scheme provides more detail, but is substantially based upon the scheme design and appearance as was shown on the illustrative plans which supported the previous outline application. The previous outline application showed the development as an extension to/integral part of the neighbouring development at 94 -102 Stoke Road, for which planning permission has been granted, but is not yet implemented. The proposed development maintains a similar appearance, including heights set backs, external finishing and fenestration. However, the current application shows the development as a freestanding proposal, capable of development in its own right, but with the potential to be integrated into a larger scheme involving the neighbouring site at 94 – 102 Stoke Road.
- 7.13 Under normal circumstances the scale bulk and massing of the development would need to address its surroundings, particularly given the existence of two/three storey buildings immediately abutting the site to the south, against which a development of the scale being proposed would look at odds in terms of the general street scene. However, this principle was accepted in relation to the neighbouring site to the north at 94 – 102 Stoke Road, whereby a similar scale of development has been approved and which sits between existing developments which are only 2/3 storeys in height. Furthermore, in this instance the redevelopment of the site in terms of its siting design height scale bulk and massing needs to be considered having regard to the bigger picture vis a vis the scheme approved on the neighbouring site at 94 – 102 and the likelihood of other sites to the south coming forward for redevelopment in the future and the need to support the regeneration of this part of Stoke Road. The applicants have adopted a design solution for the site which has been tried and tested in relation to the neighbouring site to the north.

*Impact on neighbouring Uses/Occupiers*

- 7.14 As stated above, in the National Planning Policy Statement 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.....*

7.15 The following potential impacts are identified:

- Potentially overbearing and overly dominant outlook for the occupiers of the residential units in Fleetwood Road to the rear of the site on the eastern side of the development site. However, at its closest point the development is approximately 33 metres from the rear garden boundaries of the properties in question and approximately 55 metres from the rear elevations of the properties in question.
- Potentially overbearing and overly dominant outlook for the residential occupiers of the first/second floor residential units above the retail units in the neighbouring properties at 72 – 74 Stoke Road. The site being due north of the neighbouring properties would not result in any loss of sunlight to the windows located in the rear of the flats, however it will result in some loss of light to those windows. There would also be a breach of a 45 degree line of sight when measured from the first/second floor rear facing windows resulting in an overbearing impact for the occupiers of the flats in question. However, the central portion of the development is restricted to two storeys in height in line with the scheme approved on the neighbouring site. This will provide some relief to the neighbouring residential occupiers at 74 Stoke Road, although, any overbearing impact would not extend to the area at the rear of the flats as this is laid out as hardstanding for parking and servicing. Whilst no planning history can be found for the two storey rear extension which exists at no. 74 Stoke Road, by reference to arial maps it is clear that the extensions in question have been in existence for more than four years.

Whilst, the impact on living conditions of neighbouring residential occupiers would normally be sufficient grounds to warrant a refusal of planning permission, in this instance given

the history of failed planning applications to redevelop the site for a more substantial form of development and given the likelihood of the neighbouring site(s) coming forward for redevelopment this short term impact can be accepted. It should also be noted that no flank wall windows other than a single window serving a staircase, are being proposed within the southern flank of the development. A condition will be imposed requiring flank wall windows to be obscurely glazed and high level opening. With this condition in place there would be no direct overlooking or loss of privacy.

#### Transport, highways and Parking

- 7.16 A transport assessment has been submitted, although further information has been requested by the Council's transport and highway engineers with respect to servicing, sight lines and access. The Council's transport engineer has advised that from information obtained from the TRICS database, the development could give rise to a net increase of 488 trips a day which could have a significant impact on traffic flows on Stoke Road

Car parking is shown at 16 no. spaces, giving a total of 0.6 spaces per residential dwelling and nil provision for the retail. Some of the parking spaces are too small and a revised car parking layout is required. However, given that the site is within a neighbouring shopping centre, there is a nil requirement for parking. Furthermore, the ratio of provision is similar to that approved on the neighbouring site at 94 -102 Stoke Road. A condition will need to be imposed requiring a minimum of 16 no. car parking spaces to be provided together with a detailed car parking layout showing the column positions.

Access and servicing will be provided from a rear service road, which is to be built to adoptable standards prior to the commencement of development and the land dedicated as adoptable highway. This requirement will be included in a Section 106 Agreement. At present the scheme does not provide adequate vehicular or pedestrian sight lines and requirements amendments to be submitted. Once agreed, planning conditions will be imposed requiring such sight lines and pedestrian visibility splays to be provided.

Whilst further information on servicing has been sought, conditions will be imposed requiring that all servicing is to take place from the rear of the site and not from Stoke Road.

The site is affected by the Stoke Road development control road widening line and the land required would need to be dedicated through means of a Section 106 Agreement.

Secure cycle parking is shown, although the Council's but

improvements are sought both to the siting and quality of such provision. Details of cycle parking will be covered by planning condition.

Refuse storage is shown on the deposited plans, however further information on servicing has been requested and amended plans showing separate commercial and domestic refuse stores are to be submitted. Nonetheless, planning conditions are required to specify the volumes required.

In relation to the previous outline planning application, the highway and transport engineers advised that, due to the significant increase in vehicle trips mitigation is required through a Section 106 Agreement:

- Construction and dedication of land to widen the footway in Stoke Road across the site frontage in connection with the Stoke Road development control widening line.
- Construction and dedication of the rear service road across the rear of the site.
- Enter into a S278 Agreement for the following highway works:
  - Temporary access point;
  - Installation of crossover / junction;
  - Reconstruct the footway fronting the application site;
  - Installation of street lighting modifications as necessary
  - Drainage connections;
  - Highway delineation boundary;
  - Construction and dedication as highway maintainable at the public expense, free of charge, the widened footway along Stoke Road;
  - Dedication as highway maintainable at the public expense, free of charge, of sight line areas
  - Construction and dedication as highway maintainable at the public expense, free of charge, the rear service road and associated infrastructure and turning areas

#### Housing Mix and Affordable Housing

- 7.17 The National Planning Policy Framework requires that local planning authorities ensure the provision of a wide range of good quality homes
- 7.18 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.

- 7.19 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 24 no. units requires payment of a financial contribution to fund the provision of affordable housing off site. The Housing Development Section previously advised a contribution of £290,400

This was based upon a total housing mix of 19 no. X 1 bed units and 5 no. X 2 bed units @ 30% target rent.

Under the current application, the housing mix has been changed to 12 no. X 1 bed units and 12 no. X 2 bed units, which would result in a higher financial contribution being sought. However, an updated financial contribution has not been sought from the Council's Housing Development section at this juncture, because a development viability assessment has been submitted. That study which looks at two options concludes that, in both cases the development produces a negative return and that the scheme cannot support an affordable housing or other financial contributions. The report is currently being assessed by the Council's Asset Management section with an input from External Quantity Surveyors on build costs. An update will be provided on the Amendment Sheet.

#### Quality of Housing

- 7.20 All flats have a reasonable aspect and the layout is similar to that of the neighbouring site at 94 – 102 Stoke Road. At upper ground floor level there is a separation distance of between 11 – 13 metres between the rear elevations of the 2 no ground floor flats and the blank rear wall of the retail unit. However, only one of the flats has a primary window facing towards the rear blank wall of the retail units and that is sited 13 metres away. Whilst this falls below the Council's normal requirement for a minimum distance of 15 metres, the intervening area is shown as private terraces to serve the flats in question and which provides a quality usable private space for the occupiers. At first to third floor levels the separation distance between primary elevations of opposing flats is 15 metres, which falls short of the 18 m which is normally required in such situations. However, the balcony screens serving each of the opposing flats in question can be suitably treated to ensure no loss of privacy. Further, this relaxation follows the pattern of development which was achieved in relation to the neighbouring scheme at 94 – 102 Stoke Road and for which planning permission has been granted.
- 7.21 With respect to internal room sizes these have been assessed against the Council's Flat Conversion Guidelines. It is confirmed that all flats generally comply.



- 7.22 All flats have a reasonable aspect and would receive sufficient light and sunlight. Most of the flats with balconies would require the installation of privacy screens to protect privacy.

Flood Risk & Sustainable Drainage System

- 7.23 The site is in Flood Zone 1.
- 7.24 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. A detailed drainage design is being prepared and will be submitted for consideration. Any update will be provided on the Amendment Sheet.
- 7.25 Discussions are still on going with respect to Sustainable Drainage measures but the applicants are gradually moving towards an acceptable solution.

Land Contamination

- 7.26 Conditions are required including the submission of a desk top study and mitigation if appropriate. These are set out above.

Archaeology

- 7.27 The applicant has submitted an Archaeological Desk top study, which was prepared pursuant to a condition imposed on the planning permission relating to the neighbouring site at 94 – 102 Stoke Road. That study looked not only at the site itself but also the land surrounding. That study was evaluated by Berkshire Archaeology at the time and the following comments given:

*In accordance with the wording of Condition 09, the Assessment has focussed on assembling evidence of past land use within the site, as well as reviewing the known and potential resource within and around the application site. The Assessment concludes (para. 4.10.3) that the site has 'a low/nil potential for significant archaeological remains dating to any period' and that 'post-medieval and modern clay extraction compounded by subsequent 20th century construction and demolition will have caused severe and widespread below ground disturbance' (para. 5.1.2).*

*The Assessment report therefore concludes (para. 5.3.3) that 'the proposed development would not have an impact on any significant archaeological assets and therefore, there is no requirement for further archaeological work'.*

*Berkshire Archaeology concurs with this view as evidenced by information contained within the Assessment report. No further archaeological mitigation is therefore required and I am content to recommend that Condition 09 of permission P/01295/010 is discharged forthwith.*

On the basis of the comments previously given, it is not proposed to impose any further such conditions in respect of the current planning application.

### S106 Agreement

- 7.28 Given the scale of the development it is not proposed to pursue either education or open space financial contribution.

The Section 106 Agreement will need to include an obligation that the application site including the rear service road, is built out as part of a larger development including the neighbouring site at 94 – 102 Stoke Road for which detailed planning permission is already granted.

A financial contribution of £290,400 is payable in lieu of the provision of affordable housing on site. The trigger points for payment are to be negotiated, although it is likely to be on the basis of 50% payable prior to first occupation and the remained payable prior to the occupation/sale of the 14th dwelling.

The Council's Transport and Highway Engineers have previously advised the following additional S106 requirements:

- Construction and dedication of land to widen the footway in Stoke Road across the site frontage in connection with the Stoke Road development control widening line.
- Construction and dedication of the rear service road across the rear of the site.
- Enter into a S278 Agreement for the following highway works:
  - Temporary access point;
  - Installation of crossover / junction;
  - Reconstruct the footway fronting the application site;
  - Installation of street lighting modifications as necessary
  - Drainage connections;
  - Highway delineation boundary;
  - Construction and dedication as highway maintainable at the public expense, free of charge, the widened footway along Stoke Road;
  - Dedication as highway maintainable at the public expense, free of charge, of sight line areas
  - Construction and dedication as highway maintainable at the public expense, free of charge, the rear service road

and associated infrastructure and turning areas

The above requirements may be subject to change and any such changes will be reported on the Amendment Sheet.

8.0 **PART C: RECOMMENDATION**

8.1 **Recommendation**

8.2 Delegate the planning application to the Planning Manager for approval, subject to resolution of outstanding transport/highway issues, sustainable drainage matters, development viability issues, minor design changes, finalising conditions, completion of a S106 Agreement and final determination.

9.0 **PART D: CONDITIONS AND INFORMATIVES**

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.

10.0 **CONDITIONS:**

1. Time limit, 3 years.]
2. Approved Plans
3. Samples of materials
4. Samples of Surface Materials
5. Parking Provision
6. Vision splays & pedestrian Vision Splays (Rear Service Road)
7. Detailed Design for Undercroft Parking Area, (including column positions)
8. Cycle parking
9. Refuse
10. Rear Servicing
11. Means of Access
12. No gating of service road
13. Land Contamination
14. Electric Charging Points
15. Sustainable Drainage
16. Construction Traffic Management Plan
17. External lighting
18. Waste Management Plan
19. Noise – plant & air conditioning units
20. Maximum Retail Floorspace
21. Car Park Management and Servicing Plan
22. No gates or Barriers to open across public highway
23. Retail Use (Classes A1 – A3)
24. Development to achieve BREEAM very Good

- 25. Restriction on Delivery Times during Construction
- 26. Details of Car Park ventilation
- 27. Details of ventilation and extraction fumes for A3 retail uses
- 28. No additional flank wall windows
- 29. Flank wall windows to be obscurely glazed & high level opening
- 30. Construction of rear service road to binder level prior to commencement of development
- 31. Landscaping & boundary treatment
- 32. Insulation from external noise
- 33. Maximum height of development
- 34. Details of balconies/privacy screens

Registration Date:	16-Dec-2015	Applic. No:	P/00106/012
Officer:	Neetal Rajput	Ward:	Central
		Applic type:	Major
		13 week date:	16 <sup>th</sup> March 2016
Applicant:	Goldbridge Construction Ltd		
Agent:	Jane Wakelin, Wakelin Associates, The Old School Bridge Road, Hunton Bridge, Kings Langley, Herts, WD4 8RQ		
Location:	Lady Haig R B L (Slough) Club Ltd, 70 Stoke Road, Slough, SL2 5AP		
Proposal:	Demolition of existing building and redevelopment of site to provide 39no. flats in a part 4 / part 5 / part 6 storey building with parking and extension to service road and including a change of use from class D2 (assembly and leisure), sui generis class A2 (financial and professional services) and limited class C3 residential to all class C3 residential.		

**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, resolution of affordable housing and sustainable drainage matters, finalising of conditions and satisfactory completion of a Section 106 Agreement.

### **PART A: BACKGROUND**

## 2.0 **Proposal**

- 2.1 This is full planning application for demolition of existing building and redevelopment of site to provide 39 no. flats in a part 4 / part 5 / part 6 storey building with parking and extension to service road and including a change of use from class D2 (assembly and leisure), sui generis class A2 (financial and professional services) and limited class C3 residential to all class C3 residential.
- 2.2 The application is accompanied by the following documents:
- Detailed floor plans, elevations and sections;
  - Design, Access & Planning Statement;
  - Energy Statement;
  - Landscaping Strategy;
  - Transport Assessment;
  - Drainage Strategy;
  - Environmental Noise Assessment

- 2.3 The schedule of accommodation is given as follows:

Floor	No. of Units	Unit Mix
Lower Ground	2	2no. X 1 bed
Ground	9	7no. X 1 bed, 2 X 2 bed
First	9	6no. X 1 bed, 3 X 2 bed
Second	9	6no. X 1 bed, 3 X 2 bed
Third	7	1no. X studio, 4no. X 1 bed, 2no. X 2 bed
Fourth	3	1no. X bed, 1no. X 2 bed, 1no. X 3 bed
Total	39	1no. X studio, 26no. X 1 bed, 11no. X 2 bed, 1no. X 3 bedroom

- 2.4 Access into the site will be via the existing access to the rear and as such vehicular access onto Stoke Road will be permanently closed off. Car parking has been provided to the rear at 39 space in total.
- 2.5 Refuse and cycle parking have been integrated into the blocks. Cycle parking is being provided on the basis of 1 cycle space per dwelling unit, plus 1 for visitors.

The amenity areas are provided to the rear and side of the block, there will be the provision of external amenity for the lower ground units and for all the units above, balconies have been provided.

### 3.0 **Application Site**

- 3.1 The existing site which measures approximately 0.22 hectare, contains the former Lady Haigh Royal British Legion Hall (Class D2) and includes a small element of residential (Class C3). The area to the side of the hall is being used for car parking and to the rear of the site is a single storey 'porta cabin', currently occupied to Corals Bookmakers. The building dates from 1928-9 and was constructed as Slough's British Legion Headquarters. The building is neither listed nor locally listed and is not located within, or adjacent to, a conservation area. There are no listed buildings in the vicinity of Lady Haig Hall, however, the structure is situated within the setting of two buildings included on Slough's Local List; Gilliat Hall and Littledown Primary School. Lady Haig Hall remained in use as Slough's British Legion Headquarters until the first half of 2011, when the Slough branch of the Royal British Legion closed. The 'Lady Haig Royal British Legion (Slough) Club Limited', was subsequently being put into liquidation in May 2014
- 3.2 The site is situated outside of the defined Town Centre and Stoke Road Neighbourhood Centre as shown on the Slough Local Development Framework Proposals Map. The commercial core of Slough town centre is located to the south of the site. To the north, the character of the area comprises a mixture of commercial and residential properties. To the south of the site is the Foyer building which is 6 storeys high equivalent and offices belonging to Beacon Housing association. The first part of the rear service road is provided to the rear of this site. The neighbouring buildings at 72 and 74 Stoke Road are in retail use at ground floor with residential flats above. To the west of the site on the opposite side of Stoke Road there is a mix of two and three storey flats and houses. To the east of the site beyond the rear parking area are the rear gardens of existing residential properties in Fleetwood Avenue.
- 3.3 The site is located outside of the selected key location for comprehensive regeneration, to the north of the defined existing business area and just south of the defined shopping area. Nonetheless, the site is located within an area where redevelopment and regeneration is envisaged and actively encouraged. To the north of the site, planning permission has been granted for a 5 storey residential development with retail on the ground floor Stoke Road frontage on the cleared site at 94 – 102 Stoke Road. If implemented that development would provide a development of 55 no. flats. Immediately to the south of that site at 76 – 78 Stoke Road, there is currently an outline planning application under consideration for an extension to that development to provide a further 24 no. flats and 320sqm of retail space in a similar 5 storey block.
- 3.4 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).

## 4.0 Relevant Site History

4.1 There are no relevant application relating to this site.

## 4.2 Pre-application Advice

Prior to submission of the application, the Applicant sought pre-application advice from the Local Planning Authority.

## 5.0 Neighbour Notification

2, Fleetwood Road, Slough, SL2 5ET, 15, Queens Court, Queens Road, Slough, SL1 3QR, 16, Queens Court, Queens Road, Slough, SL1 3QR, 17, Queens Court, Queens Road, Slough, SL1 3QR, 18, Queens Court, Queens Road, Slough, SL1 3QR, 11, Queens Court, Queens Road, Slough, SL1 3QR, 12, Queens Court, Queens Road, Slough, SL1 3QR, 14, Queens Court, Queens Road, Slough, SL1 3QR, 19, Queens Court, Queens Road, Slough, SL1 3QR, 20, Queens Court, Queens Road, Slough, SL1 3QR, 21, Queens Court, Queens Road, Slough, SL1 3QR, 13, Queens Court, Queens Road, Slough, SL1 3QR, 77a, Stoke Road, Slough, SL2 5BJ, 77, Stoke Road, Slough, SL2 5BJ, 70a, Stoke Road, Slough, SL2 5AP, 12, Fleetwood Road, Slough, SL2 5ET, 79a, Stoke Road, Slough, SL2 5BJ, 79, Stoke Road, Slough, SL2 5BJ, 67a, Stoke Road, Slough, SL2 5BJ, 67b, Stoke Road, Slough, SL2 5BJ, 10a, Fleetwood Road, Slough, SL2 5ET, 10b, Fleetwood Road, Slough, SL2 5ET, 10, Fleetwood Road, Slough, SL2 5ET, 81a, Stoke Road, Slough, SL2 5BJ, 81, Stoke Road, Slough, SL2 5BJ, 74, Stoke Road, Slough, SL2 5AP, 74a, Stoke Road, Slough, SL2 5AP, 69b, Stoke Road, Slough, SL2 5BJ, 8, Fleetwood Road, Slough, SL2 5ET, 20, Fleetwood Road, Slough, SL2 5ET, 71, Stoke Road, Slough, SL2 5BJ, 6a, Fleetwood Road, Slough, SL2 5ET, 6b, Fleetwood Road, Slough, SL2 5ET, 6, Fleetwood Road, Slough, SL2 5ET, Beacon Housing Association, 50, Stoke Road, Slough, SL2 5AW, 18, Fleetwood Road, Slough, SL2 5ET, 73a, Stoke Road, Slough, SL2 5BJ, 73, Stoke Road, Slough, SL2 5BJ, Langcet Ltd, Unit 7, Mill West 13-21, Mill Street, Slough, SL2 5AD, Unit 8, Mill West 13-21, Mill Street, Slough, SL2 5AD, Zoloti Kolesa Ltd, Unit 5, Mill West 13-21, Mill Street, Slough, SL2 5AD, St. John Ambulance, Unit 6, Mill West 13-21, Mill Street, Slough, SL2 5AD, 72a, Stoke Road, Slough, SL2 5AP, 76, Stoke Road, Slough, SL2 5AP, 78a, Stoke Road, Slough, SL2 5AP, 78b, Stoke Road, Slough, SL2 5AP, Todays Newsmarket, 72, Stoke Road, Slough, SL2 5AP, 4, Queens Court, Queens Road, Slough, SL1 3QR, 5, Queens Court, Queens Road, Slough, SL1 3QR, 6, Queens Court, Queens Road, Slough, SL1 3QR, 7, Queens Court, Queens Road, Slough, SL1 3QR, 1, Queens Court, Queens Road, Slough, SL1 3QR, 2, Queens Court, Queens Road, Slough, SL1 3QR, 3, Queens Court, Queens Road, Slough, SL1 3QR, 8, Queens Court, Queens Road, Slough, SL1 3QR, 9, Queens Court, Queens Road, Slough, SL1 3QR, 10, Queens Court, Queens Road, Slough, SL1 3QR, The Property Bank, 78, Stoke Road, Slough, SL2 5AP, 16a, Fleetwood Road, Slough, SL2 5ET, 16b, Fleetwood Road, Slough, SL2 5ET, 75a, Stoke Road, Slough, SL2 5BJ, 75, Stoke Road, Slough, SL2 5BJ, 14a, Fleetwood Road, Slough, SL2 5ET, 14, Fleetwood Road, Slough, SL2 5ET, 4a, Fleetwood Road, Slough, SL2 5ET, 4, Fleetwood Road, Slough, SL2 5ET, 69a, Stoke Road, Slough, SL2 5BJ, Flat 1, Novello House, Stoke Road, Slough, SL2 5BW, Flat 2, Novello House, Stoke Road, Slough, SL2 5BW, Flat 3, Novello House, Stoke Road, Slough, SL2 5BW, Flat 4, Novello House, Stoke Road, Slough, SL2 5BW, Flat 5, Novello House, Stoke Road, Slough, SL2 5BW, Flat 6, Novello House, Stoke Road, Slough, SL2 5BW, Flat 7, Novello House, Stoke Road, Slough, SL2 5BW, Flat 8, Novello House, Stoke Road, Slough, SL2 5BW, Flat 9, Novello House, Stoke Road, Slough, SL2 5BW, Flat 10, Novello House, Stoke Road, Slough, SL2 5BW, Flat 11, Novello House, Stoke Road, Slough, SL2 5BW, Flat 12, Novello House, Stoke Road, Slough, SL2 5BW, Flat 14, Novello House, Stoke Road, Slough, SL2 5BW, Flat 15, Novello House, Stoke Road, Slough, SL2 5BW, Flat 16, Novello House, Stoke Road, Slough, SL2 5BW,



Flat 17, Novello House, Stoke Road, Slough, SL2 5BW, Flat 18, Novello House, Stoke Road, Slough, SL2 5BW, Flat 19, Novello House, Stoke Road, Slough, SL2 5BW, Flat 20, Novello House, Stoke Road, Slough, SL2 5BW, Slough Foyer, 52, Stoke Road, Slough, SL2 5AW, 70b, Stoke Road, Slough, SL2 5AP, 12a, Fleetwood Road, Slough, SL2 5ET, 72b, Stoke Road, Slough, SL2 5AP, Unit 9, Mill West 13-21, Mill Street, Slough, SL2 5AD, JCW Car Sales Ltd, 70C, Stoke Road, Slough, SL2 5AP

5.1 There has been one representation received:

The proprietor of JCW Car Sales (70C Stoke Road), and owners of the above land and buildings that were acquired from the Lady Haig Club in 2012.

There are two separate matters that the Council should be aware of :-

1. Access from Mill Street – when the Club sold part of their property to Mr. Ward in 2012 rights of access were reserved over the existing car park that serves the Coral bookmakers on the line marked on the attached Plan Number 1 which is referred to in the attached Transfer dated 13<sup>th</sup> July 2012 (see Clauses 12.2.1 & 12.2.2 of the Transfer ). As far as I am able to ascertain from the application plans I have the redevelopment proposals for the Club show that private parking spaces and landscaping will be directly on the line of my Client's access.
2. Access from St. Paul's Ave. – the intended re-alignment of the access from St. Paul's Ave., to the north of the former Club, shows that part of my Client's Yard is directly on the proposed line of the new access that will serve the proposed new building and other properties on Stoke Road. This is clearly shown on Plan No. 130688 from Goldbridge Construction Ltd., that forms part of the Planning Application. It is marked as a "Pre-Proposed Service Road" on the Applicant's Plan because the Council were aware of the line of this proposed Service Road when they considered the proposals for 76/78, Stoke Road, (Ref. No. P/03678/018). I have discussed this matter in the past on site with your Planning Officers and Highways Engineer and must repeat the point I made to them that implementation of this re-alignment of the service road will seriously interfere with my Client's use of the remaining part of his property as well as leaving one of his existing workshops without any forecourt access or parking.

## 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 15<sup>th</sup> January 2016. The application was advertised in the 15<sup>th</sup> January 2016 edition of The Slough Express.

## 6.2 Highways & Transport

### *Scope of Assessment*

A planning application has been received in support of a residential development consisting of 39 flats, 27 one bed and 11 two bed and one 3 bed, with parking and an extension to the service road, located at the Lady Haig RBL Club, 70 Stoke Road. The application will include a change of use from 805 m<sup>2</sup> of D2 (assembly and leisure), A2 (financial and professional services) and two apartments C3 (residential) to full C3 use.

Pre-application advice was given in July 2015. A meeting was held and written advice was given.

### *Trip Generation*

The applicant has included a trip generation assessment, which has been reviewed by the local highway authority. It is considered that the proposed development will generate less trips than the existing development.

### *Vehicle Access and Rear Service Road*

In pre-application discussions it was advised that the proposed vehicle access from the rear service road to the east of the site via Mill Street would prejudice the implementation of the approved Stoke Road Rear Service Road Plan as it would essentially cut it off, and therefore was not a viable option. Instead it was advised that vehicle access to the site should be from the proposed Stoke Road Rear Service Road.

In the full planning application submitted the development has been designed so that the rear service road can pass through the site and connect with the service road from the north. The vehicle access to the development will be retained from the service access road via Mill Street which, in the future will form part of the adopted rear service road. This layout is welcomed as it will not prejudice the implementation of the service road plan. The applicant has submitted revised drawings that provide a service road width of 6m carriageway with 2m footways on both sides. Visibility splays have been shown on revised drawings and a vehicle visibility splay of 2m x 43m and pedestrian visibility splays can be provided. The service road must be built to an adoptable standard as part of a S278 agreement and dedicated free of charge for maintenance at the public expense.

### *Stoke Road Widening Line*

The applicant has agreed to dedicate land along the site frontage with Stoke Road so that it conforms to the Stoke Road widening line. The road widening must be built as footway to an adoptable standard as part of a S278 agreement and dedicated free of charge for maintenance at the public expense.

### *Travel Plan*

In the transport statement it is suggested that a travel plan will be prepared and will be secured through condition. While this is welcomed, in line with the Developer's Guide Part 3 this development does not necessarily necessitate the need for a travel plan. However, a short statement could be prepared which sets out a series of measures to encourage sustainable travel to and from the site and welcome packs could be produced to provide information about sustainable travel options to residents. These welcome packs should be in accordance with a template provided by Slough Borough Council.

### *Transport impact and mitigation*

From the trip generation exercise it is accepted that the development traffic is unlikely to have any significant effect on the surrounding highway network and therefore further mitigation for an increase in vehicle trips will not be necessary. The development will lead to the provision of part of the rear service road and land along the frontage of the development for future road widening which are benefits of the scheme. There is a shortfall of parking provision but the applicant has agreed to provide mitigation. The proposed contributions are set out below:

- Car club contribution of £30,000;
- Contribution of £12,000 to fund upgrade of the two nearest bus tops to incorporate real time passenger information screens; and
- Prevention of residents obtaining resident parking permits.

#### *Section 106 agreement*

Subject to the approval of the application the applicant will need to enter into a S106 agreement and S278 agreement with Slough Borough Council.

#### *Recommendation*

No highway objection.

### 6.3 Land Contamination

Detailed comments can be found within Section 16 of this report, pre-commencement conditions have been attached with respect to land contamination.

### 6.4 Drainage Engineer

The Council's Drainage Engineer is currently assessing the submitted drainage strategy and an update will be provided on the Amendment Sheet.

### 6.5 Berkshire Archaeology

The applicant has submitted with their application a 'Pre-Application Heritage Assessment' prepared by Heritage Collective (dated May 2015). The Assessment report specifically considers the built heritage aspects of the proposal, namely Lady Haig Hall.

Berkshire Archaeology has no concerns as regards the buried archaeological heritage as the site has previously been developed and also substantially fell within the area of the 'Brick Works' as evidenced by the extract from the 1899 Ordnance Survey map reproduced as Appendix 2.2 in the Assessment report. No further action is therefore required as regards the buried archaeological heritage.

The Assessment report concludes that 'Lady Haig Hall' is of some local significance because it is an example of a 1920s purpose-built British Legion headquarters building. Heritage Collective considers it a non-designated heritage asset. Subject to the view of the Council's Conservation Officer and with regard to the above, should the application be approved the Council may consider it desirable for an appropriate level of photographic record of the building to be made prior to its demolition, which could be secured by condition. The Assessment report notes that some original internal features survive. The Assessment report already provides a useful level of record of the building but this could be augmented by additional photographic records which, along with the Assessment report, could be lodged with Berkshire Archaeology's Historic Environment Record for long term curation and for future reference and research.

### 6.6 Thames Water

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

#### *Water Comments*

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

#### *Condition*

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

#### *Supplementary Comments*

WASTE: Having reviewed Drainage Strategy 150688 Rev A dated December 2015, Thames Water would not object to the drainage strategy proposals. The applicant proposes to attenuate surface water flows to a rate of 4l/s, discharging to the surface water sewer in Stoke Road. Although 4l/s does not equate to greenfield rates, it is still significantly lower than the current brownfield discharge of 64.8l/s.

#### 6.7 Crime Prevention Design Advisor, Local Policing

Comments have been provided by the Crime Prevention and Design Advisor, as such amended plans have been received for minor changes to the design and layout. The physical security, access control and mail delivery will be secured via a

condition to achieve 'Secure by Design' accreditation. To ensure that this condition can be achieved, the following comments have been provided:

External Communal entrance: *Given the higher than average crime rates in the area I would ask that that all external and internal Communal entrance doors meet the requirements of the minimum physical security requirements of PAS24:2012 and include electronic remote release locking systems with audio and visual intercom link to each apartment, capable of recording and capturing images of individuals using the door entry panel. This will allow residents to communicate with their visitors without having to open their front door and speak to them face-to-face as this allows them to filter who is allowed into the building and up into their flat.*

"Residential floor secondary security doors (segregation): *In addition, the option to move freely between floors combined with the lack of natural surveillance within the core areas increases the need to maintain ownership of these areas via physical security measures. In order to prevent unauthorised access onto and between residential floors I ask that the secondary security doors sets that isolate each core from private residential corridors also meet the minimum physical security standards of PAS 24:2012. These in turn must be controlled by an electronic remote release system with intercom audio link to apartments. This arrangement promotes ownership and establishes defensible space, enabling residents to identify visitors and prevent unauthorised access in to their private areas whilst maintaining a safe and secure distance.*

Residential door Sets: *Individual flat entrance doors must also comply with ADP-Q, and meet the minimum physical security requirements of PAS24:2012.*

Access from Car Park into Residential Units – *The underground parking facility will incorporate communal entrance doors for the residential cores.. Access to private residential dwellings must be made secure. I would ask that that parking facility communal entrance doors meet the requirements of the minimum physical security requirements of PAS24:2012 and include electronic remote release locking systems with audio and visual intercom link to each apartment, capable of recording and capturing images of individuals using the door entry panel.*

Private Residential Underground Car Park: *I would ask that The entrance to this car park is proposed as having automated secure gates. I would ask that these are electronic gates or shutters (LPS1175 SR2 or equivalent). These measures must incorporate an access control system that allows the driver to operate the system without leaving the vehicle. The layout and design of this facility should also incorporate the safer parking principle of surveillance, lighting and management processes and procedures.*

Lighting: *Pleased to note that lighting in publically accessible areas, including parking areas will adhere to BS5489 standards and recommendations."*

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

## 6.9 Environmental Protection

Conditions have been recommended with respect to noise and waste disposal, the relevant conditions have been included within the draft conditions.

## **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 future 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 and 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)
- H13 (Backland/Infill Development)

- H14 (Amenity Space)
- T2 (Parking Restraint)
- T8 (Cycling Network and Facilities)
- T9 (Bus Network and Facilities)
- OSC17 (Loss of Community, Leisure or Religious Facilities)

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 4 December 2015 to 4 March 2016.

## 7.6 Other Relevant Documents/Statements

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

The site is not an allocated site in the Slough Local Development Framework Site Allocations Development Plan Document

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 but is within the urban area on the



fringe of the town centre. 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 The site in question falls just outside of the Stoke Road neighbourhood shopping area, but is located within a highly sustainable location within easy walking distance of the town centre with its shops and facilities and the train and bus stations. In terms of the sites context, it is located within a mixed area which includes existing and proposed high density residential schemes and is an area which is undergoing much needed change and regeneration with inward investment. Such regeneration is both welcomed and supported.
- 8.7 Given the scenario of future redevelopment schemes to the north of the site and the existence of the Foyer development to the south, the existing and proposed context for the site will be that of high density flats. The construction of family housing on this site would be odds with the site's setting and therefore be inappropriate in an urban form context.
- 8.8 Whilst Policy OSC17 of the adopted Local Plan would result in an objection to development which would involve the loss of a community facility, it does permit an exception to be made if the facility is declared surplus and there is an overriding need to provide housing to meet local housing need. In addition it is considered that the former club was a private facility and not strictly available for general community use.
- 8.9 It is considered that the need for housing outweighs the loss of a community facility and that there would be no requirement to replace a community use off site or to seek a financial and the site could be built out as residential in its entirety. Further, given that the site is located just outside of the Stoke Road neighbourhood shopping area then there would be no requirement to provide retail at the ground floor level.
- 8.10 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 buildings .....housing 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 39 units are accommodated in an 'L' shaped block with an area of undercroft parking to the front of the site, utilising the change of level across the site and minimising the need to reduce ground levels. The frontage section of the block measures 27m wide and 16m deep, with aspect to the front onto Stoke Road and parking to the rear. The rear block, extends 25m with a width of 10m, has single aspect only to the south.
- 9.5 The building is 5 storeys high, with the third floor being set back from the rear of the site. Given the substantial level difference between Stoke Road and the rear of the site, the fourth floor is substantially set back from the rear and set in from the side (adjacent to No's. 72 & 74 Stoke Road), to reduce its impact. This reflects the pattern of development as was approved on the neighbouring site to the north (No. 76-78 Stoke Road - P/03678/018). Also as per that scheme, vehicular access to the site is at lower ground floor level, via a proposed rear service road providing car parking undercroft of the building. The materials have been conditioned, requesting samples to ensure a suitable pallet and high quality finish.
- 9.6 Under normal circumstances the scale bulk and massing of the development would need to address its surroundings. However, in this instance the redevelopment of the site in terms of its siting design, height, scale, bulk and massing needs to be considered having regard to the bigger picture vis a vis the schemes being proposed for the sites at 76 – 78 and 94 -102 Stoke Road and the existence of a 6 storey Foyer building on the site immediately adjoining to the south.

When assessing the street scene impact, a wider street scene elevation has been

submitted which shows the site in its wider context. With respect to the intervening site at No. 72 – 74 Stoke Road, the fourth floor has been set in from the boundary to respect the neighbouring site. The Foyer building is 6 storeys in height. The sites at No. 76 – 78 and No. 94 – 104 Stoke Road are 5 storeys in height but with a fifth floor set back. The ridge of the proposed development matches the height of the Foyer and the third floor is set no higher than No. the sites at No. 76 – 78 and No. 94 – 104 Stoke Road.

With respect to the siting of the frontage block, it is acknowledged that it is set back from the Stoke Road frontage to provide defensible amenity space to serve the ground floor residential units. The set back of the building line at the front had regard to other developments, both existing and proposed and the Stoke Road widening line.

## 9.7 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”.*

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 Heritage Statement has been submitted within the Design, Access and Planning Statement. The study concludes:

*Lady Haig Hall, though not a listed or locally listed building, is a non-designated heritage asset. Primarily due to its connections with the British Legion and, though not direct, with Countess Haig. Lady Haig Hall makes a slight positive contribution to the significance of the nearby locally listed Gilliat Hall and a neutral contribution to the significance of the locally listed Littledown Primary School.*

*The proposed development has been considered in two parts; firstly the impact of the proposed demolition of Lady Haig Hall and secondly the impact of the proposed replacement structure.*

*The demolition of the building will result in the loss of the low level of heritage interest which Lady Haig Hall itself possesses and the slight positive contribution the building makes to the significance of Gilliat Hall. This will result in an objectively low level of harm and loss. Section 5 identifies that there is potential for the provision of residential development on the site without necessarily resulting in harm to the heritage interest of the surrounding locally listed buildings due to their much altered settings. Current proposals to provide a series of red brick blocks of simplistic design housing 39 residential units, while resulting in a change to the setting of the locally listed Gilliat Hall and Littledown Primary School, would result in a neutral effect on the significance of the buildings.*

*When considered holistically the scheme will result in a very low level of harm. This should be weighed into the planning balance in accordance with paragraph 135 of the NPPF along with the public benefits of the scheme which are detailed within the submission documentation.*

Given the above and that the site is currently in a poor condition, beyond the state to repair, there are no objections in heritage terms to the loss of the building.

## 9.8 Landscaping

A Landscaping Strategy has been submitted with the application, which shows two amenity areas; firstly to the front of the building with a brick boundary wall with piers and hedge behind and secondly to the northern boundary of the site. Throughout the rear parking area there will be dispersed trees and hedges. Presently on site, there is limited greenery and the site does not benefit from any mature trees, as such the Landscaping Strategy is welcomed and enhance the boundaries to Stoke Road in terms of public realm. The landscaping scheme together with a maintenance and management plan will be required by condition.

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

10.1 As stated previously, within 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 The following potential impacts are identified:

- a) The overlooking of neighbouring land as a result of flank wall windows within the southern and northern elevations. However on the proposed floor plans the northern elevation is non aspect and the southern flank wall is set back approximately 14 metres from the boundary with the Foyer, which is acceptable in planning terms. The north eastern elevation will be conditioned to be of obscure glass to address issues of overlooking and loss of privacy. The proposals would also represent an improvement over the current situation whereby there a number of windows within the existing building formed on the boundary with No's. 72 – 74 Stoke Road for almost the entire depth of the site.
- b) Potentially overbearing and overly dominant outlook for the occupiers of the residential units in Fleetwood Road to the rear of the site on the eastern side of the development site. However, at its closest point the development is approximately 25 metres from the rear garden boundaries of the properties in question and approximately 65 metres from the rear elevation, this separation distance is acceptable.
- c) Potentially overbearing and overly dominant outlook for the residential occupiers of the first floor residential units above the retail units in the neighbouring properties at No. 72 – 74 Stoke Road. The site being due south of the neighbouring properties may result in some loss of sunlight and daylight to some of the principle windows, however given the set back from the side boundary this may not be so significant as to raise an objection. However, from a site visit it is evident that there is no rear amenity space serving the first floor flats, being laid to car parking and used for rear servicing, so the impacts would be limited to being internal only. Taking a holistic view it is highly likely that the neighbouring site would come forward for development within a reasonable timescale.

11.0 **Transport, Highways and Parking**

11.1 *Vehicle Parking*

40 car parking will be provided for the flats, which will include 3 disabled bays. However with the amendments required to the service road this will reduce the provision by one space to 39. This results in a total provision of 1 car parking space per flat. This is below the Slough Local Plan standards which state that for:

- one bed flats / studios - 1.25 spaces should be provided; and
- two / three bed flats - 1.75 spaces should be provided.

This would total 55 spaces for this development, therefore there is a shortfall of 16 spaces. The number of parking spaces has been justified using policy T2 of the Local Plan, as well as the fact that other recent or committed residential developments in the area have been afforded flexibility regarding their parking levels, the fact that the development is located very close to the town centre, as well as bus stops and the rail station and that the development will provide a good level of cycle parking, and a contribution to a car club and real time passenger information at the nearest bus stop then it is considered that this package of measures is acceptable.

The applicant has agreed to provide 4 electric vehicle charging points which is in line with IAQM standards. In addition, the residents would be made ineligible to apply for a residents parking permit.

#### 11.2 *Cycle Parking*

41 cycle parking spaces will be supplied at the site. This is one per flat plus 2 extra. This is in line with and slightly exceeds the standards in the Slough Developers Guide Part 3 which state that one space should be provided per dwelling.

29 of the spaces will be provided within a communal cycle store and, as requested in pre-application advice 12 (approx. 30%) will be in the form of lockers within the shell of the building.

#### 11.3 *Refuse and Servicing*

The refuse and servicing vehicle will enter through the retained vehicle access from the service access road via Mill Street, which will eventually form part of the rear service road. Swept path drawings demonstrate that this manoeuvre can be made to the bin store in the car park, and exit through the same access in a forward gear. The vehicle will be able to stop directly outside the bin store meaning that the drag distance is 8m which is acceptable.

The bin store is located on the ground floor in the centre of the development, meaning all residents as well as operatives can access it easily.

In line with Slough Developers Guide Part 4 standards 97 litres per flat should be provided for residual waste and 53 litres for recyclable waste. For 39 flats this would total six bins.

### 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. 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.* An Affordable Housing Viability Assessment has been submitted with respect to this proposal and is currently being independently reviewed by the Council. An update regarding this matter will be provided on the Amendment Sheet.

### 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.....”*

- 13.2 With respect to the unit sizes as indicated on the floor plans, these have been assessed against the Council's Flat Conversion Guidelines. The floors space of each of the units fall within the Council's guidelines, these range from the studio at 40 sqm to the three bedroom unit at 72 sqm, as such no objection is raised with respect to the minimum required floor space.
- 13.3 All flats have a reasonable aspect and would receive sufficient light and sunlight. Most of the flats with balconies would require the installation of obscure glass to protect privacy.
- 13.4 Amenity  
There is limited amenity space proposed around the site, providing little more than a setting for the building and parking areas. Most of the amenity space is provided on the north side of the building and is likely to be in shade for much of the time. As most flats have a balcony or terrace private amenity space is acceptable. In addition, open spaces are easily accessible from the site with the amenities of Bower Playing Fields, 200m to the north east and Salt Hill Park, 500m to the south west.
- 13.5 Sustainability  
It is made clear in the NPPF, and in Sloughs Core Strategy Policy 8 Sustainability and Environment, that a continuing assessment of environmental objectives to preserve energy and to promote sustainability is required. The Planning Statement states that key sustainability issues that have been considered in relation to this site include:
- Growing road traffic and congestion;
  - Lack of affordable and suitable housing provision;
  - Land use constraints to physical expansion;
  - Waste management issues;
  - High levels of noise pollution;
  - Poor air quality
- A Sustainability Strategy has been submitted with respect to this application and states that the design of the development will contribute to lower energy consumption and reduced carbon emissions. In addition to the advantages this sustainable project offers in that it proposes the re-use of previously developed land, energy saving measures have been incorporated into the design, such as the best use of natural light along with consideration as to the baseline energy use of the development. Wall thicknesses have been considered to improve insulation values. The measures within the Sustainability Strategy have been conditioned.
- 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 An Environmental Noise Assessment prepared by AIRO Consultants has been submitted with respect to this proposal. The assessment is based on noise

measurements made at the site on 9<sup>th</sup> and 10th November 2105 and considers noise from a number of potential local sources.

- 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.
- 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 **Air Quality/Electric Car Infrastructure**
- 15.1 The site lies outside the Town Centre Air Quality Management Area (AQMA) approximately 350m north. The site lies very close to railway station and bus station, has excellent public transport links. Based upon guidance given on other nearby sites, it is concluded that the impact would be small and within the context of the AQMA but it will add to the overall cumulative impact of many developments within and around the town centre. The proposal includes the provision of four electrical charging points, this requirement to be covered by planning condition.
- 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:  
*"The proposed development is partially located on a former Brickworks. This site has been identified as a high ranking priority site as part of the Council's inspection prioritisation and it is considered a priority for further site investigation. The proposed development is also located within 250m of several other potentially contaminated land sites, eight of which have entries in the Disused Tank Registry."*  
Given the above, conditions have been recommended with respect to land contamination.
- 17.0 **Flood Risk & Sustainable Drainage System**
- 17.1 The site is in Flood Zone 1.



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. A sustainable drainage strategy has submitted with this application and is currently being assessed by the Council's Drainage Engineer, an update will be given on the Amendment Sheet.

## 18.0 **S106 Agreement**

- 18.1 The Council's Transport and Highway Engineers have advised the following S106 requirements which will obligate the developer to enter into a S278 agreement for the satisfactory implementation of the works identified in the highways schedule and for the collection of the contributions schedule.

The highways schedule will include:

- Temporary access point (as necessary);
- Installation of junctions/crossovers;
- Widening of the footway fronting the application site;
- Reinstatement of redundant access points to standard to footway construction (as necessary);
- Installation of street lighting modifications;
- Marking and signing of double yellow line restrictions on rear service road section within site;
- Drainage connections;
- Construction and dedication as highway maintainable at the public expense, free of charge, the rear service road associated infrastructure, sight lines and turning areas. Revised drawings need to be submitted showing the amended alignment of the service road, in line with the Stoke Road Rear Service Road scheme widening lines and the land to be dedicated.
- Construction and dedication of footway and verge along site frontage with Stoke Road. Revised plans need to be submitted showing the requested aforementioned amendments including the increase in width to circa 5m as per the scheme drawing and the land to be dedicated.

The transport schedule will include:

- Car Club contribution of £30,000;
- Provision of welcome packs to residents produced in accordance with the template to be provided by Slough Borough Council;
- Real time passenger information screens contribution of £12,000 at 2 nearest bus stops on Stoke Road;
- £3,000 implementation of traffic regulations on the section of service road orders as necessary (prior to commencement);
- Residents excluded from being eligible for existing or any future on-street resident parking permit scheme; and
- 4 Electric vehicle rapid charging points as per IAQM guidance.

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.

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, resolution of affordable housing and sustainable drainage matters, finalising of conditions and satisfactory completion of a 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. Time Limit**

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:

TO BE ON AMENDMENT SHEET

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

**3. 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.

#### **4. 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.

#### **5. 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.

#### **6. 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.

#### **7. Piling Method Statement**

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON The proposed works will be in close proximity to underground water utility infrastructure and piling has the potential to impact on local underground water utility infrastructure.

## **8. 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.

Vehicle wheel cleaning facilities shall be provided and used at the site exit for the duration of the construction period.

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.

## **9. Bin storage**

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

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

## **10. Windows**

Prior to the commencement of development, the windows in the within the north eastern elevation of each floor of the proposed development, 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.

## **11. Landscaping Strategy**

The landscaping treatment shall be carried out in accordance with Drawing No.

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.

### **Landscape management plan**

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

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

### **12. Car Parking Provision**

Prior to first occupation of the proposed development, the 40 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, this is in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

### **13. Rear Service Road**

Prior to the commencement of development on site the rear service road coloured **XXXX** on the Section 106 Plan shall be constructed up to binder course level. Upon practical completion of the development and prior to the first occupation of any part of the development the road including footways shall be completed to the satisfaction of the Council. The rear service road shall be constructed to normal adoption standards and implemented fully in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority.

REASON To ensure safe and convenient access for the occupiers of the development in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy (2006 - 2026), Development Plan Document, December 2008.

#### **14. New Means of Access**

No part of the development shall be occupied until the new means of access has been sited and laid out in accordance with the approval plans and constructed in accordance with Slough Borough Council's Design Guide.

REASON In order to minimise danger, obstruction and inconvenience to users of the highway and of the development, this is in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

#### **15. Gates**

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, this is in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

#### **16. Vehicle Visibility Splay**

No part of the development shall begin until details of vehicle visibility splays of 2.0 x 43m have been approved in writing by the Local Planning Authority in consultation with the Highway Authority. No dwelling shall be occupied until the approved splays have been provided. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

REASON To provide adequate forward visibility to enable drivers to see a potential hazard in time to be able to slow down or stop before reaching it, this is in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

#### **17. Pedestrian Visibility Splay**

No part of the development shall begin until details of pedestrian visibility splays of 2.4 x 2.4m have been approved in writing by the Local Planning Authority in consultation with the Highway Authority. No dwelling shall be occupied until the approved splays have been provided. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

REASON To provide adequate forward visibility to enable drivers to see a potential hazard in time to be able to slow down or stop before reaching it, this is in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

## **18. Loading and unloading**

The scheme for parking, manoeuvring and the loading and unloading of vehicles shown on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

REASON To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway, this is in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

## **19. Cycle Parking**

No development shall be begun until details of the amended cycle parking provision (including 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.

## **20. Secure By Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. The security measures to be implemented in compliance with this condition shall be submitted to and approved in writing by the Local Planning Authority and shall achieve the 'Secured by Design' accreditation awarded by Thames Valley Police. The approved details shall be implemented prior to first occupation of the proposed development.

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, 2012.

## **21. Balconies – Obscure Glass**

The proposed balconies shall be of obscured glass and retained in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

REASON To minimise loss of privacy to occupiers of adjoining properties and those

of the proposed development in accordance with Policy H15 of The Adopted Local Plan for Slough 2004.

## **22. Electric Vehicle Charging Points**

No dwelling shall be occupied until 12 of the undercover car parking spaces have been provided with 7 kW rapid charge electric vehicle charging points and all of the undercover car parking spaces have been provided with electric cabling that is connected to the developments power supply and is suitable for supplying power to 7 kW rapid chargers (that can be installed and connected to the cable at a later date).

REASON In the interest of public health and air quality in particular encouraging use of low carbon emission cars in accordance with policy 8 of the Core Strategy 2006 - 2026 adopted 2008 .

## **23. No loading or unloading**

No loading or unloading of goods for residents shall take place directly from Stoke Road at any time unless otherwise approved in writing by the Local Planning Authority.

REASON In the interests of general highway safety and to comply with Core Policy 7 of the Slough Local Development Framework, Core Strategy (2006 - 2026), Development Plan Document, December 2008.

## **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, this is in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 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 Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 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 Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 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 Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

## **28. Compliance with Energy Statement**

Prior to first occupation of the proposed development, the measures set within the Energy Statement, prepared by Abbey Consultants (Southern) Ltd, dated 9/12/2015 shall be fully implemented and maintained in perpetuity.

REASON To provide a sustainability and energy efficient development and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

### **Informatives:**

1. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to [0350SN&N@slough.gov.uk](mailto:0350SN&N@slough.gov.uk) for street naming and/or numbering of the unit/s.
2. No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.
3. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the Piling Method Statement.
4. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a

minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

5. The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.
6. 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.
7. 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.
8. 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.
9. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.
10. Prior to commencing works the applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 / Minor Highway Works Agreement with Slough Borough Council for the implementation of the works in the highway works schedule. The applicant should be made aware that commuted sums will be payable under this agreement for any requirements that burden the highway authority with additional future maintenance costs.
11. The applicant must obtain a license from Slough Borough Council for maintaining the highway verge (once dedicated) fronting the application site under Section 142 of the Highways Act 1980.
12. 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. 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:	23-Dec-2015	Applic. No:	P/04915/013
Officer:	Christian Morrone	Ward:	Langley St Mary's
		Applic type:	17-Feb-2016
		13 week date:	
Applicant:	Rupert Ainsworth, Rontec Watford Ltd		
Agent:	Sian Butt, Pegasus Group Pegasus Group, Suite 4b, 113, Portland Street, Manchester, Greater Manchester, M1 6DW		
Location:	BP Langley Connect, Parlaunt Road, Slough, SL3 8BB		
Proposal:	Application to vary condition 07 of planning permission P/04915/008 dated 22nd of October 1997 to allow 24 hour opening.		

**Recommendation:** Approve



## 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 planning permission be granted subject to the conditions set out at the end of this report.
- 1.2 When determining the previous planning permission (ref. P/04915/012) for a temporary period of six months at planning committee on 9<sup>th</sup> September 2015, members requested that any future application for 24 hour opening be referred to planning committee. The previous permission (ref. P/04915/012) was granted for a limited period of six months to allow the operation to be monitored un terms of impact on neighbouring amenity.

## **PART A: BACKGROUND**

### 2.0 **Proposal**

- 2.1 This is a full planning application to vary Condition 7 to planning permission P/04915/008 dated 22nd October 1997 to allow 24 our opening. There would be no external changes to the site under this application. Condition seven to planning permission P/04915/008 reads:

#### **CONDITION:**

The premises shall only be open for customers or for the receipt and delivery of goods between the hours of 0700 and 2300 hours and not at any other time.

#### **REASON:**

To ensure that the use of the premises does not prejudice the quiet enjoyment by neighbouring occupiers of their dwelling(s) by reason of noise or general disturbance

- 2.2 The application is accompanied with the following:
- Planning Application Form
  - Site Location Plan
  - Planning Statement
  - Site Management Plan

### 3.0 **Application Site**

- 3.1 The site is a triangular site to the south of Parlaunt Road adjacent to the junction with Tithe Court. The site is currently occupied by a petrol filling station comprising a single storey flat roofed shop building, fur pump islands, a jet wash and associated parking spaces.
- 3.2 The site is surrounded by residential properties to the north (beyond Parlaunt Road), west and south (beyond car park immediately to the south) and a church building to the east with a shopping parade and other commercial properties beyond this.

#### 4.0 **Relevant Site History**

- P/04915/012 Application for variation of condition 7 of planning permission P/04915/008 dated 22nd October 1997 to allow for 24 hour opening. Approved for six months (LPP); Informatives; 10-Sep-2015
- P/04915/011 Application for advertisement consent for the display of 8 no. non illuminated signs on totem sign, canopy stanchions and flags on the eastern boundary of the site for a period until 31st october 2012 Approved with Conditions; Informatives; 01-Jun-2012
- P/04915/010 Installation of internally illuminated fascia sign, and two wall mounted internally illuminated logo signs. Approved with Conditions; Informatives; 08-Mar-2004
- P/04915/009 Installation of fascia sign, poster signs, canopy fascia, atm signage, service signs and free standing signs (amended plans received 18/05/98 & 22/05/98 and as amended by facsimile 11/06/98) Approved with Conditions; 25-Jun-1998
- P/04915/008 New shop, jet wash and services, remove canopy (amended plans received 14.10.97) Approved with Conditions; 22-Oct-1997
- P/04915/007 Installation of illuminated fascia, free-standing and 5.5m gantry advertisement Approved with Conditions; 20-Jan-1997
- P/04915/006 Retention of new tanker floodlights pump islands shopfront. Approved with Conditions; 15-Feb-1993
- P/04915/005 Installation of 4no. island message unit and double sided car wash sign. plus illuminated fascia under canopy and car wash fascia mobil mart fascia neon lettering. Approved with Conditions; 08-Jan-1993
- P/04915/004 Continued use of filling station with 24 hrs operation Refused; 19-Feb-1992
- P/04915/003 Erection of a new petrol filling station Approved with Conditions; 11-Aug-1986
- P/04915/002 Erection of a ten foot high fence and change of use to vehicle storage. (amended forms dated 26th september 1985). Approved with Conditions; 30-Sep-1985
- 4.1 Planning permission was granted for the erection of the petrol filling station in August 1986 P/04915/003). Permission was refused in February 1992 to use the site on a 24 hour basis for the following reason (P/04915/004):

*The proposal would adversely affect the amenities of local residents by reason of the increased noise, glare and general disturbance during normal sleeping hours.*

- 4.2 Planning permission was then granted for a new shop, jet wash and services was approved in October 1997, to which the following condition was attached (P/04915/008):

*The premises shall only be open for customers or for the receipt and delivery of goods between the hours of 0700 and 2300 hours and not at any other time.*

*REASON To ensure that the use of the premises does not prejudice the quiet enjoyment by neighbouring occupiers of their dwelling(s) by reason of noise or general disturbance.*

Planning application P/04915/012 granted a temporary variation of condition 7 of planning permission P/04915/008 dated 22nd October 1997 to allow for 24 hour opening, this expired on 10/03/2016.

## 5.0 **Neighbour Notification**

- 5.1 1, 3, 5, 7, 9, 11, 13, 15, Christ The Worker Vicarage, Parlaunt Road, Slough  
25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 38 Tithe Court, Slough  
2, Pantile Row, Slough  
2, Horsemoor Close, Slough Borough Council  
1, 3, 5, Tithe Barn

The following comments have been received from two local residents as a result of the above consultation:

- Busy periods are between 06:30 – 09:00 and 16:00 – 21:00. After 23:00 there is hardly any traffic at all on the roads or in the petrol station.
- No need for the facility and surprised that after the 6 month trial they find it commercially worthwhile to stay open.
- The six month planning permission has not been fair trial period as it has been through the winter months. Summers months there are more people drinking outside. Windows in the houses/flats are also open in the summer to let heat out and air, resulting in higher levels of noise transfer.
- Would result in larger and prominent advertisements for a 24 hour use
- The six month trial period has seen a considerable increase in traffic and noise.
- Larger Heavy Goods Vehicles (HGVs) are using the petrol station during the early hours (sometimes in convoy) and using Pantile Road to manoeuvre into the correct direction. The noise generated from this is horrendous.
- Increase in anti social behaviour.

RESPONSE: These are material planning considerations and are considered in the report below.



## 6.0 **Consultation Responses**

### 6.1 **Environmental Protection**

We have only had one noise complaint during the trial period and it would appear that music was accidentally played over the tannoy system.

If the BP garage is to open 24 / 7 then we would request that the tannoy system, the car wash, air and water systems are not used overnight and that no music / radio from inside the shop is audible on the forecourt / site boundary.

### 6.2 **Parking and Highways**

No issues and therefore no comments

## **PART B: PLANNING APPRAISAL**

## 7.0 **Policy Background**

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

#### **National guidance**

- National Planning Policy Framework
- National Planning Policy Guidance

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.

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

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 5 (Employment)
- Core Policy 6 (Retail, Leisure and Community Facilities)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability & the Environment)

Adopted Local Plan for Slough

- T2 (Parking Restraint)

7.2 The main planning considerations are therefore considered to be:

- Impact on adjoining sites
- Traffic and Highways Implications

8.0 **Impact on adjoining sites**

8.1 Policy EMP2 of the Local Plan requires that: *“there is no significant loss of amenities for the neighbouring land uses as a result of noise, the level of activity, overlooking, or overbearing appearance of the new building”*.

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

8.3 With there being no changes to the buildings upon the site and therefore no issues with regards to loss of privacy or additional mass and bulk on the site. Therefore the main remaining issues to be considered with regards to impact on neighbouring amenity relates to noise and other disturbance.

8.4 Prior to the temporary six month approval (ref. P/04915/012), Environmental Protection Officers confirmed that while no complaints were received with regards to noise from the petrol filling station itself, complaints were received regarding the nearby Shamrock’s public house and public car park with regards to noise and general rowdiness.

8.5 While the applicant’s confirm that unpredictable noise events can be difficult to predict and manage but they have experience of managing 180 24 hour sites, some of which are within residential areas without causing detrimental impact upon local amenity. In acknowledging the possible images the applicant’s have proposed the use of a Site Management Plan, which can be secured via condition, to mitigate any disturbances from the site. The Site Management Plan as proposed confirms the following controls would be in place:

- Tannoy not to be used between 2300 – 0700 except for purposes of health, safety and security.
- Jet wash, vac and airline shall be disabled and not used between the hours of 2300 – 0700
- No fuel, shop goods (excluding newspapers) or waste collections to take place between 2300 – 0700 and engines to be switched off during delivery.

- Signage to be erected in prominent positions to tell customers to turn off engines, stereos etc.
- Persistent nuisance customers shall not be served and details passed to the Police.
- Store management to work with Community Police Officers to develop a nuisance prevention strategy, if required.
- Regular litter collection.
- No commercial waste disposed of off site and all waste to be disposed of in compliance with environmental guidelines.
- Site operator and complaints procedure displayed on site and management details provided so they can be contacted in case of incidents.
- Staff to be briefed on planning issues and site restrictions as part of the induction process and Site Management Plan to be displayed at all times.

8.6 The Site Management Plan has been in place for the previous temporary planning approval (ref. P/04915/012), and Environmental Protection Officers had one noise complaint which relates to music that was accidentally played over the tannoy system.

8.7 A number of representation letters have provided objecting comments stating that the six month planning permission has not been fair trial period as it has been through the winter months. During the summer months there are more people drinking outside. Windows in the houses/flats are also open in the summer to let heat out and air in, resulting in higher levels of noise transfer. Concerns are raised that people leaving Shamrock's would be attracted to the petrol filling station, which would be the only place in the local facility when the public house closes and this would have the potential to cause additional noise nuisance that would be difficult to control. This could not robustly be predicted or controlled and may attract a number of individuals, either by foot or car, due to the fact that it would be the only vendor in the area selling refreshments through the night.

8.8 These are valid concerns. However, after monitoring the temporary trial period, it is considered that in the normal course of business and in accordance with the imposed planning conditions, the use of the petrol filling station would not result in unacceptable noise or disturbances. Noise and disturbance being caused by people leaving licensed premises should be controlled via licensing legislation rather than planning, and the service station does not have a licence to serve alcohol through the night. Noise and disturbance being caused by people using the petrol station can be satisfactorily controlled by the Council through a statutory nuisance under Environmental Protection Act 1990. Furthermore, the submitted site management plan proposes a number of procedures to mitigate noise and disturbance from customers, and the planning department can take enforcement action where these are not being complied with.

## 9.0 **Traffic and Highways Implications**

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

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

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

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

- 9.2 The proposed change is not considered to have any impact upon parking as the extended opening hours between 2300 and 0700 would not put any additional parking on the surrounding area as off site parking would be minimal during this period.
- 9.3 While these proposals would see an increase in the number of cars using this would be between the hours of 1100 and 0700 and during this time would not have a detrimental impact upon the local highway.
- 9.4 It is therefore considered that these proposals would not have a detrimental impact upon parking or result in any highway issues.

#### 10.0 **Summary**

- 10.1 On the basis of the information provided it is considered that a planning permission should be granted to ensure that the extended opening hours will not have a detrimental impact upon neighbouring amenity subject to the conditions as outlined below.

### **PART C: RECOMMENDATION**

#### 11.0 **Recommendation**

Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations it is recommended grant temporary approval subject to conditions, for a period of 12 months.

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

Please note that this is not the final list of conditions and amendments may be made prior to planning permission being granted.

#### 12.1 **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 submitted application, plans and drawings hereby approved by the Local Planning Authority, Including the following:

- a) Drawing number BK188168, Recd 18/12/2015
- b) Rontec Service Stations - Management Plan (Management Plan - 9437 Langley) Recd 07/03/2016

REASON To enable the Local Planning Authority to review the position in the light of the prevailing circumstances and the impact of the use during the limited period in accordance with Policy EN1 of The Local Plan for Slough 2004.

3. The jet wash, vac and airline shall not be open to members of the public / customers outside the hours of 2300 hours to 0700 hours on Mondays-Sundays.

REASON To protect the amenity of residents within the vicinity of the site.

4. There shall be no commercial deliveries visiting the site outside the hours of 2300 hours to 0700 hours on Mondays – Sundays.

REASON To protect the amenity of residents within the vicinity of the site.

5. The use hereby approved shall be undertaken in accordance with the Rontec Service Stations Management Plan received on 7<sup>th</sup> March 2016 at all times.

REASON To protect the amenity of residents within the vicinity of the site.

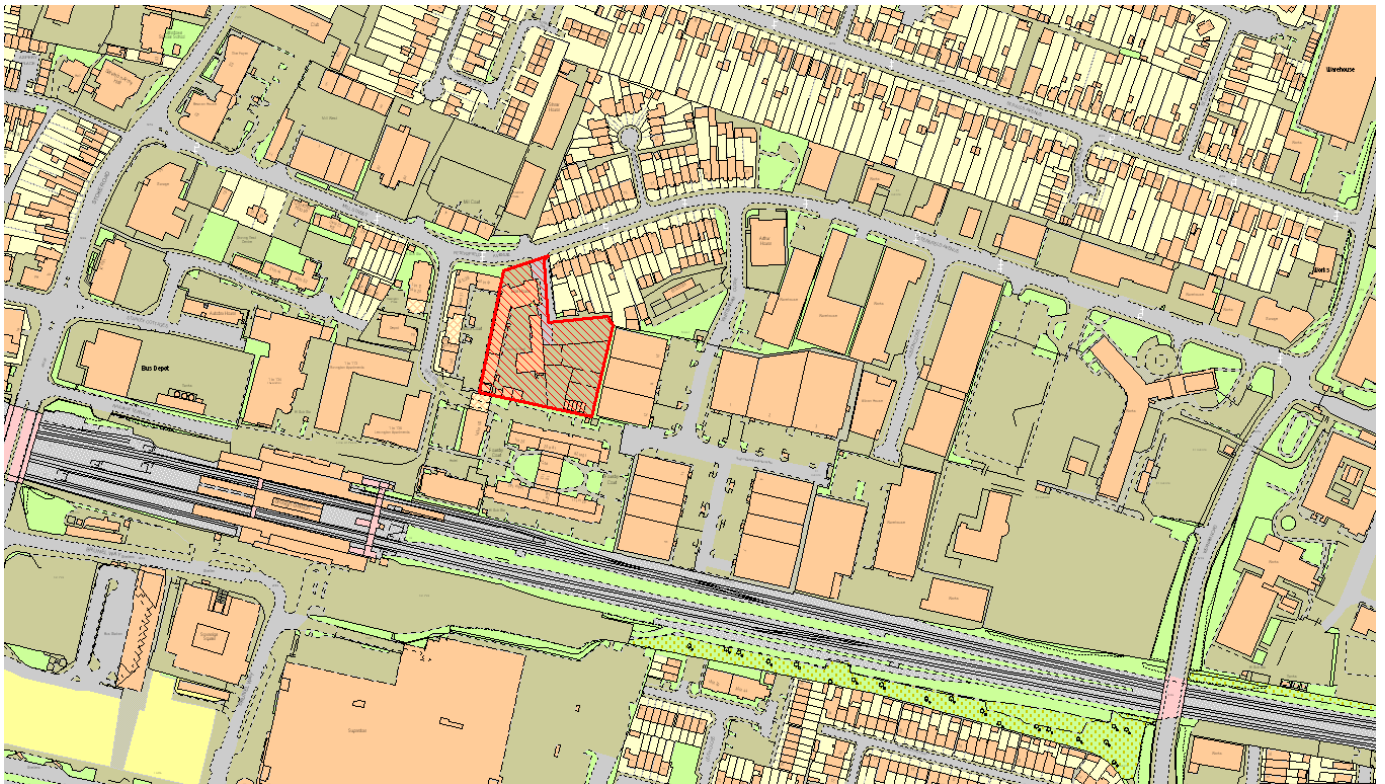
## **INFORMATIVE**

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive. 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.
2. Your attention is drawn to conditions attached to permission P/04915/008, which are still applicable to the current use and therefore carried forward to this permission.

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Registration Date:	23-Dec-2015	Applic. No:	P/06348/011
Officer:	Mr. Albertini	Ward:	Central
		Applic type:	Major
		13 week date:	23 <sup>rd</sup> March 2016
Applicant:	MHA London Ltd		
Agent:	Peter Bovill, Montagu Evans LLP 5, Bolton Street, London, W1J 8BA		
Location:	Lion House, Petersfield Avenue, Slough, SL2 5DN		
Proposal:	Demolition of existing buildings and erection of a part four, part seven storey building and a part five, part eight storey building comprising residential accommodation, basement car parking, landscaping and associated works.		

**Recommendation:** Delegate to Planning Manager for Approval



## **1.0 SUMMARY OF RECOMMENDATION**

- 1.1 Delegate to Planning Manager for approval, subject to Section 106 planning obligation and resolution of outstanding matters. If affordable housing / Section 106 planning obligation package not settled to refuse the application.

### **PART A: BACKGROUND**

## **2.0 The Proposal**

- 2.1 This proposal for 172 homes comprises 10 studios, 85 one bedroom, 76 two bedroom and 1 three bedroom flats. 35 homes are affordable housing (13 one bedroom and 22 two bedroom). Tenure is 'intermediate' but negotiations continue regarding the quantity and tenure. The homes are arranged in 2 blocks with varying storey height ranging from 4 on the frontage to 8 deeper in the site. The east side block reaches 8 storeys stepping down to 7 at the rear (east side) and at either end. It is 5 storeys nearest the rear of Petersfield Homes containing oriel windows preventing a direct view into adjacent homes. The west building is made up of two portions. The main portion rises to 7 storeys stepping down at the flanks and rear. That part near the front of the site is four storey. The elevation that faces existing Petersfield homes gardens has a combination of oriel windows as described above and windows with balconies. Both buildings are aligned north south on the site.
- 2.2 Car parking is provided at an average of 1 space per home. All but 10 of the car parking spaces are in a basement accessed by a ramp on the east side of the site. 10 spaces and a delivery bay are at ground floor level. There are 4 cycle stores integrated into the buildings at ground level.
- 2.3 The existing site access (approximately 4.5 metres wide) will be reformed and widened by 4.5 metres on the west side to form a 4.5 m wide carriageway, 2 m footway (west side) and 2 m strip (on the east side) to accommodate parking that already occurs on an informal basis. The existing access also serves some existing garages located at the rear of adjacent houses; those garages appear to be not in use for parking cars.
- 2.4 Communal amenity space for the flats is proposed in between the two blocks. Most ground floor flats have private patio amenity space immediately in front of the flat. Most upper floor flats have a balcony or a terrace.
- 2.5 Existing trees near adjacent gardens are just outside the site boundary but overlap the site. One tree on the south boundary will be removed. New trees are proposed between the two buildings in the communal amenity space.
- 2.6 All the flats comply with the new national space standard. 10% have been designed to comply with Part M4 Category 3 wheelchair user dwellings.
- 2.7 The buildings have a varied profile in response to the adjacent buildings and living conditions of those adjacent. Facades are broken up through variations of the mass of the blocks and the projecting balconies and oriel windows. Elevational treatment will



be contemporary in style using primarily brick. Three tones of brick colour are proposed including creamy/yellow facing Petersfield Avenue, and red or brown tones elsewhere. Corduroy brick pattern (alternating protruding brick courses) appear at ground floor level and feature panels next to some window openings. A soldier course caps the parapet of the flat roof buildings. Light grey powder coated aluminum or steel balconies articulate the facades.

- 2.8 The west wing is parallel to the Noble Court flats to the west 26 metres away. The southern flanks are 18 metres from Foundry Court flats off Mill St. The east façade is 10 metres from adjacent industrial unit. The distance of the west building 5 storey flank to the rear elevation of main façade of adjacent houses is 39.5 metres. The distance between the adjacent Petersfield House (No. 10) and the side of the four storey frontage building is 12 metres. Windows and balconies nearest Petersfield Ave homes have been designed to minimize overlooking. More detail is provided in the appraisal below. There are windows on all elevations.
- 2.9 The supporting information submitted includes design information, transport assessment, draft travel plan, planning statement, day light study, noise assessment, drainage strategy, flood risk assessment, ground investigation and Statement of community involvement.
- 2.10 A viability study submitted by the applicants states that the scheme is not viable if the Council's normal Section 106 infrastructure and 40 % affordable housing requirements are included. The applicants propose 20% affordable housing but not the requested social rent tenure. The level of infrastructure contribution is being discussed in connection with negotiations on the affordable housing.

### **3.0 Application Site**

- 3.1 The 0.51 hectare site currently contains a part two and part three storey building used as a school plus second two storey building with yard used by the Council's property maintenance contractor. A few trees overhang the site near the rear sheds/garages in existing gardens adjacent. The existing private access road runs immediately adjacent to number 10 Petersfield Ave which is an extended house converted to flats. The access also serves a few rear garden garages that appear to be unused as garages.
- 3.2 To the west are 4 and 5 storey flats and associated car park (Noble Ct.). To the south is a 7 storey building part of the Linden Homes Foundry Court flats scheme. To the east is the rear of a large, relatively new industrial/business unit. It has no windows facing the site. On the Petersfield Ave. frontage two storey houses with long rear gardens adjoin the site. Opposite is the entry to a commercial site with houses adjacent. One of the commercial buildings is now used as a church

### **4.0 Site History**

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

Application for 119 flats (4/5 storey) refused October 2007; Appeal dismissed May 2008 (P/6348/5).

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

The key issues considered at the 2008 appeal (for both the above schemes) related to the reasons for refusal comprised :

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

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

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

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

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

Lack of adequate landscape setting.

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

- 4.2 90 flats (3/5 storey) and conversion of 2 flats to a 3 bedroom house.  
Approved 23 October 2008 (P66348/7).

Extension of time for implementation of the above planning permission  
Approved ( 1/4/15) with reduced Section 106 Agreement package but additional provision re off site parking control measures. Conversion of the two flats to a house deleted.

## **5.0 Neighbour Notification**

- 5.1 Petersfield Ave 1-7 odd 10. 10A – 32 even. 22a.  
Mill St. Noble Court 1-47 incl; Mill Court 1-4, Brooklands House, Shear House, 51 Whittenham Close units 12, 14, 15.  
Foundry Court.  
3,4,7,8,11,12,15,16,19,20,23,24,32,33,38,39,44,45,50,51,56,57,60,61,64,65,66,69,70, 71,74,75,76,79,80,81,84,85,86,89,90,173,180,181,188,189.
- 5.2 3 letters of objection received raising issues of:
- Noise from more cars and people
  - Privacy – human rights, overlooking
  - Design – bulk of buildings, too tall, out of character,
  - Low quality flats and over development, lack of amenities in the area.
  - Reduced light – applicants light study not believed.

- Traffic; visible traffic issues that did not exist five years ago; question Town Centre planning rules.
- Parking – visitors cannot park near Petersfield Ave homes.
- Why has health centre been dropped ?.
- Genuine planning concerns highlighted previously disregarded.
- General concern about high density of development and concentration of apartments in the area in recent years. Change from calm area to one with crime, social problems. Tower blocks being pulled down in other areas.
- Planning Inspector rejected previous design for being too dense etc. in proportion to nearby homes.
- Public exhibition misleading and questionnaire biased.
- No consideration of spill over issues likely to impact residents.
- Intrusion of privacy/overlooking
- Make traffic conditions worse/noise/safety risk.
- Petersfield Ave used for parking by residents of new flats nearby
- Building would create shadows
- Out of keeping with streetscape
- Church opened opposite since permission granted; this has lead to increased car parking in the street; the proposal site is used for overflow car parking.

5.3 Petition of 48 signatures objecting to proposal on grounds of :

- Appeal planning inspector declared previous plans over ambitious, poorly relating to existing houses and generally too big/dense for the area.
- Design and visual Impact on the area based on height, mass, design
- Privacy and long term effects on the immediate area and community.
- Overshadowing – Concern about studies; loss of light/sun o existing homes.
- Noise – people at night, cars using car park ramp at night, collective noise fro more people on site.
- Pollution – car fumes, noise, light
- Landscaping and open areas – inadequate
- Transport and parking and road safety – flows will be radically different from current use.

5.4 In response to the comments traffic and parking matters are addressed in para 6.1 and Section 8. Visual impact is addressed in Section 7 and 9 and 10; affect on living conditions of residents is addressed in para 10. Regarding the 2008 appeal decision the Inspectors decision related to specific aspects of the scheme that was current at that time. The Inspector did not reject the principle of a high density scheme on the site. The Inspectors concerns are referred to in para. 4.1 above and Section 9 below. The affect of noise and pollution on existing residents will not be significant enough to warrant rejection of the application or implementation of planning controls. Regarding local amenities the sites central location means that key amenities are nearby. Expansion of schools to meet additional demand is a matter dealt in para. 11 under the Section 106. The applicants have not included the health centre of the permitted scheme. Whilst this is disappointing there is no substantive reason to insist upon it.

## 6.0 Consultation

### 6.1 Traffic/Highways:

The site will lead to an increase in person trips to the site (pedestrian, cycle and public transport), but an overall reduction in vehicle trips compared to the existing use.

Modifications are being made to the existing site access to make it a suitable width and included a footway leading into the site.

Car parking is provided at 1 space per unit which is an improvement on the previously consented scheme. A Parking Survey of the nearby Foundry Court development has been submitted which demonstrates that 81% of the spaces (0.83 spaces per unit) were in occupation at the time of the survey at midnight on 4<sup>th</sup> and 5<sup>th</sup> November 2015. The proposed level of parking provision including 20 electric vehicle parking bays provided at basement level are considered acceptable. Further discussions on how the bays are to be allocated are on-going.

The applicant has agreed to a mitigation package which is considered acceptable

Minor design changes are required to cycle parking, the access design and the Travel Plan. Clarity about right of access over existing private road sought. Conditions recommended. Section 106 obligations required for scheme to be acceptable are :

- Travel Plan;
- TRICS surveys for Travel Plan monitoring;
- £150,000 Transport contribution towards encouraging non-car modes of travel.
- Car Parking Space allocation/management system; and
- Residents excluded from being eligible for existing or any future on-street resident parking permit scheme.
- Sign Sec. 278 Highway Agreement for works within the Highway

6.2 Environmental Protection:

Request standard conditions re soil tests and remediation.

6.3 Housing :

Request scheme have social rent housing on site not intermediate tenure. Negotiations on this matter continue. Mix and size of dwellings acceptable.

6.4 Education:

Request contribution towards education facilities

6.5 Drainage:

Some concerns about detail of preliminary drainage strategy. Revisions requested.

6.6 Thames Water :

Response not yet received.

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy**

7.1 The site is an existing business area. The adopted Local Development Framework Core Strategy seeks retention of business use. Local Plan policy EMP 6 encourages

mixed use redevelopment in the Stoke Road/Mill Street area. This site can be considered to be an extension of this area; the inquiry Inspector supported this view. Nearby redevelopment has been approved as an exception to the previous Local Plan policy regarding retention of business use. Furthermore the 2010 Proposals Map identifies the area north of the Station, including this site, as a selected key location where the loss of existing business area policy can be relaxed if proposals provide comprehensive regeneration in particular residential or mixed uses.

- 7.2 Whilst the Core Strategy seeks to concentrate high density development in the town centre this site is so close to the expanded town centre area (Mill Street being the boundary) an exception can be made. This principle has been established by the existing planning permission for 90 flats and is broadly supported by the 'selected key location' proposal, referred to above on the Proposals Map and Site Allocations Development Plan.
- 7.3 In relation to the above policy matters the scheme can be considered acceptable in terms of land use/density provided that quality of design, living conditions and Section 106 matters are satisfactory. These issues are dealt with below.
- 7.4 In terms of affordable housing Core Strategy policy 4 type of housing at present the proposal does not comply. Negotiations continue and an update will be reported at the Committee meeting. See also para. 11 below regarding affordable housing and infrastructure matters.

## **8.0 Transport and Highway Matters**

- 8.1 There are no vehicle traffic impact problems compared to the existing use of the site. To help reduce car use convenient and attractive pedestrian and cycle links to the town centre (and other local facilities) are important. The applicants agree to the principle of making a financial contribution for Transport. Negotiation of the Section 106 of 2015 resulted in a sum less than established in 2008 but provided flexibility on how it was spent to address various transport and parking measures that will arise as a result of the development. This principle is still acceptable although the precise sum has yet to be agreed.
- 8.2 The parking ratio of 1 space per dwelling (average) is acceptable subject to provisions to encourage non-car modes of travel and restrictions to limit off site parking. The parking ratio is below the Council's parking standards but proximity of the site to the town centre means the standard should be applied flexibly. The site is quite accessible (to the station) but not highly accessible because of the walk distance to the town centre. However the parking ratio is better than the 0.8 ratio of the approved scheme and similar or better than many of the other recent residential schemes in the area.
- 8.3 A car parking management plan will be agreed to ensure affordable housing occupants and visitors will each have acceptable levels of parking and lessen demand to park of the site. The plan can also cover how electric charging point parking bays are used. The Sec. 106 will also prevent new residents having parking permits for existing or future residential parking schemes. The overall transport financial contribution offered by the applicant referred to in 8.1 above can cover the above measures.

- 8.4 Cycle parking on the revised drawings is acceptable in terms of overall space but more flexible storage has been requested. Provision of some parking bays with electric charge points is supported to help with town wide air quality.
- 8.5 The existing site access is private. The applicant has a right of way over it. The proposal involves widening the access over the applicants land to allow for existing car parking that takes place on it to remain and provide a suitable width for refuse vehicles and two way traffic. This is supported. As the development relies upon a combination of the existing and widened portion of the access for a satisfactory scheme the applicant has been asked to clarify how the portion of the existing access will be available for use in connection with the new development.
- 8.6 Overall the proposal, subject to the changes requested and satisfactory Sec 106 obligations, complies with Core Strategy policy 7 Transport, Local Plan policies for cycling and Site Allocation/Proposals Map site requirements re transport matters.
- 9.0 Design Matters**
- 9.1 The scale of the scheme fits in with completed schemes to the south and adjacent to the station but it will contrast with the 2 storey houses along Petersfield Ave. This site is within but on the edge of the area promoted as an area for redevelopment because of its sustainable location near the station (Site Allocations Development Plan and Proposals Map 2010 'selected key location'). The transition from town centre scale development to traditional suburban areas does mean some standards related to the latter are more difficult to apply. The affect on living conditions of homes nearby is covered below.
- 9.2 In comparison to the appeal Inspectors concerns about the frontage this new proposal does not extend so far forward as the permitted scheme. The previous two storey element that projected forward of the frontage block has been removed. The narrow frontage means the overall bulk of the scheme will not be so noticeable when passing along Petersfield Ave. However the bulk of buildings will inevitable be clear from a distance or when viewed from Petersfield Avenue homes.
- 9.3 Regarding the appeal Inspectors concerns about proximity and height of building in relation to nearby Petersfield Ave. homes this scheme has similar separation distances between existing and new homes. In terms of storey height the facades nearest to the existing homes were 3 storey rising to 4 and 5 storey behind. The proposed scheme has 4 storeys to the side of number 10 Petersfield Ave and 5 storeys to the rear of existing homes rising up to 8 storeys behind. The east side block of the new scheme is further east by 7 metres such that it will come into view of a more Pertesfield Avenue homes. The implications of these changes are referred to below. The separation from Noble Court is similar to the permitted scheme but storey height is a mixture of 4 to 7 compared to 3,4 and 5. In relation to Foundry Court the buildings are closer but have fewer windows and shorter elevations. The permitted scheme was U shaped with 5 storeys near Foundry Court. The proposal breaks the 'U' resulting in two flanks facing Foundry Court homes at 5 and 6 storeys rising behind to 7 and 8 compared with 5 storeys before.
- 9.4 Regarding appearance the contemporary design fits in with some of the schemes near the station. It will however contrast with the more traditional designs on Petersfield

Avenue. The site does however have a limited frontage onto this road. The use of brick will be better than metal cladding and render used on nearby new buildings. It is likely to look good for a long time as brick does not weather or stain like some other materials. The inquiry Inspector did not think contemporary design a problem. Overall the simple form of the building is satisfactory provided the quality of the elevational treatment indicated in the application documents is carried through to implementation. Control of materials, planting and detail design through conditions and careful consideration of any subsequent changes to the scheme will be important to achieve a satisfactory scheme.

- 9.5 The applicants energy strategy states low environmental impact will be at the heart of the design. As part of this a proposal to achieve better than current Building Regulations energy standard (11 %) is supported and a condition will be applied to secure this. Photovoltaic solar panels are proposed for the roof along with other energy efficiency measures incorporated within the building including scope to connect to a future district heating system.
- 9.6 The applicant states trees on or next to the site have low value. They are mostly sycamore up to 10 metres high. Two will be removed the other boundary ones will stay. Their roots can be substantially protected with a planting strip next to the basement ramp entrance. These trees will help soften the appearance of the new buildings behind when seen from the 3 nearest homes in Petersfield Ave. but they are not in the applicants control.

## **10.0 Residential Amenity**

- 10.1 In terms of the living conditions of nearby residents three key issues are privacy/overlooking, light and outlook/overbearing buildings. Light is covered in a paragraph below. Dealing with Petersfield Avenue homes first the residents of the nearest 3 homes (No 10, 12, 14) looking directly out from their rear windows, will see a 5 storey façade between 39 and 42 metres away and the 7<sup>th</sup> and 8<sup>th</sup> storey behind. The permitted scheme was 33 metres away from 3 storeys rising to 5 storeys behind.
- 10.2 The view from the oriel windows on the proposed 5 storey flank is restricted to prevent direct overlooking. 7 flank windows above this height are further away and not restricted. This relationship is acceptable in terms of overlooking and outlook. Looking across to their right, more than 45 degrees, residents would see the west building at 4 storeys rising to 7 further away. The distance from the side of the nearest house (No. 10) is 12 metres (more than the permitted scheme at 8 metres from a 3 storey building); this distance increases as the west building façade rises to 7 storeys. At 45 degrees from the rear window of Number 10 the nearest window is 18 metres away. The windows on the new building at this point are either restricted view oriel windows or patio style windows serving balconies. These balconies have solid panels (instead of railings etc) to partly restrict direct views out from windows to nearby homes. This relationship is a bit unusual, with views looking directly down the private area at the rear of a house if standing on the balcony, but it is an acceptable relationship because of the distance. The height of the buildings and number of windows in the building will create a feeling of being overlooked or being overbearing but this is not unusual near a town centre and the separation distance, at over 18 metres, is sufficient to protect privacy.

- 10.3 Regarding Noble Court at 24 to 26 metres away privacy is acceptable. The outlook from homes on this side of the building will however change radically as the 6 and 7 storey element of the new building will be directly in front. This is quite overbearing for lower floor flats but not unacceptable in a town centre context. The same applies to north facing Foundry Court residents who will be 18/19 metres from the flank (with windows) of 6 storey facedes.
- 10.4 Within the scheme some windows are 19.5m apart; this is 1.5 m less than the permitted scheme but is reasonable in terms of privacy.
- 10.5 Regarding day and sun light the applicants study indicates rooms will still have acceptable levels of light in accordance with nationally accepted guideline guidelines (published by BRE 2011). There are different test for studying light. Approximately 18% (58) of adjacent windows fail the first level light test but most comply with the secondary tests. Those that do not (20) are in Noble Court to the west but the applicants point out that similar circumstances exist in flats nearby in particular Lexington and Rivington apartments next to Slough Station. Some clarification of how this conclusion has been reached and some other points is being sought. However, whilst not desirable, some low levels of light, particularly in low level rooms, is often found in high density schemes.
- 10.6 Sunlight for some nearby homes and gardens would be reduced but the appplicants study states the change is within accepted guidelines.
- 10.7 The permitted scheme, whilst acceptable in terms of effect on light, would, if built, result in changes to light to nearby rooms. The new scheme has a greater effect on some rooms because of the extra height. However subject to the clarification sought referred to above the scheme is likely to be acceptable. The BRE light guidelines state that a limited number of variations from the individual standards are acceptable particularly in urban environments.
- 10.8 As the east block is closer to the rear of the adjacent industrial building lower floor flats will have a poor outlook being 10 metres away compared 17 metres of the permitted scheme. Information on any below standard light for these flats has been sought from the applicant. Any below standard light is not likely to be a major issue as purchasers will be aware of what they are buying but it is important to be aware of the degree of deviation from standards.
- 10.9 Flats on the east side might suffer from noise from the industrial unit or from noisy equipment that might be mounted on it near the flats. The applicants noise study states a standard façade specification would be sufficient to meet current noise levels. As circumstances may change over time in particular different occupiers my cause more noise than now or add equipment that does not require planning permission, a condition is proposed to ensure adequate insulation and ventilation is incorporated within flats. It is also relevant to point out that the flats are closer to the industrial building compared to the permitted scheme as described in the paragraph above.
- 10.10 Overall the proposal, subject to further consideration of the items referred to above, is acceptable and complies with Local Plan EN 1 Design EN3 Landscaping Core



Strategy 2006-2026 policy 8 Sustainability and the environment; policy 9 Natural and Built environment. Policy 12 community safety.

## **11.0 Section 106 planning obligation matters**

- 11.1 This is still being negotiated but the package expected is as follows and if agreed will comply with Core Strategy policy 10 Infrastructure and policy 4 type of housing :
- Affordable Housing - 20 % social rent (based on mix proposed). % subject to viability negotiations.
  - A financial contribution for transport mitigation (contribution towards encouraging non-car modes of travel including pedestrian/cycle links to station and other local pedestrian/cycle links. station (north) forecourt enhancement Amendments to traffic regulation orders and the implementation of an on-street car club vehicle/bay, travel plan monitoring.
  - Travel Plan including TRICS surveys for Travel Plan monitoring
  - Car Parking Space allocation/management system (incl electric car bays);
  - Residents excluded from being eligible for existing or any future on-street resident parking permit scheme.
  - Sign Sec. 278 Highway Agreement for works within the Highway
  - Financial contribution towards education facilities and local recreation facilities. Amount subject to negotiation of affordable housing package. Affordable Housing can be prioritised above the financial contributions for education and recreation as it provides a significant benefit to the Borough.
  - Provision for a development viability review mechanism if a substantial start on construction is not made by a set date. The review would take account of costs and values to establish if a greater Section 106 package could be afforded closer to the Council's policy requirements. Inclusion of this provision is subject to the outcome of negotiations on the Sec 106 package.
- 11.2 The viability study has been checked by the Asset Management Section. Various items have been negotiated but the applicants consider the proposal would not be viable with social housing rather than the intermediate tenure proposed by the applicant. The applicant had been informed at the pre-application stage of the importance of social rent housing to meet Slough's needs. The 2015 Section 106 included social rent and was signed by the applicant (but not negotiated by them). The Council's Core Strategy policy 4, type of housing and associated Developers Guide Part 2 on Section 106 contributions is clear that social rent housing is needed to address the needs of many local people who cannot afford shared ownership or affordable rent tenures. The Asset Management Section consider that some social rent housing within the scheme is viable and the Assistant Director of Housing supports this. Although other matters are acceptable the affordable housing proposal is not and consequently the application is not recommended for approval. Negotiations are expected to continue prior to the Planning Committee.

## **12.0 Summary**

- 12.1 In comparison to the permitted 90 flat scheme the design is better quality. It is also better in terms of car parking ratio (0.8 compared to 1 space per home average), cycle parking and transport mitigation package. It is accepted that car parking is a local issue but the overall package should limit the opportunities for the development to cause significant harm. The size of the development will clearly have a greater impact than the permitted scheme but the arrangement of the mass of the buildings and windows limits the impact to broadly acceptable levels for a site next to the town centre. Some nearby flats to the west may be disadvantaged. The view out from the rear of nearby homes, in particular Petersfield Avenue, will clearly change. It is appreciated this may not be welcome but the effect on living conditions of those nearby will be within accepted limits. This point is subject to clarification of some points regarding the light study. The context of the site should also be noted in terms of application of normal suburban character standards to areas on the edge of the expanding town centre. The submitted scheme can be considered acceptable in terms of overall scale because of its context.
- 12.2 Whilst it is accepted that viability of development is a material consideration the Council is not yet happy with the applicant's conclusion that social rent cannot be included. Whilst further negotiation may resolve this matter at present the proposal is unacceptable and the recommendation includes the option to refuse the application if matters are not resolved before the Committee meeting. Financial contributions towards transport, education and recreation are required to make the proposal acceptable. The level of contributions will be settled through negotiation of the affordable housing package. The latter will be prioritised if this assists negotiation of affordable housing as it benefits the town in terms of addressing housing needs.
- 12.3 It should be noted that the existence of the permitted scheme of 90 units means the Council is not in a position to reject the principle of a high density or flatted scheme on this site.

## **PART C: RECOMMENDATION**

### **13.0 Recommendation**

Delegate to Planning Manager for approval subject to completion of a satisfactory Section 106 planning obligation agreement; resolution of outstanding matters referred to in the report, addition or alteration of planning conditions or if the affordable housing and Section 106 package has not been settled satisfactorily to refuse the application.

#### *Reason for Refusal:*

*The proposal does not include nor secure affordable housing of a type that is needed to address local housing affordability issues and meet the needs of local people in acute housing need. The proposal therefore does not comply with the Slough Local Development Framework Core Strategy 2006 – 2026 (Development Plan Document) adopted 2010 Core Policy 4 (Type of Housing).*

## **PART D: CONDITIONS**

## 14.0 Conditions

### 1. Time

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:

1000		existing location plan	1:1250
1100		existing site plan	1:200
1700		existing north elevation	1:200
1701		existing east elevation	1:200
1702		existing east elevation 2	1:200
1703		existing south elevation	1:200
1704		existing south elevation 2	1:200
1705		existing west elevation	1:200
3000	05	site plan	1:500
3100	11	proposed ground floor plan	1:200 Amended March 16
3101	08	proposed first floor plan	1:200
3102	01	proposed second and third floor plan	1:200
3104	08	proposed fourth floor plan	1:200
3105	08	proposed fifth floor plan	1:200
3106	08	proposed sixth floor plan	1:200
3107	08	proposed seventh floor plan	1:200
3150	08	proposed roof plan	1:200
3199	10	proposed basement plan	1:200
3200	05	landscape plan	1:200
3500		section aa	1:200
3501		section bb	1:200
3502		section cc	1:200
3700		north elevation block ab	1:200
3701		east elevation block ab	1:200
3702		west elevation block ab	1:200
3703		south elevations block ab&c	1:200
3704		north elevation block c	1:200
3705		east elevation block c	1:200
3706		west elevation block c	1:200
3720		coloured elevations	1:100

REASON To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area and to comply with the policies in The Local Plan for Slough 2004 and the Core Strategy 2006-2026.

### 3. Details and Samples of materials

Details of external materials and samples of bricks, balcony panels, panels for oriel windows with restricted view to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced on site and the development shall be carried out in accordance with the details approved.

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

#### 4. Lighting Scheme

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

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

#### 5. Bin storage

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

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

#### 6. Noise attenuation and ventilation.

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

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

#### 7. Soil - Phase 2 Intrusive Investigation Method Statement

Development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local

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

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

#### 8. Soil - Phase 3 Site Specific Remediation Strategy

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.

#### 9. Soil - Remediation Validation

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.

#### 10. Landscaping Scheme

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

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

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

#### 11. 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 the boundary treatment shall be implemented on site prior in accordance with the approved details and retained at all time in the future.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004 and in the interest of crime prevention re Core Strategy policy 12 community safety.

#### 12. Alterations to existing access and sightline

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

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

2006-2026 adopted 2008.

### 13. Off Site Highway Works

No development shall be occupied until off site highway works have been carried out in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority prior to commencement of any development. The off site works shall comprise :

- Installation of street lighting modifications (as necessary);
- Drainage connections (as necessary);
- Alterations to site access junction;
- Reconstruction of footway fronting the application site;

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

### 14. Internal access roads and parking

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

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

### 15. Cycle parking

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

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

### 16. Surface Water Drainage

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

ground. The drainage system shall be maintained in accordance with the approved details.

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

#### 17. Security

Each entry points to the building (including front door, bin and cycle stores and basement car park) shall have installed a secure entry system prior to occupation of any dwelling served by its associated entry point. The system shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority.

REASON In the interest of crime prevention.

#### 18. External Appearance Details

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

REASON In the interest of visual amenity.

#### 19. Restricted view windows/balconies

No development shall commence until detail drawings of oriel windows that have restricted view and balconies ( ) have been submitted to and approved in writing by the Local Planning Authority. The measures that restrict views out of the windows and balconies shall be retained and maintained thereafter.

REASON In the interest of the living conditions of nearby residents.

#### 20. Archaeology

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

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

#### 21. Electric vehicle charging points

No dwelling shall be occupied until 17 of the car parking spaces have been



provided with 7 kW rapid charge electric vehicle charging points and all of the undercover car parking spaces have been provided with electric cabling adjacent to the space, that is connected to the developments power supply and is suitable for supplying power to 7 kW rapid chargers (that can be installed and connected to the cable at a later date).

REASON In the interest of public health and air quality in particular encouraging use of low carbon emission cars in accordance with policy 8 of the Core Strategy 2006 - 2026

## 22. 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 during the construction period (1) to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning within the site and (2) for construction vehicle wheel cleaning. 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

### INFORMATIVE(S):

1. Section 106 Legal Agreement. The applicant is reminded that a planning obligation under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
2. Highway Matters
  - 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 units.
  - No water metres will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water metres within the site.
  - The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.
  - The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water the permission of the environment agency will be necessary.
  - The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
  - The applicant must apply to the Highway Authority for the implementation of the works in the existing highway.
  - Prior to commencing works the applicant will need to enter into a section 278

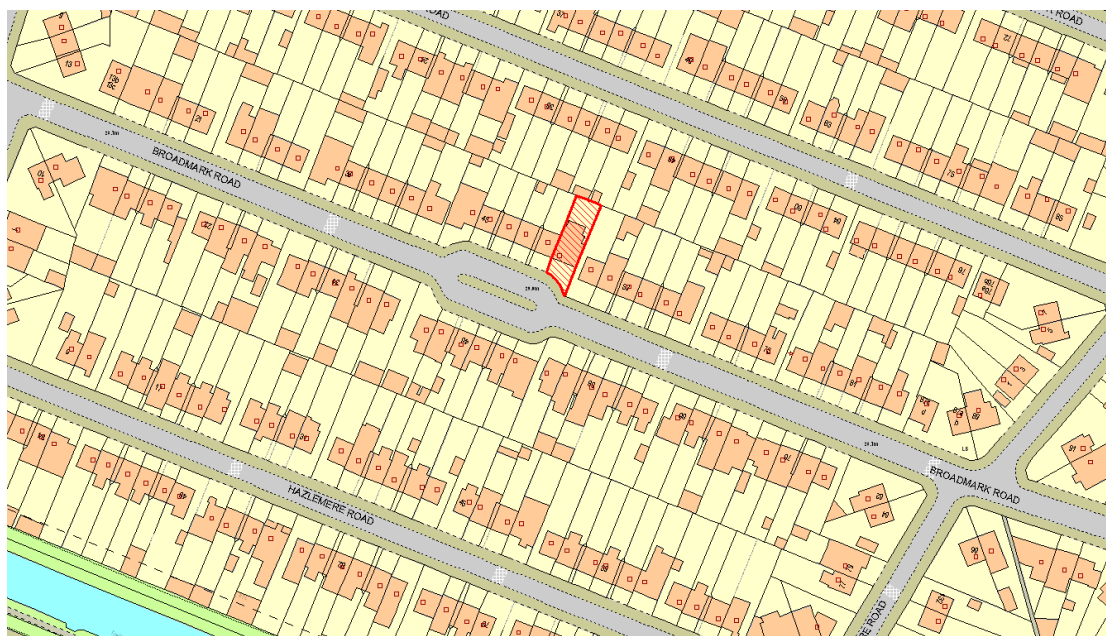
agreement of the Highways Act 1980 / Minor Highways Works Agreement with Slough Borough Council for the implementation of the works in the highways works schedule. The applicant should be made aware that commuted sums will be payable under this agreement for any requirements that burden the highway authority with additional future maintenance costs.

- The applicant must obtain a licence from Slough Borough Council for maintaining the highway verge (once dedicated) fronting the application site under Section 142 of the Highways Act 1980.
- The car park shall be designed in accordance with Structural Engineers publication "Design Recommendations for Multi-storey and Underground Car Parks 2011- 4th Edition".

3. Car Parking. The developer is asked to ensure that purchasers of flats are fully aware of the limited parking space on the development and that purchasers should not expect to park on the public highway nearby. This is to help ensure flat owners do not have more cars than parking spaces available to them on site.
- 4 Positive and proactive statement. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through requesting amendments. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

Registration Date:	10-Feb-2016	Applic. No:	P/09419/006
Officer:	Fariba Ismat	Ward:	Wexham Lea
		Applic type:	13 week date:
Applicant:	Mr. Haqeeq Dar		
Agent:	Mr. Harvey Saund 21, Hill Rise, Brands Hill, Slough, SL3 8RA		
Location:	53 Broadmark Road, Slough, SL2 5QD		
Proposal:	Construction of an infill single storey rear extension.		

**Recommendation:** Approve



## 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 planning permission be approved, subject to the conditions set out at the end of this report.
- 1.2 This application is a householder application which would normally be determined by officers under the approved scheme of delegation; however it has been called in for determination by Planning Committee as the applicant is Councillor Haqeeq Dar the chair of the Planning Committee.

## **PART A: BACKGROUND**

### 2.0 **Proposal**

- 2.1 This is a planning application for an infill rear extension with a mono-pitched roof.
- 2.2 The application is accompanied with the following:
- Planning Application Form
  - Drawings No. Haqeeq/53/1, dated. February 2016, Recd. 10/02/2016
  - Drawings No. Haqeeq/53/2 Rev A, dated. February 2016, Recd. 10/03/2016

### 3.0 **Application Site**

- 3.1 The application site is occupied by number 53 Broadmark Road a two storey end of terraced dwelling. The dwelling has been extended by a two storey side extension; part single/part two storey rear extension and loft conversion with a rear dormer window. The front garden of the dwelling is hard surfaced and accommodates 3 onsite parking spaces.

The rear amenity space of the dwelling is part hard surfaced and part laid to lawn.

- 3.2 The site is located on the southern side of Broadmark Road and the area is predominantly residential.

Broadmark road is characterised mainly by terraces of either 4 or 6 dwellings.

### 4.0 **Relevant Site History**

P/09419/000 Demolition of existing back addition and erection of single rear extension.  
Approved with conditions 06/07/2003

P/09419/001 Erection of a two storey side and part single storey rear extension and loft conversion, including rear dormer window.  
Refused 02/05/2007

P/09419/002 Erection of a two storey side extension and part single/part two storey rear extension.  
Refused 13/06/2007

P/09419/003 Erection of two storey side to rear extension with hipped and pitched roof, two storey rear extension with pitched roof, demolition of front porch and erection of a storm porch  
Approved with conditions informative 30/04/2009

P/09419/004 Insertion of rear facing dormer window with flat roof and

conversion of hipped roof to gable end roof  
Refused 29/07/2009

P/09419/005 Erection of two storey side extension with hipped and pitched roof. erection of part single storey rear extension with flat roof and part two storey rear extension with hipped/pitched roof and crown top. erection of rear facing dormer window with flat roof and installation of 2 no. velux windows in front roof plane. installation of front entrance canopy.  
Approved with condition; informative 08/04/2010

5.0 **Neighbour Notification**

5.1 51 and 55 Braodmark Road, Slough

42 and 44 Elmwood, Slough

6.0 **Consultation Responses**

6.1 No objections or comments were received

**PART B: PLANNING APPRAISAL**

7.0 **Policy Background**

7.1 The application is considered alongside the following policies:

- National Planning Policies: Planning Policy Framework; 2012;
- Core Policy 8 (Sustainability and the Environment) of Slough Local Development Framework, Core Strategy 2006-2026, Adopted Core Strategy 2006 – 2026 (Development Plan Document - 2008);
- Policies EN1, H14 and H15 of the Adopted Local Plan for Slough, 2004;
- Council's approved Residential Extensions Guidelines – Supplementary Planning Document, 2010.

7.2 The main planning considerations are considered to be:

- Design and street scene impact;
- Impact on the amenities of the adjoining neighbouring dwelling at No. 55 Broadmark Road.

8.0 **Design and Appearance/Impact on Street Scene**

8.1 The proposed rear infill will measure 1.5m in width, 4.9m in depth and will be built with a mono-pitched roof that would set lower than the roof height of the single storey rear extension. It will accommodate a storage room. The proposal by virtue of its size and height is not considered to have an impact on the design and appearance of the host dwelling. It will infill a small area to the side of the existing single storey rear extension which has little value in terms of its current usability.

8.2 The rear elevation of the site has been changed dramatically due to various forms of extensions. The rear infill extension will be a new addition but is not considered to have detrimental impact on the design and appearance of the rear elevation.

8.3 The proposed infill rear extension would not be visible from the street and therefore; there would be no street scene impact.

9.0 **Impact on adjoining sites**

- 9.1 Neighbouring dwelling at No. 55 is the closest neighbour to the extension and is not extended to the rear. No. 55 is staggered to the front by about 3m. The planning permission Ref. P/09419/003 allowed the single storey rear extension with a 1.5m set off from the boundary to avoid negative impact on neighbouring dwelling at No. 55 in 2009.
- 9.2 Currently there is a 2m high brick wall boundary with No. 55. The proposed infill rear extension would be built to an average height of 2.3m and which will sit only 300mm on average above the existing wall. Such a projection is considered to be negligible in terms of creating additional impact or harm to the amenities of the neighbouring occupants.

10.0 **Summary**

- 10.1 On the basis of above assessment it is considered that planning permission should be granted as the proposed infill rear extension is not considered to have detrimental impact upon neighbouring amenity subject to the conditions as outlined below.

11.0 **PART C: RECOMMENDATION**

11.1 **Recommendation**

Having considered the relevant policies set out above and the negligible impact of the infill extension it is recommended that planning permission be granted subject to condition below.

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

12.1 **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 submitted application, plans and drawings hereby approved by the Local Planning Authority, Including the following:

- a) Drawings No. Haqeeq/53/1, dated. February 2016, Recd. 10/02/2016
- b) Drawings No. Haqeeq/53/2, dated. February 2016, Recd. 10/02/2016

REASON To enable the Local Planning Authority to review the position in the light of the prevailing circumstances and the impact of the use during the limited period in accordance with Policy EN1 of The Local Plan for Slough 2004.

**INFORMATIVE**

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.

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Planning Committee

**DATE:** 31<sup>st</sup> March, 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.*

<b>WARD(S)</b>	<b>ALL</b>	
<b>Ref</b>	<b>Appeal</b>	<b>Decision</b>
P/11762/003	38, Pitts Road, Slough, SL1 3XH  Construction of a detached rear outbuilding.	Appeal Dismissed  13 <sup>th</sup> February 2016
P/15948/002	28, Parry Green South, Slough, SL3 8NN  Construction of a single storey side and rear extension.	Appeal Dismissed  13 <sup>th</sup> February 2016
P/16289/000	81, High Street, Chalvey, Slough, SL1 2TW  Construction of a single storey front extension.  The Inspector considered that the front elevation that would contain a window and door would complement the existing fenestration on the building and the roof form would not appear out of place when considered against the backdrop of the main dwelling and therefore would appear subservient when viewed within the street scene. In addition, the extension would be some distance from the footway and road, and views from the north would be limited by the position of the other properties in the group. From the south the addition would be viewed against the large two storey flank wall of No 79 which would serve to lessen its impact. The main view would be approaching across the green space from the east. The extension would appear subservient to the existing dwelling and taken in combination with the green space which would provide setting this would minimise the impact of the dwelling when approaching from this direction and therefore the addition of a front extension would not have a significant impact on the character of the area. The Inspector concluded that the extension would not harm the character and appearance of the area, and would not be in conflict with Core Strategy Policy CP8 or Local Plan policies H15, EN1 and EN2 which amongst other things	Appeal Granted  12 <sup>th</sup> February 2016

	require new development to be of a high quality design and use appropriate materials, not have a significant impact on the street scene and be compatible with their surroundings.	
P/16279/000	<p>18, Charlton Close, Slough, SL1 9HD</p> <p>Construction of a single storey front extension.</p> <p>The Inspector was of the view that as the application site was set back from the front building line of the neighbouring property, the impact of a front extension would be mitigated. The Inspector went on to say the front extension would be acceptable in its visual context without harming the character and appearance of the host property, and allowed the appeal.</p>	<p>Appeal Granted</p> <p>1<sup>st</sup> March 2016</p>
Y/11321/001	<p>83, Granville Avenue, Slough, SL2 1JR</p> <p>The erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6m, with a maximum height of 3.5m, and an eaves height of 3.0m</p> <p>The Inspector acknowledged that the increase in height of the proposed extension over and above the existing boundary features would result in the loss of some sunlight and have the potential to increase shadowing to the rear amenity space of No's. 81 and 85 adjacent to the boundary, however, this reduction in sunlight was not considered harmful to the extent as to render the proposed development unacceptable.</p> <p>In terms of the visual impact of the proposal when viewed from the rear garden spaces of No's. 81 and 85, the inspector concluded that the height of the extension would not appear overbearing since only a limited area would be visible. The impact of the development would be further ameliorated by to the open outlook from the rear amenity space of the long gardens in this area.</p> <p>The Inspector considered the Council's Residential Extensions Guidelines SPD, however, found that the appeal proposal would justify a relaxation and in any event, the guidance predates the GPDO.</p>	<p>Appeal Granted</p> <p>26<sup>th</sup> February 2016</p>
P/01201/009	<p>The Curve, 26, Chalvey Road West, Slough, SL1 2JG</p> <p>Construction of an additional third storey to the east side of the building to provide no.4 new flats, including photovoltaic panels and associated works.</p>	<p>Appeal Dismissed</p> <p>8<sup>th</sup> March 2016</p>
P/16071/000	<p>59, Churchill Road, Slough, SL3 7RD</p> <p>Erection of a two storey detached house.</p>	<p>Appeal Dismissed</p> <p>4<sup>th</sup> March 2016</p>



**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	P		
Bains	P	P	P	P	P	P	P	P		
Chaudhry	P	P	Ap	P	P	Ap	P	P		
Dar	P	P	P	P	P	P	P	P		
Davis	P	P	P	P	P	P	P	P		
Dr M. Holledge	P	P	P	P	P	P	P	P		
Dr J. Plenty	P	P	P	P	P	P	P	P		
Smith	P	P*	P*	P	P	P	P	P*		
Swindlehurst	P	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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