

Date of issue: Tuesday, 29 August 2017

MEETING	PLANNING COMMITTEE (Councillors Dar (Chair), M Holledge, Ajaib, Bains, Chaudhry, Plenty, Rasib, Smith and Swindlehurst)
DATE AND TIME:	WEDNESDAY, 6TH SEPTEMBER, 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)	NABIHAH HASSAN-FAROOQ 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**

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	APOLOGIES FOR ABSENCE		
	CONSTITUTIONAL MATTERS		
1.	Declarations of Interest <i>All Members who believe they have a Disclosable Pecuniary or other Pecuniary or non pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 3 paragraphs 3.25 – 3.27 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 3.28 of the Code.</i> <i>The Chair will ask Members to confirm that they do not have a declarable interest. All Members making a declaration will be required to complete a Declaration of Interests at Meetings form detailing the nature of their interest.</i>		
2.	Guidance on Predetermination/Predisposition - To Note	1 - 2	-

3.	Minutes of the Last Meeting held on Wednesday 2nd August 2017	3 - 8	-
4.	Human Rights Act Statement - To Note	9 - 10	-
PLANNING APPLICATION			
5.	P/11219/007- Kidde Graviner Ltd, Windsor House, Mathisen Way, Colnbrook, Slough, SL3 0HB	11 - 52	Colnbrook with Poyle
	<i>Recommendation: Delegate to the Planning Manager for Approval</i>		
6.	P/10697/010- Lanz Farm Ltd, Galleymead House, Galleymead Road, Colnbrook, Slough, SL3 0NT	53 - 88	Colnbrook with Poyle
	<i>Recommendation: Subject to the referral to the Secretary of State delegate to the Planning Manager for Approval</i>		
7.	P/13519/007- Land at rear of, 11, 15 and 17, Yew Tree Road, Slough, Berkshire, SL1 2AA	89 - 108	Upton
	<i>Recommendation: Delegate to the Planning Manager for Approval</i>		
MISCELLANEOUS REPORTS			
8.	Housing Trajectory and Five Year Housing Land Supply 2016/17	109 - 114	All
9.	Revision of Affordable Housing Section of Developer's Guide	115 - 136	All
MATTERS FOR INFORMATION			
10.	Planning Appeal Decisions	137 - 138	All
11.	Members' Attendance Record	139 - 140	
12.	Date of Next Meeting Wednesday 4 th October 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.



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, 2nd August, 2017.

Present:- Councillors Dar (Chair), M Holledge (Vice-Chair), Ajaib, Bains, Chaudhry, Plenty, Smith (from 6.46pm) and Swindlehurst

Also present under Rule 30:- Councillor Strutton

Apologies for Absence:- Councillor Rasib

PART I

33. Declarations of Interest

Application S/00257/005 – Former Absolute Ten Pin Building, Salt Hill Park, Slough - All Members present declared that they had submitted a request for a dispensation for a potential Disclosable Pecuniary Interest in that the Council was the Trustee of The Salt Hill Playing Fields which owned a small part of the application site. Members were advised that the Monitoring Officer had granted dispensations in these circumstances, however, some Members had not received confirmation prior to the commencement of the meeting. Councillor Plenty declared that as he had not personally been informed that he had been granted a dispensation he would withdraw from the meeting during consideration of this item.

34. Guidance on Predetermination/Predisposition

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

35. Minutes of the Last Meeting held on 5th July 2017

Resolved- That the minutes of the last meeting, held on the 5th July 2017, be approved as a correct record.

36. Human Rights Act Statement

The Human Rights Act Statement was noted.

37. Planning Application

(Cllr Smith joined the meeting at 6.46pm)

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.

No oral representations were made to the Committee by Applicants or Agents under the Public Participation Scheme.

Planning Committee - 02.08.17

S/00257/005- Former Absolute Ten Pin Building, Salt Hill Park, Slough-
Councillor Strutton addressed the Committee under rule 30.

Resolved – That the decisions be taken in respect of the planning applications as set out in the minutes below, subject to the information, including conditions and informatives set out in the report of the Head of Planning and Projects and the amendments sheet tabled at the meeting and subject to any further amendments and conditions agreed by the Committee.

38. S/00257/005- Former Absolute Ten Pin Building, Salt Hill Park, Bath Road, Slough, SL1 3SR

(Councillor Plenty left the meeting)

Application	Decision
<p>Enlargement and alterations to existing car park, widening of access road, and alterations to junction with Bath Road. Over cladding of existing roof, replacement and additional doors, replacement external plant, new louvres, ducts and flues.</p>	<p>Delegated to the Planning Manager for approval subject to measures to prevent glare from the over-cladding, the changes set out in planning officer’s highways and parking section, consideration of any substantive objections from members of the public, consideration of any requirements from the Authority; Thames Water; Environmental Quality; Contaminated Land Officer; and finalising conditions.</p>

(Councillor Plenty rejoined the meeting)

39. P/08040/020- Alexandra Plaza, 33, Chalvey Road West, Slough, SL1 2NJ

Application	Decision
<p>Addition of third storey and change of use of the first and second floors to provide a total of 32 residential flats (23no. 1bed; 4no. 2 bed; 5no. 3 bed.) Green roofs partly to be used as an amenity space with privacy screening above second and the proposed third floor. Demolition of 4 Alexandra Road to facilitate realigned vehicular access. Extension to the southeast end of the building to accommodate new pedestrian access and stairwell to all levels. (Revised application following withdrawal of P/ 08040/018)</p>	<p>Delegated to the Planning Manager for approval, subject to any changes by the highways authority, and consultee responses from Thames Water, Crime Prevention Design Advisor, Environmental Protection (NET), finalising conditions and satisfactory completion of a Section 106 agreement to provide the following;- financial contribution for affordable housing.</p>

40. Response to Central & Eastern Berkshire Joint Minerals and Waste Issues and Options Consultation Paper

The Committee was presented with a report from the Planning Policy Lead Officer which outlined Slough's response to Central & Eastern Berkshire Joint Minerals and Waste Issues and Options Consultation Paper. Bracknell Forest Council, Reading Borough Council, the Royal Borough of Windsor and Maidenhead and Wokingham Borough Council were working together to produce a Joint Minerals and Waste Plan 2017-2038. The Council had decided not to be an active working partner with the Central and Eastern Berkshire Joint Minerals and Waste Plan because it was not considered to be a priority.

The Officer summarised the key strategic issues for Slough and reviewed the points made in response to the consultations detailed in paragraphs 5.10 to 5.18 of the report which Members were asked to endorse. Members discussed a number of issues including the potential impact of a 3rd runway at Heathrow in waste provision, the Colnbrook Logistics Centre and the local implications of gravel extraction sites near to Slough. At the conclusion of the discussion the response was endorsed.

Resolved- That the response to the Central and Eastern Berkshire Joint Minerals and Waste Issues and Options Consultation Paper set out in paragraphs 5.11 to 5.18 of the report be endorsed.

41. Response to Windsor & Maidenhead Borough Local Plan 2013-2032 (Regulation 19) Submission Version

The Planning Policy Lead Officer presented the Committee with a report outlining the proposed response to Windsor & Maidenhead Borough's Local Plan 2013-2032 (Regulation 19) Submission Version. The Plan was currently out for consultation for 8 weeks ending on the 26th August 2017 and the proposed response of Slough Borough Council was summarised. It was highlighted that concerns were previously raised about the way in which the plan had been produced and the failure to comply with the Duty to Co-operate. Slough had previously raised concerns that the RBWM plan did not meet their Objectively Assessed Housing Need, however, this had now been addressed and the plan proposed meeting the need for 14,240 homes. It did not provide any contribution to meeting Slough's unmet need and there were two small sites for potential southern expansion that the Council would request be bought forward.

The Officer advised that within the Local Plan that insufficient consideration had been made to the provision of affordable housing and that under Policy H03 that there was no mention of housing for rent, that inability or unwillingness to provide housing would have a detrimental impact on Slough; and highly unaffordable homes for purchase. The report also highlighted Slough's formal request for the site south of Austen Way, Langley to be utilised as a housing development in the borough plan to help meet

Planning Committee - 02.08.17

housing needs in the area, however this had been rejected and there were plans for further discussion regarding the caveats to this proposal. The implications of the gaps within the plan would result in Slough's highly saturated private rented sector (PRS) being placed under higher demand as the Royal Borough's residents who were affected by homelessness or were unable to afford homes will inevitably look for housing in the neighbouring boroughs. It was noted that RBWM had agreed commitments on affordable housing and it appeared there would lead to a supplementary Planning Document rather than be included in the Local Plan itself, which the Committee considered unsatisfactory.

Members highlighted their concerns in relation to the proposed Local Plan and the lack of affordable housing rent provision by the Royal Borough which would in turn place excessive demand pressures on neighbouring boroughs. Members did not feel that it was either equitable nor reasonable for Slough to provide affordable housing options for neighbouring boroughs who were failing to meet the need of their existing residents. Members discussed that there had already been issues with neighbouring boroughs placing families into temporary accommodation within the authority, and those who did not have a duty to be housed would then seek affordable private rentals within Slough as they were effectively priced out of the Royal Borough and surrounding areas. Members felt strongly against the idea of certain boroughs adhering to national policy and guidance and how some authorities were able to avoid delivering on housing priorities for their residents.

Several Members strongly expressed the views that the Royal Borough's long standing failure to provide affordable homes for rent was unacceptable and had serious impacts on neighbouring boroughs. It was agreed that the response should make this point in the strongest possible terms by not meeting the Duty to Co-operate. Members also discussed the increased congestion and traffic associated with housing growth.

At the conclusion of the discussions, the Committee recognised the progress in the Royal Borough meeting their own housing needs but that strong representations should be made on affordable housing.

- Resolved-**
- (a) That the proposed representations on the Windsor and Maidenhead Local Plan (Regulation 19) Submission Version set out in paragraphs 5.20, 5.24 and 5.43 of the report be submitted to the Council.
 - (b) That the Royal Borough of Windsor and Maidenhead be invited to agree a bilateral Memorandum of Understanding as a way of seeking to resolve outstanding issues with the Submission version of the Windsor and Maidenhead Borough Local Plan.

42. Annual Monitoring Report 2016/17

The Planning Policy Lead Officer presented the Committee with a report outlining the proposed response to Windsor & Maidenhead Borough's Local Plan 2013-2032 (Regulation 19) Submission Version. The Plan was currently out for consultation for 8 weeks ending on the 26th August 2017 and the proposed response of Slough Borough Council was summarised. It was highlighted that concerns were previously raised about the way in which the plan had been produced and the failure to comply with the Duty to Co-operate. Slough had previously raised concerns that the RBWM plan did not meet their Objectively Assessed Housing Need, however, this had now been addressed and the plan proposed meeting the need for 14,240 homes. It did not provide any contribution to meeting Slough's unmet need and there were two small sites for potential southern expansion that the Council would request be bought forward.

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Planning Committee - 02.08.17

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(b) That the Royal Borough of Windsor and Maidenhead be invited to agree a bilateral Memorandum of Understanding as a way of seeking to resolve outstanding issues with the Submission version of the Windsor and Maidenhead Borough Local Plan.

43. Planning Appeal Decisions

Resolved- That the details of the recent Planning Appeal Decisions be noted.

44. Members Attendance Record

Resolved- That the Member's attendance record be noted.

45. Date of Next Meeting

The date of the next meeting was confirmed as Wednesday 6th September 2017.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.44 pm)

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

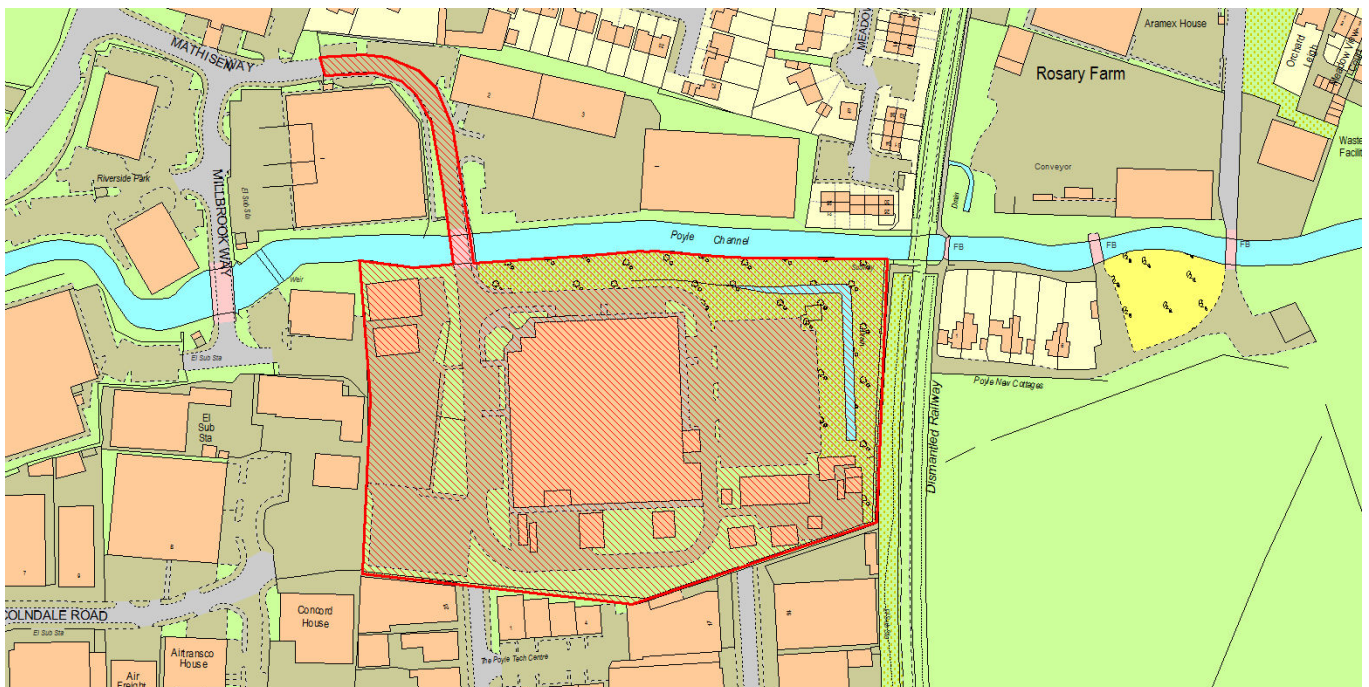
	USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House
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:	28-Mar-2017	Application No:	P/11219/007
Officer:	Christian Morrone	Ward:	Colnbrook with Poyle
Applicant:	Mr. Cane Napolitano, VREP Poyle Limited	Application Type:	Major
		13 Week Date:	27 June 2017
Agent:	Mr. Roland Lee, Hale Architecture Limited 198a, Providence Square, Jacob Street, London, SE1 2DZ		
Location:	Kidde Graviner Ltd, Windsor House, Mathisen Way, Colnbrook, Slough, SL3 0HB		
Proposal:	Demolition of the existing building. Construction of a 3 storey building for Storage/Distribution (B8); Business (B1c); General Industry (B2); ancillary office space. Formation of service yard, car park, ancillary outbuildings, and landscaping.		

Recommendation: Delegate to the Planning Manager for approval



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant policies set out below, and comments from consultees and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval subject to a satisfactory drainage design, new vehicular access through Willowbrook Road, satisfactory negotiation of a Section 106 Agreement, a buffer zone scheme between the building and riverbank, consideration of any substantive third party objections, consideration of requirements from Thames Water, Environment Agency, and finalising conditions.

1.2 Under the current constitution this application is being brought to Committee for decision as it is a major planning application.

PART A: BACKGROUND

2.0 **Proposal**

2.1 This is a full planning application for the demolition of the existing main building and ancillary buildings, removal of trees, and Construction of a 3 storey building for Storage/Distribution (B8); Business (B1c); General Industry (B2); ancillary office space. Formation of service yard, car park, ancillary outbuildings, and landscaping. The proposal would have a total internal floor area of 12, 805 square metres.

The internal floor area of the site would be increased by 3,351 square metres. The future occupier is yet to be secured, so the specific industrial (B2) processes can not be identified.

The external areas of the site would accommodate:

- 19no. lorry loading bays
- 153no. car parking spaces (including 7no. disabled bays)
- Replacement trees
- Landscaping

3.0 **Application Site**

3.1 The application site is located in the north eastern part of the Poyle Trading Estate and is bound by the Poyle Channel to the north, industrial units to the south and west.

- 3.2 The site currently comprises a large industrial facility with a number of smaller single storey units and outbuildings in its curtilage. It has been occupied by UTC Aerospace Systems Kidde Graviner since the site was developed in the 1980's and has been used for the research, development and manufacturing of fire safety equipment.
- 3.3 The site has a primary entrance from Mathisen Way to the north and is via a bridge which crosses the Poyle Channel that runs along the northern boundary of the site. To the east of the site runs a disused railway line and Green Belt. The extensive areas of hardstanding on site are used for car-parking. The site is approximately 2.88 hectares in area.

4.0 **Site History**

- 4.1 P/11219/006 APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE TO ESTABLISH IF THE USE OF THE SITE FALLS WITHIN THE USE CLASS OF BUSINESS B1A AND B1B OF THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987 CONTINUOUSLY FOR MORE THAN 10 YEARS

Approved Grant CLU/D;Informatives 30-Jan-2017

- P/11219/005 INSTALLATION OF NEW LOGO SIGN IN THE FRONT ELEVATION AND REPLACE THE EXISTING 4 LOGO SIGNS WITH NEW COMPANY LOGO SIGNS.

Approved with Conditions; Informatives 23-Jul-2013

- P/11219/004 ERECTION OF A STORAGE BUILDING

Approved with Conditions; Informatives 01-Jun-2007

- P/11219/003 ERECTION OF A SWARF STORAGE BUILDING

Approved with Conditions; Informatives 02-May-2007

- P/11219/002 CONSTRUCTION OF A GAS STORE, RE SITTING OF AN EXISTING STEEL STORAGE BUILDING AND SITTING OF NEW STEEL STORAGE BUILDING.

Approved with Conditions; Informatives 26-Oct-2006

P/11219/001 INSTALLATION OF 2.NO WINDOWS ONTO
BUILDING
FAÇADE

Approved with Conditions 24-Aug-2000

P/11219/000 CONSTRUCTION OF CLADDED STORE & RE-
CLADDING OF EXISTING

Approved with Conditions 18-Aug-2000

5.0 **Neighbour Notification**

25, MEADOWBROOK CLOSE, COLNBROOK, UNIT 1, RIVERSIDE CARGO CENTRE, MATHISEN WAY, COLNBROOK, BERKSHIRE, SL3 OHFF, Kidde Graviner Ltd, Windsor House, Mathisen Way, Colnbrook, Slough, SL3 0HB, 22, Meadowbrook Close, Colnbrook, Slough, SL3 0PA, Wilson & Scott (highways) Ltd, Colndale Road, Colnbrook, Slough, SL3 0HQ, 1 Poyle New Cottages, Old Bath Road, Colnbrook, Slough, SL3 0NU, 2 Poyle New Cottages, Old Bath Road, Colnbrook, Slough, SL3 0NU, Atlas Packing Services Ltd, 4 Poyle Technical Centre, Willow Road, Colnbrook, Slough, SL3 0DP, Unit 2, Riverside Cargo Centre, Mathisen Way, Colnbrook, Slough, SL3 0HF, Concrete Cutters Ltd, 18, David Road, Colnbrook, Slough, SL3 0DG, 17, David Road, Colnbrook, Slough, SL3 0DB, Goldstar Heathrow Ltd, Colndale Road, Colnbrook, Slough, SL3 0HQ, 23, Willow Road, Colnbrook, Slough, SL3 0BS, Initial, Bridge House, Millbrook Way, Poyle, Slough, SL3 0FH, Bridge House, Flat 1, Millbrook Way, Poyle, Slough, Berkshire, SL3 0FH, Bridge House, Flat 3, Millbrook Way, Poyle, Slough, Berkshire, SL3 0FH, Unit 3, The Willows Industrial Centre, Willow Road, Poyle, Slough, Berkshire, SL3 0BS, 26, Meadowbrook Close, Poyle, Slough, Berkshire, SL3 0PA, One Stop Couriers Limited, Unit 2, Poyle Technical Centre, Willow Road, Poyle, Slough, Berkshire, SL3 0DP, Bridge House, Flat 16, Millbrook WEay, Poyle, Slough, Berkshire, SL3 0FH, Bridge House, Flat 17, Millbrook Way, Poyle, Slough, Berkshire, SL3 0FH, Bridge House, Flat 5, Millbrook Way, Poyle, Slough, Berkshire, SL3 0FH, 28, Meadowbrook Close, Poyle, Slough, Berkshire, SL3 0PA, 30, Meadowbrook Close, Poyle, Slough, Berkshire, SL3 0PA, Bridge House, Flat 4, Millbrook Way, Poyle, Slough, Berkshire, SL3 0FH, Unit 0514, Colndale Rod, Poyle, Slough, Berkshire, SL3 0HQ, Bridge House, Flat 14, Millbrook Way,

Poyle, Slough, Berkshire, SL3 0FH, Bridge House, Flat 12a, Millbrook Way, Poyle, Slough, Berkshire, SL3 4FH, Bridge House, Flat 15, Millbrook Way, Poyle, Slough, Berkshire, SL3 0FH, Capital Inspectin Services Limited, Unit 3, Poyle Technical Centre, Willow Road, Poyle, Slough, Berkshire, SL3 0DP, 23, Willow Road, Poyle, Slough, Berkshire, SL3 0BS, Bridge House, Flat 7, Millbrook Way, Poyle, Slough, Berkshire, SL3 0FH, Bridge House, Flat 8, Millbrook Way, Poyle, Slough, Berkshire, SL3 0FH, Bridge House, Flat 9, Millowbrook Way, Poyle, Slough, Berkshire, SL3 0FH, The Willows Industrial Centre, Willow Road, Poyle, Slough, Berkshire, SL3 0BS, Bridge House, Flat 2, Millbrook Way, Poyle, Slough, Berkshire, SL3 0FH, Bridge House, Flat 12, Millbrook Way, Poyle, Slough, Berkshire, SL3 0FH, 27, Meadowbrook Close, Poyle, Slough, Berkshire, SL3 0PA, Bridge House, Flat 10, Millbrook Way, Poyle, Slough, Berkshire, SL3 0FH, Bridge House, Flat 11, Millbrook Way, Poyle, Slough, Berkshire, SL3 0PH, Unit 1, Poyle Technical Centre, Willow Road, Poyle, Slough, Berkshire, SL3 0DPP, Unit 6, The Willows Indusrial Centre, Willow Road, Poyle, Slough, Berkshire, SL3 0BS, Bridge House, Flat 16, Millbrook Way, Poyle, Slough, Berkshire, SL3 0PH, Kintetsu World Express (UK) Limited, 1, Millbrook Way, Poyle, Slough, Berkshire, SL3 0HB, 23, Meadowbrook Close, Poyle, Slough, Berkshire, SL3 0PA, 20, Meadowbrook Close, Poyle, Slough, Berkshire, SL3 0PA, 24, Meadowbrook Close, Poyle, Slough, Berkshire, SL3 0PA, 21, Meadowbrook Close, Poyle, Slough, Berkshire, SL3 0PA, Units 2 & 3, Riverside Cargo Centre, Mathieson Way, Poyle, Slough, Berkshire, SL3 0HF, Unit 5, Willows Industrial Centre, Willow Road, Poyle, Slough, Berkshire, SL3 0BS, 12-16, David Road, Poyle, Slough, Berkshire, SL3 0DG

Case Officer Note: No third party letters have been received

6.0 **Consultations**

6.1 **Local Highway Authority**

Trip Generation

A sizable increase in floor space is proposed, which will place pressure on the local highway network. It is also envisaged that the site would be operational 24 hours a day, 7 days a week, and change of use is proposed from B1b (research and development) use to B1c/B2/B8.

Traffic counts from the existing operating site have not been

obtained by the transport consultant, and the site is now not operating at its full capacity; therefore this would not be appropriate. However it is a shame the full existing operation has not been established to fully understand the change in trips.

The Transport Assessment presents a comparison between the existing and proposed trip generation based on some sites selected from the TRICS database.

Existing Trip Generation

The existing trip generation is shown in the table below based on the 'employment – office' land use in TRICS. The existing site on Mathisen Way comprises approximately 7,970sqm of B1b floor space (part occupied by UTC Aerospace Systems Kidde Graviner for the research, development and manufacturing of fire safety equipment). Whilst not completely occupied at present, the buildings could be at some point, and it is therefore based on this. The transport consultant has not calculated these correctly from the trip rates, and excluded daily trips, so these have been amended from the TRICS output and added here.

Existing B1b Trip generation – Vehicle Trips:

Time period	Total Vehicle Trips (inc Goods vehicles)			Goods Vehicle Trips		
	In	Out	Total	In	Out	Total
AM Peak (0800-0900)	136	16	152	0	0	0
PM Peak (1700-1800)	14	120	135	0	0	0
Total Daily trips	610	554	1164	5	5	11

It is considered that the above trips are an overestimation of this use as office, as the calculation is based on office use for the entire floor area, whereas this site includes significant research space. TRICS does not specify a difference easily between B1a (office) and B1b (research and development) use, although when looking at the site description this breakdown is given, but with very few sites with any proportion of B1b use if at all; so the trip generation is considered to be based on sites that are predominantly B1a use, whereas B1b use is relevant to the existing operation on site. It is evident that B1b use is a lower trip generator than B1a as shown above, for the same floor area; therefore the trips presented above are not considered

reliable for the purposes here.

Proposed Trip Generation – Transport Assessment

The proposed trip generation is shown in the tables below as presented in the Transport Assessment. The planning application is for a mix of B1c/B2/B8 use, although no detailed breakdown is given. There is currently no intended or defined occupier, therefore it is not possible to say what the eventual mix will be. Both B2 and B8 scenarios are set out below, although any B1c is likely to be ancillary, and this is therefore excluded.

Proposed B2 Trip generation – Vehicle Trips:

Time period	Total Vehicle Trips (inc Goods vehicles)			Goods Vehicle Trips		
	In	Out	Total	In	Out	Total
AM Peak (0800-0900)	34	7	40	1	2	3
PM Peak (1700-1800)	3	24	27	1	0	1
Total Daily trips	249	204	452	18	14	32

Proposed B8 Trip generation – Vehicle Trips:

Time period	Total Vehicle Trips (inc Goods vehicles)			Goods Vehicle Trips		
	In	Out	Total	In	Out	Total
AM Peak (0800-0900)	14	7	21	4	3	8
PM Peak (1700-1800)	4	11	15	2	4	6
Total Daily trips	117	115	232	55	61	115

Based on the trip generation above, it is clear that the concern therefore relates to the significant increase in HGV trips predicted as a result of the proposed development. Furthermore, significant queuing was observed in the vicinity of the site (Horton Road and Poyle Road) even when the existing site is not operating fully. Therefore the addition of the HGVs predicted with this intensification and change of use, is considered to be a highway concern, both in terms of operation and safety, including the impact on the local residents from an intensification in HGV use and including in particular from a 24/7 operation.

Proposed Trip Generation – SBC assessment

Despite the above analysis, it is our concern that the HGV trip generation prediction is likely to be a major underestimation in the Transport Assessment from what could potentially be generated / attracted by the site, in particular throughout the day. The fact that the proposed building design includes 17 loading (docking) bays along the southern elevation of the building suggests that large numbers of HGVs could be generated. In addition to this there are further parking bays (approx 15 spaces) for medium sized vehicles.

We have revisited the TRICS database to look at sites within the 'employment – warehousing' (B8 use) category. Sites have been selected from the warehousing category based on 2007 to 2016 surveys, and a range of floor areas and locations (generally edge of town). Sites have been excluded from the selection based on too large a floor area (in excess of 80,000sqm), too remote or rural location compared to the site in Poyle, and other reasons such as being too small or with no HGV loading / parking bays. The resulting trips, based on a selection of seven sites, all considered to be very comparable to the proposed site, are presented below for Heavy Goods vehicles only.

Potential HGV Movements:

Time period	Goods Vehicles – Trip rates per 100sqm			Goods Vehicles Trips		
	In	Out	Total	In	Out	Total
AM Peak (0800-0900)	0.052	0.038	0.09	7	5	12
PM Peak (1700-1800)	0.028	0.042	0.07	4	6	9
Total Daily trips	0.647	0.63	1.277	85	83	168

It is clear from the above that the HGV trip generation could be substantial; higher than that predicted in the TA, by 53 total daily two-way trips, and substantially greater than the existing use, by 157 total daily two-way trips. Clearly these volumes would have a notable impact on the highway network, especially given that the site could well be expected to be operational 24 hours a day, 7 days a week.

As a further means of comparison, the DHL site on Horton Road in Poyle has been assessed by means of a comparison. The DHL site,

which recently became operational, consists of 8,758 sqm B8 warehousing and 6,059 sqm B1a office use, therefore totalling 14,817sqm. The trip generation for this including the projected operation to 2031, has been based on the existing DHL operation at Orbital Park in Hounslow (which was to be transferred) whilst taking into account a few changes to the operation, including staff travelling to site by their own means of transport rather than taking their vans home; more overlap in staff shift change times; and DHL volume growth and predicted growth in parcel handling to 2031. The resulting trip generation for this site in 2031 is presented below.

Time period	Total Vehicle Trips (inc Goods vehicles)			Goods Vehicle Trips		
	In	Out	Total	In	Out	Total
AM Peak (0800-0900)	255	56	311	6	0	6
PM Peak (1700-1800)	57	261	318	26	12	38
Total Daily trips	983	983	1966	159	158	317

This clearly includes a lot of LGVs (transit sized vans), on top of the staff car trips, based on the parcel distribution nature of the site.

The above trips have been factored down by 0.887 to account for the lower floor area proposed for the Kidde site (13,144sqm) compared to the DHL site (14,817sqm). The resulting trips, that could be considered comparable to the proposed site, are presented below.

Time period	Total Vehicle Trips (inc Goods vehicles)			Goods Vehicle Trips		
	In	Out	Total	In	Out	Total
AM Peak (0800-0900)	226	50	276	5	0	5
PM Peak (1700-1800)	51	232	282	23	11	34
Total Daily trips	872	872	1744	141	140	281

It is clear from the above that these trips are substantially higher

than that predicted for the Kidde site. However it is possible, that based on B8 warehousing use, this level of trips could be realised at the proposed site, in particular a very substantial volume of daily HGV trips. To put this in perspective, and consider the light and heavy vehicles together, these trips have been converted to PCUs (passenger car units) as a standard unit of measurement used in traffic modelling; these are presented below.

The following table is based on the nearby DHL site::

Time period	PCUs*		
	In	Out	Total
AM Peak (0800-0900)	233	50	283
PM Peak (1700-1800)	81	245	326
Total Daily trips	1055	1054	2110

*based on 1PCU per car / LGV and 2.3PCUs per HGV

The following table is based on TRICS data:

Time period	PCUs*		
	In	Out	Total
AM Peak (0800-0900)	23	17	39
PM Peak (1700-1800)	13	18	31
Total Daily trips	260	257	517

In comparison, based on the existing site trip generation of B1b use, the PCUs would be as follows:

The following table is based on what the existing site can generate:

Time period	PCUs*		
	In	Out	Total
AM Peak (0800-0900)	136	16	152
PM Peak (1700-1800)	14	120	135
Total Daily trips	617	561	1178

*based on 1PCU per car / LGV and 2.3PCUs per HGV

This clearly shows a substantial increase in daily PCUs, if the site was to follow the type of operation similar to that of the DHL distribution centre, which is a possibility based on the warehousing land use and the number of HGV docking bays proposed.

It is our concern, as the Local Highway Authority, that this volume of trips or indeed a volume predicted somewhere between the TRICS analysis and the DHL site, would present a considerable impact on the local highway network in terms of operation and safety and the disruption to local residents as a result would be substantial. This

would be well above that already generated from the existing use on site. In particular, as a result of the 24/7 operation that is possible from such a site, the impact to residents would be substantial. This impact has been completely overlooked in the Transport Assessment, with total daily trips not presented at all. Mitigation would clearly be sought to offset such an impact.

The application would be recommended for refusal based on an unacceptable impact resulting from the increase in HGVs through Poyle village. The impact has been underestimated in the Transport Assessment that accompanied the application and no strategy or mitigation is proposed.

Impact Assessment

No impact assessment has been carried out as part of the Transport Assessment; this is not acceptable, especially given the impact of the proposals. In addition to operation and safety concerns for the local road network, the HGVs will worsen the environmental and noise implications for local residents as there is traffic calming on Mathisen Way and vibration to nearby residential with so many HGVs.

The transport consultant was advised that they need to look at Mathisen Way junction with Poyle Road, which has not been carried out.

I have been on site to determine the existing queuing in the area. In the evening peak, substantial queuing occurred between 17:00 and 18:10 hours on Horton Road eastbound and sometimes backing up to Poyle Road. Between 17:00 to 17:30 this included a slow moving queue on Horton Road back from M25 Junction 14 to the DHL building. From 17:30 onwards the queue extended back to the Poyle Road roundabout from Junction 14. Then from 17:45 to 18:10 it extended up Poyle Road blocking up to Blackthorne Road, where a notable queue was also observed.

In the morning peak some queuing was observed back from Junction 14 on Horton Road to the DHL building and to Poyle Road occasionally. This occurred occasionally at 07:30 and then between 08:20 and 08:30 but was noted to be a moving queue.

This is clearly substantial queuing that has not been addressed by the applicant. It is clear this occurs whilst the Kidde site is not in full operation. Therefore the additional HGVs associated with a B2/B8

use of the site would be substantial and the impact quite detrimental. If the application is to be approved, the local highway authority would therefore request a contribution towards mitigating this impact.

Assessment of Junction 14 may be required and you should consult with Stephen Hall at Highways England, as this is likely to impact on the operation of this junction: stephen.hall@highwaysengland.co.uk.

Accident data has been obtained by the applicant for the last five years for Poyle Road and Bath Road. This shows that 9 accidents occurred during this period; 6 slight and 3 serious accidents. It is considered that these were due to driver error and therefore not directly related to the highway layout. However one of these accidents involved a cyclist and two involved motorcycles.

HGV Routing

It is proposed that the development would make use of the existing access to the site on Mathisen Way, which is accessed from Poyle Road. With all sites in the Poyle area, the local highway authority is requesting that all traffic enters the Poyle Trading Estate from the south from J14 of the M25 to avoid the village to the north. The local highway authority would be seeking a routing agreement with the applicant going forward.

A scheme for Poyle Road is currently being investigated, and consulted on, by Slough Borough Council to manage the issues associated with HGV movements on Bath Road and Poyle Road. Therefore any applications, such as this, that increase the HGV movements will be treated with a similar respect for the residents of the surrounding roads.

Vehicle Access

There are no changes to the vehicle access proposed from Mathisen Way. A new access is shown from David Road and it is the local highway authority's view that a new access should be created from Willow Road.

Car Parking

The proposals include provision for 153 parking spaces located within the car park to the west of the site. Based on Slough Local Plan parking standards, for B2 industrial use, 1 space per 50m² would be required and for B8 use, 1 space per 200m² required. Therefore this would translate to a requirement for 262 spaces if B2 use and 66 spaces if B8 use. The 153 spaces proposed would therefore be acceptable if it was B8 use, but not acceptable if the

building was occupied by a B2 industrial use. There could be potential for overspill parking and this would not be acceptable on the surrounding roads. Therefore this would be a reason for recommending refusal for this application if B2 use was taken forward.

The car parking area proposed is of the expected geometries. Another zebra crossing should be provided at the northern end of the disabled parking bays, linking to the path alongside the building.

HGV Parking

HGV parking will be expected to be provided to the standards as set out in the Developer's Guide on the site including restroom facilities for drivers. There is a big problem with HGV drivers using the public highway as a toilet in the Poyle area, which obviously needs to be prevented as much as possible.

Slough Local Plan parking standards (Developer's Guide Part 3) state that for B2 use 1 HGV parking space per 500m² is required and for B8 use 1 HGV space per 500m² up to 2000m² and then 1 space per 1000m². This would result in the requirement for between 15 and 26 HGV spaces. The proposed plans show space for 15-19 HGVs to dock at the building; this is therefore acceptable.

In addition, space for parking 15 medium sized goods vehicles is provided.

Servicing and Refuse Collection

17 loading bays are provided along the southern edge of the proposed building. These are of sufficient size to accommodate a full size (16.5m) articulated vehicle.

Swept path analysis has been included in the Transport Assessment; this shows that these vehicles can manoeuvre appropriately in the site.

A refuse vehicle would enter the site and be able to turn as with the operational articulated vehicles.

Cycle Parking

It is proposed to provide 26 cycle parking spaces in the form of 13 Sheffield stands. In accordance with the Slough Local Plan parking standards, cycle parking should be provided at 1 space per 500m² for both B2 and B8 use, therefore the proposed 26 spaces are acceptable.

However the Sheffield stands located at the main entrance should be replaced by a covered and secure store, with Sheffield stands inside.

Travel Plan and Accessibility

A footway is provided on the eastern side of Mathisen Way linking the site to Poyle Road. This footway links the site to the bus stops located immediately to the north of the Mathisen Way/Poyle Road junction. A footway on the eastern side of Poyle Road extends both to the north and south of the junction with Mathisen Way connecting the site to the surrounding commercial uses and the residential area to the north of the site.

A Framework Travel Plan has been produced to support the development. This is generally of a satisfactory standard, with all key elements covered, although I would make the following comments:

- Limited detail on site characteristics – require information on present development on site for example;
- Basic detail on current accessibility and transport links to the site. All information is factual and needs some detail on the state of transport links;
- Could do with some photographs to supplement text and a figure to show location of bus stops and bus network;
- Good explanation around target formulation – however there needs to be more explanation as to why potential travel patterns have not been included;
- Targets could be slightly more ambitious – at present bus, cycle, car share, train modal split stays the same over the five years.
- Some pedestrians are known to use the old railway corridor to access bus stops on the 81 route. Overall the applicant would need to improve linkage to the bus stops at the northern end of the old railway line to facilitate this movement of people.

The local highway authority is developing proposals to improve

pedestrian and cycle links to the Poyle Trading Estate:

- along the old railway line corridor, which runs along the eastern boundary of the proposed site; and
- also improved facilities along Poyle Road and Horton Road between Colnbrook and Heathrow.

Mitigation

As highlighted in these comments, it is anticipated by the local highway authority that there would be a significant detrimental highway impact as a result of the redevelopment of the site, based on both the intensification of the site and the change of use resulting in substantially more HGVs to the area. Therefore it would be appropriate that if successful, mitigation is provided to support the application. The applicant has provided no mitigation and this is not acceptable.

If successful, the applicant would need to agree a significant package of mitigation measures; this is likely to include contributions to improve access to non-car modes, as discussed above, as well as measures to minimise the issues with HGV drivers parking in laybys and on footways during the day and overnight causing damage to footways. A routing agreement for HGV access to the site from the south, would also need to be secured as part of a S278 agreement. In particular, the applicant would need to offer to widen the path leading into the site on Mathisen Way.

Recommendation

The application should be recommended for refusal on highways and transport grounds both for a B2 industrial or B8 warehousing use. In terms of B8 use it is unacceptable in terms of the impact of HGVs on the local network including Poyle village. The applicant has underestimated the impact and as a result the impact has not been properly assessed, and they have offered no mitigation. The HGV trip generation is estimated by the local highway authority to be substantial and will cause an unacceptable level of impact for local residents; in particular it will worsen the environmental and noise implications for local residents as there is traffic calming on Mathisen Way and vibration to nearby residential with so many HGVs.

In terms of B2 use, the application should be refused as there is not enough parking provided in accordance with standards; any overspill parking would be unacceptable in the area.

Overall the impact has not been properly assessed, and indeed there is no mitigation offered. Pre-app highways advice should have been undertaken for this size and complexity of application.

Reasons for refusal:

- The adjoining highway network does not have sufficient operational capacity to accommodate the additional traffic generated by the proposed development. The development is contrary to Slough Local Plan Policy T1.

For B2 use only:

- The development fails to provide car parking in accordance with adopted Slough Borough Council standards and if permitted is likely to lead to additional on street car parking or to the obstruction of the access to the detriment of highway safety and convenience. The development is contrary to Slough Borough Council Local Plan Policy T2.

6.2 **Thames Water**

No comments received. Should any comments be provided they will be reported on the amendment sheet

6.3 **Lead Local Flood Authority**

Further information required: intrusive investigation and soakage tests to BRE365 Digest. And Agreement Required from Thames Water for connection will need to be submitted and approved

6.4 **Environment Agency**

No comments received. Should any comments be provided they will be reported on the amendment sheet

6.5 **Contaminated Land Officer**

I have reviewed the information submitted with the above application, together with our database of Potentially Contaminated Land Sites.

The proposed development is located on one of our Potentially Contaminated Sites, as identified as part of the Council's Prioritisation Procedure, and having a low risk ranking. In addition, this site is located within 250m of numerous other Potentially Contaminated Land Sites, including one authorised landfill and six historic ones, and approximately 12 Disused Tank Registry entries.

Considering that the development proposed will require demolition and groundworks, additional investigation and risk assessment is required. This assessment/investigation will need to confirm that there are no unacceptable risks to the proposed end users receptor associated with the development, and that the ground gas/vapours migration and accumulation pathway has been broken.

Based on the above I recommend that the usual Conditions are placed on the Decision Notice.

6.6 **Heathrow Safeguarding**

No objection subject to conditions.

6.7 **Highways England**

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the Strategic Road Network (SRN). In this case, the M25 Junction 14 and M4 Junction 5. The site is located less than 2km from M25 Junction 15 and less than 3km away from M4 Junction 5.

It is of concern to us that the occupier is unknown at this stage, even though the TRICS assessment shows a decrease in the overall number of vehicles, this is an estimation and not site specific. Within the site proposals, there are 17 goods vehicles spaces, which give an occupier the capacity to have a large quantity of deliveries from heavy goods vehicles (HGV). We have therefore added three conditions on the formal response for this application (Travel Plan, Services and Deliveries Management Plan and Car Park Management Plan) so that when an occupier is found for the site and before they take occupation of the site, that these plans can be put in place.

Condition 1- Travel Plan

Condition 2 - Service & Deliveries Management Plan

Condition 3 - Car Park Management Plan

6.8 **Berkshire Archaeology**

Having reviewed this application, Berkshire Archaeology considers that there are potential archaeological implications with the proposed development.

This is a site of reasonable scale (c. 2.9ha) and is located on the floodplain and gravel terraces between the River Colne and Colne Brook, which are tributaries of the River Thames. The richness and significance of the buried archaeological heritage of this landscape has been demonstrated by large scale excavations in the vicinity of Colnbrook and Poyle. Excavations in the early 2000s in advance of the construction of Terminal 5, Heathrow, revealed an extraordinary palimpsest of archaeological remains over an area in excess of 70 hectares. Notably part of the excavations took place within the former Perry Oaks sewage sludge works, where it might reasonably have been assumed that there would be minimal survival of buried remains.

The earliest evidence of human activity was a handful of pits which were dug in the 7th millennium BC. Later features included part of the Stanwell cursus, a rare and important prehistoric monument, other prehistoric monuments, and settlements and field systems constructed and used throughout most of the Bronze Age, Iron Age and Roman periods. A rare find was the discovery of a late Roman lead tank with Christian motifs, one of only around 20 found in Britain to date.

Other excavations include those at Kingsmead Quarry, Horton, which revealed several Early Neolithic (4,200 – 3,500 BC) dwellings, the remains of some of the earliest domestic houses recorded in England, as well as extensive Bronze Age and Iron Age settlement and field systems. While to the west of the application site, exploratory excavations at Berkyn Manor Farm revealed evidence for a Late Iron Age and Roman (200 BC – AD 400) settlement. These excavations and other archaeological research have demonstrated the widespread survival, longevity and significance of prehistoric and later settlement, agricultural and burial on the gravel and brick earth terraces in this landscape. They demonstrate that this was one of the most intensively settled and farmed prehistoric landscapes in the region. This is counter-balanced by the extent of modern development, gravel extraction and infrastructure, much of which was undertaken prior to the 1990s with little or no archaeological monitoring, which has significantly diminished the extent of areas where important buried remains may still survive. The archaeological potential of the site area is therefore high. However it is clear that the application site has undergone past development, which may have caused widespread impacts on any buried archaeological remains, although Berkshire Archaeology is not aware of any authoritative information in this regard (for example

geotechnical data). There, therefore, remains the possibility that some areas of the site remain relatively undisturbed where important buried remains may survive and which may be adversely impacted by this proposal.

On this basis, it is recommended that, should this proposal be permitted, it is subject to a condition requiring a programme of archaeological work. This is in accordance with national and local plan policy. Paragraph 141 of the NPPF states that local planning authorities should 'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'. The following condition is proposed:

Condition:

No development shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work (which may comprise more than one phase of work) in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the local planning authority.

Reason:

The site lies in an area of high archaeological potential, particularly in relation to prehistoric and Roman remains. Berkshire Archaeology recommends that in the first instance a rapid impact assessment is undertaken that draws together cartographic evidence, geotechnical data and the results of archaeological investigations nearby in order to establish the extent of past impacts and if any areas survive where buried remains may survive. The results of the assessment can be used to determine if any archaeological fieldwork is merited and, if so, what the scope of that work might be. I trust this is satisfactory but if you have any questions or would like to discuss this in more detail then please do not hesitate to contact me.

6.9 **Civil Aviation Authority**

No comments received. Should any comments be provided they will be reported on the amendment sheet

6.10 **Ecology Specialist**

No comments received. Should any comments be provided they will be reported on the amendment sheet

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 National Planning Policy Framework

Core Policies - Achieving sustainable development

Chapter 4: Promoting sustainable transport

Chapter 1: Building a strong, competitive economy

Chapter 7: Requiring good design

Chapter 11: Conserving and enhancing the natural environment

Slough Local Development Framework Core Strategy 2006-2026

Development Plan Document policies:

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 5 (Employment)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability & the Environment)

Local Plan for Slough March 2004 policies:

- EN1 – Standard of Design
- EN3 – Landscaping
- EN24 – Protection of Watercourses
- EMP2 – Criteria for Business Developments
- EMP9 – Poyle Estate
- T2 - Parking

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

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

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

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

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

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

7.2 The planning considerations for this proposal are:

- Principle of development
- Economic Impact
- Impact on Visual Amenity
- Impact on the amenity of neighbouring property
- Traffic and Highways Implications
- Drainage and Flooding
- Biodiversity
- Planning Conclusion

8.0 **Principle of development**

8.1 The National Planning Policy Framework states that "The government is committed to securing economic growth in order to create jobs and prosperity.....Planning should operate to encourage and not act as an impediment to sustainable growth...support existing business sectors".

8.2 The proposal to redevelop from 1 large industrial unit to Storage/Distribution (B8); Business (B1c); General Industry (B2); ancillary office space within the existing Poyle Estate business area is supported in principle by Policy EMP9 (Poyle Estate) of the Local Plan, which states "B1(b) research and development, B1(c) light industrial, B2 general industrial and B8 storage and distribution will be permitted within the Lakeside Road estate, Galleymead Road and the Poyle estate. Additional independent B1(a) office floor space will not be permitted in this location".

8.3 The proposal is supported in principle by Policy CP5 (Employment) of the Core Strategy which seeks that "the location, scale and intensity of new employment development must reinforce the Spatial

Strategy and transport strategy. Intensive employment generating uses such as B1(a) offices be located in the town centre in accordance with the spatial strategy”; and “major warehousing and distribution developments be located in the eastern part of the borough and in Existing Business Areas that have good access to the strategic road”.

8.4 The Spatial Vision of the Slough Local Development Framework, Core Strategy 2006- 2026, has as strategic objectives:

- “Make the best use of existing buildings, previously developed land and existing and proposed infrastructure.
- To ensure that the existing business areas continue to provide sufficient employment-generating uses in order to maintain a sustainable, buoyant and diverse economy.
- To encourage investment and regeneration of employment areas.”

The proposal would be consistent with all of these objectives.

8.5 The site is located within Public Safety Zone (PSZ) where Government Policy requires no increase in the number of people living, working or congregating in PSZs and that, over time, the number should be reduced as circumstances allow, such as when any redevelopment takes place.

8.6 The DfT Circular 01/2010 requires Local Planning Authorities to consider the specific guidance contained in paragraphs 10 to 12 indicates whether or not particular types of development are acceptable”.

8.7 Paragraph 11 of the DfT Circular 01/2010 allows for: “open storage and certain types of warehouse development. 'Traditional' warehousing and storage use, in which a very small number of people are likely to be present within a sizeable site, is acceptable. But more intensive uses, such as distribution centres, sorting depots and retail warehouses, which would be likely to entail significant numbers of people being present on a site, should not be permitted. In granting planning permission for a warehouse, a local planning authority should seek to attach conditions which would prevent the future intensification of the use of the site and limit the number of employees present”. As such, the Local Planning Authority should

consider if the proposal would lead to further intensification of the site.

- 8.8 The application site was granted planning permission in 1984 for mix of industrial, office, and other ancillary uses totalling 7667 square metres. Over the years, this use has changed to Offices (B1a) and Research and Development (B1b), as confirmed by a recent lawful development certificate (ref. P/09881/007).
- 8.9 According to the Communities Agency's Employment Densities Guide 2015, the density of occupation for offices is 1 employee per 13 square metres (min) and for production is 1 employee per 60 square metres (min). At these densities of occupation the existing site would occupy 574 employees.
- 8.10 The proposed uses are Storage and Distribution - (B8); Business - (B1c); General Industry - (B2); and ancillary office space. According to the guidance given within the Communities Agency's Employment Densities Guide 2015, the highest densities within these uses are office space (1 employee per 13 square metres) and general industry (1 employee per 36 square metres). It is not clear if the figure for general industry is inclusive ancillary office space, therefore, in this instance a worst case scenario is adopted and the proposed ancillary office space is measured at 1 employee per 13 square metres. The remaining space within building will also use a worst case scenario approach and the highest density is used from the remaining proposed uses (1 employee per 36 square metres for general industry).

Based on the above the worst case scenario; the number of people that could potentially be working at the proposed site would be:

Office Space (3100sq.m)	= 238 people
General Industrial (7050sq.m)	= 270 people
Total	= 508
Percentage Decrease	= -13 % (compared to existing)

Based on the above, planning officers accept the proposed redevelopment of the site would likely see a reduction in the number of people working at the site. This is because the use of the site would be changed to uses where fewer employees are required and more space is needed for the storage goods and operational activities. It is however recommended that conditions are imposed to

ensure that no changes of use can take place without planning permission and the number of people working at the site shall not exceed 508 people.

- 8.11 No objections are raised to the principle of development in relation the local development plan, the National Planning Policy Framework, and the DfT Circular 01/2010 regarding national policy regarding developing within a PSZ.

9.0 **Economic Impact**

- 9.1 Paragraph 19 of the NPPF states “The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 21 of the NPPF requires planning policies to recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing.

- 9.2 Strategic Objective D of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document is to “ensure that the existing business areas continue to provide sufficient employment generating uses in order to maintain a sustainable, buoyant and diverse economy and ensure that Slough residents continue to have access to a wide range of job opportunities”.

Core Policy 5 anticipates and accepts there will be a loss in manufacturing jobs but these will be offset by gains in distribution jobs will.

- 9.3 Policy EMP8 of the adopted Local Plan highlights the Poyle Estate as ideal locations for B8 distribution/storage and freight uses.
- 9.4 The existing site has seen a reduction in its employment numbers over the years and now is only partly occupied. The proposal would see the redevelopment of the site to replace the original manufacturing jobs to a use that would create distribution related jobs. This has been predicted by the Core Strategy and plays an important part in offsetting declining manufacturing jobs and ensuring that sufficient employment opportunities are provided.

9.5 In terms of the proposed redevelopment of the site would likely benefit the local economy and the create local jobs, all of which weigh in favor of the application.

10.0 **Impact on Visual Amenity**

10.1 **The National Planning Policy Guidance**, in its overarching Core Planning principles state that planning should:

Proactively drive and support sustainable economic development to deliver the homes, business and industrial units infrastructure and thriving local places that the country needs.....always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildingshousing applications should be considered in the context of the presumption in favour of sustainable development.....good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

10.2 **Core Policy 8** of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document states:

All development in the borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change. With respect to achieving high quality design all development will be:

1. be of a high quality design that is practical, attractive, safe, accessible and adaptable
2. respect its location and surroundings
3. be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style

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

10.4 The proposal is for one large rectangular shaped unit, whilst large in terms of its footprint and size, is considered to be in keeping with the scale of other large industrial units found within the estate. At three storey the proposed building would be higher than the existing two

storey unit on the site, but it is considered the site is large enough to visually accommodate such an increase in height.

- 10.5 The form of the of the building is typical warehouse construction, however, it would be clad in modern materials that offer an interesting mix of textures and colours, together with the glazing to the office space that would enhance the simple form of the building. Subject to good quality materials which can be secured by condition, the proposal would relate well with the site and surrounding area.
- 10.6 The existing site is well landscaped and plays an important feature in defining the character and merit of the site. There would be a loss of a number of trees, mostly of which are positioned well within the site and some of which are subject to Tree Preservation Orders. All of the trees along the western boundary and those in the southeast corner would be removed. Some of the trees along the southern boundary would also be removed, but the larger ones here would be retained. The trees along the northern boundary by the river and the larger trees along the eastern boundary by the disused railway line would be retained
- 10.7 None of the trees to be removed are outstanding but some could be very good specimens in time and collectively make an important contribution to the areas tree cover. Whilst recognising that the character of the area is industrial and the loss of trees and the screening afforded by them mainly affects the industrial properties, a comprehensive replacement tree planting and landscaping scheme has been proposed. The Council's Tree Management Officer has confirmed that the loss of trees can potentially be mitigated by such means, but no specific comments have yet been received regarding the proposed mitigation.
- 10.8 The site is located within close proximity of the Green Belt to the east which borders the eastern side of the disused railway line. The proposed building would be larger, one storey higher, and set closer to the Green Belt boundary than the existing building. However, a separation distance of approximately 31 metres would be retained form the edge of the Green Belt boundary, and the large group of mature trees along the eastern boundary of the application which are protected through a TPO would be retained. When taking this into consideration, the open character of the neighbouring Green Belt land would be largely retained.
- 10.9 Officers consider that subject to appropriate materials to be used in

the proposed new building and a high quality tree replacement and landscaping scheme, the proposal would have an acceptable impact on the character of the surrounding area.

- 10.10 Based on the above, the proposal would comply with Policies EN1, EN3, and EMP2 of the Local Plan for Slough March 2004, Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the NPPF 2012
- 11.0 **Impact on the amenity of neighbouring property**
- 11.1 **Policy EN1** of the Adopted Local Plan states that “*all development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surrounding*”, in accordance with the criteria set out in that policy.
- 11.2 **Policy EMP2** of the Adopted Local Plan states that proposals for business developments should not result in significant loss of amenities for the neighbouring land uses as a result of noise, the level of activity, overlooking, or overbearing appearance of the new building
- 11.3 The surrounding buildings are mostly used for commercial purposes, however, there are some residential properties located to the northern side of the river in Meadowbrook Close and Sherborne Close, and to the east in Poyle New Cottages
- 11.4 The proposed use would likely result in an increase in activity at the site due to the distribution and general industrial elements proposed. However, regard should be given to the site’s location within a defined business area where restrictions on higher levels of activity and noise generation are relaxed. Regard should also be given to the significant background noise from the Heathrow flightpath above the application site.
- 11.5 The vehicular access is proposed to remain as existing and be taken from north via Mathisen Way. There would be a significant amount of HGV traffic accessing the site that would pass the residential dwellings located on the northern side of Mathisen Road (9, 9a and 10 Poplar Close), which abut the highway by the north-to-west bend. As the site is proposed to be operating 24 hours and the use would result in a large number of HGV movements, the impact in this area during the evening, night time, and early morning would be

significant. In order to negate this impact Planning Officers have requested that access to and from the site during these times is taken from the south of the site through Willowbrook Road where there are no residential properties. At the time of writing the applicant is yet to agree to this. However, subject to this routing strategy, the proposed HGV access to the site would not have an unacceptable impact on 9, 9a and 10 Poplar Close.

- 11.6 A large amount of HGV traffic accessing the site would most likely travel to/from the south at Junction 14 of the M25 via Horton Road and Poyle Road. As a result there would be a significant increase in noise and disturbance along this route. However, when considering this would be contained within a defined Business Area where there are not many residential uses together with the significant background noise from the Heathrow flightpath, the impact along this route would not be unacceptable.
- 11.7 Concerns are raised regarding the possibility of HGV traffic turning right out of Mathisen Way and heading north through the residential neighbourhood in Colnbrook. The Council's Transport Department are currently proposing to implement measures to prevent HGVs travelling into the Bath Road to the north, and thereby negating the impact in this area.
- 11.8 The proposed use within the application site would also generate a degree of noise, which due to the 24 hour operation period could have an impact on the nearby residential properties to the north, east, and the recently approved permitted development flats to the west (Bridge House) during the evening, night time, and early morning. Owing to the orientation and height of the building, any noise generated from the loading bay area to the south would be attenuated to a degree from the residential properties to the north, east and west. However, no noise assessment has been submitted to establish the background ambient noise levels compared to the predicted noise levels from the proposed site operations, and therefore the likely degree of impact on the residential properties can not be satisfactorily assessed. As such, it is recommended a noise assessment along with any relevant mitigation is submitted to the local planning authority for approval prior to commencement.
- 11.9 The proposed building would be larger in footprint, one storey higher, and set closer to the residential housing in Meadowbrook Close (north) and Poyle Cottages (east). However, a separation distance of approximately 35 metres to the nearest rear elevation in

Meadowbrook Close and approximately 28 metres from the rear residential boundary. Approximately 36 metres would be retained to the closest residential side elevation in Poyle New Cottages and approximately 29 metres from the side residential boundary. This is considered ample distance to mitigate any unacceptable neighbour amenity issues.

11.10 No air conditioning or other plant has been indicated on the proposed elevations. A condition is recommended to require that no machinery, plant, ducts or other openings be allowed without the prior written approval of the LPA.

11.11 Subject to approval of a noise assessment with relevant mitigation, and the routing the Willow Road during the evening, night time and early morning, no objections are raised in terms of the impacts on surrounding properties.

12.1 **Traffic and Highways Implications**

12.2 Highways England have assessed the impact the proposal would have on the Junction 14 of the M25 and have recommended conditions to ensure the proposal would have an acceptable impact on the junction.

12.3 The Local Highway Authority (LHA) has recommended refusal based on the increase in traffic movements along the bath road to the north Horton Road/Poyle Road to the south. A refusal is also recommended in relation to insufficient parking provision for the B2 element of the proposal. It should be noted that the applicant is in process of negotiating a proportion of the floor area for the B2 element to be of a limited size to comply with the Council's car parking standards. This will be reported on the amendment sheet.

12.4 The Council's Transport Department are currently proposing to implement measures to prevent HGVs travelling into the Bath Road to the north, and thereby negating the impact in this area.

12.5 With regard to traffic movements the south, the LHA have presumed a worse case scenario by using survey data from the existing DHL site to the south, and not really considering the TRICS information which estimates considerably less traffic movements than the DHL model.

12.6 Planning Officers consider the DHL site is not a reasonable example

to use for calculating trip generations for this proposal. This is because the DHL is a regional depot for a large international courier service where HGV movements and smaller vehicle are exceptionally higher than average (as demonstrated by the TRICS data). DHL are a high turnover company whereby the delivery items normally comprise less bulky parcels and letters that are stored within the warehouse for short periods of time (mainly for sorting purposes) and dispatched by smaller courier vehicles.

12.7 Planning Officers consider that an operator similar to DHL would be unlikely and that consideration should also be given to the more likely event that the future occupier would operate as a typical warehouse. The table below compares the estimated existing traffic movements and proposed based on both a DHL style operator, and a typical warehouse operator:

Existing Kidde Graviner Site (TRICS)			
Time period	PCUs*		
	In	Out	Total
AM Peak (0800-0900)	136	16	152
PM Peak (1700-1800)	14	120	135
Total Daily trips	617	561	1178
Proposed based on a DHL style operator			
Time period	PCUs*		
	In	Out	Total
AM Peak (0800-0900)	233	50	283
PM Peak (1700-1800)	81	245	326
Total Daily trips	1055	1054	1463
Proposed based on a typical warehouse operator (TRICS)			
Time period	PCUs*		
	In	Out	Total
AM Peak (0800-0900)	23	17	39
PM Peak (1700-1800)	13	18	31
Total Daily trips	260	257	517

*based on 1PCU per car / LGV and 2.3PCUs per HGV

It is evident from the above table that traffic movements can vary considerably for a warehouse use. The worst case scenario would see an increase in traffic movements by 24 percent compared to a decrease of -56 percent for a typical warehouse operator.

12.8 Planning officers consider that the worst case scenario is highly

unlikely, and even in the event of this being realised, the increase in traffic movements would impact the Horton Road/Poyle Road to the south of the site in order to access the M25. Highways England has not objected to the proposal based on the impact on the junction adjoining junction to the M25 (subject to conditions). Officers accept that in the worst case scenario might see result in an increase in traffic queuing along the Horton Road/Poyle Road to the south, particularly during peak times. But equally there could be a reduction if a traditional warehouse operator occupied the site which would might have less of an impact than the existing use. Regard is given to the benefits of bring an existing under utilised employment site within a defined business area back into use. In this instance, Planning Officers consider the likely potential harm from traffic congestion highlighted above would not outweigh these benefits.

- 12.9 The Local Highway Authority have stated that if approved, a financial contribution should be sought to improve access to the site through non car modes of transport. No details have been put forward by the developer of the Local Highway Authority regarding these mitigation measures. Further details of this will follow on the amendment sheet.

13.0 **Flooding and Drainage**

- 13.1 The site is located with Flood Zone 1 but because the sites measures over one hectare in area, a flood risk assessment (FRA) is required and has been submitted. The FRA concludes the potential risk of flooding from tidal, surface water, ground water, sewers, reservoirs, and artificial sources are low. The development is classified as "less vulnerable" development which is considered appropriate in Zone 1.

- 13.2 The development would be required to comply with SuDS. As this is a major application, the drainage details will need to be approved by the Lead Local Flood Authority before planning permission is granted. The application includes a drainage proposal which the Lead Local Flood Authority have assessed and have requested further information. Before planning permission can be granted acceptable intrusive investigation and soakage tests to BRE365 Digest along with agreement from Thames Water for connection will need to be submitted and approved.

14.0 **Land Contamination**

- 14.1 The site has previously been identified as being potentially contaminated, which can be satisfactorily addressed by conditions.

15.0 **Biodiversity**

- 15.1 The NPPF requires that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:
- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for then planning permission should be refused
 - Provide net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures
- 15.2 Article 10 of the Habitats Directive stresses the importance of natural networks of linked habitat corridors to allow the movement of species between suitable habitats, and promote the expansion of biodiversity. River corridors are particularly effective in this way. Such networks and corridors may also help wildlife adapt to climate change.
- 15.3 The Thames River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies.
- 15.4 Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted
- 15.5 The application site does not fall within a designated SPA, SAC, SNCI or SSSI. It is not within 200m of ancient woodland, and is not an agricultural building or barn. However the site is located adjacent to a waterway where there are likely potential ecological impacts.
- 15.6 The Environment Agency (EA) has been consulted on this application but no response has been received. The EA did however respond to a similar application to the west at Brook and Future House (refs: P/09961/002 & P/09961/003). Within these applications the EA

raised concerns that the building would be within 8 metres of the top of the river bank, and requested an 8 metre-wide buffer zone (to point where the bank meets the level of the surrounding land). This was help to reduce shading, and to be free from all built development including fencing and lighting. The EA also requested formal landscaping should not be incorporated into the buffer zone. The buffer zone should be planted with locally native species of UK genetic provenance and appropriately managed under an agreed scheme. Any scheme to provide a buffer zone will need to include a working methods statement detailing how the buffer zone will be protected during construction

- 15.7 Within the previously approved reserved matters application P/09961/003 The EA agreed that some encroachment into an 8 buffer zone was acceptable pursuant to it being demonstrated that the proposal would not cause erosion of the riverbank, increased flood risk, reduce areas for maintenance or cause unnecessary environmental damage.
- 15.8 No information has been submitted to demonstrate a buffer zone, however, a scheme can be required before planning permission is determined and planning permission will not be granted until the buffer zone scheme has been approved by the Planning Manager.
- 15.9 The application includes an Ecological Survey which has identified likely impacts upon a number of ecological habitats. Avoidance measures, mitigation measures and enhancements are proposed to reduce the impacts as far as possible. The Council's Special Projects Officer has been consulted on this application and their comments will be included on the update sheet.
- 16.0 **Planning Conclusion**
- 16.1 In balancing the harm against the benefits, it is considered the potential resulting harm on the highways network would be significantly and demonstrably outweighed the economic benefits of the proposal when assessed against the policies in the NPPF taken as a whole
- 17.0 **PART C: RECOMMENDATION**
- 17.1 Having considered the relevant policies set out below, and comments from consultees and all other relevant material considerations it is recommended the application be delegated to the

Planning Manager for approval subject to a satisfactory drainage design, new vehicular access through Willowbrook Road, satisfactory negotiation of a Section 106 Agreement, a buffer zone scheme between the building and riverbank, consideration of any substantive third party objections, consideration of requirements from Thames Water, Environment Agency, and finalising conditions.

18.0 **PART D: LIST CONDITIONS AND INFORMATIVES (TBC)**

1. Commence within three years

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

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

2. Drawing numbers

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

TBC

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. Contaminated Land

TBC

REASON: To ensure that any ground and water contamination is identified and adequately assessed and that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use, in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

4. Submission of a Construction Management Strategy

Development shall not commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period.

Such a strategy shall include the following:

Details of cranes and other tall construction equipment (including crane locations, operating heights and details of obstacle lighting). Such schemes shall comply with Advice Note 4 'Cranes and Other Construction issues' (available at [www.aoa.org.uk/operations & safety/safeguarding. asp](http://www.aoa.org.uk/operations%20&%20safety/safeguarding.asp)).

The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

REASON: To ensure that the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through penetration of the regulated Airspace.

5. Submission of a Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' attached * See para below for further information *

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON: It is necessary to manage the flat roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

6. Programme of archaeological work

No development shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work (which may comprise more than one phase of work) in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the local planning authority.

REASON: The site lies in an area of high archaeological potential, particularly in relation to prehistoric and Roman remains. Berkshire Archaeology recommends that in the first instance a rapid impact assessment is undertaken that draws together cartographic evidence, geotechnical data and the results of archaeological investigations nearby in order to establish the extent of past impacts and if any areas survive where buried remains may survive. The results of the assessment can be used to determine if any archaeological fieldwork is merited and, if so, what the scope of that work might be. I trust this is satisfactory but if you have any questions or would like to discuss this in more detail then please do not hesitate to contact me.

7. Travel Plan

No part of the development hereby permitted shall be occupied until a Travel Plan has been approved in writing by the local planning authority in conjunction with Highways England. The Travel Plan shall include arrangements for monitoring, review, amendment and effective enforcement.

REASON: To minimize traffic generated by the development and to ensure that the M25 continues to be an effective part of the national system or mutes for through traffic in accordance with section 10 of the Highways Act 1980.

8. Service & Deliveries Management Plan

Prior to occupation of the development a detailed Service and Deliveries Management Plan shall be prepared, submitted and approved in writing by the Local Planning Authority in conjunction

with the Highways England. The approved Service and Deliveries Management Plan shall be implemented and complied with by the Applicant. or its successor, upon occupation of the development and the Service and Deliveries Management Plan shall be permanently retained thereafter.

REASON: In the interests of highway safety, to ensure that the M25 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act I 980 and to satisfy the reasonable requirements of road safety.

9. Car Park Management Plan

Prior to occupation of the development a detailed Car Park Management Plan shall be prepared, sublimed and approved in writing by the Local Planning Authority in conjunction with Highways England. The approved Car Park Management Plan shall be implemented arid complied with by the Applicant, or its successor, upon occupation of the development and the Car Park Management Plan shall be permanently retained thereafter.

REASON: In the interests of highway safety, to ensure that the M25 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

10. Construction Traffic Management Plan

No part of the development shall commence until a Construction Traffic Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The Plan shall include details of:

- Construction access;
- Vehicle parking for site operatives and visitors;
- Loading/off-loading and turning areas;
- Site compound;
- Storage of materials;
- Precautions to prevent the deposit of mud and debris on the adjacent highway.

The development herby permitted shall thereafter be carried out

in accordance with the approved Construction Management Plan.

REASON: To minimise danger and inconvenience to highway users.

11. Construction Management Plan TBC

To mitigate impact on riverbank .

12. Samples of materials

Prior to the commencement of development Samples of external materials (including, reference to manufacturer, specification details, and positioning) to be used in the construction of external envelope, access road, pathways and communal areas of development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved..

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

13. Surface Water Drainage TBC

14. Landscaping TBC

15. Landscape management plan

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

REASON: To ensure the long term retention of landscaping within the development.

16. Boundary treatment

No part of the development shall be brought into use 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 Adopted Local Plan for Slough 2004.

17. External site lighting

No part of the development shall be brought into use until a scheme for external site lighting including details of the lighting units, levels of illumination and hours of use has been submitted to and approved in writing by the Local Planning Authority. No lighting shall be provided at the site other than in accordance with the approved scheme.

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

18. No change of use

Notwithstanding the provisions of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended), the development shall only be used for purposes falling within Class B1(c), B2, and B8 of the Town and Country Planning (Use Classes) Order 1987 (and in any provision equivalent to the Class in any statutory instrument revoking or re-enacting that order) and for no other purpose.

REASON: In the interests of the amenities of the area in accordance with Core Policies 7 and 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

19. Ancillary offices

The offices hereby permitted shall be used ancillary to the main use only and shall at no time be used as independent offices falling within and B1a of the Town and Country Planning (Use Classes) Order 1987 (and in any provision equivalent to the Class in any statutory instrument revoking or re-enacting that order) and for no other purpose. .

REASON: In order protect the amenities of the area and to comply with Core Policy 5 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

20.No external plant TBC

21.Occupancy Restriction

INFORMATIVES:

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.
2. 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.
3. The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency may be necessary.
4. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
5. 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.

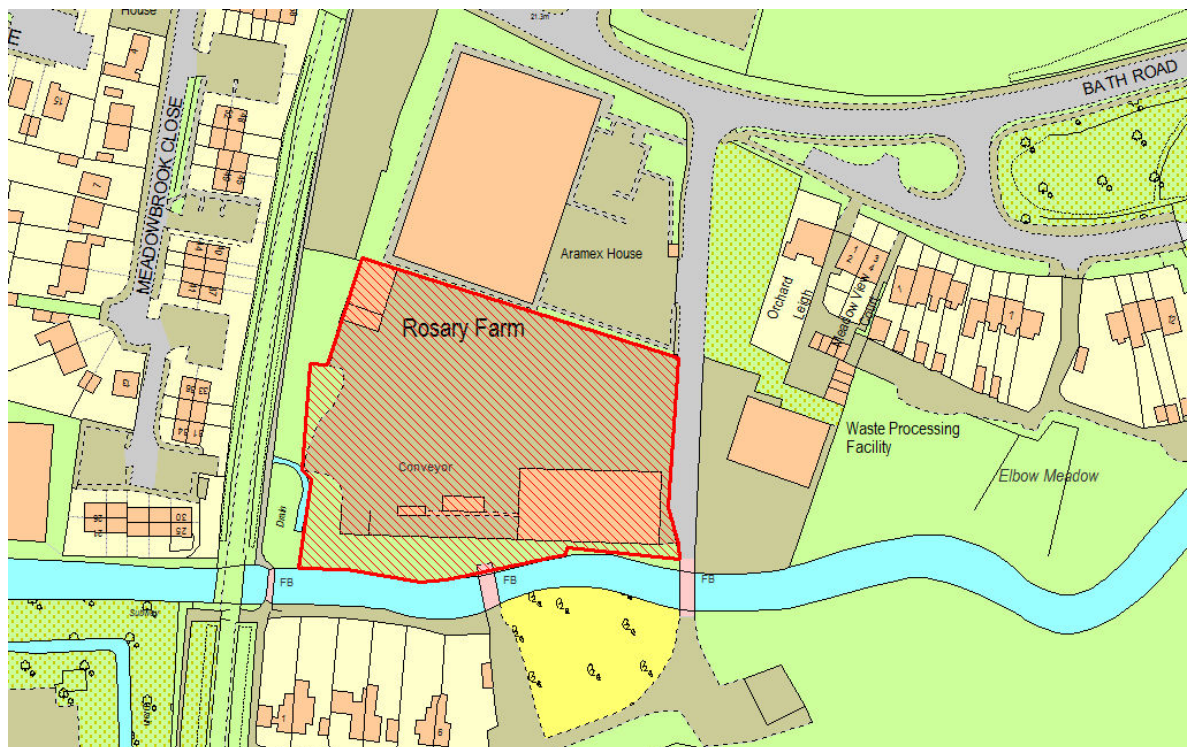
6. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
7. The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

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Registration Date:	04-Apr-2017	Application No:	P/10697/010
Officer:	Jenny Seaman	Ward:	Colnbrook-and-Poyle
Applicant:	Mr. D Hepsworth, Lanz Farm Limited	Application Type:	Major
		13 Week Date:	4 July 2017
Agent:	Mr. Phil Taylor, Egon 320, Chartridge Lane, Chartridge, Buckinghamshire, HP5 2SQ		
Location:	Lanz Farm Ltd, Galleymead House, Galleymead Road, Colnbrook, Slough, SL3 0NT		
Proposal:	Demolition of existing building and installation of new light and heaving recycling facility including associated works.		

Recommendation: Subject to the referral to the Secretary of State delegate to the Planning Manager for approval



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Following consideration of any outstanding consultation responses, the application to be referred to the Secretary of State as the site is within the Green Belt and the proposed building has a floor space of over 1000 square metres. In the event that the Secretary of State decides not to call in the application for determination, the Planning Manager be authorised to finalise conditions, complete a S106 Agreement to secure a lorry routing plan, make a contribution towards improvements to the Colne Valley Park and make the final decision on Planning Application.

1.2 This application is to be decided at Planning Committee as it is for a major development and is a waste and minerals application.

PART A: BACKGROUND

2.0 **Proposal**

2.1 The proposal is for a new building to provide a light and heavy line waste recycling facility. The proposal will also involve demolition of the existing heavy line processing building and the existing light line processing building, relocation of the weighbridge and parking, a surface water management system and new CCTV locations.

2.2 The proposed building would be 54.72m long by 61.68m wide (3,385m²) and is 10m to the eaves and 15m to the ridge. The materials include cladding, galvanised steel, glass and pre-cast concrete, typical of an industrial or waste management building.

3.0 **Application Site**

3.1 The site lies south of Galleymead House, east of the former Staines to West Drayton railway line and north of the Poyle Channel, and Poyle New Cottages. The site is just under 0.8 hectares in size.

3.2 The site is in current use as a recycling centre with the types of waste limited to the following:-

- Mixed commercial, industrial, construction and demolition waste
- Earth and spoils
- Hardcore and Concrete
- Mixed household, industrial and commercial waste
- Street cleaning residues

3.3 The site has been used as a waste recycling centre since 1999 and is used by Lanz in association with their office and vehicle workshop premises on the east side of the private access road.

3.4 The recovery site comprises a large single storey building in use for waste

recovery with raised large mechanical waste recovery equipment housed in the building with storage for recovered materials below. A smaller second building at the rear of the site is used for storage. Part of both buildings falls within land designated as Green Belt. Elsewhere there are numerous open storage bunkers for recovered materials awaiting dispatch. The remaining part of the site has a weighbridge and circulation road, together with area(s) for skip storage.

- 3.5 The eastern boundary of the waste recovery site has a chainlink fence and concrete posts fronting onto the private access road. To the north a large warehouse building is in use as well as a vacant site immediately to the west of the warehouse building with a valid planning permission for residential use, as yet unimplemented. To the east of the private access road and the remaining Lanz buildings, are residential properties in Bath Road.

4.0 **Relevant Site History**

- 4.1 The relevant planning history is set out below:-

Spelthorne Council granted an Established Use Certificate in respect of most of the western part of the site (approximately half of the site) on 7th May 1986. The Certificate allowed the storage of top soil and excavated material, ancillary parking, repair and maintenance of earthmoving equipment and vehicles and the parking of such equipment and vehicles for hire. It also allowed the use of certain buildings on site for storage, repair and maintenance of earthmoving equipment and vehicles. The majority of the site covered by the Green Belt designation was covered by the Established Use Certificate.

Temporary planning permission was granted on 13 July 1993 for the storage and sorting of waste materials with the construction of five wooden bunkers, a steel clad and framed building of 481 square metres, a portacabin control office, concrete hardstanding and screening bund and the installation of wheelwashing equipment. The permission was to run until 11 August 1999 or upon completion of the deposit of waste material at the Longford II landfill site. Permanent retention of the facility was the subject of planning application P/10697/000.

- 4.2 A description of applications considered by Slough Council follows:-

P/10697/000 Permanent retention of waste recycling centre
Granted 2 Feb 1999

The proposal was for the storage of waste materials which could include:-

- Dry and solid inert soils and overburden, concrete, stone and clay, coal and coke
- Scrap metals and plastics, polymers and resins, gypsum, carbon and ebonite, shot blasting residue, abrasives, micas, slag and boiler scale.

- Oxides of iron, magnesium, zinc, aluminium, copper and titanium.
- Hydroxides of iron, calcium carbonate and magnesium carbonate
- Wood and wood products, paper, cardboard, tree loppings and plant materials, leather and natural fibres

The proposal retained the storage bunkers, relocated the storage building to the south east part of the site, and retained the weighbridge, wheelwashing equipment, portacabin control office, and fuel storage equipment. The remainder of the site was surfaced with concrete.

All operations concerned with the repair and maintenance of plant and vehicles, covered by the established use certificate were to be removed from the site.

P/10697/001 Relocation of sorting hall and demolition of existing sorting hall
Granted 2 March 2000

P/10697/002 Erection of a two storey building with a pitched roof for use as transport maintenance operation and offices, erection of security fencing and provision of parking, bunding and landscaping
Granted 26 July 2001

P/10697/003 Relocation of sorting hall and realignment of the poyle channel
Granted 3 Oct 2002

P/10697/004 Construction of trilocular store
Granted 28 April 2003

P/10697/005 Variation of condition 7 of p/10697/003 to alter the timing of the diversion of the poyle channel from prior to occupation of the sorting hall to by 31 oct 2003
Granted 7 May 2003

P/10697/006 Provision of portacabin as weighbridge control office and replacement entrance gates
Granted 2 Feb 2004

P/10697/007 Construction of a concrete pushwall in sorting office
Granted 18 August 2006

P/10697/008 Variation of condition 6 of p/10697/000 and related applications p/10697/001 and p/10697/003 to include two additional waste categories.
Granted 15 Oct 2013

The two additional waste categories were mixed municipal waste and street cleaning residues. The application was to allow the following waste types to

be accepted on site:-

- Mixed commercial, industrial, construction and demolition waste
- Earth and spoils
- Hardcore and Concrete
- Mixed household, industrial and commercial waste
- Street cleaning residues

In accordance with the Environment Agency's waste permit reference EPR/WP3390EJ (varied on 29 June 2012).

The Environment Agency licence required that for mixed municipal waste and street cleaning residues, all bulking, sorting, storage and transfer should be carried out inside a building with an impermeable surface and sealed drainage. The licence stated that emissions from the activities should be free from odour at levels likely to cause pollution outside the site.

P/10697/009 Erection of new building to house new recycling facility with revised access and internal layout.
Granted 22 April 2016

At the time of the application 80% of the waste that went through the site was 'heavy' waste (that is building type waste such as bricks, aggregate and soil) compared to 20% of 'light' waste (metal, paper, cardboard, plastics and wood). It was proposed to erect a large single storey building with a metal clad finish handling light waste with a floorspace of 1697m² (depth 36m, length 68m and height of 10m to eaves and 15m to ridge).

The Secretary of State in their letter dated 24 January 2014 considered the development to be Schedule 2 development, but did not consider that an EIA was required as the proposal would not be likely to have significant effects on the environment by virtue of factors such as its nature, size or location. This was due to the fact that the proposal did not seek to increase the types of wastes processed nor increase levels of wastes processed.

5.0 **Neighbour Notification**

Neighbours Consulted:

1, 2, 3, 4, 5, 6 Poyle New Cottages

Orchard Leigh, Old Bath Road, Colnbrook

1, 2, 3, Meadow View Court

24, 25, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46,
47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64,

Meadow Brook Close

- Easy Parking Heathrow Ltd, Colnbrook Car Centre, Old Bath
- Aramex International Ltd, Old Bath Road, Colnbrook

- Lanz Farm Ltd, Galleymead House, Galleymead Road, Colnbrook
- Express Cargo Ltd, Aramex House, Old Bath Road, Colnbrook
- N T I Ltd, Aramex House, Old Bath Road, Colnbrook
- Vanguard Ltd, Aramex House, Old Bath Road, Colnbrook
- Priority Airfreight Ltd, Aramex House, Old Bath Road, Colnbrook
- Two Way Ltd, Aramex House, Old Bath Road, Colnbrook
- Aramex, Aramex House, Old Bath Road, Colnbrook
- Renier Jooste D X B, Aramex House, Old Bath Road, Colnbrook
- H Y Car Sales, Old Bath Road, Colnbrook

No replies received from neighbouring properties.

Consultations

Heathrow Airport Limited:-

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to conditions for:-

- Submission of a Construction Management Strategy
- Submission of a Bird Hazard Management Plan
- Lighting proposals
- Landscaping

6.0 This site is, or part of the site, lies within the Public Safety Zone. Please refer to DFT Circular 1/2010 'Control of Development in Airport Public Safety Zones' for further information.

We therefore have no aerodrome safeguarding objection to this proposal provided that the above conditions are applied to any planning permission

Mr. Ndoli Bokuli Development Cntrl Asset Investment Unit, Thames Water:-

No reply received

Sustainable Places, Environment Agency South East:-

No reply received

Ms. Katy Jones, Clerk and Finance Officer, Colnbrook-With- Poyle Parish Council:-

Members had no objection to this application

Environmental Protection:-

No reply received

Jason Newman (Environmental Quality Team Leader):-

I would advise a lighting impact study should be undertaken, and not to assume the assurances given are sufficient, the light spillage needs to be clearly modelled based on the new larger building.

The EA most certainly need consulting as the regulator for the waste/recycling activities on the site and also within the context of flooding risk.

There is relatively little information contained with the application and reference is made to a previous permission for the previous recycling facility I enclose some relevant comments I made on this application and the previous variation which did not include new plant and equipment unlike this application. Please note the noise limits were subsequently set at 61dB as this is 10 decibels below the ambient noise level (dominated by aircraft noise)

The key issues:

- Light impact assessment for the new security/operational lights on the site are recommended
- Intensification of site operations and increase in HGV traffic on the highway (requires transport assessment and Highways comments)
- Air Quality from HGV movements are unlikely to be a material consideration as the site is not located within an Air Quality Management Area and the routing is likely to utilise the M25 junction. However, it is advisable that a routeing map is submitted.
- Noise condition should also be attached to the consent that align with the current conditions, the building will act as an acoustic buffer
- Dust conditions as recommended in the committee report should also be attached to the consent.

Previous comments are included below:-

This is an established waste recycling facility which benefits from planning permission and an environmental permit issued by the Environment Agency reference EPR/WP3390EJ issued to Lanz Farms Limited.

Appendix 1 of the document includes a notice of variation of the Environmental Permit issued by the Environment Agency, dated 29 June 2012. The variation related to adding two additional waste types as follows:

- Mixed municipal waste
- Street cleaning residues

These types of waste streams have the capacity to cause odours. When considering this application and its environmental impacts, this is a regulated

facility and the regulator is the Environment Agency. Further, that the conditions within the permit are aimed at addressing significant and harmful emissions. When considering impacts on the amenity, most of these should be controlled by the extant permit.

The site is located within a mixed residential/industrial area. The site lies directly underneath the Heathrow flight path and it is significantly impacted by aircraft noise. The M25 hum is also audible. There were no odours affecting the perimeter of the site or residential properties at the time of my visit. There was little activity at the time of my visit

There are 6 private cottages located to the south of the site, accessible on the other side of Poyle Brook/Channel. There are a number of residential properties located to the west of the site at Meadowbrook Close.

There is potential, due to the nature of the site activities, for noise, dust, fumes and odours to affect these nearby residential properties. There are conditions within the Permit section 6.2 relating to odour control outside the site, and also the operator has to implement an approved odour management plan.

The Environment Agency completed a study of the ambient air quality at Poyle, Slough between 10 October 2012 – 16 January 2013. This study related to particulate monitoring. Particulate emissions, above the air quality standards, are known to have direct health impacts. I have read this report. Particulate monitoring PM₁₀ was carried out over a 99 day period, which is quite a short time scale. It was carried out during the dampest months of the year when particulate emissions are likely to be at their lowest levels.

Nevertheless, the results are indicative as to whether there is a particulate problem emanating from the site, and within the locality. The mean PM₁₀ levels are 16.8ugm⁻³ which is significantly below the air quality standard of 40ugm⁻³ but needs to be treated with caution. The analyser used is not one that meets the national reference specifications set for particulate monitors. Our TEOM PM₁₀ located at Pippins School, which lies approximately 300m NW of the site, and this recorded levels for 2012 at 21 ug m⁻³ at an annual data capture rate of 93%.

Lanz completed an odour and pest control management plan in May 2012. This plan forms a condition within the Environmental Permit. This management plan has been accepted by the Environment Agency. Onsite monitoring is undertaken but no off-site monitoring is undertaken and this is a weakness with the plan. The plan specifies processing steps to follow to minimise the odour. Additional measures include operating an internal mist air system and an external vortex rotary atomiser. In addition and where necessary an odour suppression system will be operational. However, there is no way odour will be completely eliminated from the types of waste streams being imported. There is also a complaints procedure built into the plan. The

plan does not mention maintenance and servicing of the plant, which again is a weakness, but does mention failure of the plant. Odour is likely to affect nearby residential receptors from time to time, but an odour management plan and mitigation measures have been implemented to manage off site emissions. The Environment Agency is the regulator responsible for investigating odour complaints and unless there is a history of complaints, relating to odour and these complaints have been substantiated, there are insufficient grounds to refuse the application on odour impact.

Noise from the site operation between the lulls in the aircraft movements, will be audible. However, this noise is unlikely to be a material consideration as the ambient noise is dominated by aircraft noise and the L_{Aeq} for the site is 71dB. Further, we are talking about a waste stream not additional equipment or plant, but utilising the existing facilities. Noise is unlikely to be a material consideration.

Anka Asandei, Contaminated Land Officer:-

Historical mapping indicates that the site has a long history of being used as a waste transfer station and some infilled areas are marked on GIS, together with a Disused Tanks entry.

The proposed development implies keeping the site under the same use thus the receptors will remain as before. However due to the sites history it is possible that unforeseen contamination may be found during demolition and development, which could be a risk to the construction team. Also, there are several potential sources of ground gasses on site which need to be assessed further, together with their potential impacts. Thus it is recommended that additional investigation and assessment is carried out before the works can proceed.

Recommend conditions as follows:-

- Phase 1 Desk Study
- Phase 2 Intrusive Investigation Method Statement
- Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy
- Remediation Validation

Julian Turpin, Tree Officer:-

There is an extant planning permission P/10697/009 for a new recycling facility on this site which has not been built. This application proposes a bigger building which includes most of the footprint of the building already granted previously. This change in building soze and footprint will not have a greater affect on the trees on and around the site than the previous; if consent is granted for this application it should have similar conditions applied as the previous permission to enhance the landscaping.

Whilst recognising that the affect on the trees is not changed I would note that many trees were removed from adjacent land to the west of the site which is a disused railway. This tree removal has greatly thinned the screening between the residential properties in Meadowbrook Close and the proposed building, which makes the landscape conditions applied previously of greater value.

Mr. Viv Vallance Transport and Highways Development:-

The planning application is for the proposed demolition of the existing waste recycling buildings and replacement with a new recycling building to process light and heavy line waste, including a revised site layout. The site is land at Rosary Farm, Poyle New Cottages, Poyle, near Colnbrook.

It is noted the size of the building has increased from the previous application (P/10697/009). The proposed building is 3,449m²

The combined facility is referred to as a waste recycling facility (WRF). It would include:

- A heavy and light line recycling facility building;
- Revised access arrangements;
- Re-location of weighbridge and other temporary buildings;
- Parking for GVs, staff / visitor parking; and
- CCTV and security health and safety site lighting.

And demolition of:

- the existing heavy waste transfer station location in the south-east corner of the site; and
- the existing light line building located in the north-west corner of the site.

Red-Line

- The red-line of the application should extend up to bath road – the adopted highway. The revised application should make this amendment;
- Furthermore, if the site is relying on car parking off-site then this should be included in the red-line;
- The gate will need to be open during all times the site is operational; On entering the site it is proposed HGVs would pass over the weighbridge, located in the centre of the site. HGVs would then move to the respective loading docks. However, if an HGV was already parked on the centre dock then neither the southern nor northern docks could be accessed. If an HGV was parked on the southern dock, the central dock would not be accessible. The design does not work and there is a risk that excessive reversing and manoeuvring will occur on the road leading to Poyle New Cottages. This would be unacceptable from a highway safety perspective and therefore the application should be refused;

Pedestrian Access

- Pedestrian access to the site would be via a new pedestrian gate located in the north-east corner of the site. This is desirable as would ensure pedestrians are separated from vehicle movements;
- The applicant should have incorporated the footway in the footway in the proposed scheme that is a condition of the previous consent. It would appear the applicant is unwilling to provide the footway even though the intensification of the use of the site will be worsened without this footway. Therefore this should be reason for refusal;

Parking

- It is stated that external parking for HGVs associated with the operation would be provided within the yard area after the WTS operations have ended for the day; however it is not clear where this is located;
- It is proposed that staff and visitor parking would be provided in the same location as existing, adjacent to the eastern elevation of the waste transfer building. This includes only four spaces. It is stated this includes disabled parking provision, but this is not seen in the plans;
- The proposed floor area is 3,449m², and according to the Slough Local Plan parking standards presented in Developers Guide Part 3, B8 warehousing use requires a minimum of 1 car space per 200m². This translates to a requirement for 17 car parking spaces. Clearly these are not provided on the site, and the application would be recommended for refusal on this basis;
- The requirement for lorry spaces would be 1 space per 500m² up to 2000m² and then 1 per 1000m². This site would therefore require 6 lorry spaces. Again these are not provided on site and therefore the application should be refused
- Whilst it is noted there is some parking provided opposite the site on Poyle New Cottages, this is not within the red-line, nor would there be adequate spaces to meet the parking standard;
- The application would be recommended for refusal on the shortfall of HGV and vehicle parking;

Cycle Parking

- No cycle parking is included in the proposals;
- According to Slough Local Plan parking standards, B8 warehousing use requires 1 cycle space per 500m² resulting in the need for 7 cycle spaces. These should be provided as a secure sheltered store for staff to use.

Trip Generation

- To understand the change in trips as a result of the development, the volume of waste needs to be examined;
- The new recycling facility is expected to receive, bulk and transfer up to 177,000 tonnes per annum (tpa) heavy mixed skip waste and dry mixed recyclables (DMR) which originate from commercial and

industrial (C&I) sources. This level of tonnage does not make much sense when compared to the existing volume of waste dealt with by the site and that which is proposed to be dealt with at the site;

- The existing usage of the site has been established from data for the last six years, including throughputs and vehicle movements. This is shown in the table below; although it is noted the data presented in the planning statement and Transport Statement differs; thus the below is considered the most intuitive summary (based on approx 3-4 tonnes per load).

Year	Tonnage	HGV Loads	Total HGV Trips per annum	Total Daily HGV Trips
2011	48600	13831	27662	106
2012	34985	10206	20412	79
2013	27928	8131	16262	63
2014	35854	10631	21262	82
2015	36596	12505	25010	96
2016	41370	12301	24602	95

- It is evident therefore that the site currently operates at well below the 177,000 tonnes per annum threshold it is licenced for (or 152,000 as referenced in the TS). However, having an EA threshold licence does not mean that the site has planning consent for dealing with this volume of waste;
- At present the site is receiving approximately 5,000 tonnes of light waste per year, which equates to 1660 loads per year, on the basis of 3 tonnes per HGV load;
- The likely increase in capacity from the combined facility, resulting from the sorting and processing being accommodated within a single building, is estimated at 20,000 tonnes per year. At 3 tonnes per load, this would total 6666 HGV loads per annum. Based on 260 days per year (excluding weekends) this results in 25 loads per day or 50 HGV trips per day (including trips in and out);
- Based on a 10 hour working day, this averages at 5 HGV trips per hour. It is argued in the Transport Statement that this is not material when considered against the background traffic and that the site already has consent to be operating up to its licensed maximum tonnage per year, of 177,000 tonnes. The additional light waste tonnage (20,000 tonnes per annum) does not cause the total to exceed this;
- However, it is considered by the local highway authority that this increase is notable, as based on the table above showing approximately 100 HGV trips per day to the site, the additional 50 trips will represent a 50% increase, which is considered substantial;
- Due to the Poyle Road scheme to restrict HGV movement, the HGVs would not be able to route via Poyle Road from the site. Thus all HGVs would have to exit the site to and from the east on Bath Road (see section below).

- There is likely to be a knock on impact from these additional HGV movements on the AQMA through A4 Brands Hill and therefore one would expect mitigation for the damage caused by these HGV movements, The case officer should consult the Council's Environmental Officer, Jason Newman.
- The proposed site operating hours would be:
 - Mon to Fri 0700:1800 hours;
 - Saturday 0700-1300 hours;
 - Sunday / Bank Holidays – no activity, except in emergencies.
- It is anticipated that waste would be brought to the site in a range of vehicles, skips and bins;
- The waste would be exported from site to other residual waste management sites in articulated bulkers;
- The site currently employs 14 people, including machine and site operatives and managers; there would be no change to this proposed.
- Cars would be diverted away from the weighbridge on entering the site, via a bypass route.

HGV Routing

- As with the previous application for this site, a routing agreement for access to the site from the East only must be agreed to avoid HGV traffic passing through Bath Road, Colnbrook to the west of this site. This should be secured as part of the S106 agreement.

Impact Assessment

- Highways England and LB Hillingdon should be consulted on the impact.

Public Transport

- The nearest bus stops to the site are located on the Bath Road approximately 200m to the north-west of the site.

Construction

- It is envisaged that the construction of the heavy and light waste management facility would take approximately 12 months.

Mitigation

Due to the substantial increase in HGV trips proposed as a result of the development, if the application was to be approved at a later stage, then it is appropriate that mitigation is agreed with the local highway authority to take account of the impact of the HGV movements on the public highway. The additional traffic is likely to impact on traffic flow and air quality through A4 Brands Hill as HGVs travel to and from the M4.

Recommendation

Based on the concerns raised above, the application is recommended for refusal on highways and transport grounds for the following reasons:

- The proposed development would result in an intensification of use of an existing access at a point where the sight lines are substandard and would lead to danger and inconvenience to people using it and to highway users in general. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.
- The intensification of the use of the site and the access road leading to Bath Road will worsen the safety of pedestrians walking between Poyle New Cottages and Bath Road. In the absence of a continuous footway across the frontage there is a increased danger to pedestrians walking to Poyle New Cottages from the intensification of this development. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.
- The development fails to provide car parking and HGV parking in accordance with adopted Slough Borough Council standards and if permitted is likely to lead to additional on street car parking or to the obstruction of the access to the detriment of highway safety and convenience. The development is contrary to Slough Borough Council Local Plan Policy T2.
- The applicant has not included adequate space within the site for parking and manoeuvring of vehicles clear of the highway. The proposed siting of the weighbridge will obstruct ingress and egress to the loading docks. The development if permitted would therefore be likely to lead to vehicles blocking back or reversing onto or off the highway to the detriment of public and highway safety. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and Policy T3 of the Slough Local Plan 2004.

Louise Bradbury
Authorised by: Viv Vallance

Drainage

Date – 22/05/17

A full surface water drainage philosophy including a layout and calculations will need to be provided for approval. The philosophy should include the existing site drainage scenario, the proposal for the site surface water drainage detailing the use of SuDS systems, together with any proposed connection to a Thames Water sewer. Surface water discharge from the site will be restricted. A Consent to Discharge Section 106 Agreement is to be enter with Thames Water who are to confirm their approval to the connection aswell as the allowable discharge rate. Any agreements with The EA will need to be discussed with SBC.

Chand Hassan

Flood Risk
Date – 17/05/17
No comment.

Beth Waring on behalf of Ian Sivyer

PART B: PLANNING APPRAISAL

8.0 **Policy Background**

The application will be assessed against the following policies:

8.1 National Planning Policy Framework 2012
National Planning Policy for Waste 2014

8.2 The planning considerations for this proposal are:

- Principle of development
- Impact upon the Green Belt
- Impact upon the Strategic Gap
- Impact upon the Colne Valley Park
- Scale, massing, bulk and layout
- Impact on neighbouring residential properties and environmental issues
- Traffic and Highways
- Impact on the Public Safety Zone

9.0 **Principle of development**

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

9.2 The National Planning Policy for Waste, October 2014, states that when determining waste planning application Local Authorities should consider market need if the proposals are not in line with the local plan and to ensure the proposals do not undermine the local plan. It further states that Green Belts have special protection regarding development and waste management facilities within the green Belt would amount to inappropriate development.

9.3 The Berkshire Waste Local Plan acknowledged the difficulties in identifying

suitable sites for waste management facilities and the need to secure sufficient suitable sites. It therefore identified a number of sites to retain and safeguard, known as "Preferred Areas". The application site is included in the preferred areas list in the 1998 Berkshire Waste Local Plan (WLP Preferred Area 26). Although the document is old, there is no up to date Waste Local Plan.

- 9.4 Policy WLP11 of the Berkshire Waste Local Plan states that, subject to various detailed matters, applications for waste management development will normally be permitted in Preferred Areas.
- 9.5 The planning history is a material consideration. The previous planning application P/10697/009 was for the erection of a new building to house a new recycling facility with revised access and internal layout and was approved in 2016 but has not been implemented on the site. The scheme included a large building handling light waste with a proposed floorspace of 1697m², with a depth of 36m, length of 68m and a height of 10m to eaves and 15m to the ridge. This building was proposed on part of the site which is within the Green Belt. Since the determination of planning application P/10697/009, national planning policy and local planning policy has not significantly changed and the site conditions remain the same.
- 9.6 This is an existing waste transfer site which is long established, although part of the site is in the Green Belt. Planning permission has already been granted for a large building on the site. As the site is long established, it is considered that further development on the site with relation to the recovery and recycling of waste would be acceptable in principle. However any development would still need to be in accordance with the NPPF and the Councils adopted policies.

Impact upon the Green Belt

- 10.0 The National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 10.1 The National Planning Policy for Waste, October 2014, states that Green Belts have special protection regarding development and waste management facilities within the green Belt would amount to inappropriate development.
- 10.2 In this case, approximately half of the site, consisting of the majority of the rear of the site (lining up approximately between the front of Aramex House and the rear of the application site) is within the Green Belt. The proposed

building would be located within the Green Belt and therefore would be inappropriate development in the Green Belt. As such “Very Special Circumstances” would need to be demonstrated.

The very special circumstances in this case are considered to be as follows:-

10.3

- Only approximately 50% of the site lies within the Green Belt and buildings and structures on site already intrude into part of the Green Belt
- There was an Established Use Certificate in respect of most of the western part of the site for storage of topsoil and excavated material, ancillary parking, repair and maintenance of earth moving equipment and vehicles and the parking of such equipment and vehicles for hire. The majority of the Green Belt designation on site was covered by the Established Use Certificate and therefore already involved use of the site for a number of years for development which would be inappropriate in the Green Belt
- The site has operated as a waste transfer site for a number of years and benefits from a permanent planning permission granted in 1999
- The 1998 Berkshire Waste Local Plan identifies the site as a waste transfer site to retain and safeguard (Preferred Area).
- The proposal is intended to improve the ways in which imported waste is processed, stored and to increase overall recycling levels. In addition the proposed building would seek to improve many of the site’s current operating and environmental issues. This would improve staff site health and safety issues and improve noise and dust conditions by enclosing the site’s processing of waste within a bespoke building.
- Planning permission has already been granted (P/10697/009) for a similar sized building on the same site, within the Green Belt and in exactly the same position.
- The building which has already been granted planning permission had a floorspace of 1697m², a depth of 36m, length of 68m and a height of 10m to eaves and 15m to ridge. However, the existing large building on site, with a floorspace of approximately 882m², was also being retained, resulting in a combined floorspace of 2579m². The proposed building has a floorspace of 3,385m², is 54.72m long by 61.68m wide (3,385m²) and is 10m to the eaves and 15m to the ridge.
- The applicants provided an Alternative Sites Assessment with the previous approved application P/10697/009, considering 40 possible alternative sites. It was accepted that this demonstrated that there are no alternative deliverable sites and the existing site, which is the subject of this application, is the most appropriate. It is not considered that circumstances have changed which would alter this view.

10.4

On the basis of the above, it is considered that Very Special Circumstances have been demonstrated and that the application can be recommended for approval.

11.0 **Impact upon the Strategic Gap**

11.1 Local Plan policy CG9 states that any development within the Strategic Gap will not be approved where it threatens the clear separation or the role of open land between Slough and Greater London.

11.2 The existing use of this site is as a waste transfer site and this use would not change or result in the loss of any separation between Slough and Greater London or loss of open land given that the entire site is used for commercial purposes. The proposal would not therefore have a detrimental impact on the Strategic Gap.

12.0 **Impact upon the Colne Valley Park**

12.1 Local Plan policy CG1 seeks to control development in the Colne Valley Park and where development is permitted to ensure that appropriate mitigation measures are undertaken to realise the aims and objectives of the Colne Valley Park.

12.2 The existing use of this site is as a waste transfer site and this use would not change or result in the loss of any informal leisure use. The proposal would not therefore have a detrimental impact on the Colne Valley Park.

12.3 Policy CG1 states that where development is permitted in these areas, provision of new or improved access to the countryside will be sought. The previous application was subject to a Section 106 Agreement for a contribution towards improvements to Colne Valley Park and a contribution is also considered appropriate for the current proposal.

13.0 **Scale, massing, bulk and layout**

13.1 That National Planning Policy for Waste states that waste development facilities should be well designed and contribute positively to the character and quality of the area. The National Planning Policy Framework similarly seeks to ensure that proposal have a good standard of design.

13.2 Core Policy 8 of the Local Development Framework, Core Strategy, states that: "All development in the Borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change."

13.3 Policy EN1 of the Adopted Local Plan states that "all development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surrounding", in accordance with the criteria set out in that policy.

13.4 The design, size and location of the building have to a large extent been led

by the machinery and storage that are required within the building. The design of the building itself is a metal frame with metal cladding and insulation similar to the surrounding industrial buildings with a standard industrial design, especially to the neighbouring building at Aramex House. The design of the building is the same as that proposed in the previous approved application and will not have a detrimental impact upon the character or appearance of the area. The proposal will involve the removal of the old and deteriorating buildings on site which would improve the visual appearance of the site.

13.5 While the building is large, it is not considered that it would appear be out of character with the surrounding buildings or the surrounding area generally. The building would cover a large proportion of the site but would not appear overbearing or over dominant within the surrounding area due to the large buildings in the area and the fact that it is set at the back of the site so that it will not appear overbearing. A good amount of space is still retained in front of the building and additional landscaping is proposed.

14.0 **Impact to neighbouring residential properties and environmental issues**

14.1 The National Planning Policy for Waste states that waste developments should consider the likely impact on the environment and amenity.

14.2 Core Policy 8 of the Local Development Framework, Core Strategy, states that the design of all development within existing residential areas should respect its location and surroundings and shall not give rise to unacceptable levels of air, dust, odour, lighting or noise pollution and reduce the risk of flooding, including surface water flooding.

14.3 Policy EN1 of the Adopted Local Plan states that “all development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surrounding”, in accordance with the criteria set out in that policy.

14.4 The nearest neighbouring residential properties to the application site are sited 33m to the west beyond the disused railway line and 46m from Poyle Cottages to the south beyond the Poyle Channel. These properties are screened from the site with existing mature trees and shrubs both within the site to act as a green buffer to the site – although some of the tree screen on the adjoining land has been removed. However, the part of the building closest to disused railway line has already been granted planning permission, so the view from properties in Meadowbank Close would be no different. The view from Poyle Cottages would be of a longer building, but at a distance of 46m this would not appear overdominant. New landscaping is also proposed which will help to soften the appearance of the proposal.

14.5 Although large, the proposed building is not considered to result in a detrimental impact in terms of it being overbearing or restricting views and onsite planting provision could be strengthened via appropriate conditions to

help soften the appearance of the building further when viewed from neighbouring residential properties.

- 14.6 Due to the distances between the neighbouring residential properties and the proposed building it is not considered to result in a loss of light to the neighbouring properties and would not have a detrimental impact upon the amenity of neighbouring properties.
- 14.7 The noise report that has been submitted with the application confirms that the sound level is dominated by aircraft noise and that the proposed new recycling plant machinery would not be any louder than the pre existing ambient noise level from aircraft and traffic noise and will therefore have no detrimental impact upon neighbouring properties or the surrounding environment.
- 14.8 The air quality report that has been submitted with the application is in the form of an Environment Agency air quality study that confirms that air quality standard objectives are being met and it is not anticipated that with a marginal increase in the amount of waste being recycled at the site and with this waste being light in nature then there will not be a detrimental impact upon air quality.
- 14.9 The proposed new building will result in the removal of a large proportion of outdoor processing and storage of waste, and the sites operating noise limits will be controlled within a new noise insulated building. This will lead to reductions in dust, odour issues being internally controlled and the storage of processed materials within the building which will be a benefit in respect of pest control.
- 14.10 An odour and pest management control management plan has been submitted as part of the application which states that appropriate odour and pest control measures will be put in place and regularly monitored to ensure that there is no nuisance to neighbouring properties and can be appropriately secured via condition.

15.0 **Flooding and Drainage**

- 15.1 The site is located in Flood Zone 1 on the Environment Agency's (EA) maps. The site is not indicated to be at risk from flooding in event less than the 1 in 1000 year return period. This gives an annual flood risk of 0.1 % or less.
- 15.2 An FRA has been prepared because the site is immediately to the north of the Poyle channel which benefits from defence assets and the site currently discharges its surface water into the Poyle channel.
- 15.3 The proposed (and current) use of the site is a waste management facility and this is classified by Table 2 of the Technical Guidance to the NPPF as "less vulnerable" but is appropriate for development (It being in Flood Zone I). The

site is used for non hazardous waste only.

- 15.4 The proposed development involves a new building to the western half of the site and is entirely located on currently an impermeable (concrete) area. There is currently 6805m² of impermeable area (which represents 85.6% of the site). The proposals will result in a reduction of impermeable area to 6265m², an 8% reduction.
- 15.5 The storm water off from the proposed building is to be collected in below ground storage tanks. The collected water is then to be used as water supply (replacing that used directly from the mains supply). Any excess water collected is to be channelled into the existing system and discharged through the hydrobrake.
- 15.6 The new building occupies 3492m² and all of this is on existing impermeable surface. This results in a net gain of permeable surface of 540m². As a result of the proposals the area of the yard surface drainage will be reduced from 5990m² to 2773 m². Due to the nature of the operations on the site the yard drainage discharges into the foul water system. Consequently there will be an environmental benefit as the discharge area from the yard is reduced by 53%. This is balanced by an increase in roof surface water discharge of 328% however this discharge is attenuated. The measures proposed will reduce the overall flow of surface water from the site.
- 16.0 Traffic and Highways
- 16.1 Core Policy 7 requires that development proposals will have to make appropriate provisions for reducing the need to travel, widening travel choices and making travel by sustainable means of transport more attractive than the private car, improving road safety, improving air quality and reducing the impact of travel upon the environment.
- 16.2 Local Plan Policy T2 requires residential development to provide a level of parking appropriate to its location and overcome road safety problems while protecting the amenities of adjoining residents and the visual amenities of the area.
- 16.3 The applicant has supplied a transport statement that states that the additional increase in waste being generated by the development would result in an increase in 20,000 tonnes of waste per year being sorted at the site which equates to an additional 50 HGV trips per a day if it works at its maximum. Considering the background traffic movements to and from the site and the fact that the site will still operate below its 152,000 tonne limit the additional traffic movements will not result in any traffic or highway issues.
- 16.4 The Highways Officer has objected to the proposal for a number of reasons which are summarised below:-

- The proposed development would result in an intensification of use of an existing access at a point where the sight lines are substandard and would lead to danger and inconvenience to people using it and to highway users in general.
- The intensification of the use of the site and the access road leading to Bath Road will worsen the safety of pedestrians walking between Poyle New Cottages and Bath Road. In the absence of a continuous footway across the frontage there is a increased danger to pedestrians walking to Poyle New Cottages from the intensification of this development.
- The development fails to provide car parking and HGV parking in accordance with adopted Slough Borough Council standards and if permitted is likely to lead to additional on street car parking or to the obstruction of the access to the detriment of highway safety and convenience.
- The applicant has not included adequate space within the site for parking and manoeuvring of vehicles clear of the highway. The proposed siting of the weighbridge will obstruct ingress and egress to the loading docks. The development if permitted would therefore be likely to lead to vehicles blocking back or reversing onto or off the highway to the detriment of public and highway safety.

16.5

Discussions took place with the applicant on site and further information requested on the aims for the site. The information provided by the agent was as follows:-

1. There appears to be have been a mistake made in the original submission. I can categorically state that this application will not increase or indeed plans to increase the levels of waste permitted above and beyond what was permitted by planning permission P/10697/009. The Design and Access statement Section 2 states correctly - 'This application does not propose any increase in waste to be processed at the site.'
2. I am unclear why the submitted application quotes the figure 177,000 tonnes of waste, as this is simply incorrect. Based on the table below it can be seen the average quantities of waste processed on site between the years of 2011 - 2016 range from between 27,000 tonnes – 49,000 tonnes per annum.

Year	Tonnage	HGV loads	Total HGV trips
2011	48,600	13831	27662
2012	34985	10206	20412
2013	27,928	8131	16262
2014	35,854	10631	27034
2015	36,596	12505	30688

2016	41,370	12301	30062
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3. These figures include the light line waste tonnage also. It would therefore be illogical and not practical to increase the site's throughput threefold when no contracts are in place to generate or attract this level of waste. The sole purpose of this application is to construct a building which will accommodate the chosen light and heavy line waste processing equipment, there is no other reason.
4. The application proposes to not increase the levels of waste processed at this site. The levels of waste will be the same as permitted by planning permission P/10697/009. This will include light and heavy waste streams.
5. As the planning submission details the need for a new larger building results in operational benefits and is based on the size specification of the processing equipment. The amalgamation of the two streams of waste within one building has numerous benefits including the use of new technology and the erection of a purpose built noise insulated building. In addition the removal of two old buildings on the site will also occur as a result of this new proposal. The proposed internal equipment could not now be configured within the permitted building.
6. The 2017 Transport Statement clearly states this application will not increase the number of movements the site generates above and beyond that permitted by planning permission P/10697/009. This will be in the region of 50 2 way HGV trips per day. The existing road network is designed and has the capacity to accommodate this ongoing level of activity. The on-site configuration of the site has been altered to ensure HGVs can suitably turn within the designated areas.
7. No application has been made to the Environment Agency to alter the waste permit as the levels proposes will fall a long way short of exceeding the waste permit's levels. The re-configured building is not being proposed to increase the levels of waste processed at the site. As mentioned the only reason the building shape and size is being altered is to allow for the waste processing equipment to fit within the building.
8. The current Lanz Group clients of Slough Council, Windsor and Maidenhead Council, Hillingdon Council, Spelthorne Council and Windsor Council would remain. The nature of the business relies on the local supply of waste and in performing its duty of sustainable development. This remains a core aim of the Lanz Group as it has for over fifty years of operation. The Lanz Group have no intention of building this new building and then seeking additional clients other than those quoted in the last application.

16.6

Given the extra information provided by the agent and applicants, in writing and at the time of the site visit, it is clear that the proposal will not result in an

intensification of the use or an increase in traffic above what was permitted under planning application P/10697/009; rather it will allow the processing of waste to be carried out in a more efficient manner.

16.7 A condition was included in the previous application requiring the provision of a footway and the same condition is included as part of this application.

16.8 The plans include tracking diagrams to show that lorries can access the docking bays; it was explained on site that the larger building will allow lorries to drive into the building and either offload in the building or be able to remain in the building until it is possible to carry out offloading. This will be an improvement as at present lorries offload in the open yard and the waste must then be sorted outside.

16.9 Highways have stated that parking spaces for lorries, cars and cycles need to be provided and that insufficient parking has been provided. The parking requirement has been worked out on the basis of what is required for a B8 use, but this proposal is not for a B8 use. Also, account has not been taken of the fact that the applicant owns Galleymead House (opposite the site) which has parking spaces to the front and that the number of staff working at the site (14) is low and will not change. At the time of the officers site visit, there was no sign that cars or lorries were parking along the access road leading to the site.

16.10 As no extra vehicle movements are proposed above those approved under planning application P/10697/009 and no increase in tonnage of waste, it is not considered that the application should be refused on lack of parking.

The previous application was subject to a Section 106 requiring a lorry routing plan; the same is required for the current planning application.

17.0 Impact on Public Safety Zone

17.1 The site is located within Public Safety Zone (PSZ). Public Safety Zones are areas of land at the ends of the runways at the busiest airports, within which development is restricted in order to control the number of people on the ground at risk of death or injury in the event of an aircraft accident on takeoff or landing. The basic policy objective governing the restriction on development near civil airports is that there should be no increase in the number of people living, working or congregating in Public Safety Zones and that, over time, the number should be reduced as circumstances allow.

17.2 There should be a general presumption against new or replacement development, or changes of use of existing buildings, within Public Safety Zones. Exceptions to this general presumption are set out in paragraphs 11 and 12 and includes development of a kind likely to introduce very few or no people on to a site on a regular basis.

17.3 The proposed use will not result in an increase in staff numbers at the site and therefore complies with the requirement of development within the airport safeguarding zone which seeks to ensure there is no increase in the numbers of people working within such an area.

17.4 No objections are raised to the principle of development in relation the local development plan, the National Planning Policy Framework, and the DfT Circular 01/2010 regarding national policy regarding developing within a PSZ

PART C: RECOMMENDATION

Following consideration of any outstanding consultation responses, it is recommended that the application be referred to the Secretary of State because the site is in the Green Belt and the proposed building is over 1000 square metres. In the event that the Secretary of State decides not to call in the application for his own determination that the Planning Manager be authorised to finalise conditions, complete a S106 agreement and make a final decision on the Planning Application.

PART D: LIST OF CONDITIONS AND INFORMATIVES

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

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

2. The development hereby approved shall be implemented only in accordance with the following plans and drawings hereby approved by the Local Planning Authority:
 - (a) Drawing No. 001 Site Plan
 - (b) Drawing No. 002 Existing Site Layout (654-002E)
 - (c) Drawing No. 003 Proposed Elevations (654-003H)
 - (d) Drawing No. 004 Proposed Internal Layout 004 R2)
 - (e) Drawing No. 006 Existing and Proposed Lighting and Swept Path Analysis (654-006G)
 - (f) Drawing No. 007 Proposed Overlay Layout (654-007)

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. The development shall be carried out having full regard to the findings and recommendations of the following supporting

statements:

Odour and Pest Control Management Plan, Dated May 2012
Study of Ambient Air Quality at Poyle Slough, 10th October 2012 -
16th January 2013
HAC Flood Risk Assessment December 2016
Noise Report February 2017
Highways Report 2016

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

4. Prior to the building being bought into use a comprehensive dust and noise management plan shall be submitted to and approved by the Local Planning Authority. The plan shall cover and/or include:

- All potential sources of noise and dust emissions from the site
- Identify the nearest sensitive receptors (including new receptors).
- Outline all mitigation measures employed on site to date
- Outline additional mitigation measure to prevent harm to local
- Specify the Dust and Noise monitoring on site and supply the
- The Operation of a complaints system with a logbook kept on Enforcement Team and Planning Team as well as Environment Agency Environmental Officer.
- An two yearly review of dust and noise management and

REASON: To protect the amenities of the area and prevent nuisance arising from dust and to accord with the Core Policy 8 (Sustainability and the Environment)

5. The operator shall ensure all physical dust and noise mitigation measures, for example sound insulated building, screens, bunds, fences, roads, wheel wash, dust suppression systems etc, shall be maintained in good working order at all times to ensure their effectiveness.

REASON: To protect the amenities of the area and prevent nuisance arising from dust and to accord with the Core Policy 8 (Sustainability and the Environment)

6. The operator will be required to comply with the following noise limit at the following locations at all times when the site is in operation:

Receptor	Noise Limit level (Site Operations only)
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Meadowbank Close	61 dB
Poyle New Cottages	61 dB
Meadow View Court	61 dB
Elbow Meadow	61 dB

Note: All Noise levels are measured LAeq, 1 hr (freefield)

REASON: To protect the amenities of the area and prevent nuisance arising from dust and to accord with the Core Policy 8 (Sustainability and the Environment)

7. The use of audible reversing warning alarms on mobile plant and HGV's accessing the site, where such plant are owned and operated by Lanz (or any succeeding company), shall be of the non-tonal type or such type as approved in the Acoustics Assessment Report prepared by Sharps Redmore, Dated 26th August 2014

REASON: To protect the amenities of the area and prevent nuisance arising from dust and to accord with the Core Policy 8 (Sustainability and the Environment)

8. Details of additional or replacement footpath provision along the access road and which shall extend beyond the southern boundary of the site shall be submitted to and approved in writing the Local Planning Authority and implemented prior to works commencing on site.

REASON: In the interest of pedestrian and highway safety in accordance with Core Policy 7 of the Slough Local Development Framework Core Strategy Development Plan Document December 2008.

9. 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) and Preliminary Risk Assessment (PRA).

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.

10. 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.

11. 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.

12. 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.

13. No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To protect groundwater. The site is located on a Secondary aquifer and a historic landfill. Infiltration SUDs/ soakaways through contaminated soils are unacceptable as contaminants can remobilise and cause groundwater pollution. This condition is in line with Slough Borough Councils Core Strategy (adopted in 2006) Core Policy 8.

14. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment should be submitted with consideration of the Environment Agency guidance 'Piling into contaminated sites': <http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0202bisw-e-e.pdf> . This condition is in line with Slough Borough Councils Core Strategy (adopted in 2006) Core Policy 8.

15. No development shall take place until a scheme for the provision and management of an 8 metre wide buffer zone alongside the River Colne shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:
- plans showing the extent and layout of the buffer zone.
 - details of any proposed planting scheme (native species only).
 - details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term.
 - details of any proposed footpaths, fencing, lighting etc.

Reason: Development that encroaches on a watercourse can have a potentially severe impact on their ecological value. Land alongside are particularly valuable for wildlife and it is essential this is protected. This condition is in line with Slough Borough Councils Core Strategy (adopted in 2006) Core Policy 8 and 9.

This condition is supported by the National Planning Policy Framework (NPPF), paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The Natural Environment and Rural Communities Act which requires Local Authorities to have regard to nature conservation and article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged

16. 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.

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

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

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

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

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

Where practical the approved landscaping scheme shall be carried out prior to the commencement of development on site but in any event 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.

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

with the approved details.

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

21. Prior to the commencement of works a construction management plan which shall include a strategy for the management of construction traffic to and from the site together with details of parking and waiting for construction site staff and for delivery vehicles shall be submitted to and approved in writing by the Local Planning Authority and the details as approved shall be fully implemented at all times for the duration of demolition and construction works.

REASON: So as not to prejudice the free flow of traffic along the neighbouring highway and in the interests of highway safety in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008

22. Development shall not commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the following:-

Details of cranes and other tall construction equipment (including crane locations, operating heights and details of obstacle lighting). Such schemes shall comply with Advice Note 4 'Cranes and Other Construction Issues' (available at [www.aoa.org.uk/operations & safety/safeguarding.asp](http://www.aoa.org.uk/operations&safety/safeguarding.asp))

The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period

REASON: To ensure that the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through penetration of the regulated airspace.

23. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards From Building Design'

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved by the Local Planning Authority.

REASON: It is necessary to manage the flat roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

24. No development of each phase shall take place until details in respect of measures to control the disposal of waste generated during the construction and the use of the development of that phase have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of building operations and the subsequent use of the building:

- (a) Minimise, re-use and re-cycle waste, including materials and waste arising from construction;
- (b) Minimise the pollution potential of unavoidable waste;
- (c) Dispose of unavoidable waste in an environmentally acceptable manner - there shall be no bonfires on site.

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

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

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

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

REASON In the interests of the amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework,

Core Strategy 2006-2026, Development Plan Document, December 2008.

26. Surface water drainage shall be carried out in accordance with the drainage details as set out in the HAC Flood Risk Assessment and in accordance with such other details as shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme as approved shall be implemented in accordance with the details approved.

REASON: To prevent flooding in accordance with the National Planning Policy Framework Technical Guidance 2012

27. Prior to the occupation of the proposed new building, the existing transfer building shall be demolished and all resulting materials permanently removed from the site.

REASON: In the interests of the visual amenities of the area in accordance with Policy EN3 of The Adopted Local Plan for Slough 2004.

INFORMATIVE(S)

1. The development is close to the airport and the landscaping which it includes may attract birds which in turn may create an unacceptable increase in bird strike hazard. Any such landscaping should, therefore, be carefully design to minimise its attraction to hazard species of birds. Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' (available at <http://www.aoa.org.uk/operation&safety/safeguarding.htm>)

2. The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice Note 2, 'Lighting near Aerodromes' (available at [http://www.aoa.org.uk/operation & safety/safeguarding.htm](http://www.aoa.org.uk/operation&safety/safeguarding.htm)). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

3. The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by footusing fixed access stairs, ladders or similar. The owner/occupier must not allow gulls to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Heathrow Airport Operations Department. In some instances it may be necessary to contact Heathrow Airside Operations Department

before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

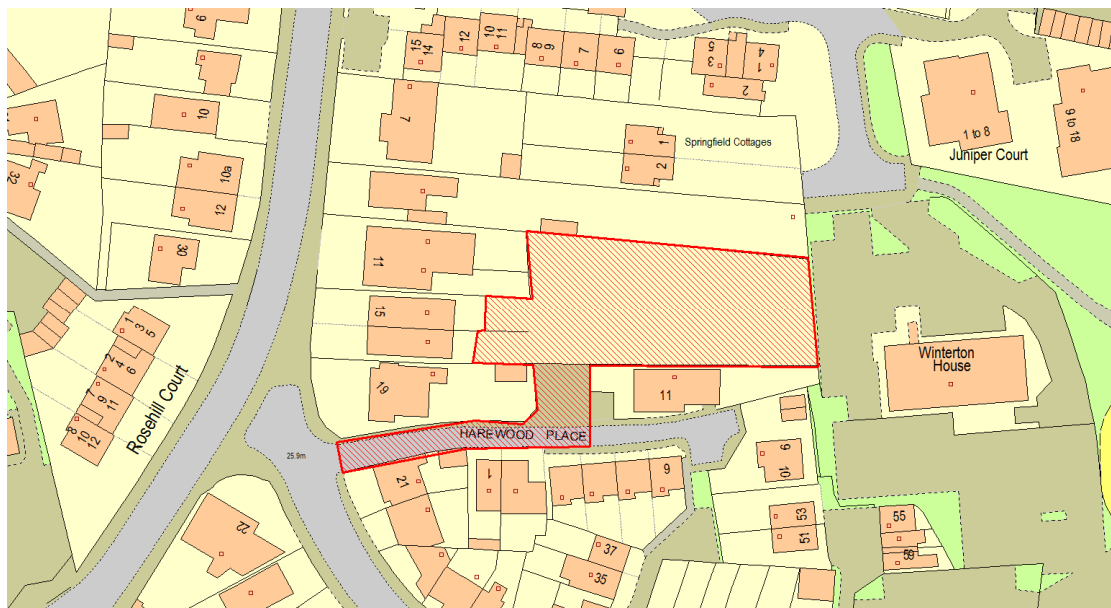
4. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through requesting amendments. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions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

5. The development and continued operation of the site as a waste transfer station shall proceed and continue in accordance with all previous planning permissions granted for this site including and all relevant planning conditions shall continue to comply.

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Registration Date:	31-May-2017	Application No:	P/13519/007
Officer:	Christian Morrone	Ward:	Upton
Applicant:	CISSH Developments Limited	Application Type:	Major
		13 Week Date:	30 August 2017
Agent:	Mr. Albert Ogunsanya, Zyntax Chartered Architects 8, Arborfield Close, Slough, SL1 2JW		
Location:	Land at rear of, 11, 15 and 17, Yew Tree Road, Slough, Berkshire, SL1 2AA		
Proposal:	Construction of a 2.5 storey block to accommodate 12no flats with 1no. studio flat, 3no. three bedroom flats with private garden areas, 4no. one bedroom flats, 4no. two bedroom flats with associated works.		

Recommendation: Delegate to the Planning Manager for Approval



1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 Having considered the relevant policies as set out below, and comments from consultees, and taking into account all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval. This is subject to satisfactory revision to the rear elevation, a satisfactory drainage design, consideration of any substantive third party objections, consideration of any of any requirements from; Neighbourhood Protection; Crime Prevention Officer; Contaminated Land Officer; finalising conditions; and satisfactory completion of a Section 106 Agreement.
- 1.2 This application is to be determined at Planning Committee as it is an application for a major development comprising more than 10 dwellings.

PART A: BACKGROUND

2.0 **Proposal**

2.1 This is a full planning application for:

- Construction of a three storey block to accommodate 12 residential units of the following mix:

3No. 3 bed flats with private gardens
4No. 2 bed flats
4No. 1 bed Flats
1No. Studio

- Vehicular access from Harewood Place
- 20 car parking spaces
- Shared amenity space and designated secure storage sheds

3.0 **Application Site**

- 3.1 This is a backland site that was formerly rear gardens belonging 11, 15 and 17 Yew Tree Road. More recently the site has acquired planning permission for infill development with one for an outline scheme of 12 flats (ref. P/13519/006) and previously a scheme of 4 family houses (ref. P/13519/003) The rear gardens to nos. 11, 15 and 17 Yew Tree Road have been reduced in depth, to create the site. The depth of the retained gardens is consistent with other earlier backland development schemes rear of 7, 9 and 19 Yew Tree Road. The site has been partially cleared, including trees ready for construction to commence.
- 3.2 To the west of the site are the existing character properties in Yew Tree Road. No. 11 Yew Tree Road is a substantial detached property which has been extensively extended and operates as a Guest House, and nos. 15 and 17 Yew Tree Road are a pair of semi detached residential properties. To the east of the site is Winterton House, a three-story building with on site car parking, which has recently been

granted prior approval for a change of use from offices to provide 19 residential flats. To the north of the site is the rear garden of no. 9 Yew Tree Road, the owner of which has obtained planning permission for the construction of a detached house, that is under construction and is to be accessed from Nixey Close. Immediately adjoining the site to the south is 11 Harewood Place, a two storey block of 4 no. flats. Harewood Place itself is a private road, with a narrow footway.

- 3.3 The application site is positioned close to the designated town centre to the northwest and Sussex Place/Clifton Road Conservation Area to the east. Owing to the site's close proximity to the town centre, the area is characterised by a mixture of buildings such as flatted development, guest houses, and family housing. The site is located in a transitional urban/suburban area is considered to be partly urban and partly suburban in character.

4.0 Relevant Site History

- 4.1 P/13519/006 Construction of a 2.5 storey block to accommodate 12 flats with associated works. (outline application to assess access, layout and scale).
Delegated to Planning Manager for Approval by Planning Committee on 22/03/2017. No further progress.
- P/13519/005 Outline application for the construction of a three storey block to accommodate 9 no. One bedroom flats and 5 no. Two bedroom flats with associated works.
Withdrawn by Applicant
- P/13519/004 Removal of condition 17 of planning permission reference p/13519/003 dated 18th february 2014.
Approved with Conditions; Informatives 20-Feb-2015
- P/13519/003 Erection of 2 no. Pairs of 2 storey 3 bedroom semi-detached houses with pitched roofs. Access from harewood place together with on site car parking for 8 no. Cars.
Approved with Conditions; Informatives 18-Feb-2014
[Not implemented and expired]
- P/13519/002 Erection of two and half storey building to provide twelve no. Flats comprising nine no. Two bedroom and three no. One bedroom flats together with parking and works to existing access
Withdrawn by Applicant 17-Mar-2009
- P/13519/001 Erection of a two and a half storey building to provide 12 no. Flats comprising 7 no. One bedroom and 5 no. Two bedroom flats together with parking and works to existing access
Approved with Conditions; Informatives 15-Jan-2008
[Application has expired]

5.0 Neighbour Notification

- 5.1 19A, Upton Road, Slough, sl1 2aa, 10, Harewood Place, Slough, SL1 2AB, 9, Harewood Place, Slough, SL1 2AB, 2, Nixey Close, Slough, SL1 1NG, 1, Nixey Close, Slough, SL1 1NG, 6, Nixey Close, Slough, SL1 1NG, 4 Juniper Court, Nixey Close, Slough, SL1 1NU, 5 Juniper Court, Nixey Close, Slough, SL1 1NU, 6 Juniper Court, Nixey Close, Slough, SL1 1NU, 7 Juniper Court, Nixey Close, Slough, SL1 1NU, 1 Juniper Court, Nixey Close, Slough, SL1 1NU, 2 Juniper Court, Nixey Close, Slough, SL1 1NU, 3 Juniper Court, Nixey Close, Slough, SL1 1NU, 12 Juniper Court, Nixey Close, Slough, SL1 1NU, 13 Juniper Court, Nixey Close, Slough, SL1 1NU, 14 Juniper Court, Nixey Close, Slough, SL1 1NU, 15 Juniper Court, Nixey Close, Slough, SL1 1NU, 8 Juniper Court, Nixey Close, Slough, SL1 1NU, 9 Juniper Court, Nixey Close, Slough, SL1 1NU, 10 Juniper Court, Nixey Close, Slough, SL1 1NU, 11 Juniper Court, Nixey Close, Slough, SL1 1NU, 16 Juniper Court, Nixey Close, Slough, SL1 1NU, 17 Juniper Court, Nixey Close, Slough, SL1 1NU, 18 Juniper Court, Nixey Close, Slough, SL1 1NU, 8, Nixey Close, Slough, SL1 1NG, 9, Nixey Close, Slough, SL1 1NG, 12, Nixey Close, Slough, SL1 1NG, 1 Springfield Cottages, Nixey Close, Slough, SL1 1LU, Flat 4, 11, Harewood Place, Slough, SL1 2AB, Flat 1, 11, Harewood Place, Slough, SL1 2AB, Flat 2, 11, Harewood Place, Slough, SL1 2AB, Flat 3, 11, Harewood Place, Slough, SL1 2AB, 5, Harewood Place, Slough, SL1 2AB, Morley & Scott, Winterton House, Nixey Close, Slough, SL1 1ND, 5, Nixey Close, Slough, SL1 1NG, 15, Nixey Close, Slough, SL1 1NG, 3, Harewood Place, Slough, SL1 2AB, 7, Yew Tree Road, Slough, SL1 2AA, 1, Harewood Place, Slough, SL1 2AB, 7, Nixey Close, Slough, SL1 1NG, 3, Nixey Close, Slough, SL1 1NG, 10, Nixey Close, Slough, SL1 1NG, 11, Nixey Close, Slough, SL1 1NG, 21, Upton Road, Slough, SL1 2AD, 14, Nixey Close, Slough, SL1 1NG, 9, Yew Tree Road, Slough, SL1 2AA, 6, Harewood Place, Slough, SL1 2AB, 23, Upton Road, Slough, SL1 2AD, 4, Nixey Close, Slough, SL1 1NG, 19, Upton Road, Slough, SL1 2AD, 4, Harewood Place, Slough, SL1 2AB, 2, Harewood Place, Slough, SL1 2AB, Autumn End, Nixey Close, Slough, SL1 1LU

In accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015, two site notices were displayed outside the site and the application was advertised in the 11/08/2017 edition of The Slough Express (major application and impact on character and appearance of the conservation area).

Two letters of representation have been received, objecting to the proposal on the following grounds:

- Due to traffic and noise, access should not be from Nixey Close
- Pedestrian safety
- Dust will impact on the already sick neighbouring resident
- Road closures will restrict emergency vehicles
- Parking/traffic management during and after the build

Officer response: These issues are addressed within the relevant section further in the Officer's report.

The following neighbours were not originally consulted, but neighbour letters were sent out to these addresses 23/08/2017:

- 11, Yew Tree Road
- 15, Yew Tree Road
- 17, Yew Tree Road
- Flats 1 - 5, 15, Yew Tree Road
- Flats 1 - 5, 17, Yew Tree Road

The consultation period will end on 12/09/2017. Any comments will be recorded on the amendment sheet.

6.0 Consultation Responses

6.1 Archaeology Officer

I received a copy of the 'Project specification' for a programme of exploratory archaeological investigation at this site (Thames Valley Archaeological Services, dated 4th May 2017).

This specification is satisfactory and I recommend it for approval. The exploratory archaeological investigation will determine if there are any areas of archaeological interest within the site and therefore whether any further investigation, either prior to or during development, is merited. Therefore the work set out in this specification has to be undertaken prior to the commencement of construction and I am sure the applicant will have been advised on this by their archaeological consultant. The following revised condition may therefore be appropriate:

No development shall take place until:

- (i) the exploratory archaeological work as set out in the 'Project specification for an archaeological evaluation' (dated 4th May 2017 ref. 17e51ev) has been implemented.
- (ii) any further archaeological mitigation resulting from the exploratory archaeological work has been agreed with the Local Authority. The agreed mitigation shall be implemented.

6.2 Thames Water

No objection subject prior approval from Thames Water if connecting into a main sewer.

6.3 Crime Prevention Design Advisor

No comments received. Any comments received will be reported on the amendment sheet.

6.4 Neighbourhood Protection

No comments received. Any comments received will be reported on the amendment sheet.

6.5 **Contaminated Land**

No comments received. Any comments received will be reported on the amendment sheet.

6.6 **Lead Local Flood Authority**

Further details are required.

6.7 **Local Highway Authority**

Previously it has been accepted from a local highway authority perspective that this site could be developed for flats or houses subject to the applicant undertaking works to Harewood Place to bring it up to an adoptable standard. The highway authority would therefore use its powers under the Highways Act to attempt to adopt the road to enable the implementation of waiting restrictions and an ongoing maintenance programme to be implemented.

The applicant will need to prepare a Construction Management Plan as part of a planning condition.

Local Authority Drainage Engineer

No comments received. Any comments received will be reported on the amendment sheet.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 The application is considered alongside the following policies:

National guidance

- National Planning Policy Framework
- National Planning Policy Guidance

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

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

The detailed Self Assessment undertaken identifies that the above policies are generally in conformity with the National Planning Policy Framework. The policies that form the Slough Local Development Plan are to be applied in conjunction

with a statement of intent with regard to the presumption in favour of sustainable development.

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

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

- Core Policy 1 – Spatial Vision and Strategic Objectives for Slough
- Core Policy 3 – Housing Distribution
- Core Policy 4 – Type of Housing
- Core Policy 7 – Transport
- Core Policy 8 – Sustainability & the Environment
- Core Policy 9 - (Natural And Built Environment)
- Core Policy 12 – Community Safety

- Adopted Local Plan for Slough
- H13 – Backland/Infill Development
- H14 – Amenity Space
- EN1 – Standard of Design
- EN3 - Landscaping Requirements
- T2 – Parking
- T8 - Cycling Network and Facilities

7.2 The main planning considerations are therefore considered to be:

- Principle of development
- Impact of layout and scale on the street scene and local area
- Impact on the Setting of the Conservation Area
- Design and Crime Prevention
- Impact on residential amenity
- Living Conditions and Amenity Space for residents
- Highways and parking
- Biodiversity
- Section 106 requirements

8.0 Principle of development

8.1 The principle of developing on this particular infill site has already been established during the consideration of the earlier outline approval for 12 units (ref. P/13519/006).

8.2 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.

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

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

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

- 8.3 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.
- 8.4 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 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 The site is located within close proximity of the town centre; which comprises a mixture of flatted development, guest houses, and family housing. As such the site is considered to be positioned in a transitional urban/suburban area which is partly urban and partly suburban in character.
- 8.6 The proposed scheme includes a mix of 3no family style dwellings on the ground floor, and 9 flats throughout the upper floors. Officers consider the provision 3no. family style dwellings together with 9no. flats reflect the transitional nature of the area in terms housing types required by Core Policy 4. Furthermore, owing to the close proximity of the neighbouring flatted developments, the density and

character of the proposal would relate to the density and correspond with character of the surrounding area.

- 8.8 Planning Officers are satisfied the principle of accommodating a mix of family housing and flats on the application site would meet the requirements of the Core Strategy 2006-2026, Development Plan Document, and the requirements of the NPPF 2012.

9.0 Impact of layout and scale on the street scene and local area.

- 9.1 The National Planning Policy Guidance, in its overarching Core Planning principles state that planning should:

Proactively drive and support sustainable economic development to deliver the homes, business and industrial units infrastructure and thriving local places that the country needs.....always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildingshousing applications should be considered in the context of the presumption in favour of sustainable development.....good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

- 9.2 Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document states:

All development in the borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change. With respect to achieving high quality design all development will be:

1. be of a high quality design that is practical, attractive, safe, accessible and adaptable
2. respect its location and surroundings
3. be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style

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

- 9.4 Although the proposed detached block has a similar footprint and height to the previously approved planning permission (ref. P/13519/001), the current proposal extends approximately 3 metres further to the rear (east). However, in terms of scale, the proposal would still be the same size as the previous scheme accepted at planning committee and would be proportionate compared to the size of the site and neighbouring buildings to the south and east. However, concerns are raised

over the bulk, mass and lack of features to the eastern rear elevation. It is recommended this element is revised to address this issue, and amended plans have been requested.

- 9.5 When considering previous schemes approved on this site, it is considered that subject to the requested changes, and to high quality materials, the proposal would not have an unacceptable impact on the character of the surrounding area.
- 9.6 No objections are raised in relation to the NPPF, Core Policy 8 or Local Plan Policy EN1.

10.0 Trees and Landscaping

- 10.1 Policy EN3 (Landscaping), requires comprehensive landscaping schemes to be submitted and retaining existing mature trees, which make a significant contribution to the landscape.
- 10.2 Given that the site has already been cleared and no trees or planting remain within the site, there is scope for trees and landscaping to be secured as part of this development, details of which will be require by condition.

11.0 Impact on the Setting of the Conservation Area

- 11.1 Chapter 12 of the NPPF intends to preserve and enhance the historic environment. Specifically, paragraphs 131 and 132 state that, in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 11.2 Paragraph 133 states, where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 11.3 Paragraph 134 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

- 11.4 The application site is positioned close to the designated Sussex Place/Clifton Road Conservation Area to the east. When considering the existing scale of Winterton House which is positioned by the boundary of the conservation area and the scale and massing of the proposal, as well as its relationship and distance from the Conservation Area boundary, the proposal would not lead to significant additional harm especially given the benefits of securing new residential units on this backland site, the principle of which has already been established with the earlier permission.
- 11.5 Based on the above, it is considered the scale of the proposal would not lead to harm or substantial harm of the Heritage Asset and would preserve the setting and historic features of the designated Sussex Place/Clifton Road Conservation Area. For these reasons the Local Planning Authority has fulfilled its statutory duty under Section 72 of the Listed Buildings Act to give special to the desirability of preserving and enhancing the character of a conservation area.

12.0 Crime Prevention

- 12.1 **Policy EN5** of the adopted Local Plan states all development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour.
- 12.2 Having regard to the layout, it is considered acceptable provisions for designing out potential crime can be adequately achieved. These requirements can be required by condition.

13.0 Impact on residential amenity

- 13.1 **The NPPF** provides guidance on impact stating that planning should always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 13.2 The proposed building would be set away from the neighbouring flats to the south by approximately 2.4 metres at the closest point, and between 2.5 – 3.5 metres to the unfinished dwelling to the north (rear of 9 Yew Tree Road, called Autumn End). There are no windows serving habitable rooms in each of the flank elevations of the neighbouring properties to the north and south. Therefore, the occupiers of the neighbouring properties would not suffer a significant loss of light or overbearing impact from the proposed development, and therefore would not be unacceptable in this regard.
- 13.4 Ample separation distance would be retained between the proposed building and the existing units at 11-17 Yew Tree Road to the west and Winterton House to prevent any unacceptable overbearing impact and privacy issues.
- 13.5 The northeast corner of the proposal has been set in to address any potential neighbouring amenity issues to the north at Autumn End. Ample separation distance would be retained between the remaining neighbouring properties to mitigate any unacceptable neighbour amenity issues
- 13.6 It Should be noted that one of the objections refers to the personal circumstances of

a child living in Harewood Place. Whilst not unsympathetic to the comments, these are not grounds to resist the proposal, however, the dust issue can be alleviated by a working method statement which can be secured by condition.

- 13.7 Based on the above, no objections are raised in relation to the impact on neighbouring amenity subject to appropriate planning conditions being imposed.

14.0 Living Conditions and Amenity Space for residents

- 14.1 **The NPPF** which states that planning should always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings.

- 14.2 Room sizes are assessed against the Council's approved Planning Guidelines for The proposed units are appropriately sized with habitable spaces that accord with the Council's approved Planning Guidelines for Flat Conversions. Habitable rooms would be served by windows that provide a suitable amount of daylight, aspect and outlook.

- 14.3 As far as amenity space provision is concerned, a communal garden to the rear of site and private gardens for the ground floors housing are proposed, which are of a sufficient size when considering the location n close to the Upton Park and Town Centre.

- 14.3 The proposal is considered to be in accordance with the living amenity requirements of the NPPF.

15.0 Traffic and Highways Implications

- 15.1 The relevant policies in terms of assessing traffic and highway impacts are Core Policy 7, Local Plan Policy T2 and the adopted parking standards.

- 15.2 Core Policy 7 requires that development proposals will have to make appropriate provisions for reducing the need to travel, widening travel choices, and making travel by sustainable means of transport more attractive than the private car, improving road safety, improving air quality and reducing the impact of travel upon the environment.

- 15.3 Local Plan Policy T2 requires residential development to provide a level of parking to its location, which are defined with the Parking Standards set out in Appendix 2.

- 15.4 The proposal complies with the parking provision set out the in the Local Plan for Slough.

- 15.5 Concerns have been raised over the suitability of Harewood Place as an access road for the development due to its narrow width, positioning of the footpath, parking, and the general condition of the surface. Within previous applications a financial contribution towards traffic regulation orders and transport improvements,

together with a highways works contact to improve the access road were required.

- 15.6 It has since been demonstrated that a refuse vehicle can enter, turn and leave Harewood Place in a forward gear and therefore no alterations are required for this to be achieved. It is accepted that alterations to Harewood Place are required as part of this development due to the intensification in use of the access road resulting from the development. Furthermore, a financial contribution towards a traffic regulation order is also justified as currently cars are parking partly over the footpath and obstructing the roadway causing highway and pedestrian safety issues that new residents would be introduced to, and likely be worsened by the proposal. The Local Highway Authority are seeking improvement works to the entire of Harewood Place, but planning officers consider this to be an unreasonable request as the eastern end of Harewood Place would not in the normal course of access be required to be used by future residents.
- 15.7 The request for transport contribution to improve pedestrian and cycle facilities between the development and the town centre is not considered justified for a scheme of this size, particularly when considering the alterations required for the Harewood Place and the financial contribution for the traffic regulation order.

16.0 Flooding and Drainage

- 16.1 The development would be required to comply with SuDS. As this is a major application, the drainage details will need to be approved by the Lead Local Flood Authority before planning permission is granted. The application includes a drainage proposal which the Lead Local Flood Authority have assessed and have requested further information. Before planning permission can be granted an acceptable drainage scheme will need to be submitted.

15.0 Section 106 agreement

- 15.1 No affordable housing is sought as the number of units is below the threshold
- 15.2 Should planning permission be granted, the Section 106 agreement in relation to alterations for the Harewood Place, and if possible adoption of the roadway and the financial contribution for the traffic regulation order. The agreement would need to be completed before planning permission is granted.

16.0 Impact Biodiversity

- 16.1 The NPPF requires that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:
- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for then planning permission should be refused.

In addition, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted

- 16.2 The application property does not fall within a designated SPA, SAC, SNCI or SSSI. It is not within 200m of ancient woodland, and is not an agricultural building or barn. Furthermore, after undertaking a site visit, Officer's are satisfied there would be no significant risk on protected species or ecology resulting from the proposed development.

17.0 PART C: RECOMMENDATION

- 17.1 Having considered the relevant policies as set out below, and comments from consultees, and taking into account all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval. This is subject to satisfactory revision to the rear elevation, a satisfactory drainage design, consideration of any substantive third party objections, consideration of any of any requirements from; Neighbourhood Protection; Crime Prevention Officer; Contaminated Land Officer; finalising conditions; and satisfactory completion of a Section 106 Agreement.

18.0 PART D: LIST OF CONDITIONS AND INFORMATIVES

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

1. Commence within three years

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

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

2. Drawing Numbers

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

TBC

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. Contaminated Land – Usual Phased Conditions Prior to Commencement

4. Landscaping

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

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

5. Samples of materials

Samples of external materials (including, reference to manufacturer, specification details, and positioning) to be used in the construction of external envelope, access road, pathways and communal areas of 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. Notwithstanding the submitted plans, an increase in brickwork to the external envelope of the dwellings hereby approved (such as to the ground floors) would be required.

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

6. Surface Water Drainage – TBC

7. Programme of archaeological work

No development shall take place until:

- (i) the exploratory archaeological work as set out in the 'Project specification for an archaeological evaluation' (dated 4th May 2017 ref. 17e51ev) has been implemented.
- (ii) any further archaeological mitigation resulting from the exploratory archaeological work has been agreed with the Local Authority. The agreed mitigation shall be implemented.

REASON The site is within an area of archaeological potential. A phased

programme of archaeological work is required to mitigate the impact of development and record and advance understanding of any heritage assets that may be harmed or lost by the development

8. Construction Traffic Management Plan

No part of the development shall commence until a Construction Traffic Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The Plan shall include details of:

- (i) Construction access;
- (ii) Vehicle parking for site operatives and visitors;
- (iii) Loading/off-loading and turning areas;
- (iv) Site compound;
- (v) Storage of materials;
- (vi) Precautions to prevent the deposit of mud and debris on the adjacent highway.

The development hereby permitted shall thereafter be carried out in accordance with the approved Construction Management Plan.

REASON To minimise danger and inconvenience to highway users

9. Working Method Statement

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

- (i) control of noise
- (ii) control of dust, smell 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 working hours, hours during the construction phase, when delivery vehicles taking materials are allowed to enter or leave the site
- (vii) strategy for the management of construction traffic to and from the site together with details of parking / waiting for construction site staff and for delivery vehicles shall be submitted to and approved in writing by the Local Planning Authority.

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

REASON In the interests of the amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy

2006 – 2026, Development Plan Document, December 2008 (incorporated in the Composite Local Plan for Slough 2013).

10. Materials - TBC

11. Site Lighting

No part of the development hereby approved shall be occupied 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 safeguarding the amenities of neighbouring properties in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 (incorporated in the Composite Local Plan for Slough 2013).

12. Boundary Treatment

Before the dwellings hereby approved are occupied, the 1.8 metre high closed feather-board timber fencing with concrete posts as shown on the email dated 18 August 2017 11:05 shall be erected along the boundaries of the application site (excluding the access road and access to the site) and shall be retained at all times thereafter.

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

13. Secured by Design

Prior to first occupation, the development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development shall be submitted and approved in writing by the Local Planning Authority. Security measures in line with the principles of Secured by Design are to be implemented following consultation with the Thames Valley Police.

REASON In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000; in accordance with Policy EN5 of The Adopted Local Plan for Slough 2004, 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.

14. No additional windows

No window(s), other than those hereby approved, shall be formed in the side elevations of the development without the prior written approval of the Local Planning Authority.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

15. Obscure non-opening glazing

The first floor windows in the in side elevations of the development hereby approved shall be glazed with obscure glass and any opening shall be at a high level (above 1.8m internal floor height) only.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

16. Refuse and recycling

The approved refuse and recycling 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 EN 1 of The Local Plan for Slough 2004.

17. Cycle parking

The approved cycle parking shall be completed prior to first occupation of the development and 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.

18. Car 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 in relation to the dwellings hereby permitted.

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 T2 of The Adopted Local Plan for Slough 2004

19. No car parking permit

No occupier of the residential development hereby approved shall be entitled to a car parking permit from the Council to park on the public highway within the local controlled parking zone or any such subsequent zone.

Reason: In order to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street parking stress in the area in accordance with residential properties in accordance with Core Policy 7 of the Slough LDF 2006-2026.

INFORMATIVES

1. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.
2. No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.
3. The 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.
4. 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.
5. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
6. Positive and proactive statement - In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through requesting amendments. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

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SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee **DATE:** 6th September 2017

CONTACT OFFICER: Paul Stimpson, Planning Policy Lead Officer
(For all Enquiries) (01753) 87 5820

WARD(S): ALL

PART I

FOR DECISION

HOUSING TRAJECTORY AND FIVE YEAR HOUSING LAND SUPPLY 2016/17

1. **Purpose of Report**

The purpose of this report is to obtain Members approval of the updated housing trajectory and five year housing land supply. This will be inserted in to the Annual Monitoring Report 2016-17 and then published on the Council's website.

2. **Recommendation(s)/Proposed Action**

The Committee is requested to resolve that the updated housing trajectory and Five Year Housing Land Supply information be agreed and published in the Annual Monitoring Report 2016-17.

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

3a. **Slough Joint Wellbeing Strategy Priorities**

This will have an impact upon the following SJWS priorities:

4. Housing

3b. **Five Year Plan Outcomes**

The Housing Trajectory monitoring will help deliver the following Five Year Plan's outcomes:

- Slough will be an attractive place where people choose to live, work and visit.
- Our residents will have access to good quality homes.
- Slough will attract, retain and grow businesses and investment to provide jobs and opportunities for our residents

4. **Other Implications**

(a) **Financial**

There are no financial implications

(b) Risk Management

<i>Recommendation</i>	<i>Risk/Threat/Opportunity</i>	<i>Mitigation(s)</i>
That we update the housing trajectory and five year land supply on annual basis to comply with the National Planning Policy Framework (para 6) 'to identify and update annually' a supply of sites for 5 years' worth of housing.	Not updating this information means the Council may fail to meet the NPPF requirement and the Council could be subject to appeals and costs.	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

(e) Workforce

None: The Housing Trajectory and Five Year Housing Land Supply are produced in house by the planning policy team.

5. **Supporting Information**

- 5.1 The National Planning Policy Framework (NPPF para 47) requires Local Planning Authorities to "identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land."
- 5.2 Failure to demonstrate a five year land supply means that any policies in the Local Plan or Core Strategy for the supply of housing will not be considered up to date and there will be a presumption in favour of housing applications.
- 5.3 Producing a Housing Trajectory, which shows how many houses are expected to be completed in the next five years, is therefore an important element of the Annual Monitoring Report. It will also feed into the work that we are doing for the Review of the Local Plan for Slough.

Housing Requirement

- 5.4 In order to calculate Five Year Land Supply you firstly have to work out what the housing requirement is. To do this you would normally use the housing allocation in the Development Plan. The figure of 315 dwellings a year in the Slough Core Strategy was based upon the South East Plan which has now been revoked and does not reflect current estimates of housing need.

- 5.5 Government guidance now requires the starting point for the housing requirement to be the Objectively Assessed Housing need. The Berkshire Strategic Housing Market Assessment (SHMA) published in 2016 identified that Slough has an Objectively Assessed Housing Need for 927 dwellings a year which is significantly higher than the Core Strategy.
- 5.6 Government advice makes it clear that until Objectively Assessed Need figures should not be seen as housing targets until they have been tested through the Local Plan process. The NPPF states that Local Plans should only aim to meet the full objectively assessed need within the Housing market Area as far as is consistent with the policies in the Framework (para.47).
- 5.7 We have begun the process of testing how many houses can be accommodated in Slough by publishing the Review of the Local Plan for Slough Issues and Options Consultation document.
- 5.8 This has shown that there are no reasonable options, or combination of options, in which Slough's need for housing and employment can be met in full within the Borough boundary. We are now working on producing a Preferred Strategy for the Review of the Local Plan which will help to determine what the housing target for Slough will be over the new plan period to 2036.
- 5.9 In the meantime we have recognised that the target of 315 in the Core Strategy is too low. As a result from 2015/16 onwards we have adopted an interim target of 550 dwellings a year based upon the figure in the Council's corporate plan. This increases the total housing requirement for the plan period (2006 – 2026) to 8885.
- 5.10 It is considered that it is reasonable to use the interim target of building 550 houses a year for the purpose calculating the five year land supply over the current plan period up to 2026.
- 5.11 It should be noted that the Government intends to produce a new standardised approach for assessing Objectively Assessed Need, but this will not be available for a while.

Housing Trajectory 2006 – 2026

- 5.12 We have now produced a new housing trajectory which predicts how many houses we think will be completed built each year for the rest of the plan period up to 2026. This has been compiled using information about existing permissions, new housing permissions and sites that have been promoted through the planning system.
- 5.13 In order to be included in the trajectory the NPPF requires sites to be “developable” and “deliverable”. This means that there is a realistic prospect that the housing will be built within the five year period.
- 5.14 In order to help to ensure that the projected completions are as realistic as possible we have consulted the landowners and developers of sites to obtain their up to date estimates of when sites will come forward. The trajectory also includes an allowance for small sites to continue to come forward at the same rate they have done over the last ten years.

5.15 The results show that around 4,313 new houses will be completed over the next five years at an annual rate of 862 a year.

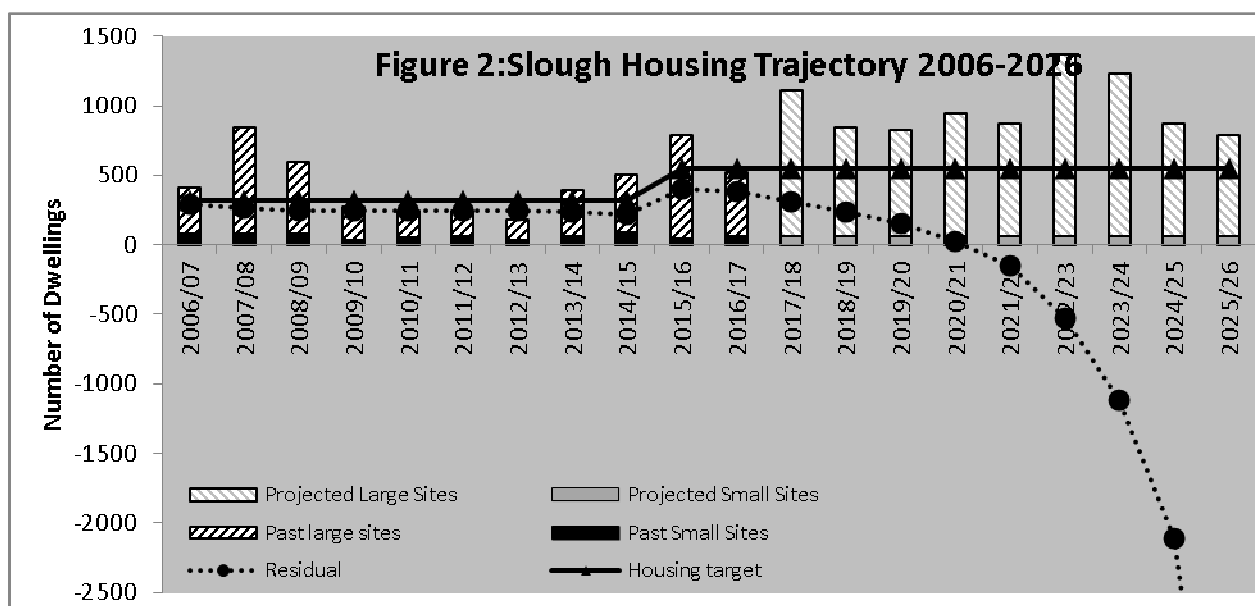
5.16 Figure 1 below shows that when this supply is compared with the residual requirement we have the equivalent of ten years supply of housing in the next five years.

Figure 1: Calculations for Five Year Land supply (2017/18 to 2021/22)

	No. completed units (net)
Total housing requirement for plan period 2006-2026	8885
Total net completions from 2006/07-2016/17	5091
<i>Average annual net completions 2006/07-2016/17</i>	462
Total residual requirement to 2026 (8885-5091)	3794
<i>Average annual residual requirement (9yrs 2017-2026)</i>	421
5 year residual requirement (421x5)	2108
Total 5 year residual requirement plus 5% buffer	2213
<i>Average annual residual requirement incl. 5% buffer</i>	443
5 year identified supply 2017/18-2021/22	4313
<i>Average annual supply 2017/18-2021/22 (4313÷5)</i>	862
Number of years supply including 5% buffer	10.2 years

5.17 It can also be seen that the average supply of 862 dwellings a year over the next five years is close to meeting the average annual Objectively Assessed Need figure of 927 a year.

5.18 A breakdown of the projected annual supply for the next five years is shown in Figure 2 below.



5.19 The graph shows that around 1,053 new dwellings are expected to be built during 2017/18 based upon the number of units that are under construction. This high

figure is partly the result of fewer than expected houses being finished last year in 2016/17 when there were only 521 net completions. There is then predicted to be a slight drop for the following two years before many of the new schemes that are currently in the pipeline start to produce completions.

- 5.20 This housing trajectory only covers the Core Strategy period up to 2026. As part of the Review of the Local Plan we will prepare a trajectory for the likely supply of housing up to 2036, based upon the emerging Spatial Strategy. This will be more challenging but the important thing is that we can show that we have a good supply of housing in the short term.

6 **Additional Information**

- 6.1 This section presents information requested at the previous Planning Committee, where Members asked for a breakdown of housing mix and parking provision on completions in the last year's monitoring period (between April 2016 and March 2017).

Housing Mix

- 6.2 Members asked for a breakdown of the number of bedrooms within the dwellings that were completed.
- 6.3 There were 598 (gross) new dwellings built in Slough in 2016/17. We do not know what the mix was for 143 of these because the information was not supplied as they were built under the Prior Approval process. Based on experience of other prior approval completions it is reasonable to assume that nearly all of these were one or two bedroomed flats.
- 6.4 For the remaining completions the breakdown of mix is calculated to be 5% 4-bed; 16.5% 3-bed, 23.5% 2-bed and 30% 1-bed (including bedsits). These figures have been obtained by making assumptions about the split on some of the major sites which are only partly completed. We will be carrying out some further work to try to get a better overall picture.
- 6.5 It should be noted that the results for just one year can be a bit misleading depending upon which sites happen to be under construction at the time. It is, however, considered to be an important matter to monitor and include in the Annual Monitoring Report.

Parking

- 6.6 Members also wanted to know how many units completed in 2016/17 did not have parking provided.
- 6.7 Of the 44 sites where completions took place eight did not provide any parking. These had just 25 of the 598 units completed.
- 6.8 Three of these schemes were Prior Approvals which provided 7 units, including one in Burnham Lane above a shop and 6 in the town centre. The five sites that had planning permission for units without any parking were either in the town centre (15 units) or in the Chalvey Road shopping area (3) which meant that they complied with planning policy.

6.9 Once again it is important to note that the results for one year are not particularly meaningful but it is something that we can continue to monitor and include in the Annual monitoring Report.

7. **Conclusion**

7.1 Members' approval is being sought for the publication of the updated housing trajectory and Five Year Housing Land supply data in the Annual Monitoring Report 2016-17.

7. **Background Papers**

'1' Annual Monitoring Report 2016/17

(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 guidance on how affordable housing planning policy is applied.	Opportunity to increase effectiveness of policy. If guidance 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

- 5.1 At the 26th April Planning Committee Members resolved to agree a revised approach for how affordable housing policy is applied. The officer's report is at Appendix 1 and includes amendments presented at the meeting. In brief 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.
- 5.2 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% of dwellings as social housing as well as other forms of affordable housing. This policy will remain and can only be changed as part of the forthcoming Local Plan review. How this policy is implemented is detailed within the existing Part 2 of the Developers Guide (Developer Contributions and Affordable Housing). It is this Guide that is proposed for change and the revised text is at Appendix 2.
- 5.3 In brief the key reasons for change are :
- Growing affordability issues
 - Need to provide for a wider range of households in need
 - Address gap between owner occupation and social rent housing
 - Address growing development viability issues
 - Take account of new types of affordable housing
 - Simplify financial contributions on 15 – 24 home sites to gain more contributions.
 - Allow Council to keep options open on how to gain more affordable housing through either financial contributions (for affordable housing) or new built homes on private development sites.
- 5.4 The proposal includes incentivising developers to propose 15 to 24 home schemes instead of putting forward schemes just below the 15 home threshold. This is expected to bring in more money for affordable housing and increase the number of homes built. This will be achieved by having a simple charge per new

home rather than a complicated calculation based on notional affordable homes on site – see table 3. Two bands of charging (with large steps) have been replaced by stepped rates applied firstly for each additional home above 14 units and secondly per house type on the site – the larger the home the greater the payment. The rates have been set from a starting point that is broadly equivalent to 30% affordable housing but adjusted to take account of development viability to make the rates more realistic for a developer to consider workable.

- 5.5 For developments of 25 homes and above the prime requirement for new homes rather than financial contributions remains – see table 1 and 2. Compared to the table in the April report the format has been changed for clarity. The option to accept financial contributions or new affordable homes off site in lieu of on site provision is incorporated remains in the guidance. However inclusion of these options is on the basis of the Council using them in exceptional circumstances only where it thinks it beneficial compared to on site provision. The financial contributions will have to be spent on affordable housing; how the money is spent is within the Council's control via the Housing Department.
- 5.6 In terms of new build homes the main change to the guidance is having three instead of two tenure types – (1) Slough Affordable Rent (roughly equivalent to existing social rent) (2) Slough Living Rent set between social and market rent (and related to local incomes) (3) Intermediate – which includes shared ownership and other ownership based affordable housing.
- 5.7 The second change is providing for a slightly larger proportion of Intermediate housing. This together with Slough Living Rent will increase the range of affordable homes and help fill the gap between market and social rent.
- 5.8 The proportion of Slough Affordable Rent will be less on brownfield sites and more on greenfield sites. This reflects viability issues in that lower value greenfield sites have much greater scope to include Slough Affordable Rent and still be viable.
- 5.9 It is important to note Slough Affordable Rent is not the same as Affordable Rent. The latter is a category introduced by the Government for homes with rent up to 80% of market rent.

The affordable housing percentage specified in the tables is a minimum. It does not prevent developers offering more such as the Council, its Housing Company or Housing Associations.

- 5.10 The third change is to introduce what is in effect a 5% discount for brownfield sites where there are modest viability issues. Developers will not need to submit and negotiate a full viability assessment if they provide affordable housing at 25% (instead of the required 30%) or 35% (instead of 40%) of total homes as set out in table 1. If meeting the normal requirement is clearly not viable this may incentivise developers to go for these lower targets rather than below them by avoiding the associated cost and uncertainty of having to provide a viability assessment. This approach is now used in London.
- 5.11 As part of the forthcoming review of the Local Plan there will be an opportunity to review the Core Strategy policy and the guidance. In particular the current 15 home threshold from which the policy applies could be lowered to 10 homes. In addition the implications of any new regulations stemming from the Planning and

Housing White Paper can be addressed in particular starter homes and affordable private rent. The latter in particular may well be an issue to address soon as planning applications for large scale new build private rented accommodation are expected soon.

- 5.12 The proposed change to the guidance has more options than the past but compared to the existing has refinements to deal with a wider range of typical circumstances and help address the issues outlined. The expectation is that the Council will be able to offer more people suitable and affordable homes. If developers or land owners are sufficiently incentivised it may result in more homes being built to meet the towns growing population and support the economy. Achieving these aims will in part be dependent upon wider economic circumstances.

6 Background Papers

Core Strategy DPD

Developers Guide Part 2 (Developer Contributions and Affordable Housing (Section 106) 2008 and 2010 update.

Housing Strategy 2016-2021 consultation draft

Planning and Housing White Paper 2017

7 Appendices

- 1 26th April 2017 Officer report to Planning Committee with amendments (tracked changes).
- 2 Developers Guide Part 2 – Revision of Affordable Housing Section

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 15 – 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.

	<u>Site Size/Provision</u>	<u>Current</u>		<u>Proposed</u>		<u>Split of tenure</u>
		<u>Total</u>	<u>Tenure/Detail</u>	<u>Total</u>	<u>Tenure/Detail</u>	
1	<u>Building Homes</u>					
	<u>25 to 69 new homes</u>	<u>30%</u>	<u>Social Rent</u>	<u>30%</u>	<u>25% Rent</u> <u>5% Intermediate</u>	<u>Affordable Housing split 80/20</u>
	<u>70 or more new homes</u>	<u>40%</u>	<u>Social Rent 30%</u> <u>Other Aff Hsg 10%</u>	<u>40%</u>	<u>25% Rent</u> <u>15% Intermediate</u>	<u>Affordable Housing split 60/40 approx</u>
2	<u>Financial Contributions</u>					
	<u>15 to 24 new homes</u>	=	<u>Schedule of rates</u>	=	<u>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 units</u>	
	<u>25 plus new homes - Exceptional circumstances</u>	=	<u>Financial contribution in lieu of the developer building new affordable homes on site.</u>	=	<u>Retain policy. Apply when it benefits the Council compared to on-site affordable housing provision.</u>	
3	<u>Viability Assessments</u>					<u>Thresholds</u>
	<u>Viability Assessments</u>	=	<u>Requested if % less than policy target.</u>	=	<u>Retain policy with caveat ∴ Set lower target for brownfield sites i.e. no need for assessment provided developer proposes affordable housing at a specified level. See right.</u>	<u>25-69 homes – 25%</u> <u>70 + homes – 35%</u>

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

Additions presented at Committee

At the Members workshop on 19th April there was general agreement on the revised approach. An amended table of the revised approach is below. It includes some of the suggested changes put forward by the Strategic Director for Regeneration Housing Resources at paragraph 5.23. It also clarifies what is proposed.

There are three key elements of the provisions – (1) developer building affordable homes; (2) financial contributions for the Council to build or fund affordable homes and (3) viability assessments. Within (1), building homes, there are two tiers – the overall percentage of affordable housing (total column) and the tenure split (rent/Intermediate) expressed by % of total and, in the 'split' column, by proportion of affordable housing. In addition each of the two tenures can be split – this detail is not in the table but see below.

The full wording of how affordable housing policy is to be applied will be incorporated in a revision of the Developers Guide which will be presented to a future Planning Committee for adoption.

Detail of some of the items in the table are as follows :

Rent : - Comprises a combination of Slough Affordable Rent (social rent) and Slough Living Rent as defined at para 5.22.

Slough Affordable/Living Rent split :

Within the 25% Rent category the minimum amount of Slough Affordable Rent (social rent) would be as below. A greater proportion will be requested if required by the Housing Department.

Greenfield Sites : Minimum of 40%

Brownfield Sites : Minimum of 25%

Intermediate Housing

To comprise Shared Ownership and potentially Rent to Buy. No specific split proposed at this stage. Further details will be in Developers Guide. Both of these are 'ownership' based tenures. If the Government introduce Starter Homes the Council has the option of including them within this category rather than reducing the rent category.

Viability assessments for brownfield sites :

The tenure split regarding the 25 % and 35% categories would be in line with the figures in the 'split' column below.

Developers Guide Part 2 - Sec 106 & Affordable Housing

Revision of Affordable Housing section

Draft dated 22nd August 2017

Introduction

The Core Strategy for Slough 2006 – 2026, adopted 2008, has a policy that requires between 30% and 40% of homes on new development sites of 15 or more to be affordable housing. The Developers Guide states how the Council will implement that policy.

When will there be a requirement

Residential development on sites of 0.5 hectare or more and development with 15 or more dwellings. This includes change of use to residential accommodation. See Table 1.

What will be required - Developments of 15 to 24 homes.

A financial contribution in accordance with the schedule of rates at Table 3 will be payable. The contributions are payable per unit dependent upon the size of development. But the contributions are made only on the 15th unit and each additional unit up to 24 units. The requirement is based upon a starting point of 30% affordable housing. However the rates have been set to take account of typical development viability calculations to encourage more development between 15 and 24 units than has occurred in the past. The payments will be spent by the Council on affordable housing.

For sites of 0.5 hectares or more where the number of homes is not known please see below.

What will be required – Development of 25 or more dwellings.

New affordable homes are to be provided in accordance with the percentages in table 1 and 2. There are different requirements for development less than 70 homes or 70 or more homes. In addition there is a lower requirement, in certain circumstances and for brownfield sites only, where development viability is an issue. (see Viability Assessments below). The percentages in the tables relate to the proportion of the total of new homes in the development. Table 2 outlines the proportion of 3 different tenures types required. The Council's definition of tenure types is as set out below :

Rent : Comprises a combination of Slough Affordable Rent (roughly equivalent to social rent) and Slough Living Rent as set out below. It does not include any rented accommodation where there is any home ownership involved e.g. rent to buy nor does it include the Government's proposed

affordable private rented category. Details of rent levels to carry out valuations can be made available on request to [to be inserted]. Rent levels are likely to be revised yearly.

Slough Affordable Rent : broadly the existing Council or Housing Association or Target rents (defined by reference to the Homes and Communities Agency policy). It is important to note this is not the same as Affordable Rent as defined in the Governments Planning Practice Guidance. The proportion of the two different categories required varies between greenfield and brownfield sites. Brownfield sites require less Slough Affordable Rent than on greenfield sites and vice versa for Slough Living Rent.

Slough Living Rent : for people on middle incomes but who cannot access market rents. It therefore meets the ambition in the Council's 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 will be reviewed annually and set at a level that reflects median gross household incomes in Slough and take account of the size of the property.

Intermediate Housing : To comprise Shared Ownership and Rent to Buy. Both of these are 'ownership' based tenures. This category also includes Build to Rent products where these are provided at less than market rent but above the level of Slough Living Rent. If the Government introduce Starter Homes the Council has the option of including them within this category. The minimum % share available to a purchaser should not be higher than 40%. New intermediate homes must be first offered to local people through the Council's Register of households interested in intermediate housing.

What will be required - Sites of 0.5 hectares or more.

Where the total number of dwellings is not known at the planning permission stage the above provisions (table 1, 2 and 3) will still be applicable. The amount of affordable housing or payment would be calculated when the number of dwellings is known.

Viability assessments for brownfield sites :

Developers may consider that development of a site that already has built development on it can only go ahead if likely Section 106 obligations including affordable housing are reduced. Any request to the Council for a development to not be policy compliant, in terms of affordable housing targets and infrastructure contributions, will need to be supported with a viability assessment. Unless the exception outlined below applies a full viability assessment will need to be submitted and accepted by the Council before any planning permission can be granted. This may involve negotiation. See separate document on the Council's web site for details

of what the council expect to be submitted and associated fees. [link/info to be inserted]

Past experience indicates that some brownfield sites are not easily developed without a reduction of affordable housing. Consequently the above requirements allow for a relaxation whereby a full viability assessment need not be submitted if the stated reduced affordable housing requirement is met – Brownfield (viability issue) in table. A simple viability statement will however be needed. This will hopefully incentivise developers to include a substantial level of affordable housing but avoid the complication of a viability assessment and uncertainty regarding negotiation.

Financial payments in lieu

Other than for developments of 15 to 25 homes referred to above financial payments in lieu of building new affordable homes will not normally be accepted. Payments (also known as commuted sums) will only be accepted in exceptional circumstances i.e. when the Council considers it will benefit compared to new homes being built by a developer. The amount of any financial contribution will be negotiated and based upon a figure considered equivalent to affordable housing on site.

On-site or off-site

Where the requirement is for new affordable housing to be built it will nearly always be provided on the development site where the requirement applies. In exceptional circumstances the Council will consider the required affordable housing being built on another site (i.e. a donor site). The exceptional circumstances will apply where the Council considers off site provision a benefit compared to on site. Any donor site will have to be suitable for affordable housing tenants and not already be allocated for or expected to provide some affordable housing.

Minimum requirements

The percentages of affordable housing stated are minimums excepting where viability has been accepted by the Council. Developers of affordable housing can of course offer a greater percentage than the figures stated.

Other requirements

Standards - Affordable housing dwellings to be built to HCA Housing Quality Indicator standards.

Dwelling Mix - A mix of dwelling types and sizes to be agreed by the Council (including specifying the number of persons to be accommodated per dwelling and floorspaces). Guidance on housing mix requirements for potential development sites/types will be available if requested.

Floorspace – floorspace (net internal of dwelling) should be based upon the nationally prescribed space standard.

Disability Standard (wheelchair standard)- due to high levels of the need for housing for disabled residents across all tenures, 5% of homes are to be to be wheelchair standard on all developments of 25 or more dwellings.

Section 106 planning obligation - the affordable housing will be secured through a Section 106 planning obligation. It will include provision for the housing to remain as such in perpetuity but with provision for the exclusion of mortgagees etc. in possession and purchasing under any statutory provision or stair-casing re shared ownership. The obligation will include provision for eligibility and occupancy arrangements to be agreed with the Council; i.e. how the affordable housing will accommodate those in most need. Most affordable housing will need to be transferred to either the Council or a Registered Provider approved by the Council. The Council will seek a nomination rights agreement to be signed by the relevant registered provider. Any financial payments will be indexed linked (BCIS All in tender) when written into Section 106 obligations. Financial contributions will need to be paid prior to the commencement of development.

Clawback/viability review mechanism

If a development, supported with a viability assessment, is agreed without being policy compliant re affordable housing policy it should be noted that the Section 106 planning obligation will include an obligation to carry out a viability review mechanism. The obligation would only be applicable after a defined period from planning permission such that if development is well underway in a reasonable timescale there will be no need to carry out a review. A different arrangement would be made for very large multi phased developments over many years. The review would establish if development values rise above development costs after permission is granted such that more affordable housing or an equivalent payment could be provided. Any additional affordable housing or payment justified by the review would take account of developers return for the site and be capped at the normal policy compliant level.

Registered Provider Partners

The Council currently has 9 partner Registered Providers and developers will be asked to approach them as well as the Council to negotiate taking on the affordable housing. They can be approached at the pre-application stage. Section 106 obligations can allow for other Providers to be used if no reasonable agreement can be reached with one of the partners listed (or the Council) in a reasonable time. It should be noted that the Council or one of its housing companies may also be in a position to purchase some affordable housing from developers. Developers will be asked to approach the Council at the same time as Providers.

The council's Partners are:

- A 2 Housing Group
- Catalyst Housing Group
- Home Group
- Paradigm Housing Group
- Sovereign Housing Group

- Thames Valley Housing Assn.
- Housing Solutions
- Radian
- Inquilab

[Contact details to be listed including the Council Housing Department]

Table 1 Affordable Housing Required			
	Type of Requirement	Normal Requirement	Exemption For brownfield sites where development viability is an issue
		Affordable Housing as a % of total development.	
Development Size			
15 to 24 new homes	Financial Contribution	Schedule of rates applied (Table 3)	Not applicable
25 to 69 new homes	Build new homes	30% total Comprising : Rent 25% Intermediate 5%	25% total Comprising : Rent 21% Intermediate 4%
70 or more new homes	Build new homes	40% total Comprising : Rent 25% Intermediate 15%	35% total Comprising : Rent 22% Intermediate 13%

Table 2 Affordable Housing Required by Tenure

(affordable housing tenure as a percentage of total new homes in a development)

Development Size						
25 – 69 homes in development				70 plus homes in development		
Tenure Split				Tenure Split		
Type of Site	Slough Affordable Rent (Social Rent)	Slough Living Rent	Intermediate	Slough Affordable Rent (Social Rent)	Slough Living Rent	Intermediate
Greenfield	10%	15%	5%	10%	15%	15%
Brownfield	6%	19%	5%	6%	19%	15%
Brownfield (viability issue)	5%	16%	4%	5%	17%	13%

Table 3 Financial contribution for developments of 15 to 24 homes.

Payment to be made dependent upon size of development (total number of units) and type of dwelling proposed.

Type of dwelling proposed	15 units	16 units	17 units	18 units	19 units	20 units	21 units	22 units	23 units	24 units
1 Bed	£ 39,860	£ 77,623	£ 113,287	£ 146,854	£ 178,322	£ 207,693	£ 234,966	£ 260,141	£ 283,218	£ 304,197
2 Bed	£ 50,884	£ 99,092	£ 144,620	£ 187,471	£ 227,643	£ 265,137	£ 299,954	£ 332,091	£ 361,551	£ 388,333
3 Bed	£ 68,047	£ 132,513	£ 193,397	£ 250,700	£ 304,421	£ 354,561	£ 401,120	£ 444,097	£ 483,493	£ 519,307
4 Bed	£ 112,243	£ 218,578	£ 319,006	£ 413,526	£ 502,139	£ 584,844	£ 661,642	£ 732,532	£ 797,515	£ 856,590
5 Bed	£ 151,951	£ 295,904	£ 431,859	£ 559,818	£ 679,779	£ 791,742	£ 895,708	£ 991,677	£ 1,079,648	£ 1,159,622

SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: 6th September 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	Decision
P/14363/001	14, Belmont, Slough, SL2 1SU Construction of a 2no. bedroom detached house.	Appeal Dismissed 17 th August 2017

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MEMBERS' ATTENDANCE RECORD 2017/18
PLANNING COMMITTEE

COUNCILLOR	31/05	05/07	02/08	06/09	04/10	01/11	06/12	17/01	21/02	21/03	25/4	30/05
Ajaib	P	P	P									
Bains	P	Ap	P									
Chaudhry	P	Ap	P									
Dar	P	P	P									
M. Holledge	Ap	P	P									
Plenty	P	P	P									
Rasib	P	P	Ap									
Smith	P	P	P*									
Swindlehurst	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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