

Date of issue: 10th January, 2017

MEETING	PLANNING COMMITTEE (Councillors Dar (Chair), M Holledge, Ajaib, Bains, Chaudhry, Plenty, Rasib, Smith and Swindlehurst)
DATE AND TIME:	WEDNESDAY 18 TH JANUARY, 2017 AT 6.30PM
VENUE:	VENUS SUITE 2, ST MARTINS PLACE, 51 BATH ROAD, SLOUGH, BERKSHIRE, SL1 3UF
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	TERESA CLARK 01753 875018

NOTICE OF MEETING

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



ROGER PARKIN
Interim Chief Executive

AGENDA

PART 1

AGENDA
ITEM

REPORT TITLE

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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



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

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

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

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PLANNING APPLICATIONS

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| 5. | S/00197/015 - The Centre, Farnham Road, Slough | 13 - 24 | Farnham |
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Officer Recommendation: Delegate to the Planning Manager for Approval

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| 6. | P/00619/007 - 64 Mill Street, Slough, SL2 5DH | 25 - 44 | Central |
|----|---|---------|---------|

Officer Recommendation: Delegate to the Planning Manager for Approval

MATTERS FOR INFORMATION

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22nd February, 2017

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. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings. Anyone proposing to film, record or take photographs of a meeting is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

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PREDETERMINATION/PREDISPOSITION - GUIDANCE

The Council often has to make controversial decisions that affect people adversely and this can place individual members in a difficult position. They are expected to represent the interests of their constituents and political party and have strong views but it is also a well established legal principle that members who make these decisions must not be biased nor must they have pre-determined the outcome of the decision. This is especially so in “quasi judicial” decisions in planning and licensing committees. This Note seeks to provide guidance on what is legally permissible and when members may participate in decisions. It should be read alongside the Code of Conduct.

Predisposition

Predisposition is lawful. Members may have strong views on a proposed decision, and may have expressed those views in public, and still participate in a decision. This will include political views and manifesto commitments. The key issue is that the member ensures that their predisposition does not prevent them from consideration of all the other factors that are relevant to a decision, such as committee reports, supporting documents and the views of objectors. In other words, the member retains an “open mind”.

Section 25 of the Localism Act 2011 confirms this position by providing that a decision will not be unlawful because of an allegation of bias or pre-determination “just because” a member has done anything that would indicate what view they may take in relation to a matter relevant to a decision. However, if a member has done something more than indicate a view on a decision, this may be unlawful bias or predetermination so it is important that advice is sought where this may be the case.

Pre-determination / Bias

Pre-determination and bias are unlawful and can make a decision unlawful. Predetermination means having a “closed mind”. In other words, a member has made his/her mind up on a decision before considering or hearing all the relevant evidence. Bias can also arise from a member’s relationships or interests, as well as their state of mind. The Code of Conduct’s requirement to declare interests and withdraw from meetings prevents most obvious forms of bias, e.g. not deciding your own planning application. However, members may also consider that a “non-pecuniary interest” under the Code also gives rise to a risk of what is called apparent bias. The legal test is: “whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the Committee was biased”. A fair minded observer takes an objective and balanced view of the situation but Members who think that they have a relationship or interest that may raise a possibility of bias, should seek advice.

This is a complex area and this note should be read as general guidance only. Members who need advice on individual decisions, should contact the Monitoring Officer.

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Planning Committee – Meeting held on Wednesday, 7th December, 2016.

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

Apologies for Absence:- None.

PART I

86. Declarations of Interest

Councillors Ajaib and Chaudhry advised that Planning Application P/02465/014: 228 High Street, Slough, was in Central Ward (and not Upton Ward as shown in the Officer's report). They stated that they would approach the application with an open mind.

Members declared in respect of Planning Application P/06622/080 - Wexham Park Hospital, Wexham Street, Slough, that they had attended a Wexham Park Engagement event in July 2016 but would approach the application with an open mind.

Members stated in respect of Agenda Item 9, Tree Preservation Order (TPO) 3 of 2016 - 8 Averil Court, Slough, that they had received an email from an Objector but had not discussed the matter and would approach the matter with an open mind.

87. Guidance on Predetermination/Predisposition - To Note

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

88. Minutes of the Last Meeting held on 2nd November, 2016

Resolved - That the minutes of the last meeting, held on 2nd November, 2016, be approved as a correct record.

89. Human Rights Act Statement - To Note

The Human Rights Act Statement was noted.

90. 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.

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

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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.

91. P/06622/080 - Wexham Park Hospital, Wexham Street, Slough, SL2 4HL

Application	Decision
Construction of an Emergency Department and Medical and Surgical Assessment unit, installation of Combined Heat and Power Plant at the existing energy Centre and associated service infrastructure, provision for 198 permanent visitor and 200 temporary staff parking spaces, together with associated access, roads, hard landscaping, infrastructure and associated works.	Application delegated to the Planning Manager for approval, subject to finalising of conditions (to include that no buildings be occupied until the car park is completed) and final determination (subject to a referral to the Secretary of State as the proposed development falls within designated Green Belt).

92. P/02823/003 - Sports Pavilion, Eton College, Willowbrook, Eton, SL4 6HL

Application	Decision
Demolition of existing tennis pavilion. Construction of a detached sports pavilion and 2no floodlight all weather sports pitches. Flood lighting to existing tennis courts. Associated car parking, highway access, and landscaping and a small shed for IT switch gear.	Application delegated to the Planning Manager for approval; subject to any substantive objections from the Contaminated Land Officer, the Crime Prevention Officer, the Environment Agency, the Secretary of State, the potential completion of a Section 106 Agreement for highways works (if required) and finalising conditions to include wider and affordable community use for Slough residents. No development shall take place until surface drainage works have been implemented (as set out on the amendment sheet).

93. P/01028/035 - Grasmere Parade, Slough, SL2 5HZ

Application	Decision
Replace existing mansard roof with new mansard roof to accommodate 9No. 2 bed duplex flats, and 2No.1	Application delegated to the Planning Manager for approval, subject to consideration of any further

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<p>bed flats. Conversion of existing 10No. duplex flats into 9No. 1 bed flats and 1No. studio flat. Infill existing inverted southeast corner with curved frontage to 1st floor, 2nd floor and re-cladding of existing elevations and re-formation of existing windows and door, and addition of balconies. Replace existing stairwells at to the rear at each end of the building with enclosed stairwells. Cycle store to the rear of the site.</p>	<p>substantive objections or requirements from the contaminated land officer, the crime prevention design advisor, the environment agency, completion of a section 106 agreement to include greater contributions for parking restrictions, and finalising conditions.</p>
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94. P/02465/014 - 228 High Street, Slough, SL1 1JS

Application	Decision
<p>Construction of a 4no. storey A1 retail at Ground Floor and 3no. floors of C3 residential to provide 14no. residential apartments.</p>	<p>Application delegated to the Planning Manager for approval subject to improved frontage materials, consideration of any substantive objections or requirements from, the Contaminated Land Officer, the Crime Prevention Design Advisor, completion of a Section 106 agreement, and finalising conditions.</p>

95. Tree Preservation Order (TPO) 3 of 2016 - 8 Averil Court, Slough, SLO OLQ

The Planning Manager advised that on 1st August 2016, a Tree Preservation Order (TPO) (No.03 of 2016), 8 Averil Court, Slough, was served on a number of residents in the locality of the site of the TPO, and other interested parties.

The Order was made following a site visit by a Tree Officer, on the grounds that the tree (an Oak tree) supplied amenity to the area at present and if the tree were to be removed its loss would be significantly detrimental to the amenity of the area.

The Planning Manager detailed objections received from 8 addresses in Averil Close as set out in the report. These were reviewed but it was recommended that the tree should be protected by a TPO.

In response to a Member question, the officer advised that a TPO did not prevent an application being made for the pollarding or removal of the tree but ensured that a formal process was in place to manage such applications.

In conclusion the Officer recommended that the Committee confirm the Order.

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Resolved- That Tree Preservation Order No 3 of 2016, 8 Averil Court, Slough, SL0 0LQ, be confirmed.

96. **Response to Windsor & Maidenhead Draft Borough Local Plan 2013-2032 (Regulation 18) Consultation**

The Strategic Lead, Planning Policy and Projects, introduced a report recommending that the Council make a number of representations to the Royal Borough of Windsor and Maidenhead (RBWM), Draft Local Plan Consultation.

The Committee was reminded that the RBWM had been preparing its Local Plan for some time in order to replace the current plan which was adopted in 1999. Slough BC had previously expressed some concerns about the way the plan was being produced as detailed at the Planning Committee held on 3rd August, the RBWM was informed that it was considered to have failed to comply with the Duty to Cooperate in the preparation of the plan. The RBWM subsequently asked a specialist planning Counsel to carry out a legal compliance review of the draft version of the plan and this identified a number of issues which included the carrying out of the 2015 consultation without a Sustainability Appraisal and what was described as inadequate record-keeping with regards to compliance with the Duty to Cooperate.

The Officer advised that in a report to its Cabinet on 29th September, 2016, RBWM Officers advised that the Council would be acting unlawfully if it submitted its Borough Local Plan, which would almost certainly be immediately rejected by the Planning Inspectorate. It was therefore agreed that there would be a further round of consultation on a new draft version of the Plan.

The Committee was advised that significant amendments had now been made to the Plan and a consultation would be held between 2nd December, 2016 and 13th January, 2017.

The Officer summarised the outstanding issues set out in the report including that a Maidenhead Golf Course, subsequently identified as a major development site, accommodating 2,000 houses did not provide sufficient housing to meet needs. He discussed additional sites identified and RBWM's failure to require development to provide affordable housing for rent. The Local Plan recognized that the Borough had very high house prices and a lack of supply of affordable housing. It was highlighted that the high cost of renting on the open market was prohibitive and meant that many lower paid and lower skilled people could not afford to live in the Borough. The Officer therefore recommended that the Council should strongly object to the lack of any requirement to provide affordable housing for rent in the Borough Local Plan.

The Committee noted the Transport Policies and it was considered that the RBWM should be requested to take a more strategic view about how it could deal with the problems of congestion within the Borough Local Plan.

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In conclusion, it was considered that the RBWM had made significant progress in reviewing its draft Local Plan by increasing the supply of housing and it was proposed that representations be made to the latest Consultation Document about the remaining outstanding issues.

Resolved-

- a) That the proposed representations on the Royal Borough of Windsor and Maidenhead (RBWM) Local Plan Regulation 18 consultation, as set out in the report and the amendment sheet, be submitted to the RBWM.
- b) That authority be delegated to Officers to submit further detailed comments on the draft Plan and evidence base in response to its Regulation 18 Consultation in December 2016.
- c) That the RBWM be invited to discuss the implications of the Draft Borough Local Plan as part of the Duty to Cooperate, with Slough Borough Council.

97. Response to South Bucks & Chiltern Green Belt Preferred Options Consultation

The Planning Policy Lead Officer outlined a report to seek the Committee's views on the response to the South Bucks and Chiltern consultation on Preferred Green Belt Options, and the failure to properly consider Slough Borough Council's previous representations about the need for the northern expansion of Slough.

The Committee was reminded that Chiltern and South Bucks Councils were in the process of preparing a joint Local Plan to cover the period up to 2036. In January, 2016 they had carried out an Issues and Options consultation which sought views on what the Councils considered to be the key issues for the Joint Plan as well as the identified options.

Slough BC had made a number of representations, the key one being that there should be an urban expansion of Slough in the form of a new 'Garden Suburb' which would help to meet the housing needs in the area. It had also been suggested this should be combined with selective growth around Taplow and Iver stations.

The Officer discussed the on going Chiltern and South Bucks consultations around the Green Belt Preferred Options Consultation Document, the Draft Green Belt Assessment Part Two and the Green Belt Development Options appraisal. He concluded that there were insufficient sites resulting in a possible shortfall of around 5,800 dwellings within the two districts. Aylesbury Vale had been requested to build an additional 5,800 dwellings in their Local Plan but this would not relieve housing pressures in the south of the County.

The Committee noted the concerns regarding the lack of a Local Plan Spatial Strategy which meant that it was difficult at present to comment on the results of Green Belt Preferred Options. It appeared that the amount of land to be

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released from the Green Belt was predetermined rather than objectively assessed. Slough BC had made representations that there should be an urban expansion of Slough in the form of a new 'Garden Suburb' which would help to meet the housing needs in the area. Unfortunately it appeared that the Chiltern and South Bucks Joint Committee approved the Green Belt Preferred Options without first considering any of the comments that had been made to the previous consultation exercise, which included Slough BC's representations about the northern expansion. It was therefore proposed that the Councils be asked to reconsider these proposals using a more appropriate selection criteria that would give proper weight to all aspects of Green Belt policy and other matters such as the extent and distribution of housing need.

It was highlighted that the failure to meet housing needs when they arose would create more pressure on the local housing market and make property even less affordable to local people.

Members asked a number of questions of detail and agreed that the recommendations be approved.

Resolved- That Chiltern and South Bucks Councils be informed that Slough Borough Council:

- a) Is concerned about Chiltern and South Bucks Councils overall decision making process and shortcomings in the methodology for selecting sites for development in the Green Belt;
- b) Is concerned that Chiltern and South Bucks Councils have not properly considered Slough Borough Council's previous representations to the Issues and Options consultation that there should be an urban expansion of Slough in the form of a new 'Garden Suburb', which will help to meet the housing needs in the area.
- c) Objects to the amount and distribution of housing in the Green Belt Preferred Options, which will fail to meet housing needs where they arise and increase pressures on the housing market in an area that is already one of the least affordable in the country.
- d) Requests that Chiltern and South Bucks Councils formally consider the proposal for the northern expansion of Slough combined with selective growth around Taplow, Langley and Iver stations as Preferred Options.
- e) Requests that Chiltern and South Bucks Councils enter into a Memorandum of Understanding agreeing the steps that are

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needed to properly consider the proposed northern expansion of Slough.

It was also:

Resolved- That authority be delegate to Slough BC Officers to make further detailed comments on the Preferred Green Belt Options consultation, and continue to discuss the matter under the Duty to Cooperate.

98. Planning Enforcement

Resolved- That the detail of recent Planning Enforcement cases be noted.

99. Members Attendance Record

The Members Attendance Record was noted.

100. Date of Next Meeting

The date of the next meeting was confirmed as 18th January, 2017.

Chair

(Note: The Meeting opened at 6.30 pm and 8.53 pm)

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

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

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

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

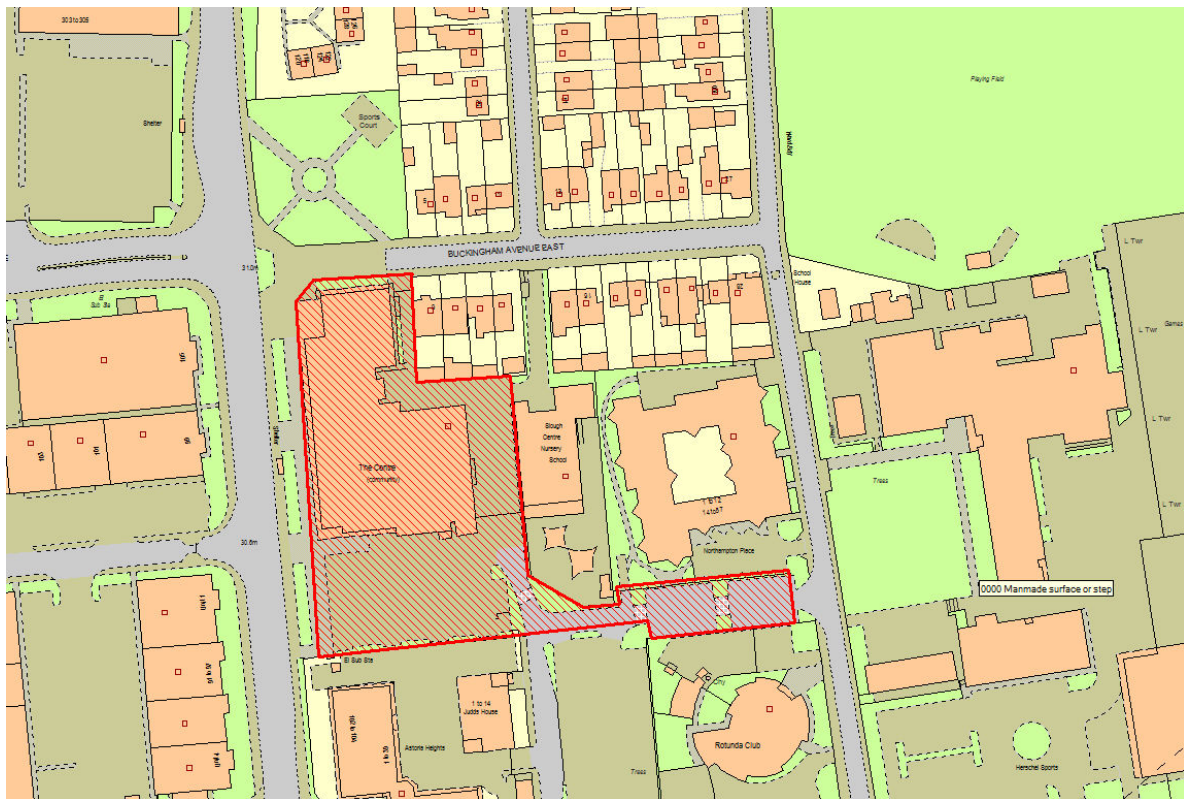
	USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House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

	OFFICER ABBREVIATIONS
WM	Wesley McCarthy
PS	Paul Stimpson
CM	Christian Morrone
JD	Jonathan Dymond
HA	Howard Albertini
NR	Neetal Rajput
SB	Sharon Belcher
FS	Francis Saayeng
IK	Ismat Kausar
JG	James Guthrie
MU	Misbah Uddin
GL	Greg Lester

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Registration Date:	24-Nov-2016	Application No:	S/00197/015
Officer:	Mr Albertini	Ward:	Farnham
Applicant:	Slough Borough Council	Application Type:	Major
		13 Week Date:	
Agent:	Mrs Emma Hawkes, DHA Planning Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, ME14 3EN		
Location:	The Centre, Farnham Road, Slough, Berkshire		
Proposal:	Reserved matters application to cover details of Planning Permission reference S/00197/014 for Leisure Centre		

Recommendation: Delegate to Planning Manager for approval



Reference Number S/00197/015

1.0 SUMMARY OF RECOMMENDATION

Delegate to Planning Manager for approval.

PART A: BACKGROUND

2.0 Proposal

- 2.1 This is a Slough Borough Council reserved matters application following on from the outline planning permission granted in October last year. All matters are to be decided i.e. site access, layout, scale, appearance, landscaping.
- 2.2 The proposal will replace The Centre building which is will be demolished soon. The proposed two storey building is 5,165 sqm. in size and sits along the west side of the site with car parking to the rear. In comparison to the existing building it will extend further south on the site. The protrusion at the back of the existing building will be less and further away from homes on the north boundary. The new building will be closer to the flank of the nearest house. The highest part of the building will be lower than the existing main hall.
- 2.3 The leisure centre has been designed to include :
- 8 Lane 25 metre pool
 - Learner Pool
 - 4-court sports hall
 - 125 station fitness suite
 - 2 dance studios
 - Spinning studio
 - Treatment rooms
 - Entrance area café and activity zone
 - Wet and dry changing facilities.
- 2.4 Vehicle access will be as it is now with entry off Whitby Road via Melbourne Ave. and exit onto Northampton Avenue.
- 2.5 Car parking will be split between three areas. 58 spaces next to the building (to rear and south), 34 existing spaces either side of the exit at Northampton Ave and 82 existing spaces next to Melbourne Ave./Whitby Road The latter 82 spaces are outside the application site but within the Council's ownership. The 58 spaces next to the building include space for disabled persons near the building entrance at the south side of the site and 10 electric vehicle charging bays behind the building. Cycle stands for over 40 bikes are proposed with most of them in a covered store opposite the entrance door.

- 2.6 The sports hall, the largest element of the building, forms the south east portion of the building; the pool the north west portion and visible from Farnham Road. At the rear is the changing area and plant rooms. Studios are above the entrance area which is on the south west corner of the building. The entrance foyer will be adjacent to Farnham Road with access from the rear car park by way of the building being set back from the south boundary by 16m.
- 2.7 The height of the building will be 11.5 m for the sports hall at the rear, 10.9 m for the entrance area alongside Farnham Road and 9.8 m for the northern portion of the building.
- 2.8 The building will comprise three interlocking elements expressing the dry and wet leisure uses within and each with their own variation of the external cladding. The building materials will be a combination of mainly vertical cladding and glazing panels. Metal, perforated and polycarbonate panels are to be used including translucent versions in places. Various shades of grey are shown on the submitted drawings.
- 2.9 The first floor fitness area (studios) will overhang the entrance foyer area slightly and be supported with a row of columns along the façade. The entrance foyer will be glazed with a coloured wall at the entry point. The fitness area will have a combination of rainscreen cladding (vertical panels) with an inset horizontal band of glazing and perforated cladding both wrapping round the entrance area corner of the building. The pool will be glazing at lower level with translucent polycarbonate cladding above. Glazing extends up the full height of the building to divide the pool and sports hall area from the projecting fitness studio area on the Farnham Rd and south elevation.
- 2.10 For the Buckingham Ave East elevation the pool space glazing and panels will wrap around the corner a short distance with the remainder being polycarbonate panels cladding above ground floor. The sports hall, mainly visible from the car park and school building will be clad with polycarbonate panel above ground floor level.
- 2.11 The overhanging fitness area is intended to be a prominent advert for the building. Translucent panels along the frontage are intended to let light into the building and help highlight this facade at night when lit from behind.
- 2.12 A Breeam rating of very good is to be aimed for. The current proposal for energy is a combined heat and power plant with air source heat pump or, if available and practical, from an extension of the existing district heating system in the Trading Estate. This matter is dealt with by condition on the outline permission rather than this application.
- 2.13 Supporting technical information includes Planning Statement, Transport assessment, design and access statement, drainage and energy details, ground investigation, assessments of light and noise.

3.0 **Application Site**

- 3.1 The 0.83 hectare site encompasses the existing 1990's Centre leisure and conference site including the Northampton Ave exit parking area (next to Rotunda site) but not the parking alongside Melbourne Ave./Whitby Road. The existing building generally covers the northern two thirds of the site and it contains some office space at the north end above a small semi-basement. Total existing floor space is 5,430 sqm.
- 3.2 To the east, at the north end, are two storey homes in Buckingham Ave. East all with rear garden buildings across the width of the plots. The flank wall of the end house abuts the site. Godolphin Nursery abuts the rest of the east boundary. To the south is a three storey block of flats recently converted from offices and an associated small, new block of flats on Melbourne Ave. Both buildings have some windows facing the site. Opposite to the west are commercial units and to the north is a paved area of the closed off end of Buckingham Avenue E with an open space beyond.
- 3.3 There are small trees on the Farnham Road frontage just beyond the site boundary and next to the building where Buckingham Ave East has a paved area. There are some small trees in the car park plus some overhanging boundary trees/bushes. There is a road improvement line affecting Farnham Road but this is clear of the application site.

4.0 **Site History**

- 4.1 Community Leisure Centre and offices Approved May 1997.
Various alterations and advertising 1998- 2001.
Outline permission for leisure centre approved Oct 2016 (Ref. No S/00197/014).

5.0 **Neighbour Notification**

- 5.1 Farnham Road 91 – 99 odd, 105, 118 – 124 ev
Farnham Road 102-104 (flats 4,5,17,18,30,31. Buckingham Ave. East 6 – 14, 5 – 11. Slough Centre Nursery School.
Northampton Ave : Rotunda; Rotunda Bungalow; Northampton Place (3-7, 14-18, 33-37 incl.
- 5.2 No comments received
- 5.3 Public Notice in Slough Express – any comments received will be on the meeting amendment sheet.

6.0 **Consultation**

6.1 **Traffic/ Highways**

For the proposal to be acceptable request various revisions.

The layout needs to be amended to ensure the layout is satisfactory from a highways safety point of view, in particular addressing:

The forward visibility for vehicles from all directions needs to be considered in the centre of the site and the layout redesigned to allow sufficient visibility;

A continuous pedestrian route leading onwards from Melbourne Avenue to the site entrance is required, and would assist visibility for vehicles as well as pedestrians / vehicles as necessary;

The service vehicle tracking is still tight in several locations, and therefore more parking bays should be removed to make this easier as well as addressing the comments above in terms of layout;

The refuse storage area should be relocated to allow a refuse vehicle to collect from the internal road layout (no reversing manoeuvres necessary).

Note : the existing Section 106 deals with highway/transport network improvements and travel plan.

6.2 Drainage

Comments will be on meeting amendment sheet.

6.3 Environmental Protection (re noise)

Any comments will be on meeting amendment sheet.

6.4 Environmental Quality (re contamination)

Any comments will be on meeting amendment sheet.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The outline planning permission establishes the principle of a new leisure centre on the site. Policies relating to layout and design matters are addressed below.

8.0 Access, parking and servicing.

8.1 Use of the existing access from the public highway at Whitby Road and exit via Northampton Ave. is acceptable. The Leisure centre use may well be similar to The Centre in terms demand for car parking and access needs.

8.2 The amount of car parking available is acceptable for the use proposed. Part of the parking area falls outside the site (off Whitby Road – about 85 spaces) but as it is within the Council's ownership its continued use for parking can be controlled. A condition on the outline permission addresses this. Inclusion of

10 electric vehicle charging points is supported and addresses sustainable development and health policy through encouraging use of less polluting vehicles. The vehicular access, in terms of location on the public highway, and parking proposal complies with Core Strategy policy 10 Transport.

8.3 As indicated under Transport/Highway consultation comments some changes to servicing and access within the site have been requested to make the proposal acceptable. A revised drawing is expected.

9.0 **Layout and design**

9.1 The location and scale of the building is acceptable it being in a similar position and having a similar overall bulk to the existing Centre building. It will be prominent on Farnham Road which is appropriate for a leisure centre. Visibility from the street into the entrance foyer and pool will provide a lively frontage as The Centre does now. In terms of height the sports hall, the tallest part, will be 3 m lower than the peak of the main hall of existing building. The sports hall will be immediately south of where the current main hall is and will be in the middle of the site. The Farnham Road frontage will be about 4 metres higher than the front part of the existing building. This is acceptable as Farnham Road is quite wide and other buildings nearby are quite large.

9.2 Regarding the effect of the building on adjacent homes the view out of the rear of Buckingham Ave. East homes will be better than now as the protrusion at the rear of the building will be further away than now. The existing 6.5 m gap between the existing building and the flank, and garden, of 6 Buckingham Ave East will reduce to 3 metres. The height of the building at this point will be about 1 metre higher than existing. The proposal will reduce the gap between the Centre building and 102/104 Farnham Road (the old tax office now converted to flats) to 28 metres. The amenity of those new homes, plus the adjacent new block of flats, will not be adversely affected.

9.3 Regarding 6 Buckingham Gardens being closer to the side boundary than the current building this is not ideal. A 45 degree view out of rear windows will be blocked at a point 3 metres from the side boundary of the garden. However the submitted light study indicates this house will receive satisfactory levels of day and sun light. The view directly out from the rear will benefit from not having a building so close to the immediate rear of the garden.

9.4 The updated noise study indicates the plant at the rear of the building and on top within a screened area at first floor level will not have an adverse effect on adjacent residents. The plant area is adjacent to 6 Buckingham Ave. East. This is being checked by the Council's Neighbourhood Team. The study indicates some design details have yet to be submitted so a condition will be applied to deal with this. It is important that the plant will not cause a nuisance to nearby residents.

9.5 In terms of appearance of the building its rectangular form will make it appear bulkier than the existing building. The projecting upper storey along part of the

frontage with its distinctive cladding and inset plus columns below will add interest to the otherwise long west façade. Visibility from Farnham Road into the building through the glazed panels along the entire ground floor will also add interest as will illumination, at night, through the translucent first floor level panels of the pool area. The Buckingham Ave East elevation, that faces the open space opposite, will be relatively plain compared to the existing windows of office accommodation on the north elevation. Elevations at the rear will be plain as they are now.

- 9.6 Whilst a leisure centre use requires box like shapes and limited glazing at upper level to be functional it does result in relatively plain facades. In this case the arrangement and choice of cladding helps break up the key facades and add interest. However further information on the materials and appearance and options for changes have been sought to ensure the overall appearance will be acceptable for a public facility on a key road in the town and that the design of the building will be perceived as good quality.
- 9.7 The frontage landscaping will remain, being outside the site, apart from the loss of two trees at the south end to allow for temporary construction site access. Replacement will be sought. The trees in the car park to be lost are not significant. New trees along the east boundary next to the nursery school will help screen the bulk of the building from the school. Other trees and shrubs are mainly overhanging from adjoining property or are within the existing car park that will not change.
- 9.8 In terms of community safety the walk route from the car park to the entrance will be visible from Farnham Rd and windows in the sports hall. The proposed car park to the rear will not be well overlooked but there are very limited opportunities to put windows in the rear of the building. The scope for CCTV will be explored and lighting will be required by condition. Existing car parks, whilst partly out of site from the building entrance, are overlooked by adjacent residential property and by condition lighting will be retained or improved.
- 9.9 Subject to consideration of further information etc. requested regarding the appearance the proposal complies Core Strategy 9 and 12 Natural and built environment; Community Safety and Local Plan design policy EN1 and EN3.
- 9.10 Outstanding matters to be addressed are revisions requested regarding transport and highways, information and possible changes to the appearance, clarity about plant equipment and comments from the Neighbourhood team.

PART C: RECOMMENDATION

10.0 **Recommendation**

Delegate a decision to the Planning Manager to approve the proposal subject to satisfactory resolution of outstanding matters referred to above and alteration of or additions to draft conditions.

11.0 **PART D: LIST OF CONDITIONS**

CONDITION(S)/REASON(S):

1. 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:

Drawing Nos

GT3-00-00-DR-A(08) GAP001 Rev 01 Site Location Plan 1:1250 @ A1

GT3-00-00-DR-A(08) EXP001 Rev 01 Existing Site Plan 1:500 @ A1

GT3-00-00-DR-A(08) GAP002 Rev 02 Proposed Site Plan 1:500 @ A1

TO BE REVISED

GT3-00-00-DR-A(08) EXE001 Rev 01 Existing Elevations 1:200 @ A1

GT3-00-ZZ-DR-A(08) GAE001 Rev 02 Proposed Elevations 1, 1:200 @ A1

GT3-00-00-ZZ-DR-A(08) GAE002 Rev 02 Proposed Elevations 2, 1:200 @ A1

ELEVATIONS ETC SUBJECT TO REVISION

GT3-00-00-DR-A(08) GAP003 Rev 02 Level 00, As Proposed 1:200 @ A1

GT3-00-00-DR-A(08) GAP004 Rev 02 Level 01, As Proposed 1:200 @ A1

GT3-00-R1-DR-A(08) GAP005 Rev 02 Proposed Roof Plan 1:200 @ A1

GT3-00-ZZ-DR-A(08) GAS001 Rev 02 Long Sections 1:200 @ A1

GT3-00-ZZ-DR-A(08) GAS002 Rev 02 Short Sections 1:200 @ A1

GT3-00-00-DR-A(08)GAP006 Rev 02 Tree Retention Plan 1:500 @ A1

GT3-00-00-DR-A(08)GAP007 Rev 02 Hardworks and Materials 1:500 @ A1

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.

2. Samples of materials

Details of external materials and samples (of cladding) to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before 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.

3. Cycle parking

Construction of the building shall not commence until details of the cycle parking provision (housing and cycle stand details) have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details prior to the occupation of the development and shall be retained at all times in the future for this purpose.

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

4. Bin storage

The building shall not be occupied until bin stores have been provided in accordance with the approved drawings and details of bin store enclosure that shall have first been submitted to and been approved in writing by the local planning authority. The bin stores shall be retained and maintained 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.

5. Landscaping Scheme

Construction of the building 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.

6. Tree protection

No development shall commence until details of tree protection measures during construction of the development for existing retained trees (as identified on the approved layout) have been submitted to and been approved in writing by the local planning authority.

No development shall commence until the approved tree protection measures have been implemented on site and shall be provided and maintained during the period of construction works.

REASON To ensure the satisfactory retention of trees to be maintained in the interest of visual amenity and to meet the objectives of Policy EN3 of The Adopted Local Plan for Slough 2004 and Core Strategy 2008 policy 9 Natural and built environment.

7. Lighting Scheme

Construction of the building shall not commence until details of a car park lighting scheme (to include the location, nature and levels of illumination) has been submitted to and approved in writing by the Local Planning Authority. 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 and policy 12 of Core Strategy 2008.

8. Noise attenuation - TO BE COMPLETED

Construction of the building shall not commence until a noise scheme for the plant at the rear of the building in relation to homes in Buckingham Avenue East has been submitted to and approved in writing by the Local Planning Authority. [DETAILS OF CONTENT OF SCHEME TO BE ADDED]. The building shall not be occupied until the approved scheme has been implemented. The scheme as implemented shall be retained and maintained thereafter.

REASON: In the interests of living conditions of residents of homes in Buckingham Avenue East and in accordance with policy 8 of the Slough Core Strategy 2006-2026 adopted 2008.

9. Electric Vehicle Charging Points TO BE COMPLETED

10 electric vehicle charging points to be installed prior to occupation.
Details of charging points to be submitted and approved prior start of building
Charging point details to comprise (specification)

REASON

10. Time scale for the provision of parking

The parking spaces and turning area 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 Policy 10 of the Core Strategy 2008.

11. CCTV

Construction of the building shall not commence until a CCTV for the cycle stores and car parking area within the site has been submitted to and been approved in writing by the local planning authority. The building shall not be occupied until the approved CCTV scheme has been implemented. It shall be retained and maintained thereafter.

REASON In the interest of crime prevention.

12. Construction Management Plan

Not to commence development until the construction management plan (Ref XX) has been implemented in terms of construction site access; space for construction worker car parking, space for materials storage, space for delivery vehicles to unload and turn and site exit wheel cleaning facilities. Implementation of the approved plan shall be throughout the construction phase.

REASON In the interest of highway safety.

13. Highway Matters - TO BE COMPLETED IF NECESSARY

14. Soil Contamination - TO BE COMPLETED IF NECESSARY

INFORMATIVE(S):

1. Hours of Construction.

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

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Registration Date:	02-Sep-2016	Application No:	P/00619/007
Officer:	Mr Albertini	Ward:	Central
Applicant:	Mr Ali Raza, Comfort Care Services Ltd	Application Type:	Major
		13 Week Date:	2 December 2016
Agent:	Mr Josh Harling, Yeme Architects The Diplomat Hotel, 144 Sunbridge Road, Bradford, West Yorkshire, BD7 1HR		
Location:	64 Mill Street, Slough, SL2 5DH		
Proposal:	Demolition of existing building (Gym) and construction of an apartment building. 6 Storeys high with 27 flats. (26 one bedroom 1 two bedroom).		

Recommendation: Delegate to Planning Manager for approval



Reference Number P/00619/007

1.0 SUMMARY OF RECOMMENDATION

Delegate to Planning Manager for approval subject to completion of a Sec 106 planning obligation.

PART A: BACKGROUND

2.0 Proposal

- 2.1 The revised scheme comprises 26 one bedroom and 1 two bedroom flats in a 6 storey building. No affordable housing is proposed within the development. Several revisions have been made since the application was submitted in response to officers comments.
- 2.2 The proposed building is narrow but deep with some projections on the flanks and a set back top floor. It sits close to or abuts the north side site boundary. The front is in line with adjacent buildings. The rear end is close to the end of Grays Place and a rear garden fence of an adjacent Grays Place house. Habitable rooms are on each elevation of the building but there are fewer windows on the flanks. Some of the projections from the flanks contain windows that look down the side of the building. Other windows on the flanks have translucent panels or have fins to prevent or restrict views out. There are no windows in the north elevation of the top floor. The height of the building is 15.8 metres and 13.1 metres to the top of the fifth storey.
- 2.3 The north façade sits between 1.4 and 3.3 metres from the site boundary although part of the building, with no windows, abuts the boundary. The separation distance to the adjacent flank is 2.8 m and from the corner of the building to the corner of the nearby house 11. m. The south façade is between 5 and 9.5 metres from the south boundary of the site. And it is between 12 and 15.6 metres away from the north elevation of the adjacent Rivington Apartments building to the south. The front is 15 to 16 metres away from the flats opposite in Mill Street.
- 2.4 1 car parking space is proposed off Grays Place and space for 16 cycles to be stored. The gap along the south side provides a cycle store, bin store and planting space. The space also contains a gated path between Mill St. and Grays Place off which is the building entrance on the south side of the building. Mill St footway is shown widened.
- 2.5 The ground floor flats all have patio areas outside their windows with surrounds of low wall with railings. Upper storey flats at the Mill St and Grays Place ends of the building have balconies. Amenity planting is shown around parts of the edge of the site including trees on the south side.

- 2.6 The building has a flat roof with walls primarily in brick plus some smooth finish render (with anti fungal paint) and for the set back top floor horizontal cladding panels. Brick colour on drawings is stated as red but textured buff in the design and access statement. There are feature panels of composite wood veneer panels above the entrance door and on part of the frontage. The appearance is contemporary in style. Most windows are deep. Those on the flanks or projections are narrow; those on the forward most part of the rear and front elevation are wider. Some have fins to limit overlooking.
- 2.7 The application is supported with a design and access statement, a light study and drainage information. The light study concludes that the building will not have a notable reduction in the amount of either daylight or sunlight enjoyed by neighbouring buildings. Rooms within the development will exceed the minimum target daylight values. Some rooms will not achieve target sunlight levels.
- 2.8 The submitted viability study indicates it is not economic to include affordable housing. A financial contribution is offered based upon the Council's requested education contributions. Negotiations have resulted in a larger contribution for affordable housing education and transport. Full confirmation of this in relation to the revised scheme has been sought.
- 2.9 The previous application, that was recommended for refusal but withdrawn, proposed a 5 storey building with a greater extent of the building closer to the north and south boundaries than the current scheme and a different window and room arrangement. The new proposal has more mass at the top of the building but is not higher than the ridge line of the previous scheme. Some protrusions on the south side are closer, above ground floor level, to the south boundary than the previous scheme.
- 3.0 **Application Site**
- 3.1 This 780 sq metre site (0.078 ha) currently contains an unattractive two storey former light industrial building used as a gym (655 sqm). It is a narrow fronted but deep site which has an access at the front and back. It is set back from Mill Street footway 3.5 m (7.5m first floor) and from the end of Grays Place 4 to 9 metres on a slanting boundary line. Part of the building sits on the north boundary and the south side is 4.75 metres off the site boundary. There are windows on all elevations except that part of the north elevation on the boundary.
- 3.2 The site has space for about 10 cars but at least 4 would not be approved if part of a planning application. The parking is located off Mill Street and Grays Place but not connected.
- 3.3 The site sits between 3/4 storey flats to the north and the recently completed apartment building off Railway Terrace known as Rivington Apartments – this is a combination of 5 and 7 storey rising to 9 storeys with

a set back. Immediately adjacent to the south boundary is the ramp down to the basement car park of the latter building. The 3/4 storey block (Headington Place) has its flank next to the site (2.75 metres away) and part of its rear car park. The 5 to 9 storey building is between 6 and 8 metres from the site boundary and has habitable room windows in its north elevation some with balconies.

3.4 Opposite to the east is Noble Court a 4/5 storey building. To the west is the end of Grays Place (serving the Rivington Apartments building service yard) and a rear garden of a two storey house in Mill Street the building of which is 5 metres away to the north west.

3.5 The site falls within the town centre area as defined in the Core Strategy. It is very close to the railway station and a short walk to the town centre via William Street bridge.

4.0 **Site History**

4.1 P/00619/005 application (2009) for change of use from business to gym use withdrawn 2012.

P/00615/006 28 flats in 5 storey building Recommended for refusal but withdrawn Nov 2015.

5.0 **Neighbour Notification**

5.1 Mill St Headington Place 1-12 14-20
Mill St Noble Court 1-12 14-16 17-23 48 50 52.
Grays Place 61 61a 63 65
Railway Terrace Rivington Apartments 10-15, 29-34, 48-53, 67-72, 84-88,98-102, 108-109, 112-113.

5.2 The description of the development stated 5 instead of 6 storey building when the application was first publicised. Neighbours have been notified of the revised scheme and 6 storey has been stated in the description. Any response to the latest revised scheme will be reported on the meeting amendment sheet.

5.3 3 letters from neighbours objecting to the initial proposal on the following grounds:

Part of private access from Grays Place to the site and shared with 4 homes in that street may be used for car parking as the proposal has no parking space. Risk of access to homes being blocked.

Overshadowing/less sunlight and overlooking/loss of privacy of home in Grays Place. Building will overlook bathroom bedroom lounge. *Response – para Sec 9.*

Worried about safety and increased noise/disturbance due to intended

housing of adults with health/misuse issues.

Design and appearance – concern about height. Proposal would erode spacing between properties – a critical buffer zone. Response to pre application scheme stated officers ‘would support a substantially reduced scheme’. Withdrawn application recommended for refusal. New scheme very similar to previous. It is poor design and does not comply with Local Plan policy. *Response – para Section 9.*

Impact on Neighbouring residents – Day/Sun light report does not include homes in Grays Place. No information to show proposal would not result in unacceptable loss of light. Size, scale height of proposal result in oppressive development which would harm amenity of neighbours – overbearing, loss of outlook sense of enclosure. Not comply with policy. *Response – para. 9.7 and Section 9.*

Parking and Highway Issues – No parking assessment provided. Previous report highlighted lack of parking may cause on street parking in an area of high parking demand. Proposal would have prejudicial impact on highway safety and free flow of traffic therefore does not comply with policy. *Response – para 6.3 and 8.1*

5.4 Response for matters not in report below.

Regarding access the applicant states they have a right of way over the land and it was built by the sites previous owner but residents do not have a right to use it. There is a risk of visitors to the new building attempting to park on the access and blocking access to individual homes rather than find a space in the neighbourhood or a car park. This would be inappropriate parking but this issue can arise in many parts of the town with limited parking.

The affect on living conditions/impact on neighbouring residents is covered in Section 9 below. For the nearest Grays Place house adjacent the new building would affect its privacy; particularly the garden, but not unusually so for a town centre site. In terms of outlook from windows the building will not be directly in front of windows but it will dominate part of the outlook. Rivington Apartments has a greater dominating effect on the nearest Grays Place homes being taller and directly in front.

In terms of future occupants the applicant has not provided any details for this application. The applicant has been asked for details. However in terms of Planning matters ‘residential’ use is being applied for and there is no opportunity to control occupancy or for a decision to be influenced by occupants possible behaviour

6.0 **Consultation**

6.1 **Traffic/ Highways**

The proposal as originally submitted was recommended for refusal for reasons based upon cycle parking, footway width, pedestrian environment. These issues have been addressed.

- 6.2 However for the scheme to be acceptable conditions or planning obligations are required as follows :

- Construct widened footway along the Mill St frontage.
- Dedicate the land under the widened footway.
- Financial contribution to fund changes to on-street parking restrictions and provision of car club bays;
- Removal of existing vehicle crossover from Mill Street.

- 6.3 Nil parking for residents and one for servicing/visitors is acceptable subject to financial contributions referred to above and a restriction on residents gaining parking permits for street parking. Nil parking may cause parking on-street where there are limited or no controls (such as Petersfield Ave.). The contribution is needed to implement further residents parking controls and upgrade single yellow to double. It can also be used, in part, to introduce car-club on street bays to offer an alternative to owning a car.

6.4 Drainage

A drainage strategy is required including calculations, layout, soakage tests, confirmation of any sewer connections necessary. A sustainable urban drainage system is required unless there is proof it cannot be achieved. This can be covered by condition.

6.5 Environmental Quality (Contamination)

Request standard contamination conditions applied as the area has had an industrial use in the past.

6.6 Education

Request financial contribution towards new education facilities.

6.7 Housing

Request contribution towards affordable housing.

PART B: PLANNING APPRAISAL

7.0 Policy Background

- 7.1 The site is identified on the Proposals Map (2010) as an existing business area. Under Core Strategy policy 5 loss of employment uses in these areas is strongly resisted. The Site Allocations Development Plan 2010 identifies the site as part of Selected Key Location 3. Under Core Strategy policy 1 there is flexibility to relax the 'no loss of employment' requirement in identified Selected Key Locations if various site objectives listed in the Development Plan are achieved. Comprehensively planned development is

one objective.

- 7.2 The proposal is not a comprehensively planned scheme but this site has limited opportunity to be combined with an adjoining site to achieve a better scheme. Adjacent buildings are generally relatively new so owners will not be considering redevelopment. However replacement of the existing unsightly building would be advantageous for the streetscene. The current gym use is unlikely to employ many staff.
- 7.3 Core Strategy policy 6 states that all community facilities/services should be retained. If an exception is made and loss occurs a financial contribution towards other local community facilities/services is required. No alternative or compensatory facilities are proposed so the development does not comply with this policy. The loss of this small gym is unlikely to be significant in terms of overall leisure provision in the area. This loss need not therefore be considered a strong reason to reject the proposal provided the replacement development is good quality and well designed and assists local regeneration.
- 7.4 The lack of affordable housing means the scheme does not comply with Core Strategy policy 4. It requires 30 % of homes above 25 units to be social rent. A financial contribution instead of homes on site would be acceptable because of the small site and mostly one bed rooms are proposed. A financial contribution for the Council to spend off the site on affordable housing has been offered and agreed.
- 7.5 The offered financial contribution is not policy compliant but as the viability study concludes development is not viable without a reduction the offered contribution can be accepted in terms of compliance with Core Strategy policy 10. This is subject to full confirmation of 106 matters regarding the revised scheme.
- 7.6 Regarding contributions to recreation facilities the development is only just over the 25 unit threshold for seeking such contributions. As affordable housing is considered a greater need this contribution will not be pursued. Similarly for contributions towards the station north forecourt enhancement that have been collected from other larger schemes in the area in connection with increased travel demand.
- 7.7 The applicant is not the owner of the site. They are involved in housing in particular providing supported housing for adults but have not stated what type of accommodation is to be provided other than 'market housing'. In terms of planning rules 'residential use' is what is proposed and the type of occupants cannot be controlled.
- 8.0 **Access and Transport**
- 8.1 The single parking space is acceptable for this location. The site sits within the town centre of the Proposals Map regarding application of car parking standards. As the development consists of mostly one bedroom homes, is

not a very large scheme and is close to the station and town centre the lack of parking is acceptable. To avoid parking demand from the development increasing current parking problems in the area there will be a restriction on obtaining parking permits and a contribution towards parking controls/car club all secured via a Section 106 Planning Obligation. Use of the parking space for visitors/servicing can be secured by condition. Cycle storage detail is subject to Transport Section comments.

- 8.2 The widening of Mill Street footway is necessary because the current pinch point, on a street that has greater pedestrian flows than the past, makes it more convenient and safer to use. The widening would not disadvantage the scheme as it would still leave a suitable patio area in front of the adjacent flats. The widening is now shown on the revised layout.
- 8.3 Subject to a planning obligation to secure requested transport matters the proposal will comply with Core Strategy 7 Transport.

9.0 **Living Conditions and Residential Amenity**

- 9.1 Dealing first with privacy the distance between habitable room windows on the south elevation and the north elevation of the adjacent Rivington Apartments building is between 12 metres and 15.6 metres away. Normally 18 metres would be a minimum acceptable distance on the private side of a development to prevent excessive overlooking and loss of privacy to residents of both developments. However the windows that directly face the existing homes opposite are to have translucent panels. This will prevent overlooking. This can be secured by condition.
- 9.2 For the windows that face east or west (alongside the wall) an oblique view into existing homes would be possible but the shortest distance, at a 45 degree angle, is 18 metres which is acceptable.
- 9.3 The distance between the side of balconies (west end of building) and adjacent windows could create unacceptable overlooking opportunities but the proposed small screen at balcony ends will help address this.
- 9.4 At the front the distance between habitable room windows is 15 or 16 metres. Whilst this is below the desired 18 metres the 15/16 distance is found further along Mill Street and this distance is found elsewhere between frontages of some terraced housing. Although it should be noted houses usually have a rear elevation not affected by loss of privacy. Flats do not always have a dual aspect – windows both sides of the home.
- 9.5 On the northern side the distance between some windows and rooms in the nearby house in Grays Place is 14/15 metres. This is acceptable because it is an oblique view. There will however be a direct view into the garden area immediately to the rear of the house. A clear view from the balcony to house and garden will be partly blocked by a balcony end screen. The relationship to the rear of the nearest Grays Place house is acceptable only because of the town centre context i.e. many large

buildings with relatively small separation distances in comparison to suburban character development.

- 9.6 The view out from one set of windows toward Headington Place will enable windows to be seen 8 and 9 metres away but as the building is at 90 degrees to the proposed building overlooking opportunities are limited. Vertical fins are proposed for these windows to limit overlooking. Other north elevation windows will be translucent to prevent overlooking but let in light.
- 9.7 The light study concludes that whilst there are some below target results the proposal is acceptable for its context i.e. a town centre/high density area. Light standards are not statutory minimums and are to be treated flexibly in areas that already have dense development. Loss of light for the nearest homes in Greys Place has not been studied. They are near but not immediately behind the proposed building; they are off set to the north west. When looking out of the nearest window, at 90 degrees to it, the west edge of the new building will be visible 10 degrees to the left. Consequently whilst light from the south east might be reduced there is little chance of the houses not receiving sufficient light in accordance with accepted light standards.
- 9.8 Some existing homes will have less light than now but the assessment carried out concludes that the loss will not be great enough to fail the test reported in the assessment document. Some rooms in Headington and Noble Court will have more than the target level of sun light loss for one of the tests carried out but collectively, the scheme meets the relevant target standard.
- 9.9 Regarding the new flats all pass the day light test reported in the assessment. 3 rooms fail the sun light test.
- 9.10 The proximity of the building to the 9 storey building to the south inevitably means some new flats will not receive much sun light. The new building will also reduce light to existing homes adjacent as the larger building will intrude on the skyline seen by existing residents. The assessment concludes that the degree of light loss is acceptable. The Council's consultant concluded that the study's conclusion, for the earlier larger scheme, were reasonable.
- 9.11 The proximity of buildings and unusual arrangement of windows to light rooms mean some habitable rooms have a poor outlook. However the use of translucent panels in windows will be for non habitable rooms or secondary windows only. Consequently living conditions will be reasonable in the context of a town centre development.
- 9.12 Regarding the overbearing affect of a large building close to main windows the proposal, compared to the previous withdrawn scheme, is better in some respects but not others. The building is slightly further away from most homes to the south but it is higher. The new building being 4 storeys

higher than existing and so close to Rivington Apartments will have an overbearing effect on some existing flats particularly at first floor level. For homes opposite and in Grays Place the building will have a significant effect on their outlook but is not sufficiently great to be considered overbearing in a town centre context.

- 9.13 Building so close to site boundaries along the side of the plot particularly if habitable room windows are near the boundary is not good practice. The windows rely upon borrowed light. This may limit redevelopment opportunities on adjoining sites in the future or cause conflicts where activities in the adjoining plot take place close to the boundary. Because the adjacent buildings are relatively new any redevelopment is likely to be in the distant future.
- 9.14 The amount of accommodation on the site is large for this narrow plot close to other buildings. There is no problem with the principle of reaching a height similar to that adjacent to the north and east i.e. 4 storey. However the size and positioning of the building and its windows are crucial to achieve a good design. It is a difficult site to get a lot of good quality homes on. The fact that surrounding sites have large buildings does not by itself mean this small site can have a large building.
- 9.15 The proposal relies upon some unusual room and window arrangements to achieve 27 homes on the site. Although it is approximately the same height as the previous application scheme it has more mass of building at the top level. Whilst it is generally not as close to the site boundaries as the previous scheme some parts of it are closer particularly on the south side. It is however better, overall, than the scheme that came in when this application was first submitted.
- 9.16 Regarding Local Plan policy EN1 design and Core Strategy policy 9 Built Environment in terms of creating satisfactory living conditions and residential amenity, for existing and new residents, it is only just acceptable in terms of privacy and light. Similarly in terms of outlook from new homes the revised scheme is just acceptable. These acceptances take account of the sites town centre context. The overbearing effect on a few of the homes in Rivington Apartments is the most significant adverse effect. There are no standards relating to 'overbearing' as an adverse effect however it is considered the proposal does not quite comply with the above policies even taking into account the town centre context.
- 9.17 It is appropriate to also consider the benefits of accepting the proposal. Removal of the unsightly existing building would be beneficial for the image of the street – a route to the station that is likely to be used by more pedestrians in the future. However it is also relevant to point out that, as it is not a particularly prominent site, if it does stay as it is it will not have a major affect on the image of the wider neighbourhood. Increasing the stock of homes in the town is also a benefit.
- 9.18 Acceptance of the proposal should be conditional on installation of

essential privacy screens referred to, ensuring translucent window panels remain long term and good quality landscaping to relieve the dense nature of the proposal.

10.0 Other design and layout matters

- 10.1 Amenity space for the development is limited. This requirement, in terms of quantity of space, can be relaxed a bit to assist a successful redevelopment of the narrow site. Good quality landscape can make up for this.
- 10.2 The elevational treatment of the building is satisfactory in terms of appearance. It is a simple design in terms of form but the combination of material variations, projections, balconies and recessed windows create shadow and interest.
- 10.3 The through way along the south side of the building from Mill St to Grays Place is a potential crime problem. But the proposed gates dissuade unauthorised access. It can be fitted with an entry system to secure the area if problems occur.
- 10.4 The proposal complies with Local Plan policy EN1 design in terms of appearance and amenity; Core Strategy policy 9 Natural and built environment; policy 12 community safety. Core Strategy policy 8 Sustainability, in terms of surface water drainage, is complied through application of a condition. The submitted drainage scheme is not detailed enough to show how a satisfactory drainage scheme can be constructed.

11.0 Section 106 Planning Obligation Matters

- 11.1 Subject to confirmation of the financial contribution negotiated the package below if agreed will comply with Core Strategy policy 10 Infrastructure and policy 4 type of housing :
- Financial contribution towards affordable housing
 - A financial contribution for transport (parking controls and car club parking bay).
 - 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
 - Widen Mill St footway and dedication of it as public highway maintainable at public expense.
 - Financial contribution towards education facilities.
 - 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 normal policy requirements.

11.2 The education and transport obligations are necessary for the development to go ahead as they address infrastructure associated with the development and potential adverse impacts of the development. The affordable housing contribution is a policy requirement and is a benefit for the town. The viability study has been checked by the Council's Asset Management Section.

11.3 The applicant has been offered the opportunity to consider reduction of the planning obligation financial contributions if the size of the building is reduced sufficiently to overcome the key outstanding concerns. To make a significant difference a full storey (i.e. not the top floor) needs to be removed. The applicant has not taken up this offer.

12.0 **Conclusion**

12.1 In conclusion the principle of redevelopment and residential use is supported and a building larger than the existing one is also acceptable in principle. However the size of this particular proposal, as revised, and the arrangement of its rooms and windows etc. plus proximity to site boundaries and other buildings means it results in living conditions and residential amenity for new and existing residents that are only just acceptable. The combination of low levels of light and overbearing effect on some Rivington Apartment flats is the most significant adverse effect of the development.

12.2 Because of the difficulty in achieving a viable development on a small, narrow site close to large buildings some compromise regarding living standards may be acceptable if this is the only way to achieve redevelopment for a better looking building than the existing one. This is the justification for recommending approval. It needs to be noted this justification is relevant only to this particular scheme and its circumstances. It should not be used by other developers as a precedent for their unsatisfactory schemes.

12.3 If removal of the existing building is not considered a particular benefit the adverse effects of the building referred to above would be sufficient grounds to refuse the application.

12.4 The policies regarding loss of leisure facilities and an employment use are not fully met but this need not be a significant issue if the proposal is acceptable in terms of design and use and can clearly be seen to assist in regeneration of the area.

12.5 The proposal is only acceptable if a contribution is made to affordable housing, education facilities and some transport matters as listed above plus provision for a viability review referred to in para. 11.1.

PART C: RECOMMENDATION

13.0 **Recommendation**

Delegate to Planning Manager for approval subject to completion of a satisfactory Sec 106 planning obligation agreement and alteration or addition of conditions.

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

1. Commence

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:

Drawing Numbers

Location 500673/OS01

Roof and Site Plan 500673_PL_04_01 Rev E Recvd 22/12/16

Ground Floor Plan 500673_PL_04_02 Rev E Recvd 22/12/16

First Floor 500673_PL_04_03 Rev E Recvd 22/12/16

Second Floor 500673_PL_04_02 Rev E Recvd 22/12/16

Third Floor 500673_PL_04_05 Rev E Recvd 22/12/16

Fourth Floor 500673_PL_04_06 Rev E Recvd 22/12/16

Fifth Floor 500673_PL_04_07 Rev E Recvd 22/12/16

Roof Plan 500673_PL_04_08 Rev E Recvd 22/12/16

Site Plan 500673_PL_04_09 Rev E Recvd 22/12/16

Front and Side (south) elevation 500673_PL_05_01 Rev D Recvd
05/01/17

Rear and Side (north) elevation 500673_PL_05_02 Rev C Recvd
22/12/16

Schedule of Accommodation 500673_PL_06_01 Rev B Recvd
22/12/16

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

3. Details Samples of materials
Details of all and samples of brick and cladding 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. Lighting Scheme
The building shall not be occupied until external lighting along the south side of the site has been installed in accordance with detail that shall have first been submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be retained and maintained as installed.

REASON In the interest of crime prevention in accordance with Core Strategy 2006-2026 policy 12.

5. Bin storage
No dwelling shall be occupied until the approved bin store has been constructed. The approved store shall be retained at all times in the future for this purpose.

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

6. Cycle parking
Construction of the building shall not commence until details of the cycle parking stands and lockers on the approved layout have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details prior to the occupation of the development and shall be retained at all times in the future for this purpose.

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

7. Boundary treatment
No dwelling shall be occupied until boundary treatment has been implemented on the site in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. Details shall include the position, appearance, height and materials to be used and including gates and bollards shown on the approved layout. The boundary treatment shall be retained and maintained as installed thereafter.

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.

8. Landscaping Scheme

Construction of the building shall not 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 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 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.

9. Parking

The building shall not be occupied until the parking space on the approved plans has been constructed and marked out as a visitors parking space for visitors to the building only. The space shall be 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 Policy 10 of the adopted Core Strategy for Slough 2006-2026.

10. Surface Water Drainage

Construction of the development shall not commence until details of the surface water drainage system have been submitted to and approved in writing by the Local Planning Authority. The details shall include future maintenance of the system. The drainage system shall be completed in accordance with those details prior to the occupation of any dwelling. The system will require attenuation of surface water on site. The drainage system shall be installed, retained and maintained in accordance with the approved details.

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

11. Restricted view windows/balconies

No construction work above damp proof course level of the building shall commence until details of restricted view windows (marked RCT or frosted or external fins on the approved floor plans) and screens at balcony ends shown on the approved elevation drawings have been submitted to and approved in writing by the Local Planning Authority. The restricted view windows and screens on balconies shall be installed prior to first occupation of the associated dwelling and retained and maintained thereafter.

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

12. External Appearance Details

No construction works above damp proof course level of the building shall commence until detailed elevational and section drawings of windows, doors, eaves and balconies of the building have been submitted to and been approved in writing by the Local Planning Authority. The drawings shall be at 1:100 scale. No dwelling shall be occupied until windows, doors, eaves and balconies have been constructed/installed in accordance with the approved details.

REASON In the interest of visual amenity.

13. Off Site Highway Works

No apartment 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);
- Reinstatement of the existing crossover as footway;
- Reconstruction of footway fronting the application site;
- Widening the footway fronting the site in accordance with the approved layout.

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

14. Construction Management Plan

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

15. 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.

16. Soil 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.

17. Soil 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.

18. 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.

INFORMATIVE(S):

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

3. Hours of Construction.

During the demolition and construction phase of the development hereby permitted the developer is asked to ensure that no work be carried out on the site outside the hours of 08.00 hours to 18.00 hours Mondays - Fridays, 08.00 hours - 13.00 hours on Saturdays and at no time on Sundays and Bank/Public Holiday

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SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee

DATE: 18th January, 2017

PART 1

FOR INFORMATION

Planning Appeal Decisions

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

WARD(S)

ALL

Ref	Appeal	<u>Decision</u>
P/16301/004	40 Spencer Road, Slough, SL3 8RT Lawful development certificate for a proposed detached outbuilding at the rear.	Appeal Granted 22 nd December 2016

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MEMBERS' ATTENDANCE RECORD 2016/17
PLANNING COMMITTEE

COUNCILLOR	16/06	29/06	03/08	07/09	05/10	02/11	07/12	18/01	22/02	22/3	26/4
Ajaib	P	P	P	P	P	P	P				
Bains	P	P	Ap	P	P	P	P				
Chaudhry	P	P	P	P	Ap	P	P				
Dar	P	P	P	P	P	P	P				
M. Holledge	P	P	P	P	P	P	P				
Plenty	P	P	P	P	P	P	P				
Rasib	Ap	Ap	P	P	P	P	P				
Smith	P	P	P	Ap	P	P	P				
Swindlehurst	P	P*	P	P	P	Ap	P				

P = Present for whole meeting
Ap = Apologies given

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

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