

Date of issue: Tuesday, 18 April 2017

MEETING	PLANNING COMMITTEE (Councillors Dar (Chair), M Holledge (Vice-Chair), Ajaib, Bains, Chaudhry, Plenty, Rasib, Smith and Swindlehurst)
DATE AND TIME:	WEDNESDAY, 26TH APRIL, 2017 AT 6.30 PM
VENUE:	VENUS SUITE 2, ST MARTINS PLACE, 51 BATH ROAD, SLOUGH, BERKSHIRE, SL1 3UF
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	NICHOLAS PONTONE 01753 875120

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

PAGE

WARD

APOLOGIES FOR ABSENCE

CONSTITUTIONAL MATTERS

1. Declarations of Interest

All Members who believe they have a Disclosable Pecuniary



<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	<p><i>or other Pecuniary or non pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 3 paragraphs 3.25 – 3.27 of the Councillors’ Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 3.28 of the Code.</i></p> <p><i>The Chair will ask Members to confirm that they do not have a declarable interest.</i></p> <p><i>All Members making a declaration will be required to complete a Declaration of Interests at Meetings form detailing the nature of their interest.</i></p>		
2.	Guidance on Predetermination/Predisposition - To Note	1 - 2	-
3.	Minutes of the Last Meeting held on 22nd March, 2017	3 - 6	-
4.	Human Rights Act Statement - To Note	7 - 8	-
PRE-APPLICATION PRESENTATIONS			
5.	Slough Central Library, 85, High Street, Slough, SL1 1EA	9 - 10	Central
6.	Land at Former Octagon Site, Brunel Way	11 - 12	Central
PLANNING APPLICATIONS			
7.	P/02134/018 - Montem Guest House, 9-13, Montem Lane & 1A, King Edward Street, Slough, SL1 2QU	13 - 34	Chalvey
<i>Delegate to Planning Manager for Approval</i>			
MISCELLANEOUS REPORTS			
8.	Revision of How Core Strategy Affordable Housing Policy is Applied	35 - 42	All
MATTERS FOR INFORMATION			
9.	Members Attendance Record	43 - 44	-
10.	Date of Next Meeting		

Wednesday 31st May, 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, 22nd March, 2017.

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

Also present under Rule 30:- Councillor Sharif.

PART I

124. Declarations of Interest

Councillor Rasib declared that Agenda Item 6 - P/02931/018 Mars UK Ltd, Dundee Road, Slough was in his ward.

Councillor Bains declared that Agenda Item 7 - P/13519/006 Land at rear of 11, 15 and 17 Yew Tree Road, Slough was in his ward.

125. Guidance on Predetermination/Predisposition

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

126. Minutes of the Last Meeting held on 22nd February, 2017

Resolved - That the minutes of the last meeting, held on 22nd February, 2017, be approved as a correct record.

127. Human Rights Act Statement

The Human Rights Act Statement was noted.

128. Pre-Application Presentation: Land at Former Octagon Site, Brunel Way

Item Withdrawn.

129. Planning Applications

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

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

Agenda item 7 – Application P/13519/006: Land at rear of 11, 15 and 17 Yew Tree Road, Slough: An Objector and the Applicant and their Agent addressed the Committee.

Resolved – That the decisions be taken in respect of the planning applications as set out in the minutes below, subject to the

Planning Committee - 22.03.17

information, including conditions and informatives set out in the report of the Head of Planning Policy and Projects and the amendment sheet tabled at the meeting and subject to any further amendments and conditions agreed by the Committee.

130. P/02931/018 - Mars UK Ltd, Dundee Road, Slough, SL1 4LG

Application	Decision
Demolition of part existing building and construction of a two storey building including internal and external works. New access proposed on Fairlie Road and associated works.	Delegated to Planning Manager for Approval, subject to resolution of outstanding transport/highway matters, finalising of conditions and final determination.

131. P/13519/006 - Land at rear of, 11, 15 and 17, Yew Tree Road, Slough, Berkshire, SL1 2AA

Application	Decision
Construction of a 2.5 storey block to accommodate 12no flats (3no 3 bed flats; 4no 2 bed flats; 4no 1 bed flat; 1no studio) with associated works. (Outline application to assess access, layout and scale).	Delegated to Planning Manager for Approval subject to revised plans to address neighbour amenity issues, consideration of any substantive objections or requirements from the Local Highway Authority, the Lead Flood Authority, the Crime Prevention Design Advisor, the satisfactory completion of a Section 106 agreement and finalising of conditions. The Committee requested that the whole of Harewood Place be adopted as a public highway.

132. P/02134/018 - Montem Guest House, 9-13, Montem Lane & 1A, King Edward Street, Slough, SL1 2QU

Application	Decision
Demolition of existing 28 bedroom guest house and managers flat. Outline planning permission for upto 23 units, (means of access only) with lower ground floor parking for 26 cars and 23 bicycles.	Not determined. The recommendation to Delegate to the Planning Manager for Approval was put and lost with 3 votes for, 5 votes against and 1 abstention. The reason for voting against the recommendation was that, by majority, the Committee considered the application was not in accordance

Planning Committee - 22.03.17

	<p>with Core Policy 4 in that the site was considered to be located in an existing suburban area suitable for family houses that are designed to enhance the distinctive urban character and identity of the area. It was considered that the site would be more suitable for redevelopment of family housing of up to 3 storeys, potentially town houses.</p> <p><i>(Councillor Swindlehurst requested that his dissent from the decision be recorded.)</i></p>
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133. Planning Appeal Decisions

Resolved – That details of recent Planning Appeal Decisions be noted.

134. Members Attendance Record

Resolved – That details of the Members Attendance Record be noted.

135. Date of Next Meeting

The date of the next meeting was confirmed as 26th April, 2017.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.07 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

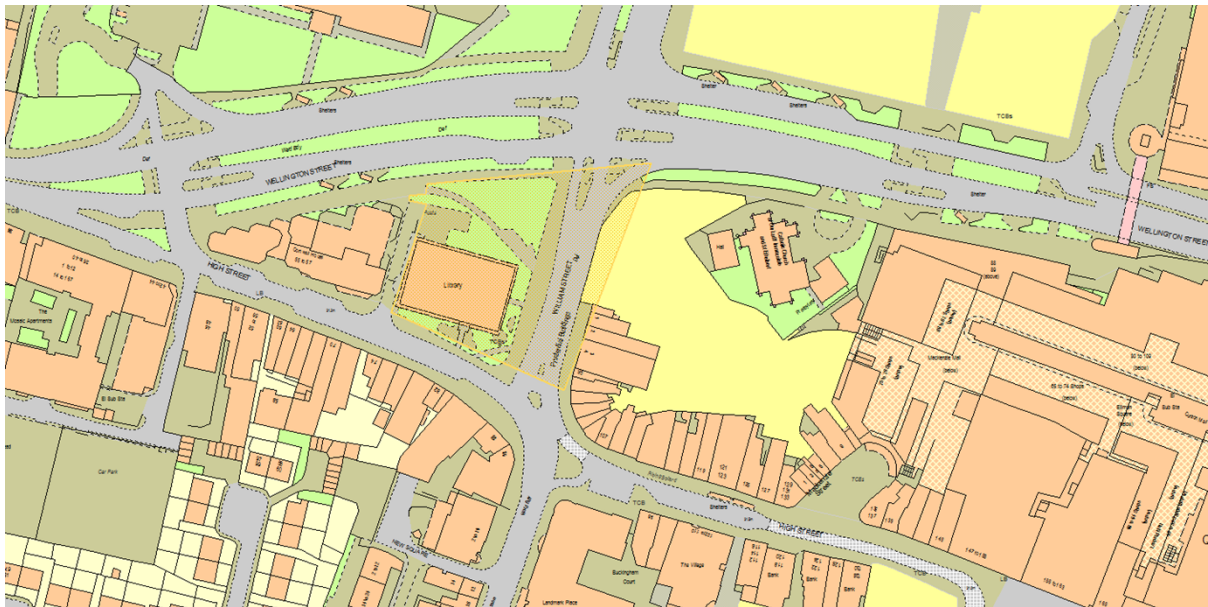
	USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House
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:	N/A	Application No:	PreApp/00847
Officer:	Mark Doodes	Ward:	Central
Applicant:	Slough Urban Renewal	Application Type:	Major
Agent:	Franklin Ellis Architects	13 Week Date:	N/A
Location:	Slough Borough Council, Slough Central Library, 85, High Street, Slough, SL1 1EA		
Proposal:	Proposed mixed use development consisting of three primary zones: Hotel, Residential, Retail/Restaurant. The proposal is for a ten storey building on size of existing library		

PRE-APPLICATION PRESENTATION



Introduction:

The proposed development forms part of the 'Heart of Slough' Masterplan area and is the site of the town's former library.

The scheme is split into three primary use classes:-

- C1 Hotel
- C3 Flats/Apartments
- A1/3/5 Shop/Restaurant

Hotel Use

The proposed hotel development delivers approximately 232 guest bedrooms along with associated public areas and supporting facilities within the ten storey northern and central wings of the scheme. Within this hotel use two distinctive brands are planned, namely Moxy and Residence Inn. Moxy as a brand focusses on short stay guests and will be located on floors 1 to 4, with a ground floor reception area, dining area, lounge, kitchen, laundry and WC facilities. Residence Inn (5th to 8th floor) as a brand focusses on medium to long terms guests, providing large studio rooms and small suites, with separate bedroom, lounge and limited kitchen facilities. The 9th floor will accommodate a bar, dining and lounge facilities, including a number of meeting rooms and an external terrace.

A1/3/5 Shop/Restaurant

The above uses will be located on ground floor of the southern building, to provide an active frontage to both William Street and High Street of approximately 465m² of catering/dining space.

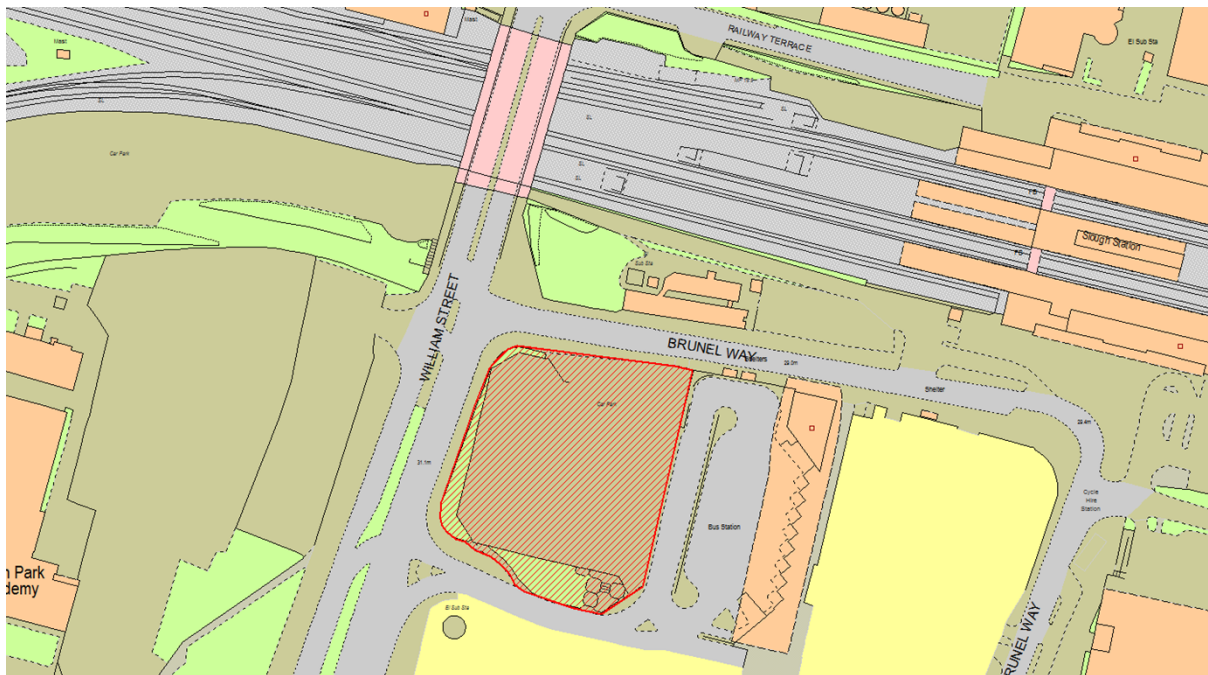
Residential Use

The upper floors of the southern building will accommodate approximately 62, one and two bedroom flats, with private entrance lobby on the corner of the High Street.

The courtyard created by the u-shaped building will accommodate a parking and servicing area, which will be accessed from the High Street.

Registration Date:	N/A	Application No:	N/A
Officer:	Mark Doodes	Ward:	Central
Applicant:	Aberdeen Asset Management	Application Type:	Major
		13 Week Date:	N/A
Agent:	TP Bennett		
Location:	Land at Former Octagon Site, Brunel Way		
Proposal:	Mixed use residential-led scheme		

PRE-APPLICATION PRESENTATION



Introduction:

Aberdeen Asset Management, a listed investment management group who act of pensions providers and other large scale institutions, is seeking to erect a mixed use residential-led scheme on land that is presently vacant. The site is considered to be strategically important and the direction of its development is the subject of care and scrutiny internally.

TP Bennett, acting for Aberdeen, has prepared a detailed pre-application to present to Councillors regarding the scheme. The proposals presently feature 260 privately rented flats of which 55% are two bedroom units, arranged in two towers of 18 and 25 storeys. Affordable housing delivery is the subject of on-going discussion.

In between the two towers is a 180 bed hotel. A range of other uses exist on the lower floors that create a new public square including a gym, public house, cycle store, coffee shops, small retail unit and a "business suite" as part of the mid-upper market hotel offer which also features conference facilities. Overall the design is intended to create a landmark-grade building close to the Heart of Slough sites.

The agents and investors will present the scheme and answer any initial questions Councillors may have.

Registration Date:	24-May-2016	Application No:	P/02134/018
Officer:	Karen Haizelden	Ward:	Chalvey
Applicant:	Mirenpass Limited	Application Type:	Major
		13 Week Date:	23 August 2016
Agent:	Mr. B Stanley, Heritage & Architecture 74, Stanhope Road, London, Middx, UB6 9EA		
Location:	Montem Guest House, 9-13, Montem Lane & 1A, King Edward Street, Slough, SL1 2QU		
Proposal:	Demolition of existing 28 bedroom guest house and managers flat. Outline planning permission for residential development, (means of access only) with lower ground floor parking for 26 cars and 23 bicycles.		

Recommendation: Delegate to the Planning Manager for approval



1.0	<u>SUMMARY OF RECOMMENDATION</u>
1.1	Having considered the relevant policies set out below, the representations received from consultees and all other relevant material considerations it is recommended that the application is delegated to the Planning Manager for approval, subject to revised plans to address design concerns and the satisfactory completion of a Section 106 agreement, and finalising conditions.
1.2	This application is a major planning application and is therefore before the Committee for determination.
1.3	This report was presented to the 22 March Planning Committee. Following Members concerns further evaluation has been added at paragraph 8.7 of this report, the description of the proposal has been amended and a further planning condition (28) has been added. The recommendation remains the same.
	<u>PART A: BACKGROUND</u>
2.0	Proposal
2.1	This proposal is for outline planning permission, the only matter for determination at this stage is access. All other matters relating to appearance, landscaping, layout and scale are not for consideration at this time. All plans produced are for illustrative purposes except those relating to the access.
2.2	The plans show one possible option of the way the site could be developed to provide 23 units, this comprises 17no. one bed units, 4no. two bed units and 2no. three bed units. It is proposed that the car parking for the development would be placed at an underground basement level with a vehicle ramp from King Edward Street. There will be 26 car parking spaces and 23 cycle spaces provided in this underground parking court. Plans indicate that two of these spaces could be for electric vehicles. The illustrative plans show a continuous building for the flats starting from Montem lane and turning the corner to finish at 1A King Edward Street. Roof heights are varied however the majority of the development between is proposed three storeys above ground so overall this will be a four storey development (including basement).
3.0	Application Site
3.1	The application site is currently the Montem Guest House located on the corner of Montem Lane with King Edward Street. The site also includes a residential property at 9 Montem Lane. The main section of the guest house was originally built as residential properties. These are made up

	<p>of two Edwardian properties that are now joined via a modern extension on Montem Lane. Subsequent to the formation of the guest house, the use extended to include a 1960's extension to the terrace along the eastern side of King Edward Street (no. 1a). The guest house has been extended by numerous extensions in the past and a significant proportion of the site is covered by buildings. There is a small area of yard at the rear of the site.</p>
3.2	<p>Surrounding development is predominately residential in its nature and character. To the south east and west along Montem Lane and King Edward Street, the majority of dwellings are semi detached and terraced Edwardian properties. Opposite, on the northern side of Montem Lane is a modern development built during the 1980/90s characterised by two and three storey flats and houses.</p>
4.0	<p>Relevant Site History</p> <p>P/02134/011 CHANGE OF USE OF 11 MONTEM LANE AND 1A KING EDWARD STREET TO PROVIDE ADDITIONAL ACCOMMODATION TO GUEST HOUSE AT 13 MONTEM LANE</p> <p>Refused 15-Mar-1982</p> <p>P/02134/010 ERECTION OF BOUNDARY WALL AND CANOPY OVER PART OF BACK YARD</p> <p>Withdrawn by Applicant 01-Mar-1983</p> <p>P/02134/013 CONSTRUCTION OF COVERED WAY & NEW ROOFING.(64 SQ M).</p> <p>Approved with Conditions 11-Apr-1984</p> <p>P/02134/012 RETROSPECTIVE APPLICATION FOR CHANGE OF USE OF 11 MONTEM LANE AND 1A KING EDWARD STREET TO PROVIDE ACCOMODATION ADDITIONAL TO EXISTING GUEST HOUSE AT 13 MONTEM LANE</p> <p>Approved with Conditions 28-Sep-1984</p> <p>P/02134/014 ERECTION OF A SINGLE STOREY REAR EXTENSION TO PROVIDE 4 BEDROOMS.</p> <p>Withdrawn by Applicant 02-Mar-1987</p> <p>P/02134/015 ERECTION OF SINGLE STOREY LINK EXTENSION AT REAR TO PROVIDE ENLARGED LOUNGE DINING AND KITCHEN FACILITIES.</p> <p>Approved with Conditions 19-Dec-1990</p> <p>P/02134/016 ERECTION OF SINGLE STOREY REAR EXTENSION TO WASHROOM/WC ACCOMMODATION.</p> <p>Approved with Conditions 28-Jun-1991</p>

	<p>P/02134/017 DEMOLITION OF EXISTING PROPERTIES AND ERECTION OF 33NO. ONE BEDROOM FLATS, 5NO. TWO BEDROOM FLATS AND 2NO. THREE BEDROOM FLATS WITH ASSOCIATED PARKING</p> <p>Refused 16-Jun-2005 for the following concerns: Overdevelopment, impact on visual amenity and amenity of the neighbouring occupiers, inability to provide appropriate servicing, inadequate affordable housing and inadequate amenity space and bins stores.</p>
5.0	<p>Neighbour Notification</p> <p>5, Montem Lane, Slough, SL1 2QU, 40, Ledgers Road, Slough, SL1 2RL, 5, King Edward Street, Slough, SL1 2QT, Flat 2, 47, Ledgers Road, Slough, SL1 2RQ, Flat 3, 47, Ledgers Road, Slough, SL1 2RQ, Flat 1, 47, Ledgers Road, Slough, SL1 2RQ, 19, Montem Lane, Slough, SL1 2QW, 4, King Edward Street, Slough, SL1 2QS, Flat 14, Oban Court, Montem Lane, Slough, SL1 2QH, Flat 15, Oban Court, Montem Lane, Slough, SL1 2QH, Flat 16, Oban Court, Montem Lane, Slough, SL1 2QH, Flat 17, Oban Court, Montem Lane, Slough, SL1 2QH, Flat 10, Oban Court, Montem Lane, Slough, SL1 2QH, Flat 11, Oban Court, Montem Lane, Slough, SL1 2QH, Flat 12, Oban Court, Montem Lane, Slough, SL1 2QH, Flat 18, Oban Court, Montem Lane, Slough, SL1 2QH, Flat 19, Oban Court, Montem Lane, Slough, SL1 2QH, Flat 20, Oban Court, Montem Lane, Slough, SL1 2QH, Flat 21, Oban Court, Montem Lane, Slough, SL1 2QH, Flat 46, Oban Court, Montem Lane, Slough, SL1 2QH, Flat 48, Oban Court, Montem Lane, Slough, SL1 2QH, 2, King Edward Street, Slough, SL1 2QS, 3, King Edward Street, Slough, SL1 2QT, 3, Montem Lane, Slough, SL1 2QU, 12, King Edward Street, Slough, SL1 2QS, 43a, Ledgers Road, Slough, SL1 2RQ, 43, Ledgers Road, Slough, SL1 2RQ, 1, Montem Lane, Slough, SL1 2QU, 17, Montem Lane, Slough, SL1 2QW, 10, King Edward Street, Slough, SL1 2QS, 15, Montem Lane, Slough, SL1 2QW, 41, Ledgers Road, Slough, SL1 2RQ, 8, King Edward Street, Slough, SL1 2QS, 9, King Edward Street, Slough, SL1 2QT, 7, Montem Lane, Slough, SL1 2QU, 51, Ledgers Road, Slough, SL1 2RQ, 49, Ledgers Road, Slough, SL1 2RQ, 7, King Edward Street, Slough, SL1 2QT, 21, Montem Lane, Slough, SL1 2QW</p>
5.1	<p>Two objections have been received, issues raised include:-</p> <ul style="list-style-type: none"> • car parking problems are currently bad this will add more cars and make the existing situation even worse. • Premises used for prostitution in the past Police have been involved should be used for family accommodation only
6.0	Consultation Responses
6.1	<p><u>Crime Prevention Design Advisor</u></p> <p>Objects to the proposal as the current design has many flaws that would</p>

	<p>lead to an unsatisfactory design in terms of designing out crime. Matters of concern include car parking facility being insecure, multiple pedestrian accesses, cycle storage and physical security of dwellings. It is advised that a planning condition is imposed to ensure the future design achieves Secure by Design accreditation.</p>
6.2	<p><u>Environmental Quality</u> Recommends planning condition with regard to electric vehicles and a contribution to off set air quality impacts</p>
6.3	<p><u>Contaminated Land Officer</u></p> <p>No objections recommends conditions - I have reviewed the information submitted for the above property, as well as our records related to potential contaminative land uses at the property and within 250m of the property.</p> <p>There are no historical potential contaminative uses associated with the site under development. However, the nearest significant off-site sources of potential contamination are three sites with entries in the Disused Tank Registry, indicated that tanks might still be present, several Potentially Contaminated Sites, and a former mineral extraction site later infilled with unknown materials.</p> <p>Based on the above the proposed development may be affected from the potential migration of ground gases/volatile contaminants from the off-site source. Thus, further investigation is recommended to ensure that there are no unacceptable risks to human health receptors from increase in exposure frequency following conversion from commercial to residential end use. I recommend conditions are place on the Decision Notice:</p>
6.4	<p><u>Planning Policy</u></p> <p>Principle of flats acceptable in this location.</p>
6.5	<p><u>Drainage Engineer</u></p> <p>No objections recommends conditions</p>
6.6	<p><u>Transport and Highways Development</u></p>
6.6.1	<p><i>Pedestrian Access / Emergency Access</i> The issues relating to pedestrian access and emergency access still remain and should be addressed by way of a condition. Case officer to resolve.</p>
6.6.2	<p><i>Vehicle Parking</i> 29 parking spaces are shown on the submitted drawings, but I would be surprised if more 26 spaces could actually accessed properly. Therefore on the basis of 1 space per unit with 3 visitor spaces I am of the view</p>

	<p>that the proposed level of provision is acceptable. Three spaces would need to be removed to ensure each flat has an individual cycle store. The applicant has agreed to fund a car club and fund a local residents parking scheme, which will help to prevent overspill in the local residential streets. These two measures are considered as suitable mitigation to address the shortfall of parking in respect of the Slough Local Plan Parking Standards.</p>
6.6.3	<p>In accordance with the Institute of Air Quality Management (IAQM) Land-Use Planning & Development Control: Planning For Air Quality (January 2017) guidance the provision of at least 1 Electric Vehicle (EV) “rapid charge” point per 10 residential dwellings shall be provided i.e. for this development 2 charge points and the basement car park scheme should be designed such that each parking space could be wired up to an EV charging point in the future should demand require.</p>
6.6.4	<p><i>Cycle Parking</i> 13 individual cycle parking stores are shown on the plans, which is less than 1 store per flat. 7 of the stores are located in impractical locations and therefore on the basis of the illustrative design there is likely to be only 6 stores. However as I have already commented not all of the parking spaces will be accessible given the tightness of the layout and therefore there is potential for more cycle parking to be provided. One store for each flat should be provided on the site.</p>
6.6.5	<p><i>Gradient and Width of Ramp</i> A waiting space has now been provided at the top of the ramp (off the public highway), so that the ramp can function as one way and there is a light controlled system managing the ramp to the basement car park. The proposed ramp comprises a 1:12 to 1:6 to 1:12 transition. The height of the ramp falls 1.5m, and includes a 3m long transition at the top and bottom of the ramp. The proposed gradient is in line with Institute for Structural Engineers which states in Section 4.3.8 that ‘vehicle ramps are usually of a gradient of between 1:6 and 1:10’, and also Table 4.4, which states ‘for a rise of 1.5m a maximum gradient of 1:6 can be provided with transition slopes at top and bottom’. The scheme does feel very tight, however it is considered that so long as the car park is designed in accordance with Institution of Structural Engineers Design Recommendations for Multi-Storey and Underground Car Parks (4th Edition) that the proposed scheme is acceptable.</p>
6.6.6	<p><i>Recommendation</i> No highway objection subject to the following obligations, conditions and informatives.</p>
6.6.7	<p><i>S106 and S278</i> The applicant will need to enter into a section 106 agreement with Slough Borough Council, this s106 agreement will obligate the developer</p>

	<p>to enter into a section 278 agreement for the satisfactory implementation of the works identified in the highways and transport schedules.</p> <p>The highways schedule includes:</p> <ul style="list-style-type: none"> • Temporary access point (as necessary); • Installation of crossover / junction; • Reconstruct the footway fronting the application site; • Reinstatement of redundant access points to standard footway construction; • Installation of street lighting modifications (as necessary); • Drainage connections (as necessary); • Relocation of any street furniture including utility cabinets that falls within the visibility splays; • The applicant must enter into a Support Structure Agreement with the highway authority as the basement car park will abut the highway boundary;
6.6.8	<p>The transport schedule includes:</p> <ul style="list-style-type: none"> • Contribution towards the implementation of a car club and on-street car club bay (prior to commencement); • Contribution towards amendments to waiting restrictions, a parking study to determine support for a residents parking scheme in the vicinity of the site and the cost of implementing a residents parking scheme (prior to occupation); • Residents of the development would be ineligible to receive on-street parking permit in any existing or future residents parking scheme;
6.6.9	<p>If the applicant is willing to provide mitigation to the shortfall of parking as set out in these comments, together with improving the quality of the cycle parking provision then this reason for objection can be overcome. With the car park layout it is better that all of the spaces can accommodate a vehicle comfortably rather than cramming in spaces at the planning stage only to find at detailed design stage that it does not work.</p>
6.6.10	<p>The access ramp will need to be re-designed and the adjacent flat reduced in size to accommodate waiting space at the top of the ramp for a vehicle to pass. The consultants will need to consider whether the gradient of the ramp can be re-designed to overcome this objection. A car park management plan will be required as part of any consent. The applicant should also review the positioning of the stairs. A full drainage / SUDS design is still awaited and should be submitted prior to determination.</p>
	<u>PART B: PLANNING APPRAISAL</u>
7.0	Policy Background
7.1	The application is considered alongside the following policies:

- National Planning Policies: National Planning Policy Framework, 2012 and Planning practice Guidance, 2016.
- Core Policy 1 (Spatial Strategy), Core Policy 3 (Housing Distribution) Core Policy 4 (Type of Housing) Core Policy 5 (Employment) Core Policy 7 (Transport) Core Policy 8 (Sustainability and the Environment) and Core Policy 12 (Community Safety) of Slough Local Development Framework, Core Strategy 2006-2026, Adopted Core Strategy 2006 – 2026 (Development Plan Document - 2008);
- Policies EN1, EN5, H11, H13, H14, T2 and T8 of the Adopted Local Plan for Slough, 2004;

Other relevant documents

- Guidelines for the Provision of Amenity Space Around Residential Properties (January 1990)
- Guidelines for Flat Conversions (April 1992)
- Slough Borough Council Developer's Guide (Parts 1-4)
- Council's approved Residential Extensions Guidelines – Supplementary Planning Document, 2010.

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

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

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

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

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

7.2	<p>The main planning issues relevant to the assessment of this application are considered to be as follows:</p> <ul style="list-style-type: none"> ▪ Principle of development; ▪ Affordable Housing ▪ Design and Impact on the street scene; ▪ Impact on neighbouring properties; ▪ Standards of Accommodation for Future Occupiers; ▪ Amenity space for the properties; ▪ Parking and highway ▪ Mitigation for development S106 Items
8.0	Principle of Development
8.1	<p>The NPPF requires a presumption in favour of sustainable development which should be seen as a “golden thread running through both plan making and decision taking”. In respect of decision taking this means inter alia approving development proposals that accord with the development plan without delay.</p>
8.2	<p>Twelve core planning principles are identified which both should underpin plan making and decision taking. A number of these core principles are relevant to the current proposals being:-</p> <ul style="list-style-type: none"> • Always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings • Support the transition to a low carbon future in a changing climate, taking full account of flood risk, the reuse of existing resources and the encouragement for using renewable resources • Encourage the effective use of land by reusing land that has previously been developed, provided that it is not of high environmental value • Actively manage patterns of growth to make the fullest possible use of Public Transport, walking and cycling, and focus significant development to locations which are or can be made sustainable. <p>At paragraph 49 in respect of delivering a wide choice of high quality homes it states that housing applications should be considered in the context of the presumption in favour of sustainable development.</p>
8.3	<p>Core Policy 1 of the Core Strategy 2006-2026, Development Plan Document sets out the overall spatial strategy for Slough requiring all developments to take place within the built up area, predominately on previously developed land. The policy seeks to ensure high density housing is located in the appropriate parts of Slough Town Centre with the scale and density of development elsewhere being related to the sites current or proposed accessibility, character and surroundings.</p>
8.4	<p>Core Policy 4 of the Core Strategy 2006-2026, Development Plan Document states that in urban areas outside of the town centre, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the</p>

	accessibility of existing and proposed local services facilities and infrastructure. Within existing suburban residential areas there will be limited infilling which will consist of family houses that are designed to enhance the distinctive urban character and identity of the area. Urban and suburban areas are defined in the appendices to the Core Strategy.
8.5	Given the existing use of part of the site as a Guest House the proposed use as residential flats is considered acceptable.
8.6	The surrounding area is made up of predominantly two storey family housing. There are some flats opposite to the development site. The loss of the Guest House and the residential property at number 9 Montem Road in favour of residential flatted development is acceptable in policy grounds, subject to achieving a good quality flatted development. The current application is for outline only, but will set the parameters for the reserved matters application, which will to a greater extent determine the quality of the dwellings. Regardless of fact that the current application is only for access, the officers still need to be confident the proposed amount of development can be achieved on site. The proposal requires some further amendments in order to address officers concerns.
8.7	Following concerns raised by Members regarding the type of residential accommodation proposed and the opportunity to provide family housing on the site in accordance with Core Policy 4, a further condition has been added. This condition will achieve the aim of suitable family housing development in this out of town centre location. This will be considered at a later stage when the reserved matters are submitted for consideration.
9.0	Affordable Housing
9.1	The plans illustrate a development for 23 units. The Applicants have indicated that no affordable housing will be provided on site instead they will provide a financial contribution based upon the suggested rates contained within the Slough Borough Council Developer's Guide (Parts 1-4).
10.0	Design and Impact on Street Scene
10.1	The illustrative plans indicate that a continuous built form of three storey above ground development. With a small two storey section adjacent to the existing properties in King Edward Street. The plans illustrate that the building could fit into the street scene although it will be the largest development of its type in both the roads. Directly to the north of the application site, there is a two and three storey development, so in terms of scale this development could blend into the surrounding area.
10.2	The illustrative plans show a mansard roof arrangement so that the third floor is disguised to appear like the surrounding roofs of the two storey

	<p>houses. The overall height of the building is shown as not exceeding the main ridge height of the remaining properties in Montem Lane. Although taking account of the rising slope of the road the highest part of the building will be on the corner of Montem Lane and King Edwards Street. The illustrative cross section plan shows a height of 2.3m to every floor including the car park making an overall height of approximately 10m. Given the underground parking requirements and the need to accommodate the ramp the impact upon the height of the proposed building is of concern. To this end a condition is recommended to impose a maximum height restriction upon the eventual future building on this site. In terms of the siting of the building forward of the return building line, officers accept that the current building is located on the back edge of the footway, but believe that this building of larger scale and bulk will have a greater impact on the junction. Officers will therefore seek to further improve the relationship of the proposed building with the Kind Edward Street frontage and the way that the building turns the corner.</p>
10.3	<p>The proposed materials indicated on the illustrative plans are traditional bricks, box sash windows for the main elevations, and a tile appearance for the roof. The uses of traditional material will soften the impact of the new building in the area and will be essential to ensure that the impact on the street scene is sympathetic.</p>
11.0	<p>Impact on neighbouring properties</p>
11.1	<p>The indicative floor plans illustrate that the windows that would overlook neighbouring properties can be designed to be the stairwells associated with the development or bathrooms. In this respect there could be no habitable room overlooking the rear gardens of the neighbouring properties. Future designs will need to illustrate no overlooking or loss of privacy to neighbouring properties will occur. Obscure glazing conditions and minimum window distances conditions will be imposed to constrain the window design to the rear of the future building so that this does not cause any detrimental impact to the existing properties on Montem Lane and King Edward Street.</p>
12.0	<p>Standards of Accommodation for Future Occupiers</p>
12.1	<p>The illustrative floorplans broadly meet the standards of accommodation required for flat conversions, but because the lay-out is not under consideration with this application, it is not possible to make a detail assessment of the room sizes. However better design and most likely a reduction in accommodation, could achieve better space standards. Officers are concerned about the proposed room sizes and were the specific layout under consideration, a better layout would be sought. In the future the applicants will be required to produce plans that meet the standards for flat conversions in the Borough. The applicants have produced a schedule to confirm that the accommodation could meet the standard required.</p>

<p>13.0</p> <p>13.1</p>	<p>Amenity Space for the Properties</p> <p>There is very limited on site amenity space indicated on the plans. There will be a small enclosed courtyard at street level accessed by two flats only. A communal garden and green roof is shown at roof level. However the benefit of this will need to be balanced against the height of the privacy screen required to ensure no overlooking or loss of privacy to neighbouring properties.</p>
<p>13.2</p>	<p>Salt Hill Park is within walking distance of the application site. The applicants have indicated a willingness to contribute towards the upkeep of the Borough's open spaces to mitigate against the lack of onsite provision of amenity space.</p>
<p>14.0</p>	<p>Car Parking and Highway Issues</p> <p>The issues regarding highways access and car parking have been dealt with by the Borough's Highways Engineers comments in this report and recommended conditions, informatives and necessary obligations.</p>
<p>15.0</p>	<p>S106 Draft heads of Terms</p> <p>In accordance with the Slough Borough Council Developer's Guide (Parts 1-4) the Applicants have indicated a willingness to enter into a Section 106 Agreement for the following items</p> <p>Affordable Housing Financial Contribution Education Financial Contribution Amenity Space Financial Contribution Temporary access point (as necessary);</p> <ul style="list-style-type: none"> • Installation of crossover / junction; • Reconstruct the footway fronting the application site; • Reinstatement of redundant access points to standard footway construction; • Installation of street lighting modifications (as necessary); • Drainage connections (as necessary) <p>Relocation of any street furniture including utility cabinets that falls within the visibility splays; The applicant must enter into a Support Structure Agreement with the highway authority as the basement car park will abut the highway boundary;</p> <p>Transport schedule includes: Contribution towards the implementation of a car club and on-street car club bay (prior to commencement); Contribution towards amendments to waiting restrictions, a parking study to determine support for a residents parking scheme in the vicinity of the site and the cost of implementing a residents parking scheme (prior to occupation); Residents of the development would be ineligible to receive on-street</p>

	parking permit in any existing or future residents parking
16.0	<u>Summary</u>
16.1	On the basis of above assessment, it is considered that outline planning permission (with means of access only) acceptable for a maximum of 23 units. Subject to securing quality design and ensuring that the neighbouring properties are not negatively impacted, the proposed conversion of the current buildings will not have detrimental impact upon the relevant material considerations outlined above, subject to the conditions set out below.
17.0	<u>PART C: RECOMMENDATION</u>
	Having considered the relevant policies set out in this report, and all other relevant material considerations it is recommended this Outline Planning application (for access only) be delegated to the Planning Manager for approval subject to revised plans to address minor design matters, the satisfactory completion of a Section 106 agreement and finalising conditions.
18.0	<u>PART D: DRAFT LIST OF CONDITIONS AND INFORMATIVES</u>
	<p>CONDITIONS</p> <ol style="list-style-type: none"> 1. Application for approval of the reserved matters must be made not later than three years from the date of this outline permission and the development must be begun not later than two years from the date of the final approval of the last of the reserved matters, or within five years from the date of this outline permission, whichever is the later. <p>REASON To prevent the accumulation of planning permissions, to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92 of the Town and Country Planning Act 1990.</p> <ol style="list-style-type: none"> 2. The development shall be carried out in within three years from the date of this permission in accordance with detailed plans showing the siting, design and external appearance of any buildings to be erected, the landscaping of the site, road and footpath design, vehicular parking and turning provision, green roof and privacy screening hereinafter collectively referred to as 'the reserved matters' which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

REASON To ensure that the proposed development does not prejudice the amenity of the site.

3. The development hereby approved shall be implemented only in accordance with the following plans and drawings hereby approved unless otherwise agreed in writing by the Local Planning Authority.

(a) Drawing No. 05 Rev F Dated 31/03/2016, Recd On 04/02/2017

(b) Drawing No. 06 Rev F, Dated 31/03/16, Recd On 04/02/2017

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

4. The development/application relates to the following site:

(a) Drawing No. 01, Site Location Plan, Dated 31/03/16, Recd On 25/01/2017

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

- The siting of the proposed new building as indicated on the Illustrative Drawing No. 05 Rev. F shall maintain a separation distance of 15m from the proposed development to the flank and rear elevations of No. 1 King Edward Street & 7 Montem Lane.
- The proposed development shall not exceed a height of three storeys plus basement.
- The sitting of the proposed new building shall respect and align to the predominant building lines of the vicinity and shall not be built up to the pavement line at the corner of King Edward Street and Montem Lane.

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 and appearance of the area and to comply with the Policies in the Development Plan.

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

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

locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

6. The development shall not be commenced on site before a topographical survey illustrating site levels shall be submitted to the Local Planning Authority for consideration and approval, the finished floor levels and internal ceiling heights of the development shall be indicated on this plan, the subsequent building height of the development will be based upon this survey and shall be no higher than 10m when measured from the existing ground levels.

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

7. No development shall commence until details of the measures to be incorporated into the development to demonstrate how 'Secured by Design (SBD)' accreditation will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until the Council has acknowledged in writing that it has received written confirmation of SBD accreditation.

REASON To promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000; in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and to reflect the guidance contained in The National Planning Policy Framework, 2012.

8. Prior to the commencement of development, any windows within the flank elevations of the proposed development, shall be obscurely glazed in accordance with a sample which shall be submitted to and approved in writing by the Local Planning Authority. The same windows shall be high level opening at a minimum height of 1.8 metres above the finished internal floor level.

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

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

provided at the site other than in accordance with the approved scheme.

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

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

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.
2. No doors or gates to open over the highway.

11. No doors or gates shall open over the highway at any time.

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

12. The vehicle access gates must be set back a minimum of 6m from the back edge of the footway

Reason: In order to prevent vehicles overhanging the adopted highway as they wait to enter the site and in doing so minimising danger, obstruction and inconvenience to users of the highway and of the development.

13. No other part of the development shall be occupied until the visibility splays shown on the approved drawings have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

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

14. The first 4.8m of the access road leading into the site, with the measurement taken from the back edge of the footway, shall be provided as a level surface (no gradient) so that the sightline of drivers of vehicles exiting the car park is not obstructed.

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

- 15.

16. Prior to first occupation of the proposed development hereby approved, details of the proposed bin store (to include siting, design and external materials) have been submitted to and approved in writing by the Local Planning Authority. The approved stores shall be completed prior to first occupation of the development and retained at all times in the future for this purpose.

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

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

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

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

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off
- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations
- (vi) construction and demolition working hours, hours during the construction and demolition phase, when delivery vehicles taking materials are allowed to enter or leave the site and the size of these vehicles to prevent damage to the existing Archway.

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

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

19. No part of the development shall be occupied until the pedestrian visibility splays of 2.4 x 2.4 metres (measured from the back of footway) have been provided on both sides of the access and the

area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

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

20. No part of the development shall be occupied until covered and lockable cycle parking stores measuring 2m in length x 2m in height and 1m in width are provided for each flat. The cycle parking shall be provided in accordance with these details and shall be retained at all times in the future for this purpose.

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

21. Prior to the development hereby approved first being brought into use, 26 no. car parking spaces shall be provided and made available for use in connection with the residential development and maintained for the parking of cars thereafter. The car parking spaces shall not be used for any separate business, commercial or residential use.

Reason: In the interest of ensuring satisfactory parking provision for occupiers of the development and to protect the amenity of residents and other land uses in the vicinity of the development from overspill parking on the public highway in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

22. Prior to commencement of the development hereby permitted, a full drainage philosophy plus layout and calculations will need to be provided for consideration and approval. The philosophy should include the existing drainage scenario, the proposal for the site drainage detailing the use of sustainable drainage systems and any proposed connections to a Thames Water sewer with confirmation of their approval and allowable discharge rate.

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

23. Prior to commencement of the development hereby permitted, full details of surface water drainage including the use of SuDs and its future maintenance have been submitted to and approved in

writing by the Local Planning Authority. No dwelling shall be occupied until the approved surface water drainage has been constructed. The drainage shall be maintained thereafter in accordance with the approved maintenance scheme.

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

24. Prior to the commencement of the development, details of the 2 electric vehicle charging bays in the basement car park, including specification, location and timescales for installation, shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging bays and points shall be installed, maintained and retained in accordance with the approved details.

Reason: To promote electrical vehicle car use and to offset the additional emissions associated with the development in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

25. The development shall not be started on site before the applicant has submitted detailed drawings of the basement car park and access ramp demonstrating that the basement car park has been designed in accordance with the Institution of Structural Engineers Design Recommendations for Multi-Storey and Underground Car Parks (the most recent edition). Details must be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of ensuring a safe and efficient design of the basement car park to ensure that the car park operates at its full capacity for the occupiers of the development and to protect the amenity of residents and other land uses in the vicinity of the development from overspill parking on the public highway in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

PHASE 1 - 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.

26. 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.

27. 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.

28. 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.

29. The residential development hereby granted shall provide family housing.

REASON: To ensure suitable accommodation is provided in accordance with Core Policy 4 of the Core Strategy 2008.

Informatives required:

- The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.
- No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.
- The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.
- The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.
- The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of a crane, scaffolding, hoarding, skip or any other device or apparatus for

	<p>which a licence must be sought from the Highway Authority.</p> <ul style="list-style-type: none"> • The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s. • Prior to commencing works the applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 / Minor Highway Works Agreement with Slough Borough Council for the implementation of the works in the highway works schedule. The applicant should be made aware that commuted sums will be payable under this agreement for any requirements that burden the highway authority with additional future maintenance costs. • As part of the structure will support the highway the applicant must enter into a Support Structure Agreement with the highway authority.

SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee **DATE:** 26th April 2017

CONTACT OFFICER: Howard Albertini
Special Projects Planner

(For all Enquiries) (01753) 875855

WARD(S): All

PART I
FOR DECISION

REVISION OF HOW CORE STRATEGY AFFORDABLE HOUSING POLICY IS APPLIED

1 Purpose of Report

To revise how the affordable housing element of Slough Core Strategy policy 4 (Type of Housing) is applied in respect of contributions sought from housing developers through Section 106 planning obligations. The revision is to take account of the Council's emerging new Housing Strategy, changes to legislation and Government guidance and the current housing market. Members approval is sought in preparation for a revision of the Developers Guide. The Guide will provide more detail and will be presented to a future Planning Committee for adoption.

2 Recommendation(s)/Proposed Action

The Committee is requested to resolve to approve the revised approach for how affordable housing planning policy is applied.

3 The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

3a. Slough Joint Wellbeing Strategy Priorities

Ensuring that developers contribute towards affordable housing will have an impact upon the following SJWS priorities:

- *Housing*

3b. Five Year Plan Outcomes

Requiring contributions from developers for affordable housing will contribute to the following Priority Outcomes:

- 4 Our residents will have access to good quality homes.

4 Other Implications

(a) Financial

There are no financial implications.

(b) Risk Management

It is considered that the risks can be managed as follows:

<i>Recommendation</i>	<i>Risk/Threat/Opportunity</i>	<i>Mitigation(s)</i>
Approve the revised approach for how affordable housing planning policy is applied.	Opportunity to increase effectiveness of policy. If policy not adopted risk of weakening chance of gaining affordable housing through the planning system.	Agree the recommendations.

(c) Human Rights Act and Other Legal Implications

There are no Human Rights Act Implications as a result of this report.

(d) Equalities Impact Assessment

There are no equality impact issues.

5 Supporting Information

Current position

- 5.1 The Council's 2008 Core Strategy policy 4 (type of housing) contains an overarching requirement for development sites of 15 or more new homes to provide between 30% and 40% as affordable housing. How this policy is implemented is detailed within Part 2 of the published Developers Guide (Sec 106 obligations). In summary it provides for the following developer contributions in relation to affordable housing:
- Sites of 15 to 24 new homes – a financial contribution (based upon a published schedule of rates)
 - Sites of 25 to 69 new homes – 30% of homes to be social rent
 - Sites of 70 or more homes – 30% social rent and 10% other affordable housing (In practice 'other' is usually shared ownership tenure).
 - In exceptional circumstances (for 25 plus homes) a financial contribution is made in lieu of the developer building new affordable homes on site
- 5.2 Firstly the Housing Section wish to review how the Council's affordable housing policy is implemented which is outlined in para 5.9 below.
- 5.3 Secondly since the 2008 financial crisis the ability to negotiate affordable housing, in particular social rent tenure, has been restricted. This has been due to a combination of development viability issues on brownfield redevelopment sites, significantly reduced public funding for Housing Associations and Government policy changes that weaken the Council's negotiating position and widen the definition of affordable housing.
- 5.4 Thirdly the reduction of Government funding since 2010 has resulted in very few Housing Associations being able to purchase social rented housing within private development sites.

- 5.5 In terms of past performance the percentage policy targets above have in general been achieved for greenfield developments but not on brownfield sites. This is expected to a certain extent because development viability is much more of an issue on sites that have relatively high existing use value because of existing buildings on the site, above average construction costs (for example due to contamination) or low residential values because of poor surroundings.
- 5.6 Negotiations with developers have, on some occasions, resulted in a lower percentage of affordable homes in return for gaining social rent tenure in place of shared ownership or bigger than average (affordable) homes, in particular family homes, which are of value to the Council. For some sites the Council has preferred to take a financial contribution in lieu of homes on site.
- 5.7 Regarding overall performance set against overall housing completions for the eight year period 2008/09 to 2015/16 14% of net new home completions in Slough have been affordable housing on private development sites negotiated via the planning system. Please note this percentage is not comparable to the planning policy figures of 30-40% which are applied to certain sites only.
- 5.8 To put the above 14% figure in context for the same eight year period to 2016 30 % of net new home completions have been affordable housing. This figure includes affordable housing within private development sites, as mentioned above, plus Council initiated affordable housing built using a combination of its own resources (land and money) and financial contributions from developers via the planning system (in lieu of them building on their sites).

Background

- 5.9 The Council's consultation draft Housing Strategy highlights growing affordability issues in the town for a wide range of people. Below are comments of the Strategic Director Regeneration Housing Resources on this matter which is a key reason for reviewing the planning policy:
1. The Housing Strategy discusses the fact that large numbers of households in the Borough live on incomes which mean that they cannot afford market house prices or market rents. More affordable housing is therefore required. However, households requiring affordable housing have a wide range of incomes. One third of households in the Borough have incomes that are insufficient to afford market housing but above that needed to be eligible for social housing. New housing provision for this group is very limited.
 2. The Housing Strategy therefore suggests that a range of affordable housing is required to rent and to buy and that the Council should consider a more flexible approach to Affordable Rented housing in particular and a wider range of rents.
 3. Unfortunately, the funding position at national level is such that providers, whether private developers, housing associations or local authorities are having to look at rent levels in order to make the funding go further. Although in the latest national Affordable Homes Programme the Government has restored some funding for Affordable Rent it is still heavily skewed towards shared ownership and other "Intermediate" products.
- 5.10 The Berkshire Strategic Housing Market Assessment (2014) highlights the need

for affordable housing in the area and the need for a range of affordable housing to include the gap between owner occupation and social rent housing. As part of the Review of the Local Plan the Council must use the Assessment to inform its housing policies. The overarching Core Strategy policy can only be changed as part of the on-going Local Plan review process. At this stage it is just the way it is implemented that is under review.

- 5.11 Government policy and guidance now expects affordable housing to cover a wider range of households in need than in the past and not just those eligible for social rent. This includes affordable rent (between market rent and social or target rent) and intermediate housing which covers shared ownership; low cost homes for sale and intermediate rent.
- 5.12 The Government's recent Housing White Paper proposes affordable home ownership units with a minimum 10% to be provided on major development sites (10 homes or more). This category would include Starter Homes (discounted homes for eligible first time buyers), shared ownership and rent to buy (the latter with discounted rent adjusted locally to make it affordable).
- 5.13 A further category proposed in the White Paper is Affordable Private Rent. A new emphasis is given to Build to Rent to encourage large scale institutional investment in rented housing – largely at market rents. However, in order to deal with the perceived difficulty of providing traditional affordable housing within a private rented development, the Government is proposing a new form of affordable housing – “Affordable Private Rent.” The current proposal is that this new form of affordable housing would be a minimum of 20% of homes in a development and at a minimum 20% discount from local market rents. It is not yet clear exactly how this would relate to a Local Authority's other Affordable Housing policies. However, the Government currently proposes that a local authority should consider taking Affordable Private Rent instead of other forms of Affordable Housing and that they should not seek other forms of Affordable Housing on Build to Rent schemes.
- 5.14 Some Councils, such as the Greater London Authority (GLA), are adopting their own local definition of affordability relating it to local household incomes.
- 5.15 Viability studies are submitted by most developers of brownfield development sites to justify non compliant levels of affordable housing. In nearly all brownfield site cases there is genuine justification for not achieving the 30% and 40% affordable housing policy targets. This is referred to in para 5.5 above; the percentage targets in the Core Strategy, when first drafted, were aimed at greenfield sites. However although negotiation usually results in developers increasing their initial offer the level of affordable housing finally agreed is always below the policy target. Consequently an option to consider is incentivising developers to include a substantial level of affordable housing but avoid the complication of a viability assessment.
- 5.16 A key element of the Housing White Paper is the Government's wish to speed up the delivery of new housing, including affordable housing. This follows a similar theme being adopted by the new Mayor of London in his supplementary planning guidance issued in 2016. In London, in order to speed up the planning and development process and incentivise developers to provide more housing a “threshold” is being adopted beyond which a detailed viability assessment would not be required by the planning authority. This is being set at 35% affordable

housing on any one scheme, against a normal target of 40%.

- 5.17 Regarding accepting financial contributions in lieu of new homes built by developers there is a benefit in the Council keeping this option open and introducing more flexibility in the guidance. This is due to the scale of projected development in Slough over the next few years and the difference between town centre, suburban and fringe greenfield sites. In addition circumstances that prevail at any one time may be different to now in terms of funds or development opportunities available or need for a particular type of accommodation. The key issue is the Council being in control of when it decides to accept a financial contribution instead of homes on site.
- 5.18 Regarding sites of 15 to 24 units and the schedule of rates for payment of financial contributions recent experience is that developers aim for 14 unit schemes. This is for 2 reasons; firstly the policy has a 'cliff edge' at 15 units. And secondly the rates make larger schemes unviable. A review of these rates is desirable to encourage developers to consider 14 – 24 unit schemes.

The Proposal

- 5.19 To deal with the changed circumstances referred to above it is proposed to revise the way the current planning Core Strategy policy is implemented. As the proposal does not involve changing the Core Strategy it can be implemented in advance of the current review of the Local Plan which will eventually supersede the Core Strategy as the Council's Development Plan. Implementation involves revising part 2 of the Developers Guide (this deals with Sec 106 planning obligations) and seeking adoption by the Planning Committee.
- 5.20 Comments from a Members workshop on the revised approach, to be arranged by the Housing Section in advance of Planning Committee, will be on the meeting amendment sheet. If the revised approach is approved the Developers Guide can be redrafted, in liaison with the Housing Section, and presented to a future Planning Committee meeting for final adoption.
- 5.21 Summary of proposed changed approach :

Site size	Current Policy	Proposed Policy
15 to 24 new homes	Financial Contribution (schedule of rates)	Revise the schedule of rates to reduce cliff edge at 15 units and refine the rates so that they are more likely to be workable in terms of viability of 15 or more 4 units
25 to 69 new homes	30% social rent	Slough Affordable Rent (7.5%) Slough Living Rent (22.5%) (see definitions below) (% - see options below at para)
70 or more new homes	30% social rent & 10% other affordable housing	30% Slough Affordable Rent and Slough Living Rent as above 10% 'Intermediate Housing' to include :

		Shared Ownership & Rent to Buy (% - see options below at para)
25 plus new homes Exceptional circumstances	Financial contribution in lieu of the developer building new affordable homes on site.	Retain but apply policy when it benefits the Council compared to on-site provision.
Viability Assessments	Requested if % less than policy.	Set target for brownfield sites above which no assessment needed.

5.22 Definitions of the two new categories above, provided by the Strategic Director Regeneration Housing Resources , are below :

Slough Affordable Rent would be broadly the existing Council or Housing Association or Target rents (defined by reference to the Homes and Communities Agency policy).

Slough Living Rent would be for people on middle incomes but who cannot access market rents. It therefore meets the ambition in the Housing Strategy to have a wider range of rents available for different groups of the population who cannot afford to accommodate themselves in the market. These rents would also be affordable for people on Housing Benefit and include any service charges. They would be reviewed annually and set at a level that reflected median gross household incomes in Slough. This would be adjusted for the size of the property. Slough Living Rent would also be the affordable rent level used by James Elliman Homes, the Council's new subsidiary housing company and on a proportion of the Council's own new build programme.

Options

5.23 In addition to the above various options or questions for further consideration have been put forward by the Strategic Director for Regeneration Housing Resources. These will be discussed at the Member workshop prior to Committee and officers views will be on the Committee meeting amendment sheet. This may result in the proposal above altering slightly or detail going in the future Developers Guide revision. The questions relate to :

Q1 -Further define requirements for Intermediate Housing

Q2 - Tenure split - Affordable Rent vs Intermediate

Q3 - Review financial contributions for 15-25 home sites (see recommendation above in proposal summary)

Q4 - Level at which viability assessment not required

Q5 a - Adopt a more flexible policy on financial contributions (also known as commuted sums)

Q 5 b - Adopt a more flexible approach on off site provision of affordable housing.

5.24 Regarding Q 2 an option is to have more Intermediate and less Slough Affordable Rent in both the 30% and 40% categories. This is common elsewhere in the country – the total affordable housing for a site is currently split 75/25; an option is 60/40.

- 5.25 Regarding Q 4 suggested thresholds are 35 % (for 70 plus schemes) and 25 or 27% for 25- to 70 unit schemes).
- 5.26 Regarding Q 5b in the past most affordable housing is built on site but off-site (i.e. built by the developer of the core site on a donor site) has been accepted in a few cases where the location and mix of homes are acceptable to the Council and in particular, where family homes can be achieved instead accepting flats on the core site. A further key requirement is the donor site being not having already been identified as an independent and available affordable housing site.

White Paper

- 5.27 Regarding White Paper proposals for Starter Homes and Affordable Private Rent revised guidance can refer to these but until the Government publishes more detail on these it is difficult to settle what the Council's guidance should be. One option is to include these in the Intermediate Housing category.
- 5.28 However it is likely that the Government will expect or require these two forms of affordable housing to take priority over the Council's view of affordable housing i.e. Starter Homes would count towards the Council's 30% or 40% affordable housing and similarly Affordable Private Rent (within private build to rent schemes), would be in place of Council specified affordable homes. There may be opportunities to influence eligibility and affordability of Affordable Private Rent depending upon how further Government guidance is drafted.

Other Matters

- 5.29 Revised guidance will include clear provision for overage where the Council accept non-compliant levels of affordability. This is the ability for development viability to be reviewed if the developer has not made substantial progress on site within a normal development time frame. The review would identify the scope for additional affordable housing contributions, but no more than the policy compliant level, if there is evidence of property values having risen substantially above development costs.

6 Background Papers

Core Strategy DPD

Developers Guide Part 2 (Developer Contributions and Affordable Housing
(Section 106)

Housing Strategy 2016-2021 consultation draft

Planning and Housing White Paper

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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	P	P	P	
Bains	P	P	Ap	P	P	P	P	P	P	P	
Chaudhry	P	P	P	P	Ap	P	P	P	P	P	
Dar	P	P	P	P	P	P	P	P	P	P	
M. Holledge	P	P	P	P	P	P	P	P	P	P	
Plenty	P	P	P	P	P	P	P	P	P	P	
Rasib	Ap	Ap	P	P	P	P	P	Ap	Ap	P	
Smith	P	P	P	Ap	P	P	P	P	P	P	
Swindlehurst	P	P*	P	P	P	Ap	P	P	P	P	

P = Present for whole meeting
Ap = Apologies given

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

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