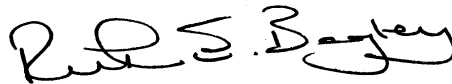


Date of issue: Wednesday, 8 June 2016

MEETING	PLANNING COMMITTEE (Councillors Dar (Chair), M Holledge, Ajaib, Bains, Chaudhry, Plenty, Rasib, Smith and Swindlehurst)
DATE AND TIME:	THURSDAY, 16TH JUNE, 2016 AT 6.30 PM
VENUE:	THE FLEXI HALL, THE CENTRE, FARNHAM ROAD, SLOUGH, SL1 4UT
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	TERESA CLARK 01753 875018

NOTICE OF MEETING

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



RUTH BAGLEY
Chief Executive

AGENDA

PART 1

<u>AGENDA</u> <u>ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
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APOLOGIES FOR ABSENCE

CONSTITUTIONAL MATTERS

1. Declarations of Interest

All Members who believe they have a Disclosable Pecuniary or other Pecuniary or non pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 3 paragraphs 3.25 – 3.27 of the Councillors' Code of Conduct,



AGENDA
ITEM

REPORT TITLE

PAGE

WARD

leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 3.28 of the Code.

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

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

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

3. Minutes of the Last Meeting held on 27th April 2016 3 - 8

4. Human Rights Act Statement - To Note 9 - 10

PLANNING APPLICATIONS

5. P/05370/069 - Asda Stores Ltd, Telford Drive, Slough, SL1 9LA 11 - 36 Cippenham Meadows

Officer Recommendation: Delegate to the Planning Manager for Approval

6. P/16493/000 - 816 Leigh Road, Slough, SL1 4BD 37 - 50 Cippenham Green

Officer Recommendation: Delegate to the Planning Manager for Approval

7. P/15599/002 - Pechiney (UK) Ltd, Pechiney House, The Grove, Slough, SL1 1QF 51 - 72 Central

Officer Recommendation: Delegate to the Planning Manager for Approval

8. P/00522/021 - Bishops Road Car Park, The Grove, Slough, SL1 1QP 73 - 96 Central

Officer Recommendation: Delegate to the Planning Manager for Approval

9. S/00197/014 - The Centre, Farnham Road, Slough 97 - 104 Farnham

Officer Recommendation: Delegate to the Planning Manager for Approval



<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
10.	S/00134/012 - Kennedy Park, Long Furlong Drive, Slough	105 - 112	Britwell and Northborough
	Officer Recommendation: Approve		
11.	P/11425/022 - Land South of Kings Reach & adjacent to Upton Court Park, Slough, SL3 7LT	113 - 132	Upton
	Officer Recommendation: Delegate to Planning Manager for Approval		
12.	P/02092/009 - The Cross Keys, 35 High Street, Chalvey, Slough, SL1 2RU	133 - 150	Chalvey
	Officer Recommendation: Delegate to the Planning Manager for Approval		

MATTERS FOR INFORMATION

- | | | |
|-----|---------------------------|-----------|
| 13. | Planning Appeal Decisions | 151 - 152 |
| 14. | Members Attendance Record | 153 - 154 |
| 15. | Date of Next Meeting | |

Wednesday 29th June, 2016 at 6.30pm
 Venus Suite 2, St Martins Place, 51 Bath Road,
 Slough, SL1 3UF.

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Please contact the Democratic Services Officer shown above for further details.

The Council allows the filming, recording and photographing at its meetings that are open to the public. Anyone proposing to film, record or take photographs of a meeting is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.



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PREDETERMINATION/PREDISPOSITION - GUIDANCE

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

Predisposition

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

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

Pre-determination / Bias

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

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

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Planning Committee – Meeting held on Wednesday, 27th April, 2016.

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

Apologies for Absence:- None.

PART I

126. Declarations of Interest

Councillors Ajaib and Chaudhry declared an interest in respect of Planning Applications: P/00106/012 - Lady Haig RBL (Slough) Club Ltd, 70 Stoke Road, Slough; P/02278/018 - Land R/O Westminster House, 31-37 Windsor Road, Slough; P/15599/002 - Pechiney House, The Grove, Slough and P/00522/021 - Bishops Road Car Park, The Grove, Slough, in that the application sites were situated in their Ward (Central). They advised that they would approach the applications with an open mind.

127. Guidance on Predetermination/Predisposition - To Note

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

128. Minutes of the Last Meeting held on 31st March, 2016

Resolved - That the minutes of the meeting held on 31st March, 2016 be approved as a correct record.

129. Human Rights Act Statement - To Note

The Human Rights Act Statement was noted.

130. Planning Applications

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

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

Planning Committee - 27.04.16

131. P/00106/012 - Lady Haig RBL (Slough) Club Ltd, 70 Stoke Road, Slough

Application	Decision
Demolition of existing building and redevelopment of site to provide 39no. flats in a part 4 / part 5 / part 6 storey building with parking and extension to service road and including a change of use from class D2 (assembly and leisure), sui generis class A2 (financial and professional services) and limited class C3 residential to all class C3 residential.	Delegated to the Planning Manager for approval, following consideration of outstanding consultations, resolution of sustainable drainage matters, finalising of conditions and satisfactory completion of a section 106 agreement.

132. P/02278/018 - Land R/O Westminster House, 31-37 Windsor Road, Slough, SL1 2EL

Application	Decision
Construction of a 5 storey building to provide 17 no. flats on land to the rear of 31-37 Windsor Road together with 6 no. car parking spaces.	Delegated to the Planning Manager for approval subject to any minor design changes if required, improved distribution of car spaces, completion of a section 106 agreement and finalising conditions.

133. P/15599/002 - Pechiney House, The Grove, Slough, SL1 1QF

Application	Decision
Construction of three storey extension and conversion of building to provide 41 residential units (Class C3) with associated internal and external works, landscaping and amenity space.	Delegated to the Planning Manager for approval, following consideration of outstanding consultation responses, resolution of sustainable drainage matters, finalising of conditions, enhanced mitigation package (subject to approval by Chair of Planning Committee) and satisfactory completion of a section 106 agreement.

Planning Committee - 27.04.16

134. P/00522/021 - Bishops Road Car Park, The Grove, Slough, SL1 1QP

Application	Decision
Redevelopment to provide a 5-storey residential building comprising 24 units (Class C3) with associated landscaping and amenity space.	Delegated to the Planning Manager for approval, following consideration of outstanding consultation responses, resolution of sustainable drainage matters, enhanced mitigation package (subject to approval by Chair of Planning Committee) finalising of conditions and satisfactory completion of a Section 106 Agreement.

135. Progress Report on The Review of The Local Plan For Slough

Paul Stimpson, Planning Policy Lead Officer, outlined a report to update Members on the progress made in reviewing the Local Plan in the last year and to advise what the next stages would be, beginning with the public consultation exercise on the "Call for Sites".

The Committee was advised that the first phase of the Review of the Local Plan (RLP) for Slough had involved gathering the evidence needed to meet regulations, the National Planning Policy Framework and other Government requirements to be able to make informed decisions about how the Council should proceed. The Officer discussed the key elements of the work that had been carried out so far which included a Regulation 18 Consultation that had taken place between 4th December, 2015 and 18th January, 2016. It was noted that 27 responses were received to the consultation, and the key point was that it may be necessary to carry out more work on Gypsy and Travellers and Minerals & Waste than previously envisaged.

Work had also been completed on the production of a Strategic Housing Market Assessment which had concluded that Slough Borough Council was in a Housing Market Area with Windsor and Maidenhead and South Bucks and that Slough had an "objectively assessed" housing need of 927 a year.

The Officer advised that a Functional Economic Market Assessment (FEMA) had been jointly commissioned from a firm of Planning Consultants, together with the Local Enterprise Partnership and the other Berkshire Authorities. The assessment had identified that there was a strong economic relationship with Heathrow, west London, and parts of Buckinghamshire as well as Berkshire. For planning purposes it was concluded that Slough fell within an Eastern Berkshire FEMA which included Windsor and Maidenhead and South Bucks. The same consultants were carrying out an Economic Development Needs Assessment which would determine what the objectively assessed need for employment land would be and a draft report would be the subject of technical consultation in April/May.

Planning Committee - 27.04.16

The Committee was advised that a Retail Floorspace Needs Assessment had been undertaken through a jointly commissioned Household Shopping survey with Windsor and Maidenhead. This had confirmed that the catchment area of Slough town centre had reduced and a 'Centre of Slough Strategy' was approved by Cabinet in September 2015. This suggested that the regeneration of the centre was unlikely to be retail led.

The Officer advised that there was an apparent shortage of land within Slough to accommodate all of its future needs and the RLP would address this emerging problem. The Committee noted that all plans required a Sustainability Appraisal which assessed the potentially significant social, economic and environmental impacts that may arise as a consequence of the policies and proposals proposed in the Development Plan. Also work had been done to ensure that adjoining authorities such as Windsor and Maidenhead and South Bucks were planning to meet housing needs in their area so that the pressure on Slough was not increased. It had been agreed that representations should be made to suggest that the Chiltern/South Bucks Local Plan should consider having a northern expansion of Slough in the form of a "garden suburb" in order to meet the housing needs arising in the area. Windsor and Maidenhead would produce its Preferred Option for their Local Plan later in the year and it was important that Slough BC met its obligations under the Duty to Cooperate and engage fully in the consultation process.

The Officer also summarised the implications that the proposal for a third runway at Heathrow could have on the RLP and the public consultation on the Call for Sites which was due to begin in June. Members were advised that it was unclear what the exact timetable would be for the RLP for Slough but the Government had stated that all authorities should have submitted their Local Plans by April 2017, subject to some exceptions. It was envisaged that an "Issues and Options" consultation could be undertaken by the end of the year

Members asked a number of points of clarification as follows:

- How would the consultation commence? The Officer advised that there would be a press release and an article in the Citizen Magazine.

Resolved- That the progress report on the Review of the Local Plan for Slough be noted.

136. Planning Appeal Decisions

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

137. Members Attendance Record

Resolved - That the Members Attendance Record be noted.

Planning Committee - 27.04.16

138. Date of Next Meeting

The date of the next meeting was confirmed as 1st June, 2016.

Chair

(Note: The Meeting opened at 6.30 and closed at 8.25 pm)

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

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

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

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

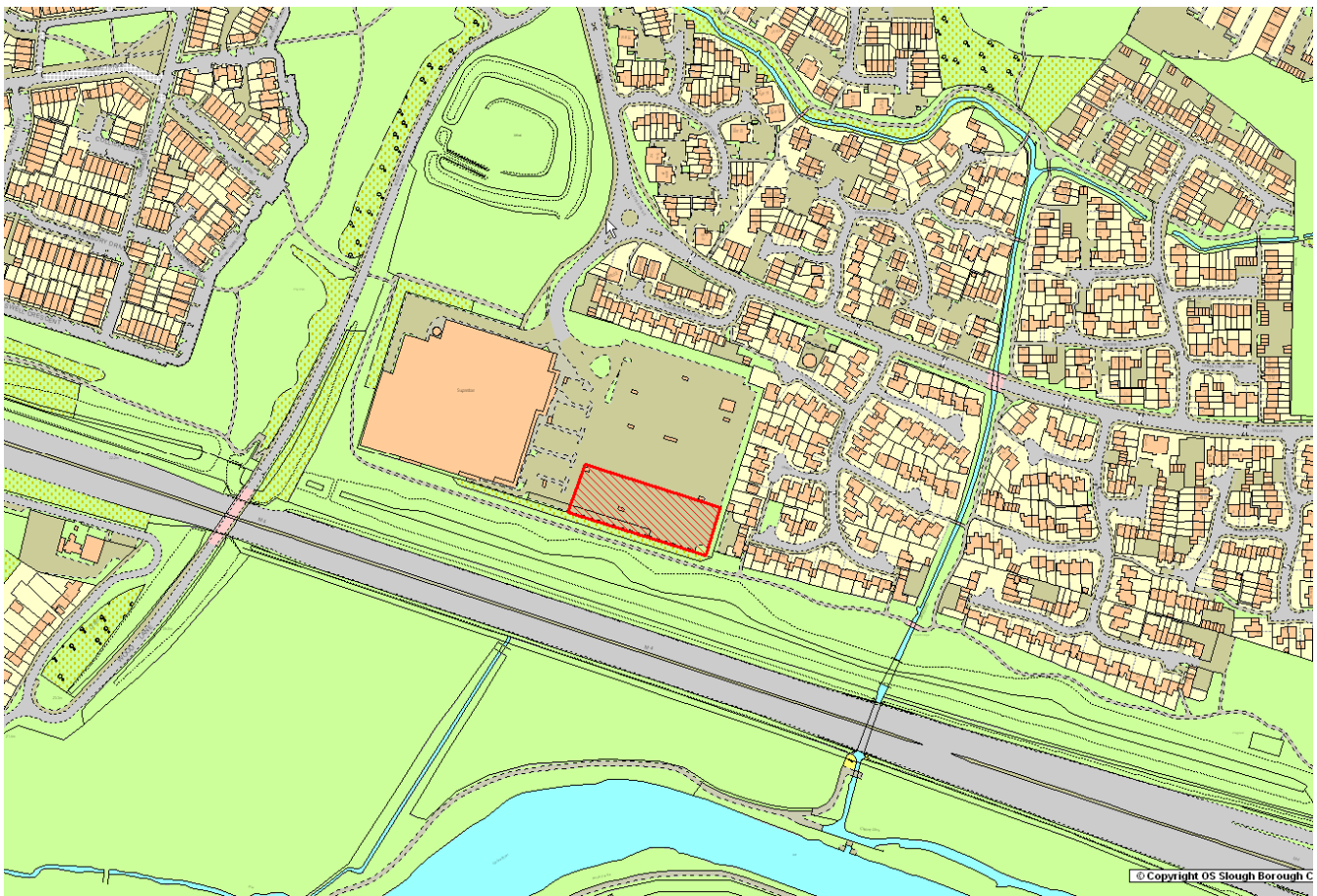
	USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House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

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

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Registration Date:	08-Mar-2016	Applic. No:	P/05370/069
Officer:	Neetal Rajput	Ward:	Cippenham Meadows
		Applic type:	13 week date:
Applicant:	ASDA Stores Ltd		
Agent:	Miss Emma Ridley, Pegasus Group Pavillion Court, Green Lane, Garforth, Leeds, West Yorkshire, LS25 2AF		
Location:	Asda Stores Ltd, Telford Drive, Slough, SL1 9LA		
Proposal:	Construction of a four pump petrol filling station with air/water unit, control room and associated works.		

Recommendation: Delegate to Planning Manager for approval



1.0 **SUMMARY OF RECOMMENDATION**

1.1 This application is being reported to the Planning Committee at the request of Councillor Parmar on the following planning ground:

- Impact on the residents of the adjoining roads.

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

PART A: BACKGROUND

2.0 **Proposal**

2.1 This is a full planning application for the erection of a four pump automated petrol filling station comprising of four dual sided fuel dispensers and island, forecourt canopy, air/water unit, control unit, two storage tanks and alterations to access and existing car park layout.

2.2 The petrol filling station is to be provided by ASDA in association with the supermarket. The proposed filling station will incorporate 'pay at the pump' self-service payment at all eight of the filling positions. The petrol filling station would be located in the south-east corner of the car park and involve the removal of 68 customer parking spaces, as the internal southern link road would be reconfigured.

2.3 The proposed petrol filling station will be used for domestic fuel supply to the general public and its operation would involve two primary activities including unloading of unleaded and diesel fuel from delivery tanker vehicles to the storage tanks and fuel dispensing on the forecourt by customer self service.

2.4 The applicant is proposing to employ a 'forecourt greeter' to assist with the running of the proposed petrol filling station, there will be a greeter on-site to assist customers.

2.5 The hours of operation of the proposed petrol filling station will be aligned with the superstore, these are below:

- Monday – Wednesday: 7am - 10pm
- Thursday & Friday: 7am - Midnight
- Saturday: 7am - 10pm
- Sunday: 10am - 4pm

2.6 It will be noted from the planning history section below that an application for erection of four pump automated petrol filling station comprising four dual sided fuel dispensers and island, forecourt canopy, control unit, two double skinned underground storage tanks and alterations to access and existing car park layout was withdrawn in 2012 following concerns regarding transport issues, residential amenity and groundwater. The covering letter submitted with the application package states that:

"The withdrawal of the 2012 application P/05370/061 for a petrol filling station has been recognised in the preparation of this application in the siting of the new development. The previous proposal sited the petrol filling station north east of the car park in an area

deemed 'least used'. In response to comments from both local residents and the Environment Agency and the petrol filling station has been relocated to avoid any impact on neighbours and utilises above ground tanks to address the previous concerns."

- 2.7 It should be noted that anyone operating a petrol filling station is required to obtain an Environmental Permit and a Petroleum Storage Certificate, both issued by the Petroleum Enforcement Authority (PEA). It is the operator's responsibility to ensure the safety on sites where petrol is being delivered, stored and dispensed. However, the Petroleum Enforcement Authority can use the powers conferred on them under section 20 (Powers of inspectors) and section 25 (Power to deal with cause of imminent danger) of the Health and Safety at Work Act 1974.
- 2.8 In order for the permit to be granted, the petrol filling station would need to comply with the requirements of the Guidance for Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations ('The Blue Book', Revised June 2011), and the Petrol Filling Stations Guidance on Managing The Risks Of Fire & Explosion ('The Red Guide', revised August 2009). This guidance together with DEFRA Process Guidance Note 1/14(13) (Revised December 2013) cover all the legal requirements as well as good practice and is recognised by the petroleum industry. Thus, any application submitted to the Petroleum Enforcement Authority will be checked against this guidance and a Permit will be issued only if the compliance has been demonstrated.

Environmental Impact Assessment

- 2.9 The proposed development is of a type described in Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as the proposal is for 6 (c) 'Storage facilities for petroleum, petrochemical and chemical products'. The relevant threshold for such developments is (ii) 'more than 200 tonnes of petroleum, petrochemical or chemical products is to be stored at any one time.'
- 2.10 The agent has advised as to the quantities of petrol and diesel that would be stored at the site at any one time. These quantities are stated as being:
- Petrol = 65.3 tonnes
Diesel = 54.4 tonnes
Total = 119.7 tonnes
- 2.11 On this basis, the Council is not required to issue a screening opinion for the proposed development as the applicable thresholds and criteria would not be met.

Application Site

- 3.1 The application site in use as a supermarket with associated car parking. The site is 5,972 square metres in area.
- 3.2 The site of the proposed petrol filling station is currently in use for car parking. The site lies within flood zones 2 and 3.
- 3.3 To the north of the site are the properties of Flamborough Spur. These dwellings are two stories in height and their rear gardens back onto the strip of landscaping adjacent to the site of the proposed petrol filling station. To the east of the site are the residential properties of Galahad Close, Garnet Close and Mitchell Close. To the south of the site is the M4 motorway.

4.0 **Site History**

4.1 In addition to applications for various alterations, additions and signage relating to the existing superstore; commercial redevelopment and submissions relating to proposed residential development, recent applications relating to the site of relevance to the consideration of the current planning application are considered to be as follows:

- P/05370/067 Construction of sale kiosk for 'We Buy Any Car Limited' within car park area.
Approved with Conditions; Informatives 05-Nov-2015
- P/05370/066 REPLACEMENT OF ROOF TOP REFRIGERATION UNITS.
Approved with Conditions; Informatives 30-Sep-2014
- P/05370/064 CONSTRUCTION OF A 'HOME SHOPPING' VAN LOADING CANOPY.
Approved with Conditions; Informatives 11-Aug-2014
- P/05370/062 ERECTION OF CANOPY TO PROVIDE CUSTOMER GROCERY COLLECTION FACILITY AND FORMATION OF CUSTOMER WAITING AREA.
Approved with Conditions; Informatives 09-Oct-2012
- P/05370/057 CONSTRUCTION OF TWO NO. CANOPIES AND THE RETENTION OF A HAND CAR WASH FACILITY WITH ASSOCIATED DRAINAGE
Approved with Conditions; Informatives 17-Jun-2008
- P/05370/054 VARIATION OF CONDITION ELEVEN OF APPEAL DECISION REF APP/V0320/A/85/034811 TO EXTEND HOURS OF OPENING FROM 07.00 TO 22.00 HRS, MONDAYS, TUESDAYS, WEDNESDAYS AND SATURDAYS, 07.00 TO 24.00 THURSDAYS AND FRIDAYS AND 10.00 TO 16.00 HOURS ON SUNDAYS
Approved with Conditions; Informatives 10-Jan-2007
- P/05370/053 VARIATION OF CONDITION NO.11 OF PLANNING PERMISSION REFERENCE P/05370/017 TO ALLOW EXTENDED TRADING HOURS
Approved with Conditions; Informatives 09-Feb-2005
- P/05370/050 CERTIFICATE OF LAWFULNESS FOR USE OF EXISTING CUSTOMER RESTAURANT TO INSTALL MCDONALDS RESTAURANT
Approved Grant CLU/D 13-May-2004
- P/05370/048 CERTIFICATE OF LAWFULNESS FOR PROPOSED USE OF INTEGRAL WAREHOUSE AS RETAIL TRADING AREA
Approved Grant CLU/D;Informatives 11-Mar-2004
- P/05370/047 ALTERATIONS TO CAR PARK LAYOUT AND ERECTION OF TROLLEY

BAYS

Approved with Conditions; Informatives 25-Feb-2004

P/05370/044 ERECTION OF CANOPY OVER EXISTING SERVICE YARD TO FORM ENCLOSED WAREHOUSE AND ERECTION OF SECURE PALISADE FENCING

Approved with Conditions 27-Nov-2003

P/05370/043 VARIATION OF CONDITION NO.11 OF PLANNING PERMISSION P/05370/017 TO ALLOW EXTENSION TRADING HOURS

Approved (LPP); Informatives 22-Jan-2004

P/05370/042 PROVISION OF A CAR VALETING SERVICE IN SOUTH / EAST CORNER OF CAR PARK (PART CHANGE OF USE OF CAR PARK) (RETROSPECTIVE)

Approved with Conditions 11-Jun-2002

P/05370/026 SUBMISSION OF DETAILS OF SUPERSTORE 6 SHOP UNITS AND ANCILLARY CAR PARKING AS REQUIRED BY CONDITION 1(A) OF OUTLINE PERMISSION DATED 8TH DECEMBER 1986.

Approved with Conditions 12-May-1987

P/05370/017 CONSTRUCTION OF SUPERSTORE SIX SHOP UNITS AND ANCILLARY CAR PARK (OUTLINE)

Deemed Refusal 12-Aug-1985

Appeal allowed by the Secretary of State subject to completion of Section 52 Agreements by letter dated 12-Feb-1986

Prior to this application, there are previous planning applications mainly relating to the proposed development of the 'Wood Land Development Area' for residential purposes, as well as a previous refusal of planning permission for the construction of a superstore and six shop units, approvals relating to the construction of a variable height and width noise and landscaping mound, and the construction of a foul pumping station.

5.0 **Neighbour Notification**

5.1 28, Mitchell Close, Slough, SL1 9DY, 8, Garnet Close, Slough, SL1 9DU, 33, Flamborough Spur, Slough, SL1 9JB, 9, Galahad Close, Slough, SL1 9DT, 39, Flamborough Spur, Slough, SL1 9JB, 11, Galahad Close, Slough, SL1 9DT, 19, Flamborough Spur, Slough, SL1 9JB, 26, Mitchell Close, Slough, SL1 9DY, 23, Flamborough Spur, Slough, SL1 9JB, 32, Mitchell Close, Slough, SL1 9DY, 24, Mitchell Close, Slough, SL1 9DY, 37, Flamborough Spur, Slough, SL1 9JB, 9, Garnet Close, Slough, SL1 9DU, 27, Flamborough Spur, Slough, SL1 9JB, 22, Mitchell Close, Slough, SL1 9DY, 31, Flamborough Spur, Slough, SL1 9JB, 17, Flamborough Spur, Slough, SL1 9JB, 11, Garnet Close, Slough, SL1 9DU, 12, Garnet Close, Slough, SL1 9DU, 43, Flamborough Spur, Slough, SL1 9JB, 30, Mitchell Close, Slough, SL1 9DY, 35, Flamborough Spur, Slough, SL1 9JB, 34, Mitchell Close, Slough, SL1 9DY, 15, Flamborough Spur, Slough, SL1 9JB, 21, Flamborough Spur, Slough, SL1 9JB, 25,

Flamborough Spur, Slough, SL1 9JB, 10, Garnet Close, Slough, SL1 9DU, 29, Flamborough Spur, Slough, SL1 9JB, 41, Flamborough Spur, Slough, SL1 9JB

Representations received as follows:

5.2 Occupier of 29 Flamborough Spur:

"If the proposal is successful, the fumes will be constant, and likely to effect our health and especially our children's health. They will be unable to play outside in the garden without the constant stench and without inhaling the terrible fumes not to mention being subjected to the airborne compound benzene which can have a detrimental effects of health. Secondly, if our children's health is effected, there is every chance it will impact upon their school work. Thirdly, if the pollution and fumes effect the health of adults, which will have in impact on our day to day lives. These are just every day hazards which would only be further increased in the event of any petrol spillages or leaks and in such close proximity to residents.

Please refer to the following link for the relevant article publishes in The Telegraph;-

<http://www.telegraph.co.uk/news/health/news/8306786/Living-with-100-yards-of-petrol-stations-damages-your-health-study-claims.html>

1. *It seems rather unfair that if Asda do build their proposed petrol pump at the proposed location, the residents of Flamborough Spur and our way of life will be impacted greatly. We would be unable to open our windows without the constant stench of petrol fumes and the constant noise of pumping and excess traffic caused by the pump's existence.*
2. *The traffic in the area is already at its worst due to the ASDA store. This proposal, should it succeed would only worsen the situation gravely, increasing the risks further for residents, especially those that are more vulnerable like the very young and the elderly. It would potentially increase the risk of road traffic accidents and further prohibit children and the elderly from walking safely within the area, especially as there are many schools within close proximity of the ASDA store. It is already impossible to walk safely during the stores busy periods, it will be beyond chaotic should the proposal for the pump succeed.*
3. *It seems incredibly unfair that ASDA store are willing to cause so much disruption and risk to local residents purely for financial gain only. The residents will be unable to use their garden as they wish, because of the restruictions placed such as using a simple barbeque. We will not be able to sit in the garden. This is not something that we should have to suffer as it has not been our decision to live by a filling station.*
4. *There will be further disturbance by excess lights from the filling station, which will be present constantly, even during closed ours and at night.*
5. *There will an increased level of disturbance to the residents from noise as a result of the petrol pump during open hours and also outside of open hours, not to mention the increased level of anti social behaviour.*
6. *Should the proposal proceed, the presence of a filling station backing onto the properties at Flamborough Spur will no doubt impact on the resale value of the properties. It is inevitable.*
7. *The filling station will undoubtedly overshadow the properties and cause and loss of*

privacy of the residents.

8. *There will be an affect of local wildlife and also on local greenery and trees.*
9. *I need to high light one of most valid point to take into consideration is that: I discovered, that due to Fire risk to our properties, our Home Insurance will be effected. This is just an example, because in the future there could be more hidden damages we and all fellow residents may have to face along with everything else, which can lead to extra cost burden to our pockets. It's bad enough facing a rough and tough living in Slough along with pollution and on top facing all the inconvenience of the fuel pump right up our nose 24/7, very unfair."*

Occupier of 11 Galahad Close:

1. *"Building erection would affect the land stability.*
2. *Constant noise of the building works and following cars queues would significantly affect all residents live in Galahad close.*
3. *Health issues would be potentially raised due to petrol, chemicals substances in the atmosphere and surrounding areas as the petrol station location within 1- 2 meters to the residency area*
4. *Environmental health issues would dramatically be raised due to petrol and other chemicals materials in the petrol station site.*
5. *Galahad close residents including myself would be greatly grateful for taken this letter in consideration. Letters signed by all Galahad Close residents and surroundings should also be posted to Slough council/ planning permission soon."*

Occupier of 21 Flamborough Spur:

1. *"AIR POLLUTION - we have extremely small gardens so we are very close plus most of us have small children always playing in the garden. The fumes will be constant, and likely to effect our health and especially our children's health. They will be unable to play outside in the garden without the constant stench and inhaling the terrible fumes not to mention being subjected to the airborne compound benzene which can have a detrimental effects of health. Secondly, if our children's health is affected, there is every chance it will impact upon their mental abilities. Thirdly, if the pollution and fumes effect the health of adults, which will have in impact on our day to day lives. These are just the every day hazards which would only be further increased in the event of any petrol spillages or leaks and in such close proximity to residents.*

Please refer to the following link for the relevant article publishes in The Telegraph;-

<http://www.telegraph.co.uk/news/health/news/8306786/Living-with-100-yards-of-petrol-stations-damages-your-health-study-claims.html>

2. *It is not right for Asda to build their proposed petrol pump at the proposed location, as the residents of Flamborough Spur way of life will be hugely impacted. We'd be unable to open our windows & air our houses without the constant stench of petrol fumes and the constant noise of pumping and excess traffic caused by the pump's existence.*

NOISE & MORE AIR POLLUTION - The traffic in the area is already at its worst due to

the ASDA store. This proposal, should it succeed would only worsen the situation gravely, increasing the risks further for residents, especially those that are more vulnerable like the very young and the elderly. It would potentially increase the risk of road traffic accidents and further prohibit children and the elderly from walking safely within the area, especially as there are many schools within close proximity of the ASDA store. It is already impossible to walk safely during the stores busy periods, it will be beyond chaotic should the proposal for the pump succeed. There is already so much noise and air pollution as Asda is always busy and open everyday with such long hours. As our gardens are so small there is so much noise already with music blarring from cars and families shouting, we've had people urinating on the back of our fence many times!!!!

- 3. It is unacceptable that ASDA store are willing to cause so much disruption and risk to local residents purely for financial gain only especially as we suffer so much already, i have been a resident since 1999 & it has got from bad to worse of the decades already with such poor quality of life as it is. The residents will be unable to use their garden as they wish, because of the restruictions placed such as using a simple barbeque. We will not be able to sit in the garden. This is not something that we should have to suffer as it has not been our decision to live by a petrol filling station. Asda after numerous letters and getting the MP involved refused many times to lop down the trees and bushes that block out the light from our gardens and houses as grown so HIGH over the years so this shows the lack of care and responsibility to the local residents.*
- 4. There will be further disturbance by excess lights from the filling station, which will be present constantly, even during closed ours and at night.*
- 5. There will an increased level of disturbance to the residents from noise as a result of the petrol pump during open hours and also outside of open hours, not to mention the increased level of anti social behaviour. We are already subjected to car racing in the car parks when trying to put the children to sleep.*
- 6. Should the proposal proceed, the presence of a filling station backing onto the properties at Flamborough Spur will no doubt impact on the resale value of the properties. It is inevitable.*
- 7. The filling station will undoubtedly overshadow the properties and cause and loss of privacy of the residents.*
- 8. There will be an affect of local wildlife and also on local greenery and trees.*
- 9. FIRE RISK - no doubt with living so closely it wouldn't take much for a huge explosion or fire to wipe out much of the surrounding residential area as we are far too close to it, not to mention the increase in our house insurances."*

Occupier of 25 Flamborough Spur:

1. "AIR POLLUTION - we have extremely small gardens so we are very close plus most of us have small children always playing in the garden. The fumes will be constant, and likely to effect our health and especially our children's health. They will be unable to play outside in the garden without the constant stench and inhaling the terrible fumes not to mention being subjected to the airborne compound benzene which can have a detrimental effects of health. Secondly, if our children's health is affected, there is every chance it will impact upon their mental abilities. Thirdly, if the pollution and fumes effect the health of adults, which will have in impact on our day to day lives. These are just the every day hazards which would only be further increased in the event of any petrol spillages or leaks

and in such close proximity to residents.

Please refer to the following link for the relevant article publishes in The Telegraph;-

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2. *It is not right for Asda to build their proposed petrol pump at the proposed location, as the residents of Flamborough Spur way of life will be hugely impacted. We'd be unable to open our windows & air our houses without the constant stench of petrol fumes and the constant noise of pumping and excess traffic caused by the pump's existence.*

3. *NOISE & MORE AIR POLLUTION - The traffic in the area is already at its worst due to the ASDA store. This proposal, should it succeed would only worsen the situation gravely, increasing the risks further for residents, especially those that are more vulnerable like the very young and the elderly. It would potentially increase the risk of road traffic accidents and further prohibit children and the elderly from walking safely within the area, especially as there are many schools within close proximity of the ASDA store. It is already impossible to walk safely during the stores busy periods, it will be beyond chaotic should the proposal for the pump succeed. There is already so much noise and air pollution as Asda is always busy and open everyday with such long hours. As our gardens are so small there is so much noise already with music blarring from cars and families shouting, we've had people urinating on the back of our fence many times!!!!*

4. *It is unacceptable that ASDA store are willing to cause so much disruption and risk to local residents purely for financial gain only especially as we suffer so much already, i have been a resident since 1999 & it has got from bad to worse of the decades already with such poor quality of life as it is. The residents will be unable to use their garden as they wish, because of the restruictions placed such as using a simple barbeque. We will not be able to sit in the garden. This is not something that we should have to suffer as it has not been our decision to live by a petrol filling station. Asda after numerous letters and getting the MP involved refused many times to lop down the trees and bushes that block out the light from our gardens and houses as grown so HIGH over the years so this shows the lack of care and responsibility to the local residents.*

5. *There will be further disturbance by excess lights from the filling station, which will be present constantly, even during closed ours and at night.*

6. *There will an increased level of disturbance to the residents from noise as a result of the petrol pump during open hours and also outside of open hours, not to mention the increased level of anti social behaviour. We are already subjected to car racing in the car parks when trying to put the children to sleep.*

7. *Should the proposal proceed, the presence of a filling station backing onto the properties at Flamborough Spur will no doubt impact on the resale value of the properties. It is inevitable.*

8. *The filling station will undoubtedly overshadow the properties and cause and loss of privacy of the residents.*

9. *There will be an affect of local wildlife and also on local greenery and trees.*

10. *FIRE RISK - no doubt with living so closely it wouldn't take much for a huge explosion or fire to wipe out much of the surrounding residential area as we are far too close to it, not to mention the increase in our house insurances.*

We all hope you take our grave concerns and objections to this proposal into extremely serious consideration and think about the impact it will have on local residents, and the community as a whole.”

Councillor Chohan, Ward Member for Cippenham Meadows:

“My objection from last year stands, the health and key safety issue problem remains with the soakway. The agencies responded last year, I'm hoping there is no major difference for their initial stance. It does seem a waste of time and effort from the relative agencies having to provide input to multiple applications which rarely change significantly over the years, charges for cost incurred by these agencies should be requested firm the applicant. Anyhow, I totally object along with my fellow ward councillors, this application along with previous submissions seem to attempt to gain agreement over time as they aim to go unnoticed under the radar from residents.

The ward councillors object to this application and will support the residents on the grounds of health and safety and the major impact it would have on the road infrastructure. In addition there is also the social impact to residents of additional opening hours. There are additional issues associated to this application as mentioned in my previous responses which haven't changed.”

Local Planning Authority Response:

The above objections have been taken into account and given the new location of the petrol filling station, it is consideration that the new siting addresses the concerns raised, the issues raised are considered in the report below.

It should be noted that that anyone operating a petrol filling station will require a licence issued by their Local Petroleum Licensing Authority. The Petroleum Licensing Authority is responsible for ensuring safety at sites where petrol is delivered, stored and dispensed.

In order for a license to be granted, a petrol filling station would need to comply with the guidance contained within Guidance for Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations (Revised June 2011) (the 'Blue Book'). This covers legal requirements as well as good practice and is recognised by the petroleum industry. It is understood that when plans are submitted to the Petroleum Licensing Authority they will be checked against this guidance and a licence issued only if they can demonstrate that the facility complies.

6.0 **Consultation**

6.1 **Health and Safety Executive**

No comments received.

6.2 **Thames Water**

No comments have been received, however the following comments were issued with respect to planning application P/05370/061:

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

6.3 Environment Agency

"We note that this application is similar to a prior planning application, reference P/05370/061, which we commented on in our letter reference WA/2012/112716/01-L02 and dated 10 August 2012. We are pleased to see that the applicant has responded to our prior objection by proposing the use of ground storage tanks in the application.

The proposed development site overlays a Principal Aquifer and Secondary A Aquifer; and lies over a Source Protection Zone 2 for a potable water supply.

Environment Agency position

The proposed development will only meet the requirements of the National Planning Policy Framework (NPPF) if the following

Condition

The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason To prevent pollution of the water environment.

The site is located over Alluvium (Secondary A Aquifer) over the Shepperton Gravel Member (Principal Aquifer) and then over the Lambeth Group (Secondary A Aquifer).

The Lambeth Group often has sandy lenses that forms rapid pathways to the top of the Chalk (Principal Aquifer) at depth under the site. The site is also within an outer Source Protection Zone (SPZ2) for a potable water supply that abstracts from The Chalk.

The EWE Associates Ltd. Flood Risk Assessment dated June 2012 states that surface water around the tanker delivery area and also the forecourt will drain to a 9000 litre Class 1 full retention interceptor and then to the foul sewer. The plan is not clear if there will be two separate interceptors or one. It is also not clear from the drawing Proposed PFS Plan (PA/04) if the 75,000 litre above ground fuel tanks are factored into the provision for spills within the tanker delivery area.

The applicant should make clear what provision has been made for surface water drainage for the area around the tanks in the event of spillage during filling. The applicant should also make clear the surface water drainage proposals for the car wash (this should not pass through the interceptor).

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121)."

6.4 Crime Prevention Design Advisor

Comments to be noted on the Amendment Sheet.

6.5 Neighbourhood Enforcement

"ASDA has had previous problems with both noise and light (since around February 2015

to around December 2015).

The noise was due to a misfiring alarm inside the store which I served an abatement notice for. The light was due to tall lamp columns along the back of the store overlooking into residential properties, this nearly led to an abatement notice too but was resolved with simply switching off the lights. There have been no further problems since.

The details submitted for the light should not cause further problems. The proposed lamp columns are not on the boundaries overlooking into residential properties and have shields on the top too so will not cause a light nuisance.

The details submitted for the noise should also not cause problems. As long as the deliveries are only made in the times specified (07.00am- 23.00pm Monday to Saturday and 10.00am-16.00pm Sunday). I can't foresee that individuals using the petrol station will cause a noise nuisance to residents nearby.

ASDA has also had a serious problem of fly tipping which led to their recycling bins being removed and a lot of intervention by Neighbourhood Enforcement; this problem has also been resolved now."

6.6 Transport and Highways

- *"The proposals do not alter the external store access. It is proposed that customers would enter the Petrol Filling Station (PFS) from the internal link road and travel west through the PFS forecourt to exit the PFS from a new give-way junction to rejoin the internal link road.*
- *The current ASDA store car park includes 611 car parking spaces. The proposals would result in the removal of 68 spaces, resulting in a revised total of 543 spaces. A parking accumulation survey has confirmed that it currently peaks at 60% capacity and there is therefore adequate space for the removal of 68 spaces.*
- *The proposed trip generation of the site is a total of 316 vehicle-only daily two-way trips, based on a TRICS analysis and taking account of reductions for trips already being associated with the ASDA store, and a proportion being pass-by trips already on the network. This remains a significant volume of additional trips, and as such a financial contribution is sought by the local highway authority to mitigate the impact of the development. The contribution is sought to improve the operation of the Telford Drive / Cippenham Lane junction for all road users;*
- *A swept path analysis has been provided to demonstrate that an articulated oil tanker can move through the site safely to and through the PFS.*
- *Subject to securing the S106 contributions and including the planning conditions I would not raise a highway objection to these proposals."*

6.7 Contaminated Land Officer

"This unattended petrol station model conforms to the Red Guide and Blue Book, which outline the control measures and engineered controls that are inbuilt. The whole station is monitored from a remote location 24/7 that has the ability to stop pumps and speak to the customer and summon a colleague from the store to attend any incident.

From a Contaminated Land point of view I have no objections to the applications and no

conditions are needed. However, the site will be regulated and will have to conform to the conditions that I will set out in the Environmental Permit. In addition the site will be issued with a Petroleum Storage Certificate, also subject to an annual fee.”

6.8 Highway Agency

No comments received, should any comments be received prior to Planning Committee, these will be reported on the Amendment Sheet.

6.9 Environmental Quality

No comments received, should any comments be received prior to Planning Committee, these will be reported on the Amendment Sheet.

6.10 Flood Management Officer

- *“The proposed development is located within an area benefitting from defences and is entirely within flood zone 2.*
- *Additional model data has been sought from the Environment Agency which has been extrapolated using a stage discharge curve to determine the 1 in 100 year plus climate change flood level. Assuming that the stage discharge curve provides an accurate description of the channel and floodplain, the proposed location of the development does not lie within the 1 in 100 year plus appropriate allowance for climate change flood extent.*
- *The development is therefore considered acceptable with regard to flood risk on the condition that the stage discharge curve provides an accurate description of the channel and floodplain, and the recommendations of the Flood Risk Assessment are applied.”*

6.11 Drainage Officer

6.12 *“Full drainage calculations for the proposed surface water network are to be provided to ensure that no flooding occurs on site during the worst case storm for a 1 in 100 year return period, with an additional 30% flow for climate change.*

In the EA comments it refers to attenuating any discharge from site by using tank systems which is what we would expect as this is a change of use, although their report says it's 'like for like' it may have been 5 or so years ago but as SUD's have now come into force we have to look at each site with trying to reduce the amount of surface water discharging into the existing system.

In this case we will require full drainage proposals utilising attenuation to limit the amount of surface water going into the existing system.”

7.0 Policy Background

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

The National Planning Policy Framework and the Planning Practice Guidance

Local Plan for Slough March 2004 policies:

EN1 – Standard of Design

EN3 – Landscaping Requirements
EN5 – Design and Crime Prevention
T2 – Parking Restraint
T8 – Cycling Network and Facilities
OSC8 – Green Spaces
EMP2 – Criteria for Business Developments
EMP4 – Development Outside of the Existing Business Areas

Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document policies:

Core Policy 1 – Spatial Strategy
Core Policy 5 – Employment
Core Policy 6 – Retail, Leisure and Community Facilities
Core Policy 7 – Transport
Core Policy 8 – Sustainability and the Environment
Core Policy 12 – Community Safety

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.

Other Relevant Documents/Guidance

Slough Borough Council Developer's Guide Parts 1-4

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

- Principle of the proposed use
- Design, appearance and impact on the street scene
- Trees and landscaping
- Impact on neighbour amenity
- Transport and highway matters

- Flood risk and drainage
- Pollution and safety matters

8.0 **Principle of the proposed use**

- 8.1 The use of the site is as a supermarket with associated car parking.
- 8.2 The scale of the proposed petrol station is stated as being based on anticipated demand. The pumps would be fully automated and operated by way of customer card authorisation only.
- 8.3 The proposed petrol filling station would be considered to be a sui generis use meaning that it does not fall within a specific use class as defined by The Town and Country Planning (Use Classes) Order 1987.
- 8.4 With regard to the acceptability of the principle of the proposed use, the proposal is not considered to be defined as a main town centre use as set out in the National Planning Policy Framework. The proposal does not include the provision of a kiosk or associated shop. As such, the application of a sequential test is not considered to be applicable.
- 8.5 The National Planning Policy Framework refers to 'roadside facilities for motorists' at para. 31. The National Planning Policy Framework sets out that Local Authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure and that the primary function of roadside facilities for motorists should be to *"support the safety and welfare of the road user."*
- 8.6 Whilst the proposed development would be for the sale of fuel only and would not appear therefore to directly support the safety of the road user, it would support the welfare of the road user to an extent insofar as it would provide a source of domestic fuel supply to the general public in this location.
- 8.7 It is considered that petrol filling stations are an increasingly common feature of supermarkets. Filling stations complementing supermarket retail offers can be found elsewhere within the borough (for example, Tesco Extra on Wellington Street) and the wider surrounding area.
- 8.8 Core Policy 1 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 sets out an overarching spatial strategy for proposed development within the Borough. This policy states that the scale and density of development will be related to the site's current or proposed accessibility, character and surroundings. Significant intensification of use will not be allowed in locations that lack the necessary supporting infrastructure, facilities or services or where access by sustainable means of travel by public transport, cycling and walking are limited.
- 8.9 As will be noted from the planning history section above, the site has been in use as a supermarket for a number of years. It is considered that the proposal would comply with Core Policy 1 in that the scale of development will be related to the site's current character.
- 8.10 Furthermore, the supplementary text to Core Policy 6 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 which relates to retail, leisure and community facilities states that *"Small scale facilities which serve local needs may be allowed in appropriate locations throughout the Borough."*

- 8.11 Turning to employment matters, Core Policy 5 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 states that the location, scale and intensity of new employment development must reinforce the Spatial Strategy and transport strategy and that intensive employment-generating uses will be located in the town centre in accordance with the spatial strategy.
- 8.12 It is confirmed that a ‘forecourt greeter’ will be present onsite to assist with the running of the proposed petrol filling station. The Agent has states that *“when the greeter is not in attendance customer assistance will always be readily available from the adjacent store. Customers requiring assistance including disabled customers are able to communicate with the store by dedicated help call points on the forecourt. These facilities are linked by pre-set communication lines direct to the store duty manager who carries a mobile and are available at all times. This person will organise immediate attendance and the colleague response time is to be on the forecourt within a 5 minutes period. The relationship of the PFS to store on this site is considered appropriate to meet this requirement.*
- Customer communication points include a Help Point/telephone handset which is a bright yellow situated on the Control Unit alongside the forecourt which is highlighted by prominent signage at the dispensing position and has high visual background signage on the building.”*
- 8.13 Whilst Core Policy 5 states that “Intensive employment generating uses which ... reduce employment opportunities for local people will be expected to contribute toward appropriate mitigation measures”; the proposed use is neither considered to be an intensive employment generating use, nor would it result in a reduction in employment opportunities for local people.
- 8.14 Whilst it is acknowledged that the operator could sell fuel at a competitive price which could make the proposed facility attractive and draw revenue away from other existing stations, matters relating to competition are not material planning considerations.
- 8.15 The principle of the proposal is therefore considered to be acceptable and would comply with Core Policies 1, 5 and 6 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the National Planning Policy Framework.
- 9.0 **Design, appearance and impact on the street scene**
- 9.1 The thrust of Policy EN1 of The Adopted Local Plan for Slough 2004 and Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document is that the design of proposed development should be of a high standard of design and reflect the character and appearance of the surrounding area.
- 9.2 The proposed canopy would be 5.05 metres in height, 12.2 metres in length and 12.4 metres wide, supported by four columns. The proposed canopy and dispensing equipment are considered to be acceptable in design terms. It has been noted from the submitted drawings that with the exception of the lighting columns (8 metres) and CCTV pole (6 metres), no other structures exceed the height of the canopy.
- 9.3 The proposed petrol filling station would be approached from Telford Drive and would be viewed principally in the context of the existing supermarket building and car park. Whilst there is an existing residential development beyond the eastern boundary of the site, there is an existing belt of trees which provides screening which would limit any potential street scene impact. As such, in terms of visual amenity, the proposal is considered to be

acceptable in street scene terms.

9.4 With regard to any proposed signage required in conjunction with the proposed development, this would be subject to control under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

9.5 Crime prevention

9.6 The Thames Valley Crime Prevention Design Officer has been consulted and no objection has been raised with respect to opening hours and CCTV. A condition has been recommended regarding the implementation of the CCTV.

10.0 **Trees and landscaping**

10.1 To the southern and eastern boundary of the site, there is an existing row of trees planted as screening.

10.1 The maturing trees and shrubs form a screen between the parking area and adjacent properties to the east. This screening is considered to be an important feature in the area and should be retained.

10.2 The Tree Officer has been consulted and comments are below:

“The proposed filling station will require the removal of some poor trees within the car park but will not have an effect on other trees within the car park or the other vegetation on the boundaries of the site. This boundary vegetation will therefore continue to provide some but not complete screening from outside the site reducing the visual impact of the proposed development from the adjacent properties. Accordingly I would not object to the application as the impact on the tree cover of the area will be minimal.”

11.0 **Impact on neighbour amenity**

11.1 Noise

11.2 Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 states that development shall not give rise to unacceptable levels of pollution including noise.

11.3 The hours of opening of the existing store are understood to be 07.00 to 22.00 hrs, Mondays, Tuesdays, Wednesdays and Saturdays, 07.00 to 24.00 Thursdays and Fridays and 10.00 to 16.00 hours on Sundays (as approved under application P/05370/054 for a variation of condition to extend hours of opening, granted in January 2007).

11.4 The proposed hours of opening of the petrol filling station will be aligned with the hours of opening of the store.

11.5 The applicant has submitted a Noise Assessment. In summary, the findings of the noise assessment are that for a worst case ‘most noise sensitive times scenario, calculations indicate that the external and internal noise criteria for neighbouring residential properties would be within recommended World Health Organisation guidance. The noise assessment which demonstrates that the petrol filling station trading activity confirms a negligible impact for the most noise sensitive period considered. Additionally, the assessment confirms that the tanker deliveries associated with the proposed development would be acceptable for the proposed daytime period.

- 11.6 The Council's Neighbourhood Enforcement section have been consulted and no objections have been raised.
- 11.7 Impact on privacy, overlooking and dominance
- 11.8 The proposed pump islands and canopy would be sited directly opposite the rear elevations of no's. 11-35 Flamborough Spur. The separation distance between the proposed canopy and the rear boundary of these dwellings would be 115 metres. The proposed canopy would be 5.05 metres in height.
- 11.9 The proposed fuel tanks would be sited adjacent the rear elevations of no's. 30-28 Mitchell Close, the distance from the rear of the tanks to the rear elevation of these properties will be 14m. The tanks will measure 3.66m in height.
- 11.10 There is an existing belt of trees which screens views of the proposed car park from the rear gardens of the properties on Flamborough Spur and Mitchell Close and Garnet Close. Given the branch density of these trees, it is considered that the proposed tanks would not be adequately screened during summer months and less so in the autumn/winter months when these trees will have seasonal leaf loss. Given the separation distance of 14m and the height of the tanks at 3.66m, it is not considered that the proposal would be overly overdominant and overbearing by reason of its siting.
- 11.11 With regard to loss of privacy, the proposal is not considered to have the potential to result in an adverse impact on privacy through overlooking. The rear boundaries of those properties fronting Mitchell is marked by timber fencing of between 1.8 and 2 meters in height.
- 11.12 It must be acknowledge that this application seeks to address the issued raised with respect to the withdrawn application P/05370/061, whereby the proposal is now sited in the south east corner of the site, away residential properties fronting Flamborough Spur. The covering letter states that : *"In response to comments from both local residents and the Environment Agency and the petrol filling station has been relocated to avoid any impact on neighbours and utilises above ground tanks to address the previous concerns."*
- 11.13 The proposal is not considered to give rise to significant detriment to the surrounding area and is considered to comply with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.
- 12.0 Transport and highway matters
- 12.1 The National Planning Policy Framework states at para. 32 that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment, and that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.
- 12.2 Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document sets out the Planning Authority's approach to the consideration of transport matters. The thrust of this policy is to seek to ensure that development reinforces the principles of the transport strategy as set out in the Council's Local Transport Plan and Spatial Strategy, and to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel.

- 12.3 The Council's Transport and Highways consultant has been consulted. The petrol filling station would be located in the south-east corner of the car park and involve the removal of 68 customer parking spaces, as the internal southern link road would be reconfigured. The Local Highway Authority has no objection to the location; it is well away from the site access which would allow the main site access to keep flowing smoothly. The proposals also include the relocation of the hand car wash away from its current position to be adjacent to the petrol filling station.
- 12.4 The petrol filling station will include Fast Track lanes, incorporating pay-at pump card payment systems; there will be no retail kiosk and hence all transactions will take place at the pump. It will include extendable pump hoses, allowing customers to use any pump and therefore reducing the likelihood of queues developing. It is stated in the Transport Assessment (TA) that a 'forecourt greeter' will be available during busier trading times.
- 12.5 Car parking
- 12.6 The current ASDA store car park includes 611 car parking spaces. In addition there are 33 disability spaces and 27 other (mother and toddler) spaces which will not be affected. The proposals would result in the removal of 68 spaces, resulting in a revised total of 543 spaces.
- 12.7 To demonstrate that the proposed reduction in parking capacity can be accommodated without detriment to the car parking operation, the applicant carried out a four week data collection exercise (25 June to 19 July 2015) to determine the maximum car park occupancy each day and the time this occurred. It was evident from the survey that there would be adequate capacity to accommodate the reduction in spaces, as maximum occupancy was recorded as 60% on a Sunday with 366 spaces utilised. No raw data has been provided for checking, but a site visit by the Local Highway Authority has confirmed that there is surplus capacity.
- 12.8 Access
- 12.9 The proposals do not alter the external store access. It is proposed that customers would enter the petrol filling station from the internal link road and travel west through the petrol filling station forecourt to exit the petrol filling station from a new give-way junction to rejoin the internal link road.
- 12.10 Trip Generation
- 12.11 It is expected that whilst many trips will be linked trips, there will still likely be an increase in trips expected as a result of the new service offering at the store. The TA has assumed that of all trips attracted to the petrol filling station, 70% will already be associated with the food store and 30% will be new to the site.
- 12.12 Of the new trips it has been assumed that some will be "pass-by" trips i.e. trips already passing the store (at an assumed rate of 30% and 10% for weekday and weekend respectively). Based on a TRICS analysis of PFS sites (without significant retail), and taking account of these reductions the applicant has predicted the following vehicle trips to the site, which are considered robust by the Local Highway Authority.
- 12.13 Servicing
- 12.14 Articulated vehicles will arrive at the site via Telford Drive in the same way as the existing goods vehicles serving the ASDA store. A swept path analysis has been provided to

show how a standard 15.2 ASDA articulated oil tanker will move through the site and through the petrol filling station. This would obviously need to occur out of operating hours to ensure customer safety is not compromised.

12.15 Development Impact

12.16 The development is increasing vehicle-only trips to the site by 316 (daily two-way) and nearby Cippenham Lane is already a congested corridor and as a result this increase in trips will have an impact on the operational performance of the Cippenham Lane / Telford Drive junction as well as other junctions on Cippenham Lane. The Telford Drive junction does not benefit from any controlled pedestrian crossing facilities and as this is already an important route to local schools and facilities the increase in traffic will make it harder for pedestrians, particularly those with sight disabilities, to cross the junction. Taking account of the increase in traffic the contribution should also be used to implement MOVA and link its operation to the nearby Twinches Lane junction. It is therefore reasonable that the development provides a contribution towards the implementation of junction improvements and a contribution is sought and this should be secured through a S106 agreement.

12.17 Construction Management Plan and Routing Agreement

12.18 The construction impact has not been discussed in the TS. The applicant should ensure that existing users of the site are not affected by the construction process and a routing agreement for vehicles to the site should be agreed using Telford Drive and Cippenham Lane.

13.0 **Flood risk and drainage**

13.1 Surface water

13.2 The National Planning Policy Framework states at para. 109 that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

13.3 The applicant has prepared and submitted a flood risk assessment. The site lies within flood zones 2 and 3. The Environment Agency have been consulted.

13.4 The Environment Agency have commented with the following:

13.5 *“The EWE Associates Ltd. Flood Risk Assessment dated June 2012 states that surface water around the tanker delivery area and also the forecourt will drain to a 9000 litre Class 1 full retention interceptor and then to the foul sewer. The plan is not clear if there will be two separate interceptors or one. It is also not clear from the drawing Proposed PFS Plan (PA/04) if the 75,000 litre above ground fuel tanks are factored into the provision for spills within the tanker delivery area.*

The applicant should make clear what provision has been made for surface water drainage for the area around the tanks in the event of spillage during filling. The applicant should also make clear the surface water drainage proposals for the car wash (this should not pass through the interceptor).”

13.6 On the basis of the above, a condition has been recommended.

13.7 Ground water

- 13.8 The Environment Agency had previously objected to planning application P/05370/061 to the underground storage of hazardous substances on principal and secondary aquifers. As a result the tanks have now been located above ground and the Environment Agency have commented:
- “We are pleased to see that the applicant has responded to our prior objection by proposing the use of ground storage tanks in the application.”*
- 13.9 Based on these comments and recommended condition, the proposal is therefore considered to be acceptable in terms of the impact on groundwater.
- 14.0 **Pollution and safety matters**
- 14.1 The National Planning Policy Framework states at para. 120 that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.
- 14.2 Concerns have been expressed in representations received regarding the potential impact on health as a result of pollution arising from petrol and diesel vapour, fumes and spillages.
- 14.3 The Agent has provided a response:
- “When assessing the impact of the Petrol Filling Station on residential properties we have been advised that:*
- The PFS will comply with all guidance and European directives.*
- This includes;*
- Directive 1994/63/EC - Stage 1b vapour recovery - controls to capture petrol vapour displaced from underground storage tanks when they are filled with the tanker*
 - Directive 2009/126/EC - Stage II vapour recovery – controls to capture Petrol Vapour Recovery during Refuelling of Passenger Cars - requires that capture efficiency limits be equal to or greater than 85%.*
- The PFS to trade will require a vapour recovery permit, which will ensure compliance with the above conditions.*
- In light of this it is not envisaged that there will be a significant negative on residential properties.”*
- 14.4 The Council’s Contaminated Land Officer has been consulted and advised that no condition are required as the operator will be required to obtain an Environmental Permit and a Petroleum Storage Certificate, both issued by the Petroleum Enforcement Authority.
- 14.5 It should be noted that matters relating to the design and safety of proposed petrol filling stations is covered in detail under the Environmental Permit and a Petroleum Storage Certificate. The Petroleum Enforcement Authority is responsible for ensuring safety at sites where petrol is delivered, stored and dispensed.

14.6 In general terms, if planning permission were to be granted for a petrol filling station then it would need to comply with the guidance contained within Guidance for Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations (Revised June 2011) (the 'Blue Book'). This covers legal requirements as well as good practice and is recognised by the petroleum industry. It is understood that when plans are submitted to the Petroleum Licensing Authority they will be checked against this guidance and a licence issued only if they can demonstrate that the facility complies.

15.0 **PART C: RECOMMENDATION**

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

16.0 **PART D: CONDITIONS**

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

DRAFT CONDITIONS

1. Time Limit

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

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

2. Approved Plans

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

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

3. Sample of external materials - Development

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

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

4. Sample of external materials - Access

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

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

5. External Lighting

Approved details submitted – Plans TBC

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

6. Surface Water (EA)

The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

REASON To prevent pollution of the water environment, this is accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

7. Working Method Statement

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

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

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

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

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

8. Hours of Operation

The development hereby permitted shall be open for business only between the hours of

7am to 10pm on Monday to Wednesday; 7am – Midnight on Thursday & Friday; 7am - 10pm on Saturday and 10am to 4pm on Sundays and Bank Holidays. The development shall be closed at all other times unless the Local Planning Authority gives written consent to the variation.

REASON To ensure that trading does not take place at hours which would be detrimental to the amenities of adjoining residents in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

9. Hours of Delivery

Any deliveries to the petrol filling station shall only be made in the times specified: Monday to Saturday: 07.00am - 11.00pm and Sunday: 10.00am - 4.00pm and at no other times unless agreed in writing by the Local Planning Authority.

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

10. No additional storage

No goods, materials or plant shall be deposited or stored outside the buildings except for temporary periods during loading/unloading of delivery vehicles, and except for the provision made for customer recycling facilities in the main car park.

REASON To safeguard the visual 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.

11. Flood Risk Assessment

The Flood Risk Assessment (Final Rev0), prepared by EWE Associates Ltd, dated June 2012, including the recommendation set out within the Assessment shall be implemented prior to completion of the development hereby approved and shall be permanently maintained thereafter.

REASON To prevent the increased risk of flooding in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, the National Planning Policy Framework.

12. CCTV

Prior to completion of the development hereby approved, the CCTV shall be installed, maintained and retained in accordance with the following drawings XXXXXXXXXXXXX

REASON For the protection of customer safety, in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006 – 2026,

13. Drainage (LPA)

Prior to commencement of the development hereby permitted, a full drainage detailed design ((including the use of sustainable drainage principles) shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

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

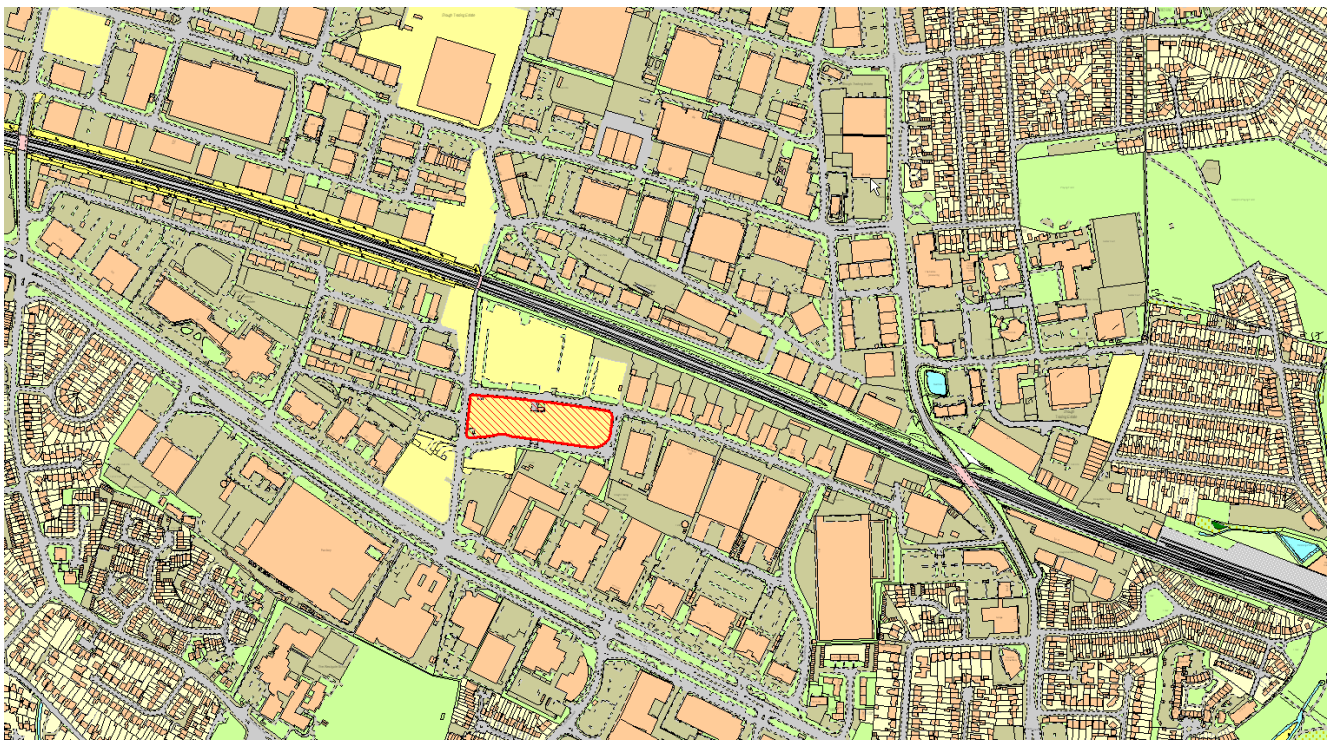
Informatives:

1. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
2. 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.
3. The applicant is advised that with respect to the condition referring to 'full drainage detailed design', the calculations for the proposed surface water network are to be provided to ensure that no flooding occurs on site during the worst case storm for a 1 in 100 year return period, with an additional 30% flow for climate change. The full drainage proposals should utilise attenuation to limit the amount of surface water going into the existing system.
4. The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
5. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

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Registration Date:	26-Feb-2016	Applic. No:	P/16493/000
Officer:	Mr. J. Dymond	Ward:	Cippenham Green
		Applic type:	Major
		13 week date:	27 th May 2016
Applicant:	Slough Trading Estate Limited		
Agent:	Mr. Ben Taylor, Barton Willmore Regent House, 4, Horner Road, Solihull, West Midlands, B913QQ		
Location:	816 Leigh Road, Slough, SL1 4BD		
Proposal:	Construction of a motor vehicle dealership (Sui Generis) to include vehicle showroom, used vehicle display and/or aftersales facility, sale of new and used motor vehicles, service centre, workshop, vehicle preparation and valet centre, MOT testing centre, pre-delivery inspection centre, smart repairs, bodyshop, parts and accessories sales, distribution and store, sales and administration offices, car parking, vehicle display, vehicle storage or such other purpose within uses classes B1, B2 or B8.		

Recommendation: Delegate to the Planning Manager for approval



1.0 SUMMARY OF RECOMMENDATION

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

1.2 Having considered the relevant policies set out below and all other relevant material considerations, it is recommended that the application be delegated to the Planning Manager for approval following consideration of any further consultation responses, consideration of amended plans and further information, completion of Section 106 Agreement, and finalising conditions.

PART A: BACKGROUND

2.0 Proposal

2.1 This is a full planning application for the redevelopment of the site at 816 Leigh Road to provide a vehicle dealership with service, MOT and workshop facilities. The use would be classified as a sui generis use. Permission is also sought for the use of the site for other purpose within uses classes B1, B2 or B8.

2.2 The approximate Gross External Areas are stated as being as follows:

Car Showroom	Ground floor	1,706m ²
	Mezzanine	724m ²
	Total	2,430m ²
Workshop	Ground floor (incl valet bays)	1,309m ²
	Mezzanine	303m ²
	Stair enclosure	20m ²
	Total	1,632m ²
	Combined Total	4,062m ²

2.3 It is understood that the proposed unit would be occupied by Lancaster PLC (part of the Jardine Motor Group) who currently operate an existing Jaguar Land Rover franchise at 367 Bath Road. The applicant has advised that 367 Bath Road cannot meet the operational or design requirements associated with Jaguar Land Rover's vision and growth strategy.

2.4 The applicant, Segro, will construct the proposed buildings as shells only. Internal fit out, including all mechanical and electrical services, will be carried out by the occupier.

3.0 **Application Site**

3.1 The site is 1.18 hectares in area and is situated within Slough Trading Estate.

3.2 The site is currently vacant and was formerly occupied by buildings 640/641 and

642/643 Ajax Avenue. These buildings were demolished as part of the proposals to develop the extension to Lonza and the Ajax Avenue South road. 816 Leigh Road occupied the Leigh Road frontage but was dismantled and relocated to 9 Cambridge Avenue in 2014. It is understood that these buildings had an estimated GEA of 3,543m², 2,448m² and 3,252m² respectively albeit the extent of building 640/641 in particular extended beyond the current boundaries of the site into areas that now comprise Ajax Avenue South.

- 3.3 The site is relatively flat. Ground levels slope slightly north to south and east to west.
- 3.4 To the north of the site is a building under construction of 11,028m² which would be used for B1(b), B1(c), B2, B8 and Colocation purposes at 812 Leigh Road. This building is being constructed under the Simplified Planning Zone scheme.
- 3.5 To the south of the site is 230 Bath Road. A planning application for a hotel and ancillary restaurant is currently under consideration (planning application reference P/01573/010).
- 3.6 To the east of the site is 638 Ajax Avenue and to the west of the site is 275 Leigh Road, occupied by Ferrari and Maserati.
- 3.7 The application site is located with Slough Trading Estate Existing Business Area and within the area covered by the Slough Trading Estate Simplified Planning Zone Scheme. The development however falls outside the scope of this Scheme and requires planning permission.
- 3.8 The site is located within Flood Zone 1 and the site therefore is considered to comprise land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%).
- 3.9 There appear to be no listed buildings on or near the site and the site is not located within a Conservation Area.

4.0 **Site History**

- 4.1 The site is currently vacant following the demolition of the industrial/commercial building formerly occupying the site.

816-817 Leigh Road

T/00049/000 ERECTION OF A TWO STOREY OFFICE/WAREHOUSE UNIT WITH A FLAT ROOF

Permission Not Required 14-May-2001

This development was permitted under the Simplified Planning Zone scheme.

Leigh Road Commercial Core

P/14515/007 SUBMISSION OF DETAILS PURSUANT TO CONDITION 6 (DETAILS OF THE NEW BRIDGE) OF OUTLINE PLANNING PERMISSION P/14515/003 DATED 18/06/ 2012 FOR OUTLINE APPLICATION FOR MEANS OF ACCESS (IN PART FOR CHANGES TO LEIGH ROAD/BATH ROAD JUNCTION, ACCESS AND RE-ALIGNMENT OF LEIGH ROAD, AND CHANGES TO AND NEW ROADS OFF LEIGH ROAD, CHANGES TO IPSWICH ROAD/BATH ROAD, GALVIN ROAD/BATH ROAD AND SERVICE ROAD AND EDINBURGH AVENUE/FARNHAM ROAD JUNCTIONS AND ACCESS), DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES AND REDEVELOPMENT OF THE LEIGH ROAD CENTRAL CORE, CONSISTING OF OFFICES (B1A), HOTELS (C1), RETAIL (A1), FINANCIAL AND PROFESSIONAL SERVICES (A2), RESTAURANTS (A3), DRINKING ESTABLISHMENTS (A4), HOT FOOD TAKEAWAY (A5), CONFERENCE FACILITIES, SKILLS AND LEARNING CENTRE, CRÈCHE (ALL D1) HEALTH CLUB/GYM (D2), TRANSPORT HUBS, NEW LEIGH ROAD BRIDGE, PARKING, HARD AND SOFT LANDSCAPING , CCTV, LIGHTING, STREET FURNITURE, BOUNDARY TREATMENT AND ALL ENABLING AND ANCILLARY WORKS.

Conditions Complied With 23-Dec-2013

P/14515/006 SUBMISSION OF DETAILS TO DISCHARGE CONDITION 16 OF PLANNING PERMISSION P/14515/003, DATED 18/06/2012 RELATING TO ARCHAEOLOGICAL EVALUATION

Conditions Complied With; Informatives 05-Aug-2013

P/14515/005 RESERVED MATTERS (LAYOUT, SCALE, APPEARANCE AND LANDSCAPING) PURSUANT TO CONDITION 3 OF PLANNING PERMISSION P/14515/3, DATED 18 JUNE 2012, FOR THE CONSTRUCTION OF B1(A) OFFICES (PLOT OB01) DECKED AND SURFACE LEVEL CAR PARK (PLOT CP01) CYCLE PARKING, LANDSCAPING AND ANCILLARY WORKS.

Approved with Conditions; Informatives 10-Sep-2013

P/14515/004 NON-MATERIAL AMENDMENTS TO AMEND THE APPROVED PARAMETERS PLAN PL/01/03, LISTED IN CONDITION 4 OF PLANNING PERMISSION P/14515/003, DATED 18TH JUNE 2012 (OUTLINE APPLICATION FOR MEANS OF ACCESS (IN PART FOR CHANGES TO LEIGH ROAD/BATH ROAD JUNCTION, ACCESS AND RE-ALIGNMENT OF LEIGH ROAD, AND CHANGES TO AND NEW ROADS OFF LEIGH ROAD, CHANGES TO IPSWICH ROAD/BATH ROAD, GALVIN ROAD/BATH ROAD AND SERVICE ROAD AND EDINBURGH AVENUE/FARNHAM ROAD JUNCTIONS AND ACCESS), DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES AND REDEVELOPMENT OF THE LEIGH ROAD CENTRAL CORE, CONSISTING OF OFFICES (B1A), HOTELS (C1), RETAIL (A1), FINANCIAL AND PROFESSIONAL SERVICES (A2), RESTAURANTS (A3), DRINKING ESTABLISHMENTS (A4), HOT FOOD TAKEAWAY (A5), CONFERENCE FACILITIES, SKILLS AND LEARNING CENTRE, CRÈCHE (ALL D1) HEALTH CLUB/GYM (D2), TRANSPORT HUBS, NEW LEIGH ROAD BRIDGE, PARKING, HARD AND SOFT LANDSCAPING, CCTV, LIGHTING, STREET FURNITURE, BOUNDARY TREATMENT AND ALL

ENABLING AND ANCILLARY WORKS).

Approved with Conditions; Informatives 23-Jan-2013

P/14515/003 OUTLINE APPLICATION FOR MEANS OF ACCESS (IN PART FOR CHANGES TO LEIGH ROAD/BATH ROAD JUNCTION, ACCESS AND REALIGNMENT OF LEIGH ROAD, AND CHANGES TO AND NEW ROADS OFF LEIGH ROAD, CHANGES TO IPSWICH ROAD/BATH ROAD, GALVIN ROAD/BATH ROAD AND SERVICE ROAD AND EDINBURGH AVENUE/FARNHAM ROAD JUNCTIONS AND ACCESS), DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES AND REDEVELOPMENT OF THE LEIGH ROAD CENTRAL CORE, CONSISTING OF OFFICES (B1A), HOTELS (C1), RETAIL (A1), FINANCIAL AND PROFESSIONAL SERVICES (A2), RESTAURANTS (A3), DRINKING ESTABLISHMENTS (A4), HOT FOOD TAKEAWAY (A5), CONFERENCE FACILITIES, SKILLS AND LEARNING CENTRE, CRÈCHE (ALL D1) HEALTH CLUB/GYM (D2), TRANSPORT HUBS, NEW LEIGH ROAD BRIDGE, PARKING, HARD AND SOFT LANDSCAPING, CCTV, LIGHTING, STREET FURNITURE, BOUNDARY TREATMENT AND ALL ENABLING AND ANCILLARY WORKS.

Approved with Conditions; Informatives 18-Jun-2012

P/14515/000 OUTLINE APPLICATION FOR MEANS OF ACCESS (IN PART FOR CHANGES TO LEIGH ROAD/BATH ROAD JUNCTION AND ACCESS AND REALIGNMENT OF LEIGH ROAD), DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF THE LEIGH ROAD CENTRAL CORE, CONSISTING OF OFFICES (B1A), HOTEL (C1), RETAIL (A1), FINANCIAL AND PROFESSIONAL SERVICES (A2), RESTAURANTS (A3), DRINKING ESTABLISHMENTS (A4), HOT FOOD TAKEAWAYS (A5), CONFERENCE FACILITY, SKILLS AND LEARNING CENTRE, CRÈCHE (ALL D1), HEALTH CLUB/GYM (D2), TRANSPORT HUB, NEW LEIGH ROAD BRIDGE, PARKING HARD AND SOFT LANDSCAPING, CCTV, LIGHTING, STREET FURNITURE, BOUNDARY TREATMENT AND ALL ENABLING AND ANCILLARY WORKS.

Approved with Conditions; Informatives 30-Sep-2010

5.0 **Neighbour Notification**

- 5.1 Slough Estates Plc, 234, Bath Road, Slough, SL1 4EE, Autotech, 649-650, Ajax Avenue, Slough, SL1 4BG, 275, Leigh Road, Slough, Berkshire, SL1 4HF, 638, Ajax Avenue, Slough, SL1 4BG, 647-648, Ajax Avenue, Slough, Berkshire, SL1 4BG, 645, Ajax Avenue, Slough, Berkshire, SL1 4BG, 812-815, Leigh Road, Slough, Berkshire, SL1 4BD, 230, Bath Road, Slough, SL1 4DX, 640, Ajax Avenue, Slough Trading Estate, Slough, Berkshire, SL1 4BG, 250, Argyll Road, Slough, Berkshire, SL1 4HA

In accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015, a site notice was displayed at the site and the application has been advertised in a local newspaper.

5.2 No representations received.

6.0 **Consultation**

6.1 **Environmental Protection**

6.2 Contaminated land comments received, conditions recommended.

6.3 **Environmental Quality**

6.4 Conditions recommended regarding contamination.

6.5 **Transport and Highways**

6.6 No comments received. An update will be provided on the Committee amendments sheet.

6.7 **Thames Water**

6.8 Comments received, no objections.

6.9 **Environment Agency**

6.10 No comments received. An update will be provided on the Committee amendments sheet.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

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

The National Planning Policy Framework and the Planning Practice Guidance

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

- Core Policy 1 – Spatial Strategy
- Core Policy 5 – Employment
- Core Policy 6 – Retail, Leisure and Community Facilities
- Core Policy 7 – Transport
- Core Policy 8 – Sustainability and the Environment
- Core Policy 10 – Infrastructure
- Core Policy 11 – Social Cohesiveness
- Core Policy 12 – Community Safety

The Local Plan for Slough, Adopted March 2004

- Policy EN1 – Standard of Design

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

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

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

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

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

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

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

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

- 1) Principle of development;
- 2) Design, impact on the street scene and landscaping;
- 3) Potential impact on amenity; and
- 4) Parking and highway safety.

8.0 **Principle of Development**

8.1 The site is located with the Slough Trading Estate Existing Business Area.

- 8.2 One of the aims of the Spatial Strategy as set out in the Core Strategy is to regenerate Slough Trading Estate. The proposal is considered to be an acceptable employment generating use in this context.
- 8.3 Core Policy 5 of the Core Strategy relates to employment. There is a general presumption against the loss of employment generating uses within the Existing Business Areas. This policy sets out that the continued success of the Trading Estate as an employment centre is of great importance to the local economy and the prosperity of the town as a whole.
- 8.4 Site allocation SSA4 of the Site Allocations Development Plan Document relates to the regeneration of the trading estate and Leigh Road Central Core to provide a mixture of uses, including offices, research and development, light industrial, general industrial, storage and distribution, residential, retail, food and drink, hotels, conference facilities, educational facilities, recreation and leisure uses.
- 8.5 The reason for the allocation was to ensure that the comprehensive regeneration of the Trading Estate takes place in accordance with the Masterplan.
- 8.6 The operator of the proposed dealership and workshop is currently based at 367 Bath Road. It is understood that their existing facility is no longer fit for purpose to meet the operational or design requirements associated with Jaguar Land Rover's vision and growth strategy.
- 8.7 The applicant has stated that the proposal would safeguard 50 jobs, as well as creating up to 25 additional jobs through the expansion and operational efficiencies that the development provides.
- 8.8 The proposed use is considered to be acceptable in principle and it is noted that the proposal would bring employment benefits through the safeguarding and creation of a significant number of jobs. A currently vacant site would be brought back into employment use and the continued success of the Existing Business Area would be supported. The proposed development would be acceptable in terms of employment and compliant with Core Policy 5 of the Core Strategy.

9.0 **Design, Impact on the Street Scene and Landscaping**

- 9.1 Policy EN1 of the Adopted Local Plan for Slough and Core Policy 8 of the Core Strategy requires that the design of proposed residential development should be of a high standard of design and reflect the character and appearance of the surrounding area.
- 9.2 The site is effectively divided into two parts; the showroom, customer parking and vehicle display to the west (front of house area) and the workshop vehicle storage and staff parking to the east (back of house area).

Design and Appearance of Showroom

- 9.3 The proposed car showroom would be rectangular in shape and would measure approximately 48 metres in length. It would be 36 metres in depth and would have

height of 8.2 metres. The proposed workshop would measure approximately 33 metres in length, 49 metres in depth and would have a height of 10 metres.

- 9.4 With regard to design and appearance, the applicant has advised that the proposed showroom must adhere to the strict corporate guidelines imposed by Jaguar Land Rover to reinforce the brand.
- 9.5 The proposed showroom building will comprise of dark metallic grey rain screen cladding panels with feature champagne metallic panels to glazed areas and customer entrances. Showroom glazing and pedestrian entrances will be formed from frameless structural glazing.
- 9.6 The proposed materials are considered to be acceptable and generally in keeping with the pallet of materials found within the trading estate. No objections are raised to the height and size of the proposed showroom.
- 9.7 The proposed appearance of the showroom building has been described as 'clean and striking' and would include features such as the bold symmetrical design of the cladding, chamfered corners around glazed areas and frameless structural glazing. The overall appearance would not appear out of keeping with the general character of the area and as such no objection is raised to the design and appearance of the showroom building.

Siting of Showroom and Landscaping

- 9.8 The proposed showroom building would be positioned prominently to the western most part of the site.
- 9.9 The proposed showroom would be orientated such that the front of the building faces south towards Ajax Avenue South. One of the side elevations of the building would face Leigh Road. The rear of the showroom building would face Ajax Avenue North.
- 9.10 Officers raised concerns initially at pre-application stage regarding the orientation of the showroom, impact on views from Leigh Road and the impact on the street scene.
- 9.11 The side elevation of the building is partially glazed to the south western corner, but solid to the north western corner. The rear of the building facing Ajax Avenue North is also predominantly solid.
- 9.12 The applicant has responded to these concerns in their submission with the following:

“[T]he layout as proposed is necessary to achieve the operational requirements of the end user in terms of visibility, transparency, the customer journey, the amount of showroom display space and linkages between the showroom and parking and car display areas. From a design point of view, the layout ensures the visual impact of the main showroom elevation is maximised by positioning it with the widest field of view on the approach from the Bath Road. This elevation must remain

unobscured by landscaping and therefore the proposed orientation allows trees to be incorporated along Leigh Road.

Rotating the building to 'face' Leigh Road would diminish the visual impact of the building on the key approach into the Slough Trading Estate and diminish prominence for both the Jaguar Land Rover brands due to the more oblique views of the Leigh Road frontage. Given the narrow site dimensions it would not be possible to accommodate the proposed building dimensions which provides the quantum and spacing of car showroom space that is required. Creating a further access into the Site from Leigh Road is not considered feasible from a Highways perspective and therefore rotating the building would also prevent customer parking in relation to the showroom entrance which is a critical requirement. The showroom sales areas would also become physically and visibly disconnected from the external vehicle display area. Rotating the building would also prevent the planting of any trees to the Leigh Road frontage in line with SPZ aspirations for a tree lined route."

- 9.13 The applicant has also submitted a layout plan showing proposed landscaped areas. This plan indicates that trees are proposed in a landscaped area adjoining Leigh Road.
- 9.14 The landscaping proposed by the applicant would comprise of a strip of grass with shrubs. It would appear that the proposed trees would be planted a distance of 2 metres from the back edge of the existing footway.
- 9.15 High quality landscaping is considered to be important in the interests of screening the solid flank wall elements of the building, to mitigate the potential street scene impact when viewed from the north and to support the enhancement of Leigh Road as a tree lined boulevard.
- 9.16 Two key components of the Masterplan referred to in the 'Principle of Development' section above related to a rationalised primary and secondary route network, and the Leigh Road Boulevard. Leigh Road is identified as a Primary Boulevard on the Masterplan.
- 9.17 The Simplified Planning Zone scheme is also considered to be material. Leigh Road forms part of the Arterial Road Landscape Sub-Zones under this scheme as an area identified in the Masterplan for boulevard planting, providing the opportunity for a strong linear feature.
- 9.18 It is understood that the applicant supports the principle of this as they have stated: *"Trees have been proposed to strategically complement the nature of the development and contribute to the aspirations for a tree lined route to Leigh Road."*
- 9.19 In light of the highway and transport comments received, the landscape strip adjoining Leigh Road has been widened from 2.8m to 3.6m with a consequential reduction in the width of the circulation route to the west of the showroom. It is considered that this would allow for adequate screening of the solid flank wall elements of the building together with the landscaping of Leigh Road as a tree lined boulevard.

9.20 As part of their justification for orientating the building to front Ajax Avenue South and not Leigh Road, the applicant has stated that rotating the building would prevent the planting of any trees to the Leigh Road frontage (which would obscure views of the proposed showroom) in line with aspirations for a tree lined route. Having taken the applicant's comments into account together with the amendment to increase the depth of the landscaping, it is considered that the proposed orientation could be accepted; on the basis that high quality landscaping can be achieved.

Design of Proposed Workshop Building

9.21 Turning to the proposed workshop building, this has been designed to a more conventional industrial style using silver trapezoidal profiled cladding. No objections are raised to the siting, design and appearance of this part of the scheme.

10.0 **Potential Impact on Amenity**

10.1 There are no residential properties in the vicinity of the site and the proposal is therefore not considered have the potential to give rise to potential impacts on the amenity of any residential occupiers.

11.0 **Parking and Highway Safety**

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

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

11.3 Policy T8 of The Adopted Local Plan for Slough relates to Cycling Network and Facilities. This policy states that permission will not be granted for proposals which do not include suitable cycle access to and through the site and cycle parking racks and other facilities for cyclists as an integral part of the development.

11.4 A Transport Statement has been submitted in support of the proposal. The Council's Transport consultant has been consulted and comments have been received.

11.5 There would be two vehicle accesses from Ajax Avenue North and two accesses from Ajax Avenue South. This results in four access points in total.

11.6 In terms of car parking provision, the submitted Transport Statement sets out that this will be as follows:

Use	Number of Spaces
Customer Parking -	13

Service	
Customer Parking - Sales	13
Disabled Parking	2
Staff / Demonstrator Parking	18
Staff Parking	28
Total	74

- 11.7 Tracking drawings have been provided showing how a car transporter would access the site to undertake loading/unloading.
- 11.8 Turning to cycle parking, 8 secure cycle spaces would be provided for cyclists in the form of 4 Sheffield Stands.
- 11.9 The Council's Transport consultant considered that the scheme is generally acceptable, however a number of amendments were requested. Amended plans and further information has been received. At the time of writing, this is currently under consideration and any further comments will be provided on the amendments sheet.
- 11.10 It is also recommended that the applicant enters into a Section 106 Agreement which will obligate the developer to enter into a section 278 agreement for the satisfactory implementation of highway works. It is also recommended that a travel plan contribution is provided together with shower and locker facilities, travel plan monitoring and updating. Such obligations would be considered to comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010.

12.0 **Process**

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

PART C: RECOMMENDATION

13.0 **Recommendation**

- 13.1 Delegate to the Planning Manager for approval following consideration of any further consultation responses, consideration of amended plans and further information, completion of Section 106 Agreement, and finalising conditions.

PART D: LIST OF CONDITIONS - HEADINGS

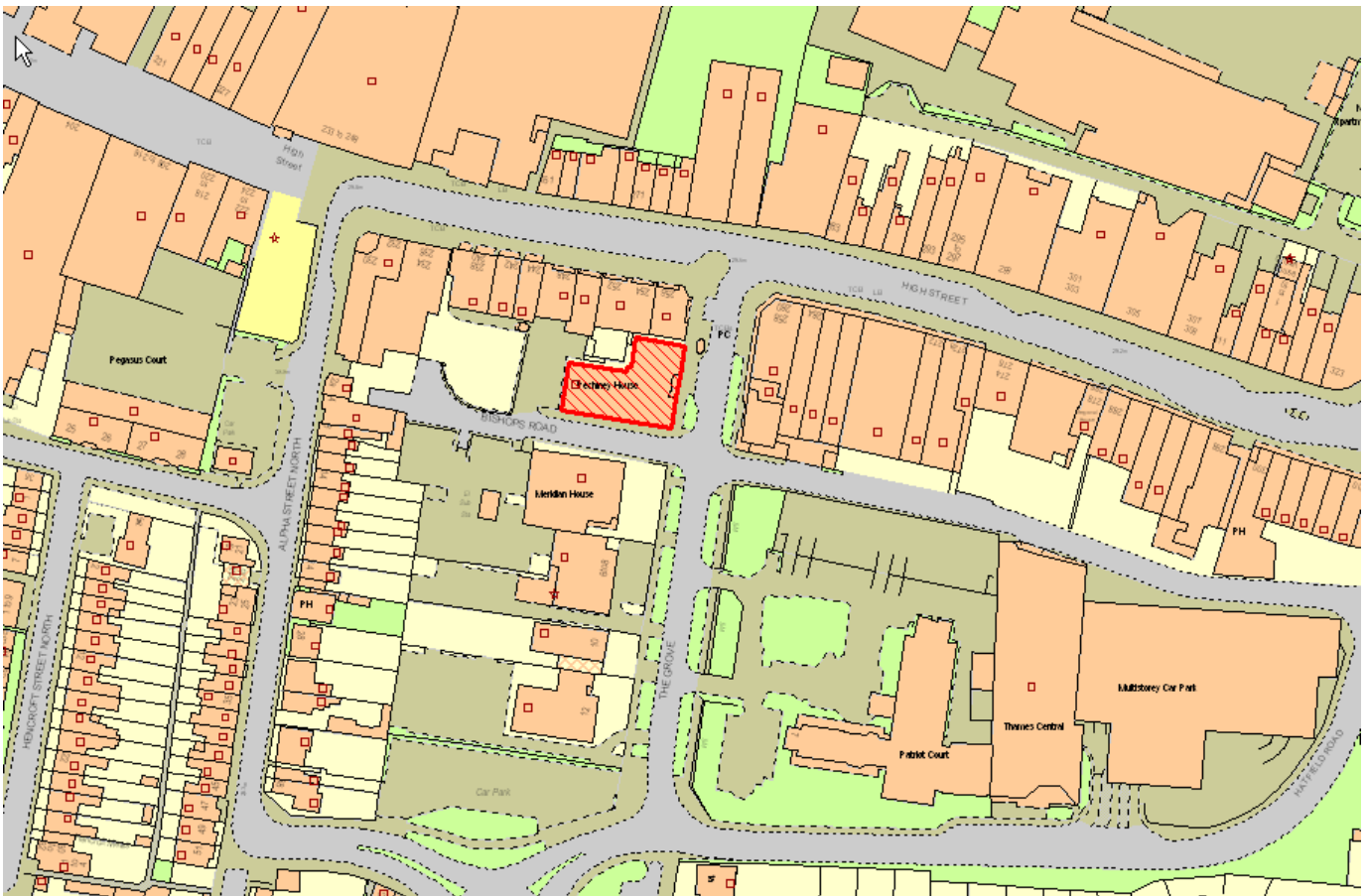
Commencement within three years from the date of this permission;
Development to be carried out in accordance with approved plans;
Submission of materials for approval;
Submission of details of surfaces for approval;
Submission of details of boundary treatment;

Submission of details of landscaping and tree planting scheme;
Submission of details of cycle parking;
Submission of details of bin storage;
No extension, mezzanine floor or sub-division;
Definition of permitted use;
Hours of use;
Hours of deliveries;
Provision of car parking spaces and manoeuvring areas;
Loading/unloading, and turning and circulation areas to remain available for use and free from obstruction;
There shall be no loading or unloading of deliveries for the site from Ajax Avenue South, Ajax Avenue North or Leigh Road. All loading, unloading and servicing shall be undertaken from within the site;
Removal of redundant accesses;
Provision of new accesses;
Vehicle access bollards must be secured in an open position during times when the showroom and service centre is operational;
No vehicle access gate, roller shutters doors or other vehicle entry barriers or control systems without permission;
Visibility splays;
Provision of pedestrian visibility splays;
Submission of details of lighting scheme;
Implementation and maintenance of drainage;
Submission of Working Method Statement;
Submission of measures to control waste during construction;
Renewable energy supply;
BREEAM 'Very Good'.

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Registration Date:	02-Feb-2016	Applic. No:	P/15599/002
Officer:	Neetal Rajput	Ward:	Central
		Applic type:	Major
		13 week date:	3 rd May 2016
Applicant:	Shital Thakkar, James Taylor Construction		
Agent:	Miss Stefanie Mizen, JLL 30, Warwick Street, London, W1B 5NH		
Location:	Pechiney (UK) Ltd, Pechiney House, The Grove, Slough, SL1 1QF		
Proposal:	Construction of three storey extension and conversion of building to provide 41 residential units (Class C3) with associated internal and external works, landscaping and amenity space.		

Recommendation: Delegate to the Planning Manager for approval



*****SUPPLEMENTARY REPORT TO PLANNING COMMITTEE*****

Background

1. At the Meeting of Planning Committee on 27th April 2016, Members deferred the application to a future Committee meeting to allow further discussions with the Agent regarding affordable housing contribution. A copy of the Officer’s Report to Planning Committee on the 27th April 2016 (Appendix A) is attached for information purposes.
2. Core Policy 4 of the Slough Local Development Framework Core Strategy states that for all sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.
3. The Developer Contributions and Affordable Housing (Section 106) Developer’s Guide Part 2 (2008) states that the Council are prepared to accept a financial contribution for sites of between 20-24 dwellings. The contribution required will depend on:
 - The total number of units proposed (15-19 units or 20 - 24 units);
 - The size and type of units proposed (bedroom/flats/houses); and
 - The notional number (30%), type and size of dwellings that would have been allocated for affordable housing if such housing were required on the site.
4. In this case of Pechiney House, of the 41 units, 18 units are being created by a change of use under Prior Approval (F/15599/000). The remaining 23 units fall within the threshold for affordable housing contribution and the following would be payable: 15no. are 1-bed and 8no. are studio units, the commuted sum is summarised in the table below:

Unit Type	Full scheme	Number (at 30%)	Funding Shortfall per unit type	Total Funding Shortfall
studio (67% of 1 bed)	8	2	0	0
1BF	15	5	£39,600	£198,000
Total	23	7		

Total commuted sum payable

£198,000

5. The affordable housing contribution of £198,000 for Pechiney House for was agreed with Sharmina Jetha (Housing Development Team Leader).
6. The Developer Contributions and Affordable Housing (Section 106) Developer’s Guide Part 2 (2008) identifies the type of units applicable to a financial contribution. Studio units are specifically absent from this. The Applicant has confirmed that no additional contribution will be provided as they consider the proposal is policy compliant.

7. With respect to the previously approved application P/15599/001 in June 2015 for erection of three storey extension and conversion of building to provide 30 residential units with associated landscaping and amenity space, it should be noted that no contributions were sought and an Affordable Housing Viability Assessment was submitted. The Committee Report for application P/15599/001 in paragraph 13.1 and 13.2 stated that:
 8. *"In this case, although the applicant has applied for planning permission for 30 units, 18 of them are being created by a change of use. The other part of the permission is for the creation of 12 new flats as a result of the building being extended. If they were applied for separately these 12 units would be below our threshold whereby contributions would normally be sought for affordable housing, education or open space.*
 9. *As a result given the fact that it could go ahead without any requirements to make sec 106 contributions it is considered that a relaxation to planning policy can be made in this case and no affordable housing sought from the scheme."*
10. The above was considered by Members at the Planning Committee of 8th January 2015 and subsequently the application was approved.
11. It is acknowledged that there is a significant uplift in property prices in Slough, however the proposal is policy compliant in terms of providing the required commuted sum as stated within the Developers Guide. As such it would be unreasonable to refuse this application on viability grounds. Through reviewing our policies, the affordable housing policy can be reviewed in the future, however at present these are the policies that we must consider when determining planning applications and cannot expect developers to pay an uplift in contributions to reflect market conditions.
12. The application is policy compliant and the sought contribution with respect to affordable housing is reasonable and necessary to mitigate the impacts of the development. This obligation would comply with Regulation 122 of the Community Infrastructure Levy.

RECOMMENDATION

13. It is recommended that the application is to delegate the application to the Planning Manager for approval, following consideration of outstanding consultation responses, resolution of sustainable drainage matters, finalising of conditions and satisfactory completion of a Section 106 Agreement.

Appendix A

Registration Date:	02-Feb-2016	Applic. No:	P/15599/002
Officer:	Neetal Rajput	Ward:	Central
		Applic type:	Major
		13 week date:	3 rd May 2016
Applicant:	Shital Thakkar, James Taylor Construction		
Agent:	Miss Stefanie Mizen, JLL 30, Warwick Street, London, W1B 5NH		
Location:	Pechiney (uk) Ltd, Pechiney House, The Grove, Slough, SL1 1QF		
Proposal:	Construction of three storey extension and conversion of building to provide 41 residential units (Class C3) with associated internal and external works, landscaping and amenity space.		

Recommendation: Delegate to the Planning Manager



1.0 SUMMARY OF RECOMMENDATION

- 1.1 This application has been referred to the Planning Committee for consideration as the application is for a Major Development.
- 1.2 Delegate the application to the Planning Manager for approval, following consideration of outstanding consultation responses, resolution of sustainable drainage matters, finalising of conditions and satisfactory completion of a Section 106 Agreement.

PART A: BACKGROUND

2.0 Proposal

- 2.1 Planning permission is sought for the extension and refurbishment of the existing building into a residential building. The scheme would comprise:
- Erection of a three storey extension and conversion of the extended building to provide a building comprising of 41 no. flats (8 no. studios, 27 no. one bedroom and 6 no. two bedroom).
 - Changes to the fenestration and fascia of the building with new balconies.
 - Provision of cycle parking, refuse storage and landscaping.
- 2.2 The proposed extension to the building would consist of the addition of 3 floors with the third floor having the same footprint as the rest of the building, the fourth floor having a reduced floor print (30m by 15.9m) with roof top amenity space being provided in the northern side of the building and the fifth floor reduced further still (app. 22m by 15.2m) with amenity space being provided on the eastern side. The building would consist of mostly six stories where the maximum height would be 19.2m with a set down of five storeys facing onto The Grove where the maximum height would be 13.2m, this excludes the balcony area. The building has been designed with a flat roof.
- 2.3 Private amenity space is proposed via balconies and more public amenity space in the northern and eastern corners of the building.
- 2.4 The flats would be accessed via a secure communal entrance and corridor at ground floor level facing onto The Grove leading to a lift and stair access providing access between the levels. Access to the bin store would also be from this entrance with entrance to the cycle store from the rear of the building. Two parking spaces would be provided for the development.
- 2.5 The application is accompanied by plans showing the site location, site layout, elevations, floor plans and a Planning Statement.
- 2.6 Prior approval was granted in September 2013 for the conversion of the existing building into 18 residential units. As that part of the scheme is already approved this application only looks at the extended element of the building, changes to the appearance of the building and additional flats above the 18 previously allowed.
- 2.7 Subsequent to the Prior Approval application, there has been an approved full planning application (P/15599/001, dated 26th June 2015) on this site for erection of a three storey extension and conversion of the extended building to provide a building comprising of 30 no. flats (9 no. one bedroom, 20 no. two bedroom and 1 no. three bedroom flats). The main difference this that this proposed development seeks to increase the number of units from 30 no. flats to 41 no. flats and the height has been

marginally increased by 0.4m.

- 2.8 There is currently an application on the Committee agenda for the change of use and development of flats on the neighbouring Bishops Road car park, which used to serve Pechiney House. This is in the same ownership, but since the Bishops Road site has previously received planning permission to be developed for residential use they are treated as separate units.

3.0 Application Site

- 3.1 The site is L shaped and is a maximum of 43m deep and the road frontage is 24m wide and currently has a vacant three storey office building on it with parking to the rear accessed from Bishops Road.
- 3.2 The site is located to the west of the grove close to the junctions with the High Street to the north and Bishops Road to the south.
- 3.3 The site is adjoined by:
- Three storey commercial and three storey commercial / office buildings facing onto the high Street to the north;
 - Car park to the west;
 - Vacant 5 storey office building opposite The Grove to the east; and
 - Bishops Road to the south with office development beyond.
- 3.4 The site is located within the Slough Town Centre and the Core Town Centre Area as defined in the proposals map for The Local Plan for Slough 2004.

4.0 Site History

- 4.1 Relevant site history:

P/15599/005 Submission of details of condition 9 (vehicle wheel cleaning), 10 (construction traffic), 14 (working method statement) and 15 (waste during construction) pursuant to planning permission P/15599/001 dated 26th June 2015.

Currently under determination.

P/15599/004 Submission of details of conditions 3 (external materials), 4 (landscape management plan) and 17 (external site lighting) pursuant to planning permission P/15599/001 dated 26th June 2015.

Currently under determination.

P/15599/003 Submission of details of conditions 5 (external materials-access road), 6 (cycle parking) and 8 (refuse and recycling storage) pursuant to planning permission P/15599/001 dated 26/06/2015

Conditions Complied With; Informatives 07-Mar-2016

P/15599/001 Erection of three storey extension and conversion of building to provide 30 residential units with associated landscaping and amenity space.

F/15599/000 Prior approval for proposed change of use of pechiney house from class b1(a) offices to class c3 (dwelling houses) provided 18 apartments including 7 no. one bedroom and 11 no. two bedroom units.

Prior Approval Not Required/Informatives 31-Oct-2013

5.0 Neighbour Notification

5.1 254, High Street, Slough, SL1 1JU, Orchard & Shipman, 256, High Street, Slough, SL1 1JU, 246, High Street, Slough, SL1 1JU, 250, High Street, Slough, SL1 1JU, Manpower Plc, Beaufort House, 248, High Street, Slough, SL1 1JU, 242, High Street, Slough, SL1 1JU, 232a, High Street, Slough, SL1 1JU, Glendale Securities Ltd, 2, Alpha Street North, Slough, SL1 1RB, Wernham Hoggs, 230-236, High Street, Slough, SL1 1JU, 244, High Street, Slough, SL1 1JU, 2a, Alpha Street North, Slough, SL1 1RB, Assets, Mda House, The Grove, Slough, SL1 1RH, Crisps Electrical Ltd, 4-6, Alpha Street North, Slough, SL1 1RB, Barlows Tractor International Ltd, Bishops Court, 238, High Street, Slough, SL1 1JU, Alliance & Leicester Plc, 240, High Street, Slough, SL1 1JU, 258, High Street, Slough, SL1 1JU, Campsie, 256, High Street, Slough, SL1 1JU, Blue Arrow, 252, High Street, Slough, SL1 1JU, 40635, The Grove, Slough, SL1 1QP, Flat 1, Bishops Court, 238, High Street, Slough, SL1 1JU, Flat 13, Bishops Court, 238, High Street, Slough, SL1 1JU, Flat 14, Bishops Court, 238, High Street, Slough, SL1 1JU, Flat 11, Bishops Court, 238, High Street, Slough, SL1 1JU, Flat 12, Bishops Court, 238, High Street, Slough, SL1 1JU, Flat 10, Bishops Court, 238, High Street, Slough, SL1 1JU, Flat 4, Bishops Court, 238, High Street, Slough, SL1 1JU, Flat 9, Bishops Court, 238, High Street, Slough, SL1 1JU, Flat 8, Bishops Court, 238, High Street, Slough, SL1 1JU, Flat 7, Bishops Court, 238, High Street, Slough, SL1 1JU, Flat 3, Bishops Court, 238, High Street, Slough, SL1 1JU, Flat 6, Bishops Court, 238, High Street, Slough, SL1 1JU, Flat 2, Bishops Court, 238, High Street, Slough, SL1 1JU, Flat 5, Bishops Court, 238, High Street, Slough, SL1 1JU

No comments have been received to date, any comments will be reported on the Committee Amendment Sheet.

6.0 Consultation

6.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, one site notice was displayed at the site on 9th February 2016. The application was advertised in the 26th February 2016 edition of The Slough Express.

6.2 Contaminated Land Officer

Historical mapping indicates that there are no contaminative land uses associated with the site. However, the proposed development is located within 250m of approximately ten Potentially Contaminated Sites. The nearest potential sources of contamination are four sites with Disused Tank Registry entries.

Given that the proposed development implies the conversion of the existing building and construction of a new extension, the potential for volatile migration, from the above mentioned off-site sources, requires further investigation. This additional investigation should be carried out in order to demonstrate that the presence of a more sensitive receptor and significant increase in the exposure frequency will not pose any

unacceptable risks to the human health receptors from the proposed development.
Pre-commencement conditions have been attached with respect to land contamination.

6.3 **Thames Water**

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

We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

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

6.4 **Environmental Protection**

The site is on the boundary of the Town Centre and Shopping Centre. The searches on our complaint system (Flare) show that there are no Environmental Health concerns except recent issues of fly tipping and the deterioration of the land.

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

6.5 **Environmental Quality**

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

6.6 **Crime Prevention Design Advisor**

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

6.7 **Highways & Transport**

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

6.8 **Drainage Engineer**

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

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 The application is considered alongside the following policies:

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

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

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

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

- Core Policy 1 (Spatial Strategy)
- Core Policy 3 (Housing Distribution)
- Core Policy 4 (Type of Housing)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability and the Environment)
- Core Policy 10 (Infrastructure)
- Core Policy 11 (Social Cohesiveness)
- Core Policy 12 (Community Safety)

Adopted Local Plan for Slough, Adopted 2004

- H9 (Comprehensive Planning)
- H10 (Minimum Density)
- H11 (Change of Use to Residential)
- H14 (Amenity Space)
- EN1 (Standard of Design)
- EN2 (Extensions)
- EN3 (Landscaping Requirements)
- EN5 (Design and Crime Prevention)
- T2 (Parking Restraint)
- T8 (Cycling Network and Facilities)
- T9 (Bus Network and Facilities)

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

The Local Planning Authority has published a self assessment of the Consistency of

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

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

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

The Council has also formally announced its intention to prepare a Local Plan Development Plan Document and work has commenced.

Other Relevant Documents/Statements

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

7.2 The main planning considerations for this proposal are:

- The principle of the development
- The design and appearance/ impact on the street scene
- Impacts on nearby residential properties
- Living conditions for future occupants
- Traffic and highways
- S106 contributions

8.0 Principle of the Development

8.1 The principle of redevelopment of the site would comply with the National Planning Policy Framework in principle as it is a brownfield site and makes efficient use of an underutilised site and could be supported subject to the acceptance of issues such as scale, bulk, design and environmental impacts that are considered in detail below.

8.2 Core Policies 1 and 4 of the Council's Core Strategy states that high density flatted development shall be contained to the Town Centre only. This site within the defined Slough Town Centre and flatted development would be in accordance with these policies. This site is not a site that has been identified in the Councils Site Allocations Document. Although this in itself does not stop it from being developed it should be noted that the Council has a 5, 10 and 15 year supply of dwellings and therefore any proposals that come forward have to be in accordance with the Councils approved and adopted policies.

8.3 The building currently has an extant prior approval to be converted into flats in any event which would result in the loss of office accommodation and see the site put to a residential use.

8.4 Therefore the site is considered suitable for housing. It should be noted that there is an increase in the number of units from the previous approved scheme (P/15599/001 – 30 units) by 11 flats in total, given the site location within the Town Centre and that the proposed units complies with the Council's minimum floor space, there is no objection raised in terms of the increase in density. It is considered that Town Centre sites such as the application site are able to provide a higher density of residential units which is dictated by the design and constraints that arise from the site and neighbouring uses.

9.0 **Design and Appearance/ Impact on Street Scene and Surrounding Area**

9.1 The National Planning Policy Framework confirms the following:

“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people” (para 56).

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment” (Para 61).

“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” (Para 64).

“Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits.” (Para 65).

9.2 Core Policy 8 of the Core Strategy requires that, in terms of design, all development:

- a) Be of high quality design that is practical, attractive, safe, accessible and adaptable;
- b) Respect its location and surroundings;
- c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and
- d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.

9.3 Policy EN1 of the adopted Local Plan states that development proposals are required to 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 watercourses.

9.4 The proposed extension would result in the building being a part five / part six storey flat roof building fronting The Grove, with the top floor being recessed from the frontage to provide a roof top communal amenity space.

9.5 The buildings facing the High Street and the office building at Meridian House are both

three storey office buildings. Meridian House has office accommodation in the roof space with dormers. The proposed extended building would therefore be slightly taller than both adjoining buildings. However with a step up from the High Street the proposed building would not look overly large or bulky from the High Street with the bulk set behind the building facing the High Street. Additionally with the site being based between the Grove and Bishops Road on a somewhat isolated site the additional mass and bulk would not have a detrimental impact upon the street scene or the appearance of the area. The fact that the fifth floor is recessed away from the front elevation of the building will also ensure that the mass and bulk of the building will not have a detrimental impact upon the character or appearance of the street scene.

- 9.6 The proposed building would be on the east side of The Grove and would appear to be in a similar design to the proposed scheme at Bishops Road to give some sense of a linked and conjoined design approach to both of the sites thereby helping to provide a joined up design approach to the area.
- 9.7 The appearance of the redesigned element of the building is in a modern style using clean lines. A mixture of cladding (primarily brick and cedar) is proposed to match the Bishops Road site, together with the changes in fenestration to break up the mass of the building. Most of the apartments would have their own recessed balcony and these would have glass balustrades again providing interest to the fascia of the building. The design is considered to be acceptable and not dissimilar to other schemes approved in the town centre and in keeping with the character of the area.
- 9.8 Overall the design and appearance is considered to be acceptable and is not considered to have a detrimental impact on the street scene.

10.0 Impact on Residential Properties

- 10.1 The National Planning Policy Framework outlines the following:

“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should ... always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (Para 17).

- 10.2 Core Policy 8 states *“The design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area ... Development shall not give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise”.*
- 10.3 Policy EN1 requires that development proposals reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of.....*relationship to nearby properties.....*
- 10.4 The northern boundary of the development site is in close proximity to the rear of the properties that face onto the High Street but they have no rear facing windows that could be impacted upon as a result of these proposals. The site to the north west which faces the High Street has rear facing windows, some of which may be used for residential uses, but due to the presence of an existing building, with only the extension to this building being considered under this application, and the 15m separation distance would not have any detrimental impact. Like wise the proposals would not have any impact upon the vacant office building to the east on the opposite side of The

Grove, for which permission has been granted for the conversion into residential units due to the separation distance of 18m.

- 10.5 The proposals could be considered to be visually prominent, although it is considered unlikely that a refusal of the proposal on this ground alone would be sustained at appeal, particularly as:
- This is a town centre site where the Council policy is for high density housing.
 - There is an existing building on the site and it is only the extension to that building which is being considered.
- 10.6 The proposed flats would maintain a separation distance of approximately 12m from the side of the vacant car park site at Bishops Road, which could be brought forward for development and such a separation distance would allow this site to still be developed if careful consideration is given to its layout and ensure that the development potential of the site is not sterilised.
- 10.7 A Daylight and Sunlight Assessment was prepared by Eb7 and was submitted with the previous application (P/15599/001) package. The quality of daylight and sunlight amenity within the surrounding properties was assessed using the VSC, NSC and APSH assessments as recommended within the BRE document '*Site layout planning for daylight and sunlight*'. The results of these assessments demonstrated that each of the surrounding residential properties will continue to receive good levels of daylight and sunlight beyond the level suggested within the BRE guide. Overall it was considered that the developments' impact upon the surrounding properties is entirely in keeping with the intentions of the BRE and British Standard Guidance and reflective of conditions typically experienced in such urban locations. Given that the current proposals retain the existing approved envelopes, there will be no further impact in terms of daylight and sunlight on adjoining occupiers.
- 10.8 For the reasons set out above, the proposal is considered not to have a detrimental impact on the living conditions of the existing occupants of the adjoining commercial and residential properties and is considered to be in accordance with NPPF, Core Policy 8 and Local Plan Policy EN1, which require that development be of a high quality design which respects its surroundings and the amenities of adjoining occupiers.

11.0 Living Conditions for Future Occupants

- 11.1 The National Planning Policy Framework states that following with regards to impact upon the amenity of future occupiers:

"Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- *making it easier for jobs to be created in cities, towns and villages;*
- *moving from a net loss of bio-diversity to achieving net gains for nature;*⁶
- *replacing poor design with better design;*
- *improving the conditions in which people live, work, travel and take leisure and*
- *widening the choice of high quality homes."* (Para 9).

"Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people" (para 56).

"Access to high quality open spaces and opportunities for sport and recreation can

make an important contribution to the health and well-being of communities.” (Para 73).

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

Internal Living Space – room sizes and layout

- 11.3 The proposal has been assessed against the Council’s Guidelines for Flat Conversions (1992) looking at the adequacy of the internal living spaces and the layout of the proposed flats. The guidelines set out minimum room sizes to which the rooms comply therefore ensuring appropriately sized rooms for future amenity.
- 11.4 In terms of layout, the units would be accessed off a common lobby/common hallways with lift and stair access providing access between the floor levels. The units have been stacked so as to be compatible with one another. All of the units would have kitchens with their own source of external light, or with the open plan layout the kitchens would receive light from the adjacent living rooms. The balconies have been amended to recessed Juliette balconies to ensure that they do not overhang the public highway.

Amenity Space

- 11.5 The proposal is for a mix of studios, one and two and bedroom flats. The three bedroom unit from this scheme has been omitted.
- 11.6 It is proposed that some of the units would have their own private recessed Juliette balcony and that a common private amenity space would be provided.
- 11.7 The proposal would fall below the level of amenity space normally sought for studios, one and two bedroom flatted schemes, as set out in the Council’s guidance. Although not ideal it would not form a basis for refusal of the application as the site is within a Town Centre location where there is very limited private amenity space and is in close reach to publicly accessible amenity areas, such as at the High Street / Yew Tree Road junction or Upton Park slightly further afield.
- 11.8 It is considered that with the provision of private recessed Juliette balconies and some communal space this would constitute an acceptable level of provision for this town centre site.

12.0 Traffic and Highways

- 12.1 The NPPF states that:
“Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to
- accommodate the efficient delivery of goods and supplies;*
 - give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;*
 - create safe and secure layouts which minimise conflicts between traffic and*

cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;

- *incorporate facilities for charging plug-in and other ultra-low emission vehicles; and*
- *Consider the needs of people with disabilities by all modes of transport.*

If setting local parking standards for residential and non-residential development, local planning authorities should take into account:

- *the accessibility of the development;*
- *the type, mix and use of development;*
- *the availability of and opportunities for public transport;*
- *local car ownership levels; and*
- *an overall need to reduce the use of high-emission vehicles.*

12.2 Core Policy 7 (Transport) seeks to ensure that all new developments are sustainable, located in accessible locations and hence reduces the need to travel. It requires that development proposals will, either individually or collectively, have to make appropriate provisions for:

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

12.3 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.

12.4 Under the proposal the site would have two car parking spaces while the current site has no car parking spaces. The Local Plan states that nil parking would be acceptable in a town centre location and as such the provision of two parking spaces would be in accordance with the approved parking standards and is considered to be acceptable for such a sustainable location.

12.5 Secure cycle parking provision is required at a ratio of slightly more than 1 secure space per flat (41 spaces). Whilst a cycle store has been shown at ground floor level it does not detail how many spaces would be provided and this can be dealt with by way of a condition.

12.6 The proposal is considered to comply with Core Policy 7 and will have no detrimental impact on highway safety. The Highways and Transport Department have been consulted and their comments will be provided on the Amendment Sheet.

13.0 S106 Contributions

13.1 Core Policy 4 of the Slough Local Development Framework Core Strategy states that for All sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.

13.2 In this case, although the Applicant has applied for planning permission for 41 units, 18 of them are being created by a change of use under Prior Approval. The other part of the permission is for the creation of 23 new flats as a result of the building being extended.

The 23 units fall within the threshold for affordable housing contribution and the following

would be payable, the Agent has agreed to the sum which will be secured via a S106 Agreement.

Unit Type	Full scheme	Number (at 30%)	Funding Shortfall per unit type	Total Funding Shortfall
studio (67% of 1 bed)	8	2	0	0
1BF	15	5	£39,600	£198,000
Total	23	7		

Total commuted sum payable

£198,000

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

14.0 **Summary**

14.1 The site occupies a sustainable location within the Town Centre Commercial Core Area which is well served by public transport and there is good access to shops and essential services. The proposal, if supported would involve effective and efficient use of a brownfield in site in accordance with government guidance given in NPPF. It would also contribute to a sustained regeneration of the eastern end of the High Street and contribute to the vitality and viability of Slough Town Centre. It would also reinforce the Council's objectives of seeking to concentrate higher density flatted schemes within the Town Centre area.

15.0 PART C: RECOMMENDATION

15.1 Delegate the application to the Planning Manager for approval, following consideration of outstanding consultation responses, resolution of sustainable drainage matters, finalising of conditions and satisfactory completion of a Section 106 Agreement.

16.0 **PART D: DRAFT LIST OF CONDITIONS AND INFORMATIVES**

1. Time Limit

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

REASON To prevent the accumulation of planning permissions, and to enable the

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

2. Approved Drawings

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. Sample of Materials

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

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

4. Sample of external materials - access

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

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

5. Landscaping Management Plan

No development shall take place until a landscape management plan has been submitted to and approved in writing by the Local Planning Authority. This management plan shall set out the long term objectives, management responsibilities and maintenance schedule for the landscape areas 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 and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004.

6. Cycle Parking

No part of the development shall commence until details of the secure cycle store

have been agreed in writing by the Local Planning Authority and shall be constructed in accordance with the approved details and maintained thereafter.

REASON To provide sufficient infrastructure to allow convenient and accessible cycle parking to be provided on site to comply with the requirements of the Local Plan.

7. Secure By Design

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

REASON In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000; in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and to reflect the guidance contained in The National Planning Policy Framework, 2012.

8. Refuse Storage

No development shall commence until details of the refuse and recycling storage and collection facilities for the development (to include bin sizes and location, and access arrangements including access gates and crossovers) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to first occupation of the development and retained at all times in the future for this purpose.

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

9. Working Method Statement

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

- (a) control of noise
- (b) control of dust, smell and other effluvia
- (c) control of surface water run off
- (d) site security arrangements including hoardings
- (e) proposed method of piling for foundations
- (f) vehicle wheel cleaning facilities shall be used at the site exit for the duration of the demolition and construction period.
- (g) strategy for the management of construction traffic to and from the site together with details of parking/ waiting for demolition/ construction site staff and for delivery vehicles. There shall be no deliveries to the site outside the hours 08:00 to 18:00 hours Mondays - Fridays, 08:00 – 13:00 hours on Saturdays and at no time on Sundays and Bank/ Public Holidays.

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 amenity of nearby residents and so as not to prejudice the free flow of traffic along the neighbouring highway or in surrounding residential streets.

10. Construction Waste

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

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

REASON In the interests of the amenities of the area.

11. External Lighting

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

REASON In the interests of the amenities of the area and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, Submission Document, November 2007.

12. Piling Method Statement - Thames Water

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

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

13. Phase 1 Desk Study

Development works shall not commence until a Phase 1 Desk Study has been submitted to and approved in writing by the Local Planning Authority. The Phase 1 Desk Study shall be carried out by a competent person in accordance with Government, Environment Agency and Department for

Environment, Food and Rural Affairs (DEFRA) guidance and approved Codes of practices, including but not limited to, the Environment Agency model procedure for the Management of Land Contamination CLR11 and Contaminated Land Exposure Assessment (CLEA) framework, and CIRIA Contaminated Land Risk Assessment Guide to Good Practice C552. The Phase 1 Desk Study shall incorporate a desk study (including a site walkover) to identify all potential sources of contamination at the site, potential receptors and potential pollutant linkages (PPLs) to inform the site preliminary Conceptual Site Model (CSM).

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

14. Phase 2 Intrusive Investigation Method Statement

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

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

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

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

REASON: To ensure that potential risks from land contamination are adequately assessed and remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use and in accordance with Policy 8 of the Core Strategy 2008.

16. Remediation Validation

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy condition shall be occupied until a full validation report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

REASON: To ensure that remediation work is adequately validated and recorded, in the interest of safeguarding public health and in accordance with Policy 8 of the Core Strategy 2008.

17. Balconies – Obscure Glass

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

REASON To minimise loss of privacy to occupiers of adjoining properties and those of the proposed development in accordance with Policy H15 of The Adopted Local Plan for Slough 2004.

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

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at

www.thameswater.co.uk

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

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

4. The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.
5. The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.
6. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
7. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.
8. The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
9. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

Registration Date:	02-Feb-2016	Applic. No:	P/00522/021
Officer:	Neetal Rajput	Ward:	Central
		Applic type:	Major
		13 week date:	3 rd May 2016
Applicant:	Shital Thakkar, James Taylor Construction		
Agent:	Miss Stefanie Mizen, JLL 30, Warwick Street, London, W1B 5NH		
Location:	Bishops Road Car Park, The Grove, Slough, SL1 1QP		
Proposal:	Redevelopment to provide a 5-storey residential building comprising 24 units (Class C3) with associated landscaping and amenity space.		

Recommendation: Delegate to the Planning Manager for approval



*****SUPPLEMENTARY REPORT TO PLANNING COMMITTEE*****

Background

At the Meeting of Planning Committee on 27th April 2016, Members deferred the application to a future Committee meeting to allow further discussions with the Agent regarding affordable housing contribution. A copy of the Officer's Report to Planning Committee on the 27th April 2016 (Appendix A) is attached for information purposes.

Core Policy 4 of the Slough Local Development Framework Core Strategy states that for all sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.

The Developer Contributions and Affordable Housing (Section 106) Developer's Guide Part 2 (2008) states that the Council are prepared to accept a financial contribution for sites of between 20-24 dwellings. The contribution required will depend on:

- The total number of units proposed (15-19 units or 20 - 24 units);
- The size and type of units proposed (bedroom/flats/houses); and
- The notional number (30%), type and size of dwellings that would have been allocated for affordable housing if such housing were required on the site.

In this case of Bishops Road provides 24 units, comprising of 11no. 2-bed and 9no. 1-bed. There are also 4no. studio units proposed. The commuted sum required is £257,400 which summarised in the table below:

Unit Type	Full scheme	Number (at 30%)	Funding Shortfall	Total Funding Shortfall
studio (67% of 1 bed)	4	1	0	0
1BF	9	3	£39,600	£118,800
2BF	11	3	£46,200	£138,600
Total	24	7		

Total commuted sum payable

£257,400

The affordable housing contribution of £257,400 was agreed with Sharmina Jetha (Housing Development Team Leader).

The Developer Contributions and Affordable Housing (Section 106) Developer's Guide Part 2 (2008) identifies the type of units applicable to a financial contribution. Studio units are specifically absent from

this. The Applicant has confirmed that no additional contribution will be provided as they consider the proposal is policy compliant.

With respect to the previously approved application P/00522/020 in June 2015 for erection of 5 storey building comprising 19 residential units with associated landscaping and amenity space, it should be noted that a contribution of £200,000 was sought towards affordable housing. An Affordable Housing Viability Assessment was submitted with the application and the sum of £200,000 was considered to be acceptable. The Committee Report for application P/15599/001 in paragraph 13.1 stated that:

“The proposal is just over the 15 unit threshold and therefore provision for affordable housing is required. The viability statement that has been submitted states that no sums would be available for these contributions and this is currently being considered with the Council’s Asset Management advisors with further negotiations ongoing to secure a commuted sum for affordable housing on site. The statement that has been submitted covers both this and the adjacent Pechiney House site as they are both in the same ownership, which is not an uncommon practice when development viability is considered and progress will be reported on the Committee Amendment Sheet. In the event that this matter remains outstanding at the time of the Committee, Members agreement is sought that the application be delegated back to the Acting Planning Manager either for refusal or for further discussions.”

It is acknowledged that there is a significant uplift in property prices in Slough, however the proposal is policy compliant in terms of providing the required commuted sum as stated within the Developers Guide. As such it would be unreasonable to refuse this application on viability grounds. Through reviewing our policies, the affordable housing policy can be reviewed in the future, however at present these are the policies that we must consider when determining planning applications and cannot expect developers to pay an uplift in contributions to reflect market conditions.

The application is policy compliant and the sought contribution with respect to affordable housing is reasonable and necessary to mitigate the impacts of the development. This obligation would comply with Regulation 122 of the Community Infrastructure Levy.

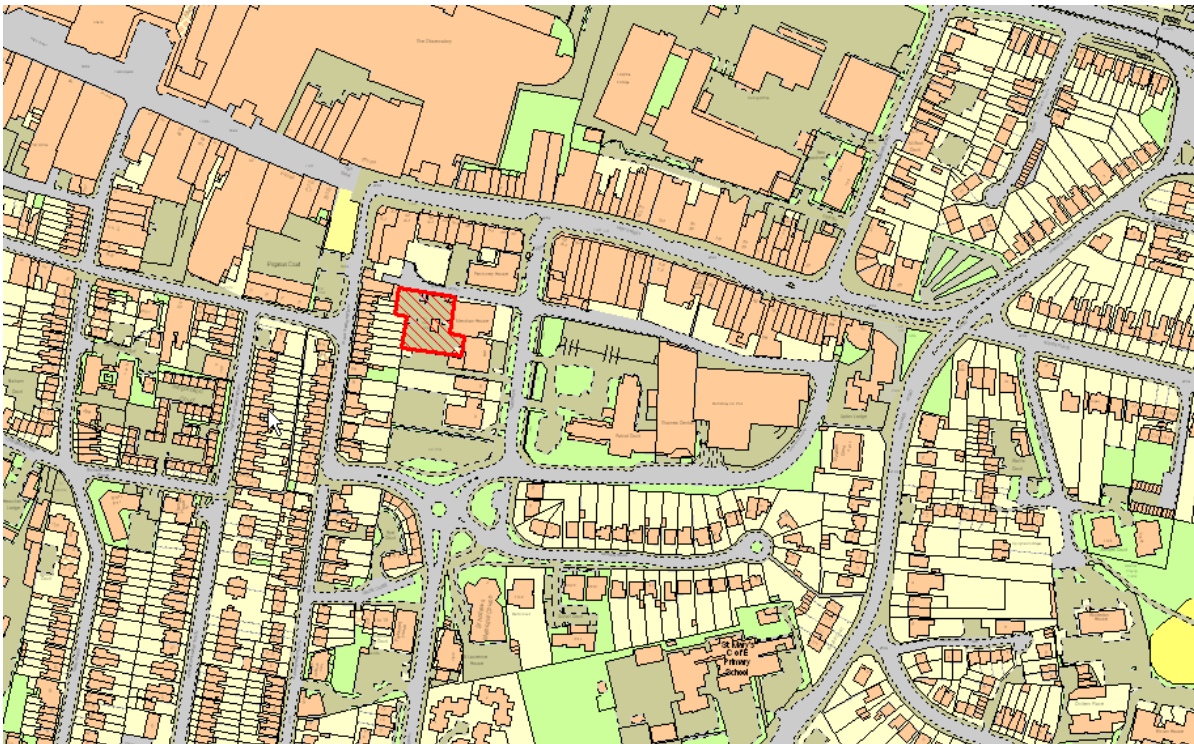
RECOMMENDATION

It is recommended that the application is to delegate the application to the Planning Manager for approval, following consideration of outstanding consultation responses, resolution of sustainable drainage matters, finalising of conditions and satisfactory completion of a Section 106 Agreement.

Appendix A

Registration Date:	02-Feb-2016	Applic. No:	P/00522/021
Officer:	Neetal Rajput	Ward:	Central
Applicant:	Shital Thakkar, James Taylor Construction		
Agent:	Miss Stefanie Mizen, JLL 30, Warwick Street, London, W1B 5NH		
Location:	Bishops Road Car Park, The Grove, Slough, SL1 1QP		
Proposal:	Redevelopment to provide a 5-storey residential building comprising 24 units (Class C3) with associated landscaping and amenity space.		
Applic type:	Major	13 week date:	3 rd May 2016

Recommendation: Delegate to the Planning Manager



1.0 SUMMARY OF RECOMMENDATION

- 1.1 This application has been referred to the Planning Committee for consideration as the application is for a Major Development.
- 1.2 Delegate the application to the Planning Manager for approval, following consideration of outstanding consultation responses, resolution of sustainable drainage matters, finalising of conditions and satisfactory completion of a Section 106 Agreement.

PART A: BACKGROUND

2.0 Proposal

- 2.1 Planning permission is sought for the change of use of the existing car park serving Pechiney House to a residential scheme. The scheme would comprise:
- demolition and replacement of existing electric sub-station;
 - erection of a five storey building to comprise 24 no. flats (4 no. studios, 9 no. one bedroom and 11 no. two bedroom).
 - new access, cycle parking, refuse storage and landscaping.
- 2.2 The proposed building would consist of one block and would measure 24m deep by 23m (approx) wide. The building would consist of mostly five stories with a set down of three storeys at the western side, and would have a maximum height of 15.6m and has been designed with a flat roof.
- 2.3 The proposed building would be set away 4m from the northern boundary, 4m from the southern boundary, 3m from the western boundary and 2m from the eastern boundary. Private amenity space is proposed via balconies and more public amenity space in the north west and south east corners of the site.
- 2.4 The flats would be accessed via a secure communal entrance and corridor at ground floor level facing onto Bishops Road leading to a lift and stair access providing access between the levels. Access to the cycle and bin store would also be from this entrance. No parking would be provided for the development.
- 2.5 The application is accompanied by plans showing the site location, site layout, elevations, floor plans and a Planning Statement.
- 2.6 There is currently an application on the Committee agenda for the extension and conversion of the neighbouring building at Pechiney House, which the Bishops Road car park used to serve and is in the same ownership but since the Bishops Road site has previously received planning permission to be developed for residential use are treated as separate units.
- 2.7 There has been a previous planning application (P/00522/020) approved last year for erection of 5-storey residential building comprising 19 units (Class C3) with associated landscaping and amenity space. The proposed development is similar to the approved scheme, the main difference is that there will be 5 additional flats and the height has been marginally increased by 0.4m.

3.0 Application Site

- 3.1 The site is rectangular in shape with a small dog-leg in the northwest corner and another in the southeast corner of the site. The site is 34m deep and the road frontage is 35m wide.

- 3.2 The site was used as a car park for the nearby Pechiney House, which is located on the north side of Bishops Road. There is an electrical substation building located roughly in the middle of the site. This would be relocated within the site as part of the scheme. Vehicle access to the site is currently via a barrier access located in the middle of the site frontage.
- 3.3 The site is adjoined by:
- three storey commercial/office buildings (Meridian House and 6-8 The Grove) to the east;
 - the rear car park serving No. 6 - 8 The Grove to the south;
 - the rear gardens of two storey residential properties (12 to 20 Alpha Street North) and two storey commercial properties (4 to 10 Alpha Street) to the west; and
 - Bishops Road to the north.
- 3.4 Directly opposite to the site on the opposite side of Bishops Road is another car park. The frontage of that site is curved and projects slightly further to the south than the rest of the street. The site opposite forms part of a larger site known as Bishops Court, 238-244, High Street for which planning permission was granted on 3rd January 2006 for conversion of upper floor office accommodation from offices (B1) to residential (C3) and construction of a five storey block of flats to provide 28 no. two-bedroom and 9 no. one-bedroom flats, with 15 car parking spaces. The five storey block of flats would be built right up to the boundary of the site with Bishops Road, and would site directly to the north of the proposal site. A minimum separation distance of 11.6m is proposed between the front of the approved five storey block of flats and the proposed block of flats.
- 3.5 The site is located within the Slough Town Centre and the Core Town Centre Area as defined in the proposals map for The Local Plan for Slough 2004.

4.0 Site History

4.1 Relevant applications for this site include:

- P/00522/005 – ERECTION OF RETAIL STORE & OFFICE BLOCK WITH CAR PARKING AT LAND SOUTH SIDE OF BISHOPS ROAD. Approved with conditions on 19-Jun-1985.
- P/00522/006 – ERECTION OF RETAIL STORE & OFFICES WITH CAR PARKING. (AMENDED PLANS DATED 29TH AUGUST 1985). Approved with conditions on 30-Sep-1985.
- P/00522/017 – ERECTION OF A PREFABRICATED STORAGE UNIT. Approved (Limited Period Permission) on 26-Jan-1990.
- P/00552/018 – CHANGE OF USE FROM CAR PARK TO RESIDENTIAL AND CAR PARK USE; DEMOLITION AND RELOCATION OF EXISTING ELECTRIC SUB-STATION; ERECTION OF PART FOUR/ PART THREE/ PART SINGLE STOREY BUILDING TO COMPRISE SIXTEEN NO. FLATS (SIX NO. ONE BEDROOM AND TEN NO. TWO BEDROOM FLATS), ON PODIUM AND SEMI-BASEMENT. BASEMENT TO CONTAIN TWENTY NINE NO. REPLACEMENT PARKING SPACES (INCLUDING ONE NO. DISABLED) FOR PECHINEY HOUSE; NEW ACCESS, CYCLE PARKING, REFUSE STORAGE AND LANDSCAPING. Approved with conditions on 22-Dec-2008
- P/00552/019 – APPLICATION FOR A NEW PLANNING PERMISSION TO REPLACE AN EXTANT PLANNING PERMISSION FOR CHANGE OF USE FROM CAR PARK TO RESIDENTIAL AND CAR PARK USE; DEMOLITION AND RELOCATION OF EXISTING ELECTRIC SUB-STATION; ERECTION OF PART FOUR/ PART THREE/ PART SINGLE STOREY BUILDING TO COMPRISE SIXTEEN NO. FLATS (SIX NO. ONE BEDROOM

AND TEN NO. TWO BEDROOM FLATS), ON PODIUM AND SEMI-BASEMENT. BASEMENT TO CONTAIN TWENTY NINE NO. REPLACEMENT PARKING SPACES (INCLUDING ONE NO. DISABLED) FOR PECHINEY HOUSE; NEW ACCESS, CYCLE PARKING, REFUSE STORAGE AND LANDSCAPING AS APPROVED UNDER PLANNING PERMISSION P/00522/018 DATED 22ND DECEMBER 2008. Approved with conditions on 09-Sep-2011. This permission has not been implemented and has now expired. The current application is similar to the previous proposals in all respects and was previously approved by planning committee. The main differences relate to the submission of a site viability appraisal in relation to affordable housing contribution and the publication of the National Planning Policy Framework which strengthens to position of supporting sustainable development.

- P/00522/020 – ERECTION OF 5 STOREY BUILDING COMPRISING 19 RESIDENTIAL UNITS WITH ASSOCIATED LANDSCAPING AND AMENITY SPACE. Approved with Conditions; Informatives 26-Jun-2015
- P00522/022 – SUBMISSION OF DETAILS OF CONDITION 3 (EXTERNAL MATERIALS), 4 (LANDSCAPING AND TREE PLANTING SCHEME), 5 (LANDSCAPE MANAGEMENT PLAN), 6 (MATERIALS - ACCESS), 7 (CYCLE PARKING), 9 (REFUSE STORAGE), 10 (ARCHAEOLOGICAL METHOD STATEMENT) AND 19 (EXTERNAL SITE LIGHTING) PURSUANT TO PLANNING PERMISSION P/00522/020 DATED 26TH JUNE 2015. Application is currently under consideration.
- P/00522/023 – SUBMISSION OF DETAILS OF CONDITIONS 11 (VEHICLE WHEEL CLEANING), 12 (CONSTRUCTION TRAFFIC), 16 (WORKING METHOD STATEMENT), 17 (WASTE FROM CONSTRUCTION) PURSUANT TO PLANNING PERMISSION P/00522/020 DATED 26TH JUNE 2015. Application is currently under consideration.

5.0 Neighbour Notification

5.1 Fidelio Software, 6-8, The Grove, Slough, SL1 1QP,

No's. 2 - 38, Alpha Street North, Slough, SL1 1RB,

254, High Street, Slough, SL1 1JU,
Orchard & Shipman, 256, High Street, Slough, SL1 1JU,
246, High Street, Slough, SL1 1JU, 250, High Street, Slough, SL1 1JU,
Manpower Plc, Beaufort House, 248, High Street, Slough, SL1 1JU, 2
42, High Street, Slough, SL1 1JU,
232a, High Street, Slough, SL1 1JU,

Flat No's. 1-4 Alpha Street North, Slough, SL1 1RB,

Alpha Arms, 26, Alpha Street North, Slough, SL1 1RB,
Glendale Securities Ltd,

Wernham Hoggs, 230-236, High Street, Slough, SL1 1JU,

Pechiney (uk) Ltd, Pechiney House, The Grove, Slough, SL1 1QF,

244, High Street, Slough, SL1 1JU,
Peter Stuart, 8-10, Alpha Street North, Slough, SL1 1RB,
236, High Street, Slough, SL1 1JU,
234, High Street, Slough, SL1 1JU,

Computer Systems For Business Ltd, 12, The Grove, Slough, SL1 1QP,
Crisps Electrical Ltd, 4-6, Alpha Street North, Slough, SL1 1RB,
Barlows Tractor International Ltd, Bishops Court, 238, High Street, Slough, SL1 1JU,
Alliance & Leicester Plc, 240, High Street, Slough, SL1 1JU,
Construction Industry Solutions Ltd, 10, The Grove, Slough, SL1 1QP,
Campsie, 256, High Street, Slough, SL1 1JU,
Blue Arrow, 252, High Street, Slough, SL1 1JU,
40635, The Grove, Slough, SL1 1QP

Flat 1 - 14, Bishops Court, 238, High Street, Slough, SL1 1JU

There has been one objection letter received on 26th February 2016 and this is summarised below:

- The proposed area for development was specifically meant to be used as a parking for the business in the adjacent area. Bishops Road is also used as a service road for the high street shops. It is in constant use by delivery vehicles and does not have suitable or sufficient space for pedestrian movements.
- A five storey building crammed into this small area would not be aesthetically pleasing.
- All the residential properties in Alpha Street are only two storeys high – they would all be overlooked by this development behind them.

Local Planning Authority Response:

The above objection has been taken into consideration, the car parking was serving Pechiney House and this has been granted consent for residential use (P/00522/021). Consideration has been given to the design and further details are noted in the report. In terms of overlooking, this will be overcome by elevational treatment, by the implementation of obscure glass and splaying the windows away from the neighbours directly affected.

6.0 Consultations

6.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, one site notice was displayed at the site on 9th February 2016. The application was advertised in the 26th February 2016 edition of The Slough Express.

Highways and Transport

6.2

No comments have been received to date, any comments will be reported on the Committee Amendment Sheet. With regards to the previously approved scheme it was considered that there were no material traffic, road safety or highway implications and there were no objections to the proposals from a transport and highway perspective.

6.3 Archaeological advisor

This response restates Berkshire Archaeology's submissions in response to the three previous approved schemes for this site (P/00522/018, P/00522/019 and P/00522/020).

This proposed development is of moderate scale. As the site lies within the northern extent of the Taplow Gravels, it has the potential to produce prehistoric remains. However little archaeological investigation has taken place in the vicinity and it is therefore difficult to assess the levels of survival of any archaeological deposits that might be present. Given the level of impact of the proposals, the archaeological implications of the proposed development should be taken into

consideration.

As the level of truncation of current and previous developments is unknown at this stage, Berkshire Archaeology would recommend a flexible programme of work to fit in with the assessment programme of the development. The results of geo-technical pits and boreholes, for example, can be used to inform a decision as to whether the level of impact is such that archaeological work, such as exploratory field evaluation, is appropriate or not.

Therefore, I recommend the inclusion of the following condition should permission be granted:

Condition:

No development may take place until the applicant has secured and implemented a phased programme of archaeological work in accordance with a written scheme of investigation (method statement), which has been submitted by the applicant and approved by the Planning Authority.

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.

6.4 Contaminated Land Officer

Historical mapping indicates that there are no contaminative land uses associated with the site. However, the proposed development is located within 250m of approximately ten Potentially Contaminated Sites. The nearest potential sources of contamination are four sites with Disused Tank Registry entries.

Given that the proposed development implies redevelopment to provide a residential building, the potential for volatile migration, from the above mentioned off-site sources, requires further investigation. This additional investigation should be carried out in order to demonstrate that the presence of a more sensitive receptor and significant increase in the exposure frequency will not pose any unacceptable risks to the human health receptors from the proposed development.

Pre-commencement conditions have been attached with respect to land contamination.

6.5 Thames Water

Waste Comments

With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that the following 'Grampian Style' condition be applied - *"Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed"*.

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

Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

Water Comments

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

6.6 **Environmental Protection**

The site is on the boundary of the Town Centre. The searches on our complaint system (Flare) show that there are no Environmental Health concerns except recent issues of fly tipping and the deterioration of the land.

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

6.7 **Environmental Quality**

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

6.8 **Crime Prevention Design Advisor**

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

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 The application is considered alongside the following policies:

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

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

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

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

- Core Policy 1 (Spatial Strategy)
- Core Policy 3 (Housing Distribution)
- Core Policy 4 (Type of Housing)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability and the Environment)
- Core Policy 10 (Infrastructure)

- Core Policy 11 (Social Cohesiveness)
- Core Policy 12 (Community Safety)

Adopted Local Plan for Slough, Adopted 2004

- H9 (Comprehensive Planning)
- H10 (Minimum Density)
- H11 (Change of Use to Residential)
- H13 (Backland/ Infill Development)
- H14 (Amenity Space)
- EN1 (Standard of Design)
- EN3 (Landscaping Requirements)
- EN5 (Design and Crime Prevention)
- T2 (Parking Restraint)
- T8 (Cycling Network and Facilities)
- T9 (Bus Network and Facilities)

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

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

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

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

The Council has also formally announced its intention to prepare a Local Plan Development Plan Document and work has commenced.

Other Relevant Documents/Statements

Slough Borough Council Developer's Guide Parts 1-4
 Slough Local Development Framework Proposals Map
 Planning Guidelines for Flat Conversions, 1992 (Indicative Room Sizes)

7.2 The main planning considerations for this proposal are:

- The principle of the development
- The design and appearance/ impact on the street scene
- Impacts on nearby residential properties
- Living conditions for future occupants

- Traffic and traffic issues
- S106 Contributions

8.0 Principle of the Development

- 8.1 The principle of redevelopment of the site would comply with the National Planning Policy Framework in principle as it is a brownfield site and makes efficient use of an underutilised site and could be supported subject to the acceptance of issues such as scale, bulk, design and environmental impacts that are considered in detail below.
- 8.2 Core Policies 1 and 4 of the Council's Core Strategy states that high density flatted development shall be contained to the Town Centre only. This site within the defined Slough Town Centre and flatted development would be in accordance with these policies. This site is not a site that has been identified in the Councils Site Allocations Document. Although this in itself does not stop it from being developed it should be noted that the Council has a 5, 10 and 15 year supply of dwellings and therefore any proposals that come forward have to be in accordance with the Councils approved and adopted policies.
- 8.3 Although these proposals would see the loss of a parking area this loss is considered to be acceptable considering the fact that the building which the car park serves has prior approval to be converted into residential accommodation for which parking is not required under the adopted parking standards nor can it be made a requirement under the prior approval regulations. The loss of parking would also comply with policy with regards to there being no increase in parking within the Town Centre.
- 8.4 Therefore the site is considered suitable for housing. The number of residential units which could be accommodated on the site is dictated by the design and constraints that arise from the site and neighbouring uses. In terms of the increase to provide 5 additional units, the total proposal will only provide 24 flats in total, this is not considered to be unacceptable in terms of density for a town centre site. It should be noted that there has been no change to the footprint of the building to accommodate more units but merely a change to the mix of units.

9.0 Design and Appearance/ Impact on Street Scene and Surrounding Area

- 9.1 The National Planning Policy Framework confirms the following:

"Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people" (para 56).

"Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment" (Para 61).

"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" (Para 64).

"Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits." (Para 65).

- 9.2 Core Policy 8 of the Core Strategy requires that, in terms of design, all development:
- a) Be of high quality design that is practical, attractive, safe, accessible and adaptable;
 - b) Respect its location and surroundings;
 - c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and
 - d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.
- 9.3 Policy EN1 of the adopted Local Plan states that development proposals are required to 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 watercourses.
- 9.4 Bishops Road is a short cul-de-sac that runs parallel to the south side of High Street, Slough. The road is essentially a service road which provides access to the rear of No's. 230 – 256 High Street, including some parking for those properties and Pechiney House which is situated on the north corner of Bishops Road and The Grove. The subject site is on the south side of Bishops Road and is used currently as a car park.
- 9.5 The site is adjoined to the east by the blank flank wall of a three storey office Meridian House and then part of the back wall of the L-shaped office building at No'. 6-8 The Grove. There are a number of windows in the rear elevation of No. 6-8 The Grove. Pechiney House and Meridian House both have their main elevations facing towards The Grove.
- 9.6 The site is adjoined to the south by the projecting rear wing of the office building at No. 6-8 The Grove and the car park that serves No. 6-8. A close boarded wooden fence, approximately 1.6m high, exists along the southern boundary with the neighbouring car park.
- 9.7 The site is adjoined to the west by the rear gardens of the two storey terraced residential properties (No's. 12 to 20 Alpha Street North) and two storey terraced commercial properties (No's. 4 to 10 Alpha Street). A brick wall, approximately 2m high exists along the rear boundary with the residential properties (No's. 14-20). No. 4 Alpha Street North has a single storey rear extension that covers the whole of the rear of that site. No's. 8 and 10 Alpha Street North have single storey outbuildings built adjacent to their rear boundaries. The rear wall of the residential property at No. 12 is approximately 2.5m high.
- 9.8 The proposed building has been designed as a five storey flat roof building fronting Bishops Road and the blank flank wall of Meridian House, stepping down to three storeys facing the rear boundaries of No's. 14 & 16 Alpha Street North.
- 9.9 Meridian House and the office building at No. 6-8 The Grove are both three storey office buildings with hipped roofs. Meridian House has office accommodation in the roof space with dormers. The proposed five storey building with podium would therefore be slightly taller than both adjoining office buildings to the east although not significantly so and will not have a detrimental impact upon the character or appearance of the street scene. Likewise the building will not be overbearing or dominant on The Grove street scene.
- 9.10 The proposed building would be on the south side of Bishops Road and directly adjacent to residential properties on Alpha Street North. The building has been designed to step down along the western side boundary and would not appear noticeably taller than the two storey commercial and residential buildings on Alpha Street North. The main issue would be in terms of the impact on the living conditions of the adjoining residential properties. This is discussed further below.

- 9.11 The building has been designed in a modern style using clean lines. A mixture of cladding (primarily brick and cedar) is proposed to match Pechiney House together with the changes in fenestration to break up the mass of the building. Each of the apartments would have their own balcony and these would have glass balustrades. The design is considered to be acceptable and not dissimilar to other schemes approved in the town centre and in keeping with the character of the area.
- 9.12 Overall the design and appearance is considered to be acceptable and is not considered to have a detrimental impact on the street scene.

10.0 Impact on Residential Amenities

- 10.1 The National Planning Policy Framework outlines the following:

“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should ... always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (Para 17).

- 10.2 Core Policy 8 states *“The design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area ... Development shall not give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise”.*

- 10.3 Policy EN1 of the Local Plan requires that *“Development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of a) scale, b) height, c) massing/Bulk, d) layout, e) siting, f) building form and design, g) architectural style, h) materials, i) access points and servicing, j) visual impact, k) relationship to nearby properties, l) relationship to mature trees and m) relationship to water courses. These factors will be assessed in the context of each site and their immediate surroundings. Poor designs which are not in keeping with their surroundings and schemes which result in over-development of a site will be refused.”*

- 10.4 The west boundary of the development site adjoins the rear gardens of residential properties on Alpha Street North (No's. 12 – 20). The proposed development on this side would be two stories at a height of 9m. A brick boundary wall of approximately 2m high runs along this boundary.

- 10.5 The proposals could be considered to be visually prominent, although it is considered unlikely that a refusal of the proposal on this ground alone would be sustained at appeal, particularly as:
- this is a town centre site where the Council policy is for high density housing,
 - given the separation distances being achieved between the proposed building and the rear of the Alpha Street properties (22m), the minimum separation distance required is 21m.

- 10.6 The proposed flats would maintain a separation distance of approximately 22m from the rear main walls of those dwellings, which is considered reasonable.

- 10.7 A Daylight and Sunlight Assessment was prepared by Eb7 and was submitted with the previous application package. The quality of daylight and sunlight amenity within the surrounding properties was assessed using the VSC, NSC and APSH assessments as recommended within the BRE document 'Site layout planning for daylight and sunlight'. The results of these assessments demonstrated that each of the surrounding residential properties will continue to receive good levels of daylight and sunlight beyond the level suggested within the BRE guide.

Overall it was considered that the developments' impact upon the surrounding properties is entirely in keeping with the intentions of the BRE and British Standard Guidance and reflective of conditions typically experienced in such urban locations. Given that the current proposals retain the existing approved envelopes, there will be no further impact in terms of daylight and sunlight on adjoining occupiers.

- 10.8 For the reasons set out above, the proposal is considered not to have a detrimental impact on the living conditions of the existing occupants of the adjoining residential properties on Alpha Street North and is considered to be in accordance with NPPF, Core Policy 8 and Local Plan Policy EN1, which require that development be of a high quality design which respects its surroundings and the amenities of adjoining occupiers.

11.0 Living Conditions for Future Occupants

- 11.1 The National Planning Policy Framework states that following with regards to impact upon the amenity of future occupiers:

“Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life, including (but not limited to):

- *making it easier for jobs to be created in cities, towns and villages;*
- *moving from a net loss of bio-diversity to achieving net gains for nature;*⁶
- *replacing poor design with better design;*
- *improving the conditions in which people live, work, travel and take leisure and*
- *widening the choice of high quality homes.” (Para 9).*

“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people” (para 56).

“Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.” (Para 73).

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

Internal Living Space – room sizes and layout

- 11.3 The proposal has been assessed against the Council’s Guidelines for Flat Conversions (1992) looking at the adequacy of the internal living spaces and the layout of the proposed flats. The guidelines set out minimum room sizes to which the rooms comply therefore ensuring appropriately sized rooms for future amenity. Therefore the room sizes of the flats are considered to be acceptable.
- 11.4 In terms of layout, the units would be accessed off a common lobby/ common hallways with lift and stair access providing access between the floor levels. The units have been stacked so as to be compatible with one another. All of the units would have kitchens with their own source of external light, or with the open plan layout the kitchens would receive light from the adjacent living rooms. As such, this is considered acceptable. All of the living rooms and most of the primary bedrooms would have direct access onto private external balconies.

Amenity Space

- 11.5 The proposal is for a mix of studios, one and two bedroom flats.
- 11.6 It is proposed that each of the units would have their own private balcony and that a common private amenity space would be provided.
- 11.7 The proposal would fall below the level of amenity space normally sought for one, two and three bedroom flatted schemes, as set out in the Council's guidance. Although not ideal it would not form a basis for refusal of the application as the site is within a Town Centre location where there is very limited private amenity space and is in close reach to publicly accessible amenity areas, such as at the High Street / Yew Tree Road junction or Upton Park slightly further afield.

It is considered that as each of the units would have their own private balcony and as additional communal space is proposed this would constitute an acceptable level of provision for this town centre site.

12.0 Traffic and Highways Issues

- 12.1 The NPPF states that :

“Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to

- *accommodate the efficient delivery of goods and supplies;*
- *give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;*
- *create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;*
- *incorporate facilities for charging plug-in and other ultra-low emission vehicles; and*
- *consider the needs of people with disabilities by all modes of transport.*

If setting local parking standards for residential and non-residential development, local planning authorities should take into account:

- *the accessibility of the development;*
- *the type, mix and use of development;*
- *the availability of and opportunities for public transport;*
- *local car ownership levels; and*
- *an overall need to reduce the use of high-emission vehicles.*

- 12.2 Core Policy 7 (Transport) seeks to ensure that all new developments are sustainable, located in accessible locations and hence reduces the need to travel. It requires that development proposals will, either individually or collectively, have to make appropriate provisions for:
- Reducing the need to travel;
 - Widening travel choices and making travel by sustainable means of transport more attractive than the private car;
 - Improving road safety; and
 - Improving air quality and reducing the impact of travel upon the environment, in particular climate change.
- 12.3 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.

- 12.4 The site has a total of 41 parking spaces on it at present. Under the proposal these spaces would be lost and there would be no on-site parking provision is being proposed for the residential units. This complies with the Local Plan where nil parking is considered acceptable within a town centre site. Furthermore planning permission has previously been granted for the change of use of the site from a car park into residential use and therefore the principle of loss of parking on this site has already been accepted.
- 12.5 Secure cycle parking provision is required at a ratio of 1 secure space per flat (i.e. 24 spaces). Whilst a cycle store has been shown at ground floor level it does not detail how many spaces would be provided and this can be dealt with by way of a condition.
- 12.6 The proposal is considered to comply with Core Policy 7 and will have no detrimental impact on highway safety.

13.0 S106 Contributions

- 13.1 Core Policy 4 of the Slough Local Development Framework Core Strategy states that for All sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.
- 13.2 The proposal is over the 15 unit threshold and therefore provision for affordable housing is required, the Agent has agreed to the following contribution and this will be secured via a S106 Agreement.

Unit Type	Full scheme	Number (at 30%)	Funding Shortfall	Total Funding Shortfall
studio (67% of 1 bed)	4	1	0	0
1BF	9	3	£39,600	£118,800
2BF	11	3	£46,200	£138,600
Total	24	7		

Total commuted sum payable

£257,400

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

14.0 Summary

- 14.1 The site occupies a sustainable location within the Town Centre Commercial Core Area which is well served by public transport and there is good access to shops and essential services. The proposal, if supported would involve effective and efficient use of a brownfield in site in accordance with government guidance given in NPPF. It would also contribute to a sustained regeneration of the eastern end of the High Street and contribute to the vitality and viability of Slough Town Centre. It would also reinforce the Council's objectives of seeking to concentrate higher density flatted schemes within the Town Centre area.

15.0 PART C: RECOMMENDATION

- 15.1 Delegate the application to the Planning Manager for approval, following consideration of outstanding consultation responses, resolution of sustainable drainage matters, finalising of conditions and satisfactory completion of a Section 106 Agreement.

16.0 PART D: LIST OF CONDITIONS AND INFORMATIVES

1. Time Limit

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

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

2. Approved Plans

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

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. Samples of external materials

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

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

4. Samples of external materials - access

Samples of external materials to be used in the construction of the access road, pathways and communal areas within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme

is commenced on site and the development shall be carried out in accordance with the details approved.

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

5. Landscaping Details

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 type, density, position and planting heights of new trees and shrubs along the rear boundary. All new trees along the western boundary shall be semi-matures.

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

REASON To protect the amenity of residents to the rear of the site and in the interests of the visual amenity of the area, in accordance with Policy EN3 of The Adopted Local Plan for Slough 2004.

6. Landscape Management Plan

No development shall take place until a landscape management plan has been submitted to and approved in writing by the Local Planning Authority. This management plan shall set out the long term objectives, management responsibilities and maintenance schedule for the landscape areas 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, in accordance with Policy EN3 of The Adopted Local Plan for Slough 2004.

7. Cycle Store

No part of the development shall commence until details of the secure cycle store have been agreed in writing by the Local Planning Authority and shall be constructed in accordance with the approved details and maintained thereafter.

REASON To provide sufficient infrastructure to allow convenient and accessible cycle parking to be provided on site to comply with the requirements of the Local Plan.

8. Secure By Design

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

REASON In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000; in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and to reflect the guidance contained in The National Planning Policy Framework, 2012.

9. Refuse

No development shall commence until details of the refuse and recycling storage and collection facilities for the development (to include bin sizes and location, and access arrangements including access gates and crossovers) have been submitted to and approved in writing by the Local Planning Authority. The approved details 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.

10. No Working Method Statement

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

- (a) control of noise
- (b) control of dust, smell and other effluvia
- (c) control of surface water run off
- (d) site security arrangements including hoardings
- (e) proposed method of piling for foundations
- (f) vehicle wheel cleaning facilities shall be used at the site exit for the duration of the demolition and construction period.
- (g) A strategy for the management of construction traffic to and from the site together with details of parking/ waiting for demolition/ construction site staff and for delivery vehicles. There shall be no deliveries to the site outside the hours 08:00 to 18:00 hours Mondays - Fridays, 08:00 – 13:00 hours on Saturdays and at no time on Sundays and Bank/ Public Holidays.

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 amenity of nearby residents and so as not to prejudice the free flow of traffic along the neighbouring highway or in surrounding residential streets.

11. Archaeological Works

No development may take place until the applicant has secured and implemented a phased programme of archaeological work in accordance with a written scheme of investigation (method statement), which has been submitted by the applicant and approved by the Planning Authority.

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.

12. External Lighting

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

REASON In the interests of the amenities of the area and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, Submission Document, November 2007.

13. Drainage Strategy – Thames Water

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

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

14. Bay window

The bay windows in the western elevation 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 adjoining occupiers in accordance with Policy H15 of The Adopted Local Plan for Slough 2004.

15. Balconies

The balconies on the western and third and fourth floor southern elevation of the development hereby approved shall be glazed with obscure glass above 1.8m internal floor height only.

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

16. Phase 1 Desk Study

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

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

17. Phase 2 Intrusive Investigation Method Statement

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

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

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

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

REASON: To ensure that potential risks from land contamination are adequately assessed and remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use and in accordance with Policy 8 of the Core Strategy 2008.

19. Remediation Validation

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy condition shall be occupied until a full validation report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site Specific Remediation Strategy condition above. In the event that gas and/or vapour protection

measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

REASON: To ensure that remediation work is adequately validated and recorded, in the interest of safeguarding public health and in accordance with Policy 8 of the Core Strategy 2008.

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

The applicant is requested to provide the proposed point of connection to the public sewerage system, and also to indicate how surface water flows will be disposed of.

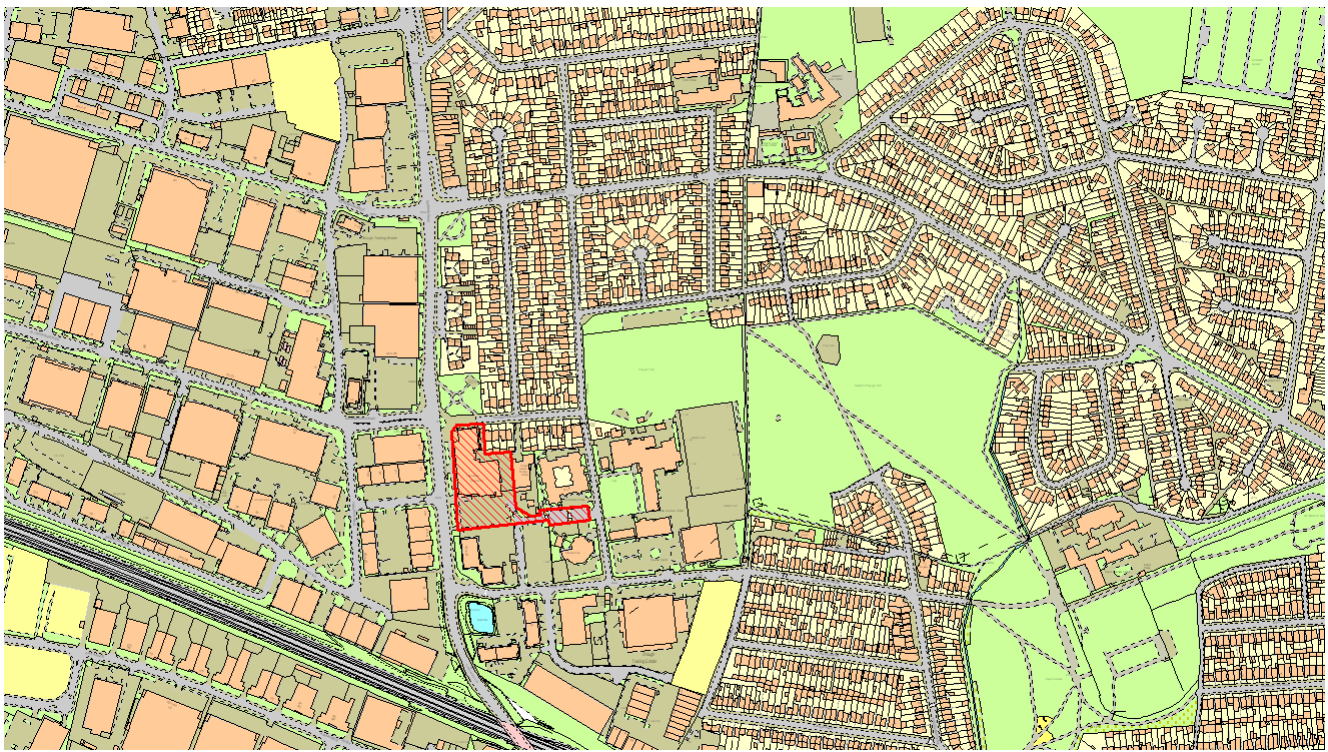
The applicant is advised that Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

1. 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.
2. 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.
3. 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.
4. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.
5. The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.

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

Registration Date:	13-Apr-2016	Applic. No:	S/00197/014
Officer:	Mr. Albertini	Ward:	Farnham
		Applic type:	13 th July 2016
		13 week date:	
Applicant:	Slough Borough Council		
Agent:	Mrs Laura Jackson, DHA Planning Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, ME14 3EN		
Location:	The Centre, Farnham Road, Slough, Berkshire		
Proposal:	Demolition of existing building and erection of new Leisure Centre together with access, parking, landscaping and ancillary works.		

Recommendation: Delegate to Planning Manager for approval.



1.0 **SUMMARY OF RECOMMENDATION**

Delegate to Planning Manager for approval.

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 This is an outline planning application with all matters reserved i.e. details of site access, layout and building have not been submitted for approval at this stage. However supporting documents and illustrative drawings show access, layout and building mass detail. The broad location of the building is shown on the plans.
- 2.2 The proposal will replace The Centre building and subsequently Montem leisure centre will close. The indicative layout shows a 5,100 sqm. Two storey height building along the west side of the site with car parking to the rear. This floorspace is 900 sqm more than the existing 4,200 sqm. Centre building. In comparison to the existing building it will extend further south on the site. The protrusion at the back of the building will be less and further away from homes on the north boundary. The new building will be closer to the flank of the nearest house.
- 2.3 The drawings show the current in only access drive off Whitby Road (now called Melbourne Ave.) and exit onto Northampton Avenue retained. The indicative scheme shows service access off Buckingham Ave. East to access the likely plant room location on the north end of the building. This part of Buckingham Ave East (the paved area forming the current road closure) is also shown as a parking/drop off/landscaping area.
- 2.4 The indicative scheme has no parking layout detail but statements say 95 car parking spaces will be on site behind the building and in the existing overflow parking off the Northampton Ave. exit road. The existing parking area near Melbourne Ave/ Whitby Road is not included in the application site boundary but is referred to in one of the application documents as serving the proposed building. The Transport Assessment indicates parking, in terms of demand and policy, will be clarified at a later date. Clarification of this matter is being sort prior to the Planning Committee meeting.
- 2.5 The illustrative drawings show the main building entrance on the south west corner adjacent to Farnham Road and access to the entrance from the rear car park by way of the building being set back from the south boundary by 14m. The sports hall, the largest element of the building, is shown on the south east quadrant; the pool to the north west visible from Farnham Road and changing areas at the back with studios above and on the Farnham Road elevation above the entrance. A single storey plant room is shown at the north projecting slightly forward of the building line along Buckingham Ave. East. The scheme shows the existing frontage trees retained.
- 2.6 A Breeam rating of very good is to be aimed for. The developer will also investigate the potential to make use of district heating. This is linked with the Council's current Government grant funded feasibility study of expanding the existing district heating system in the Trading Estate.
- 2.7 Supporting technical information includes Planning Statement, Transport Assessment, Draft Travel Plan, Design and Access Statement, assessments of light, noise and flood risk.
- 2.8 The leisure centre has been designed to include :
- 8 Lane 25 metre pool

Learner Pool
5-court sports hall
100 station fitness suite
2 dance studios
Spinning studio
Treatment rooms
Entrance area café and activity zone
3 sets of changing facilities.

2.9 The application highlights sport, leisure and health related policies and objectives in the Council's five year plan, leisure strategy for Slough, Joint Wellbeing Strategy and Planning documents.

3.0 **Application Site**

3.1 The 0.83 hectare site encompasses the existing 1990's Centre leisure and conference site including the Northampton Ave exit parking area (next to Rotunda site) but not the parking alongside Melbourne Ave./Whitby Road. The building is generally two storey in height with a prominent glazed frontage and wavy roof line alongside Farnham Road. The irregular shape building generally covers the northern two thirds of the site and it contains some office space at the north end above a small semi-basement.

3.2 To the east, at the north end, are two storey homes in Buckingham Ave. East all with rear garden buildings across the width of the plots. The flank wall of the end house abuts the site. Godolphin Nursery abuts the rest of the east boundary. To the south is a three storey block of flats recently converted from offices and an associated small, new block off flats on Melbourne Ave. Both buildings have some windows facing the site. Opposite to the west are commercial units and to the north is a paved area of forming the closed off end of Buckingham Avenue E with an open space beyond.

3.3 There small trees on the Farnham Road frontage and next to the building where Buckingham Ave East has a paved area. There is one tree in the car park plus some overhanging boundary trees/bushes.

4.0 **Site History**

4.1 Community Leisure Centre and offices Approved May 1997.
Various alterations and advertising 1998- 2001.

5.0 **Neighbour Notification**

5.1 Farnham Road 91 – 99 odd, 105, 118 – 124 ev
Farnham Road 102-104 (flats 4,5,17,18,30,31).Buckingham Ave. East 6 – 14, 5 – 11. Slough Centre Nursery School.
Northampton Ave : Rotunda; Rotunda Bungalow; Northampton Place (3-7, 14-18, 33-37 incl.

5.2 No comments received

5.3 Public Notice in Slough Express – no comments received

6.0 **Consultation**

6.1 **Traffic/ Highways**

Lack of information in Transport Assessment to determine the impact of the proposal on the

safety and operation of the public highway and the wider transportation network. The Travel Plan does not accord with the Council's guidance. Whether or not all existing car parking for The Centre site will be available is not clear. The application site does not include the access from the public highway. Servicing off Buckingham Ave. East is not acceptable as proposed. Recommends refusal unless further satisfactory information supplied.

6.2 Drainage
Comments will be provided on meeting amendment sheet. The car park area is likely to be suitable sustainable drainage system to be incorporated and the applicant refers to a soil test from an adjacent site which indicates the ground is suitable for soakage.

6.3 Environmental Protection (re noise)
No comments received.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The headline of Core Strategy policy 6 requires new major leisure developments to be in the town centre to support the shopping centre, improve the image of the town centre and because that location is more sustainable in terms of travel. However the Core Strategy also states that such development could take place in district centres (such as Farnham Road). Regarding sustainability the sites location can be considered reasonably sustainable being within walking and cycling distance of a large part of the town and served by a good bus service linking to various parts of the town. Consequently the proposal can be considered to be in broad accordance with this Core Strategy policy.

7.2 Core Strategy policy 6 and Local Plan policy OSC 17 both seek retention of community facilities such as The Centre. A loss can be justified if new facilities are funded or provided or (for the Local Plan policy) if alternative facilities are available or functions are not needed anymore. In this instance the Council is funding a new community facility on the same site. In addition studio space and the sports hall in the proposed leisure centre will provide alternative space for some current Centre activities. Further information is being sort on loss of other activities on the site. However meeting rooms and conference space are available in other venues across the town.

7.3 A further justification to support making an exception to wider policy constraints is the importance of the Leisure centre to the town and the difficulty in finding a suitable and available site in the town.

8.0 Access and Transport

8.1 Although this is an outline application it is important that enough space is available for car and cycle parking to serve the illustrative proposal and floorspace figure provided. As leisure centre uses vary calculation of parking demand needs to be bespoke to the facility planned rather than applying a standard rigidly. The Leisure centre use may well be similar to The Centre in terms demand for car parking and access needs. More information on this matter has been requested.

8.2 The 95 spaces indicated within the site is unlikely to be sufficient. This number is smaller than the existing parking space within the same site. Clarity on the long term availability of the existing Council owned car park area (off Whitby Road – about 85 spaces) shown outside the application site boundary has been sought. The existing site has over 200 spaces available in total.

- 8.3 The retention of the existing access arrangement is likely to be acceptable. The new service access off Buckingham Ave. East is not satisfactory as drawn and a revision has been requested. It makes use of a paved pedestrian area and no safe turning area is shown.
- 8.4 The applicants state an addendum transport assessment will be produced and that parking demand will be assessed at the detail stage. As indicated above more information is needed at this stage to decide the application and compliance with Core Strategy policy 7 Transport.
- 9.0 **Layout and design**
- 9.1 The block plan submitted fixes the broad outline of the building along the Farnham Road side of the site. However the height of it and detail of massing, elevations and appearance etc. are not part of the application or are shown as illustrative only. Based upon the broad outline and floorspace figure provided compared to The Centre the new building will not protrude out to the rear as much. The protrusion will be further away from Buckingham Ave. East homes at a distance of about 40 m. The building will extend further south and partly close up the existing gap between the Centre and 102/104 Farnham Road (the old tax office now converted to flats). It will be about a metre closer to Farnham Road and the existing 6.5 m gap between the existing building and the flank of 6 Buckingham Ave East will be 3 metres.
- 9.2 The location of the building is broadly acceptable as it will be prominent on Farnham Road and provides the opportunity to have a lively frontage as The Centre does now. The current illustrative layout has the pool and entrance foyer/cafe on the frontage under a high level canopy. Compared to the existing building the proposal will have less impact on most of the adjacent homes and the school being further away. The impact of the precise height of the mass of the building cannot be assessed at this stage but the above assessment assumes a building of similar height to the existing.
- 9.3 However for the nearest house, 6 Buckingham Gardens, the rear of the building will be closer to the side boundary than the current building. This is not ideal as a 45 degree view out of rear windows will be blocked at a point 3 metres from the side boundary of the garden. However the light study indicates this house will receive satisfactory levels of day and sun light. The view directly out from the rear will benefit from not having a building so close to the immediate rear of the garden.
- 9.4 On the Buckingham Ave East frontage the new building is likely to be single storey rather than the current two storeys adjacent to the flank on the frontage. This is a benefit for the street scene and adjoining home. Window position and treatment on the east elevation will need careful arrangement at the detail stage to avoid overlooking of homes.
- 9.5 A light study indicates that the nearby homes will still receive satisfactory levels of day and sun light. This study will need repeating when the full details of the building are known.
- 9.6 A noise study will be needed at the detail design stage to ensure plant does not cause nuisance to neighbours. The submitted noise study indicates current background levels and criteria for proposed plant to avoid nuisance and comply with standards.
- 9.7 The distance between the south end of the building and recently converted flats will be between 23 and 28 metres. This is sufficient for living conditions to be acceptable regarding windows on this elevation.
- 9.8 The appearance of the building is not to be decided at this stage but illustrative proposals indicate the applicant's current thinking including an outline of landscape treatment. This includes a high level over-sailing canopy at the entrance and along the frontage, a glazed

frontage with horizontal fins. The stated objective is for a high quality, vibrant, striking development, using a varied palette of materials, maximising glazing where appropriate to provide views in and out of the building.

9.9 This outline scheme complies with Core Strategy 9 Natural and built environment and Local Plan design policy EN1 subject to possible revisions associated with outstanding transport related matters referred to above.

9.10 The applicant's commitment to Breeam very good complies with Core Strategy 8 Sustainable development policy. This policy also requires energy from low carbon sources and the applicant agrees to pursue this. In particular exploring the opportunity to link in to the Trading Estates district heating scheme which is linked to the power station. The Council is assisting with this having commissioned a feasibility study, supported by SSE, through a Department of Energy and Climate Change 'Heat Network Development Unit' grant funded scheme.

PART C: RECOMMENDATION

10.0 **Recommendation**

Delegate a decision to the Planning Manager to approve the proposal subject to satisfactory resolution of outstanding matters referred to above and completion of a Section 106 planning obligation (or equivalent of) to cover, if necessary, transport and highway requirements.

11.0 **PART D: LIST OF CONDITIONS**

1. Outline applications - Reserved Matters.

Details of the layout, scale, access, appearance and landscaping of the development hereinafter collectively referred to as 'the reserved matters' shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of the development.

REASON To ensure that the proposed development is satisfactory and to comply with the provisions of Article 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

2. Outline applications - Time limit

Application for approval of all reserved matters referred to in condition 1 above shall be submitted in writing to the Local Planning Authority no later than the expiration of two years from the date of this permission.

The development hereby permitted must be begun not later than whichever is the later of the following dates and must be carried out in accordance with the reserved matters approved:

- i) the expiration of 3 years from the date of this permission: or
- ii) the expiration of two years from the final approval of the reserved matters referred to in condition 1 above, or in the case of approval of different dates, the final approval of the last such matter to be approved.

REASON To prevent the accumulation of planning permissions, and to enable the

Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

3. Approved plans

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

10095 (08) 003 revision 01 regarding maximum footprint area and broad access location at Melbourne Ave and Northampton Ave.

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. Surface Water drainage

No construction work shall commence until details of surface water drainage have been submitted to and approved in writing by the local planning authority. The building shall not be occupied until the approved drainage scheme has been implemented. The drainage scheme shall be retained and maintained thereafter.

REASON In the interests of flood prevention.

5. Sustainable Development Breeam

Development shall not commence until a certificate, from an accredited BREEAM assessor, has been submitted to the Local Planning Authority confirming that the development has been designed to achieve a standard of BREEAM Very Good. The development shall be constructed so as to achieve a standard of BREEAM Very Good and confirmation of compliance from an accredited BREEAM assessor shall be submitted to the Local Planning Authority within one month of completion of each of the two buildings on the site.

REASON In the interest of sustainable development in accordance with policy 8 of the Core Strategy

6. Sustainable Development Energy

Construction of the development shall not commence until a low carbon energy scheme has been submitted to and been approved in writing by the local planning authority.

The scheme shall show how the design and construction of the building will achieve carbon emissions that will be 10% lower than than the buildings Target Emission Rate as calculated in accordance with the Building Regulations 2013 Part L and associated Approved Documents.

The scheme shall include details of how it is proposed to achieve the 10% carbon emissions requirement by including (a) an energy statement listing the Target Emission Rate and building emission rate and calculations to show the combined figures for both; (b) descriptions of building fabric enhancements, building services enhancements (c) reference to low or zero carbon energy re condition 7.

The scheme shall be implemented as approved and the building shall not be occupied until its associated low carbon energy scheme measures have been installed and are operational.

REASON In the interest of sustainable development in particular reducing carbon emissions and in accordance with policy 8 of the Core Strategy 2008.

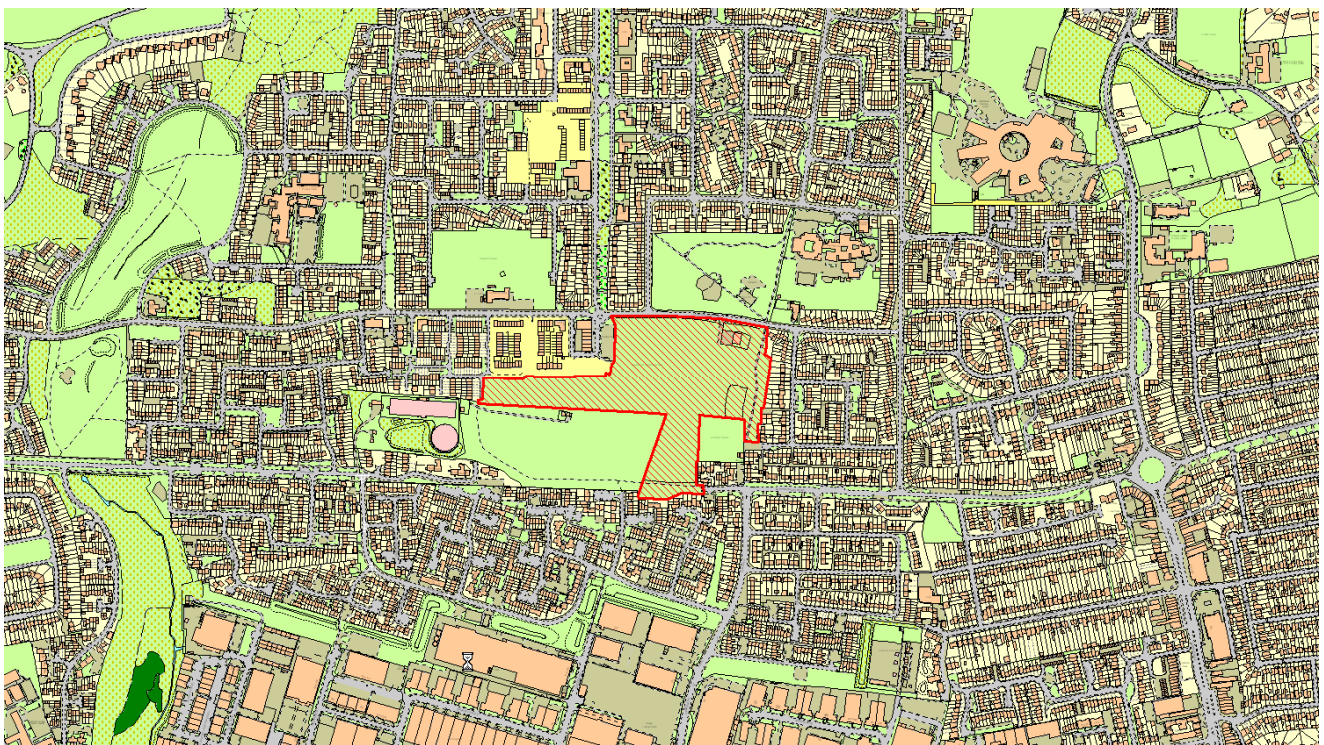
7. Sustainable Development Low Carbon Energy

Construction work shall not commence until a low or zero carbon energy scheme has been submitted to and been approved in writing by the local planning authority. The scheme shall include details of energy to be generated on the site from low or zero carbon sources or details of connection to a local district heating scheme (or a combination of both). The scheme shall be implemented as approved and the building shall not be occupied until its associated energy generating equipment or connection has been installed and is operational.

REASON In the interest of sustainable development in particular reducing carbon emissions and in accordance with policy 8 of the Core Strategy 2008. .

Registration Date:	07-Mar-2016	Applic. No:	S/00134/012
Officer:	Mr. Albertini	Ward:	Britwell and Northborough
Applicant:	Mr. Gerald Pleace, Slough Borough Council		
Agent:	Mr Matt Nokes, Ground Control Ltd Kingfisher House, Radford Way, Billericay, Essex, CM12 0EQ		
Location:	Kennedy Park, Long Furlong Drive, Slough		
Proposal:	Enhancement to park including new paths, outdoor gym, natural play area & landscaping.		

Recommendation: Approve



1.0 **SUMMARY OF RECOMMENDATION**

Approve.

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 This Slough Borough Council planning application covers those elements of a wider park enhancement scheme that require planning permission.
- 2.2 Approximately 700 metres of new path are proposed running west to east and up and over the mound to link with the existing path behind Aldridge Close. At the west end it links with Twist Way with a spur towards the Segro land for dog walkers. It links with and crosses the new north south cycle and foot path from Wentworth Ave to Pentland Road.
- 2.3 Opposite the shops a short path will branch off the north-south path to serve the new outdoor gym and link with a crossing point on Long Furlong Drive at its junction with Monksfield Way. This provides a short cut to Monksfield Park which has an equipped play area, skate park and multi use games area.
- 2.4 A further minor path at the south end of the site will project from the end of Northborough Road, along the edge of the park behind Pennine Road, to the edge of the Segro land near the new steps and ramp at Pentland Road which are part of the north – south path link.
- 2.5 A play glade is proposed spread along part of the grass area south of Twist Way and next to the north edge of the Segro land. There will be no formal play equipment as such but instead natural features set amongst planting and small trees to provide an activity space for children. The application indicates things such as log stacks, balance beams, boulders etc. but full details have not yet been settled by the Council's Parks Team. The features will be spread out over an 80 metre long area. The closest point to Twist Way homes will be more than 40 metres away from the front wall of two of nearest homes.
- 2.6 An outdoor gym is proposed next to the shopping area car park on the east side of the new cycle path. 6 pieces of special outdoor gym equipment will be set amongst a small plantation of trees.
- 2.7 Other features are a circular feature with seating area on top of the mound, small feature area and seating at the main park entry point off Twist Way, feature entrance opposite Monksfield Way. The existing parking area next to the scout and guide will be resurfaced but at present it would be used for special events only. The path over the mound will have sleeper steps in places. Most paths will be surfaced with buff coloured self binding gravel.
- 2.8 Not part of the planning application but part of the wider landscape enhancement are natural planting on parts of the mound slope and its fringes, small terracing on the south west face of the mound, an a feature on top of the southern spur of the

mound, general tree, shrub and hedge planting, signage, railings (along Twist Way). Monksfield Park will also have additional planting and path links agreed when the skate park was approved last year.

2.9 Some minor revisions are expected before the Planning Committee meeting.

2.10 The proposals have been discussed with the Neighbourhood Action Group, Britwell Boys Club and Parish Council.

3.0 **Application Site**

3.1 This application site covers just under one hectare of the 7 ha Kennedy Park. Kennedy Park is on the south side of Long Furlong Drive and abuts the new housing of Twist Way and associated roads and the new Kennedy Parade shops face the park. The east part of the park is a landscaped mound (about 10 metres high) formed as part of a Council landfill operation in the 1990's. The park also contains a Scout/Guides hut with hard surface area.

3.2 To the south are rear gardens of homes in Pennine Way and Segro owned rough land which is used for dog walking. To the east of the mound is Cowper Road allotments and rear of Aldridge Road homes. To the north is Long Furlong Drive with Monksfield Park beyond and the new housing and retail development. To the west is the edge of the new housing area and Segro water reservoir building to the south west.

3.3 Excepting the mound area the rest of the site is generally flat grassland with some trees. The Mound and its fringes are landscaped but with a natural appearance and the fringes contain more wildlife friendly habitat. There is path along the east side of the site (to Cowper Road) and a new north south cycle path through the middle to link the Pentland Road area with Wentworth Ave. Some existing shrubs and scrub have been removed ready for the new more extensive scheme.

4.0 **Site History**

4.1 171 new homes and retail development adjacent. Approved Nov 2013.

4.2 Cycle/footpath link to Pentland Road Approved Sept 2014.

4.3 Landfill and Landscaping Various approvals 1989 to 1993.

4.4 Replacement Guides and Scouts building Approved April 2012.

5.0 **Neighbour Notification**

5.1 Long Furlong Drive 100-110 ev; 35-41 odd
Monksfield Way 1
Aldridge Rd 2 – 44, 42a 42b
Northborough Rd 202, 204
Pennine Road 69 – 79 odd
Pentland Road 100- 110 ev 112 – 116 ev 126, 128

Twist Way 35 – 63, odd
Foxley Rd. 2 – 14 ev.

5.2 One letter of support received.
14 letters of objection received raising issues of :

- Wish for 50 % to be grass
- Opposed to outdoor gym – would give reason for gangs to hang out.
- Instead of gym spend money on CCTV in and around the park (concerned about level of crime in and around the park).
- Opposed to cycling in the park as it would encourage mopeds with associated danger etc.
- Car park – ensure non-residents use it not park in residential streets.
- One person concerned about west end gap into Segro land/lack of fencing having had break in.

5.3 Response to objections :

About 50 % of park will still be grass.

Outdoor gym dealt with at para 8.4 and 8.5 below.

CCTV – has been installed at retail area; no proposal at present for park.

Excepting the north-south cycling path other paths will not be specifically intended as cycle paths although small scale use of them is likely and reasonable. Moped use is unauthorised and enforcement action, whilst difficult, can be taken. Because of the multiple boundaries it is impractical to block all moped access without affecting pram/push chair and wheelchair access but bollards will be placed at entry points to make it difficult for mopeds to go through at speed.

The car park is not intended to be open for general visitor use. It will be available for special events. The retail area car park will hopefully be used by any visitors with cars.

Western link to Segro land – this matter will be reviewed as part of the detail design in terms of additional fencing at least.

6.0 **Consultation**

6.1 Traffic/ Highways
No comments

6.2 Environmental Quality (Contamination)
No objections received. Contamination Officer is in direct contact with Council's contractor re soil tests carried out recently and precautions to be taken in certain places.

6.3 Environment Agency
No objection subject to two conditions to be applied to planning permission relating to 1 Protection of landfill capping and 2 surface water disposal details to be agreed.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

- 7.1 The site is public open space on the Local Plan Proposals Map 2010. Core Strategy policy 2 seeks to preserve and enhance public open space. Policy 9 Natural and Built Environment seeks to preserve and enhance natural habitats/biodiversity. The site is within the Britwell Regeneration area (SSA2) of the Site Allocations Development Plan 2010. Apart from the built development and north south path proposals it seeks to enhance open space recreation facilities and enhance wildlife habitat.
- 7.2 In particular the Site Allocation requirement to justify loss of part of Kennedy Park for development includes enhancement in terms of quality and range of activities for the local community with specific provision for older children plus enhance biodiversity. The planning application for housing development was approved on the basis of these enhancements taking place and a Section 106 planning obligation provides money for the Council to implement the park enhancements and money to maintain the area. When the housing and retail development was approved the Council Park's Section outlined a broad range and scale of enhancements for the park.
- 7.3 In conjunction with the recent skate park and multi use games area in Monksfield Park the proposal does provide a range of recreation activities and habitat enhancement to comply with Core Strategy and Site Allocation policy. The play area and grass spaces next to Twist Way also provide neighbourhood play space to serve the new housing development to comply with Local Plan policy OSC15 new facilities for housing development.
- 7.4 It should also be noted that concerns were raised by English Nature and Burnham Beeches about housing development and consequent extra pressure on local recreation use at Burnham Beeches, a specially protected area. These concerns were dealt with by the commitment to enhance Kennedy Park in terms of natural habitat, create more natural areas for recreation, walking and in particular dog walking to provide a local alternative to regular visits to Burnham Beeches. The enhancement scheme provides for these features by way of a more natural planting scheme around the mound and scope for dog walking away from the play and gym areas.
- 7.5 The Kennedy Park enhancement links to some of the informal gaps in the boundary of the Segro land currently used informally for dog walking. The Council is in negotiation with Segro to gain control of the maintenance of this area.

8.0 **Design and Layout Matters**

- 8.1 The scheme successfully provides a range of recreation activity for health benefits and general amenity. It balances the desire for both formal and informal recreation with a more suburban open space near the housing and retail development and a more natural country park feel on the rest of the site. It also provides a better appearance than now combined with better wildlife habitat. The proposal provides play space for the adjacent new homes and the wider neighbourhood complimented by the formal facilities in Monksfield Park.

- 8.2 There will be flat grass areas for kick-about and the larger grass area south of the retail area either side of the main path provides space for small park events.
- 8.3 The play glade area is over 40 metres from the nearest homes and the outdoor gym 30 metres from homes on the opposite side of Long Furlong Drive. These separation distances are sufficient for users not to cause disturbance to residents. 20 metres is a recommended separation distance for local play areas.
- 8.4 The above two features are also well overlooked from public areas. This helps security in two ways, users feel safer and its easier to spot any misbehaviour. The existing north-south path is lit. The new west-east path will not be lit as its not intended as a key link for connecting neighbourhoods and there is a nearby alternative lit route by way of Twist Way and Long Furlong Drive.
- 8.5 Whilst the enhancements will attract people to the park it is recognised that good management is needed to limit inappropriate use or behaviour. Local residents have raised concerns about crime and the gym, for example, being a place for young people to gather who may cause a nuisance. The Parks Team are aware of these risks and are familiar with having to work with the Neighbourhood Enforcement Team and local police. Should a particular feature become a significant problem in terms of crime or nuisance the Parks Team have the option of reviewing the features in the park.
- 8.6 The paths and works on the mound will be formed in such a way so as to not take away any of the protective clay capping of the former landfill mound. This will satisfy the Environment Agency and can be controlled by condition. At the construction stage existing boreholes for monitoring the landfill will need to be protected. This can be controlled by condition or contractually as the Council is the landowner.
- 8.7 The proposed path at the south end of the site off Northborough Road will go up to the Council's ownership boundary. It will be extended onto the adjacent Segro land when agreement reached with them to make the short link to the steps to Pentland Road. This will provide a shorter route to the new shops for Northborough Road residents.
- 8.8 The recommendation assumes that a satisfactory revised drawing is received prior to the meeting regarding clarification of boundary treatment and entry points.

PART C: RECOMMENDATION

9.0 **Recommendation**

Approve

10.0 **PART D: LIST OF CONDITIONS**

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

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

2. Approved plans

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

GC.139767.K.100 Site Wide Footpath Plan

GC.139767.K.102 Outdoor Gym

GC.139767.K.103 Natural Play Glade

GC.139767.K.104 Car Park detail

GC.139767.K.90 Location Plan.

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. Boundary Treatment

Construction works shall not commence until boundary treatment for the Kennedy Park boundary has been submitted to and been approved in writing by the local planning authority. The approved boundary treatment shall be installed before the play glade and outdoor gym have been brought into use.

REASON In the interest of visual amenity and security.

4. Environment Agency 1

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.

Reason This development is over an authorised landfill that accepted household and commercial waste. The Lynch Hill Gravel member (Principal Aquifer) is likely to be missing in the location of the landfill (gravel extraction) and hence the geology directly underlying the landfill is likely to be the Lambeth Group (Secondary A Aquifer). The Lambeth Group typically has sandy lenses that could form pathways for landfill leachate to migrate to the Chalk (Principal) Aquifer that underlies the site at depth. This site is also within an outer source protection zone (SPZ2) for an abstraction from the Chalk. Environment Agency 1.

Therefore, to avoid pathways being created for landfill leachate to migrate vertically into the Chalk, we need to ensure that foundation design avoids disturbance of the landfill cap and base liner of the landfill.

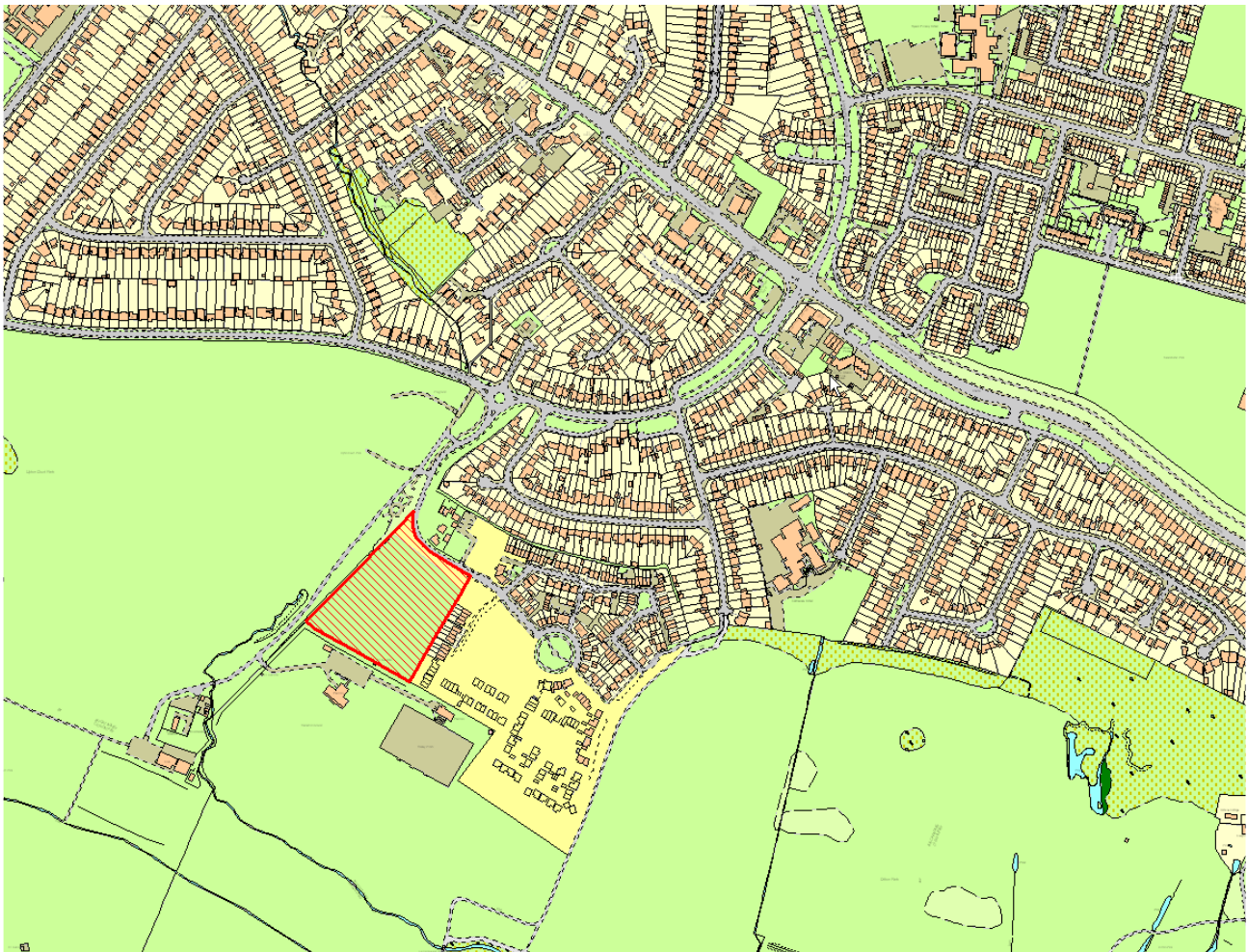
5. Environment Agency 2

The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

REASON The Design and Access Statement states that drainage is proposed for this development site located over an authorised landfill. In order to prevent increased leachate levels within the landfill waste, there should be no infiltration drainage into the landfill.

Registration Date:	03-Nov-2015	Applic. No:	P/11425/022
Officer:	Mr. Albertini	Ward:	Upton
		Applic type:	Major
		13 week date:	2nd
Applicant:	Galliford Try Construction		
Agent:	Ms. N Broderick, NMB Planning Ltd 124, Horton Road, Datchet, Slough, SL3 9HE		
Location:	Land South of Kings Reach & adjacent to Upton Court Park, Slough, SL3 7LT		
Proposal:	Construction of a secondary school (Use Class D1) comprising two and three storey teaching buildings, ancilliary sports hall and facilities, playing fields, car parking and landscaping.		

Recommendation: Delegate to Planning Manager for approval



SUPPLEMENTARY REPORT

1.0 SUMMARY OF RECOMMENDATION

Delegate to Planning Manager for Approval

PART A: BACKGROUND

2.0 Background Information

- 2.1 In brief this revision of drawings affects the access and car parking arrangement previously agreed and presented to 13th January 2016 Planning Committee.
- 2.2 Planning Committee delegated a decision to the Planning Manager 13th January to resolve outstanding matters and for a Section 106 Agreement to be signed. The outstanding matters have been resolved and the Section 106 agreed but it has not been signed. The revision to the application is being presented to Committee because of the interest shown in parking at the January Committee.
- 2.3 The reason for the 106 being unsigned is lack of cooperation by Bellway Homes regarding a small triangle of land needed for the western access point and 6 staff car parking spaces. Completion of the 106 needs either Bellway to sign or the land be transferred to the parties involved with the new school - The Education Funding Agency or the Council as current owner of the school land.
- 2.4 Although land owner negotiations with Bellway Homes had been progressing it is understood completion of the matter has been delayed by Bellway Homes using another negotiation between the two parties, for a site in Hertfordshire, as part of the bargaining process and that has stalled completion of the transfer of land.
- 2.5 As the Education Funding Agency and Ditton Park Academy do not wish to delay the planned opening of the school an alternative layout has been submitted that avoids the use of the Bellway land for access and 6 car parking spaces. However the current scheme, involving 2 access points etc. is still their preferred option and they wish to implement that when the opportunity arises.
- 2.6 The Bellway land referred to is a 0.04 ha triangle of land formed by the curve of the access road to Upton Court Road and the north western corner of the school grounds.

3.0 Proposal

- 3.1 The revised alternative proposal involves not completing the western access point onto Kings Reach (originally proposed as exit only) and making the eastern access point two way. 105 staff and visitor parking spaces are planned compared to 111 on current plans (110 spaces were on the plans presented to Committee). Parking and turning of a coach would be off site rather than within the site. The main pedestrian access would move from the far western corner to a location slightly further east.

4.0 Consultations

- 4.1 The neighbours previously consulted have been notified of the revision. Any comments received will be on the meeting amendment sheet. Bellway Homes have also been notified.
- 4.2 Highways/Transport comments are incorporated in the assessment below.
- 5.0 **Assessment**
- 5.1 The single access point is acceptable as at school opening and closing it will be used by staff only. Consequently it will not contribute to congestion and it is separate from the main pedestrian entrance to the school.
- 5.2 The reduction of 6 staff parking places can be accepted as they represent 5% of the previous total. However the applicant will be asked to discuss the option of overflow staff parking at the adjacent Cricket and Hockey club car park. A travel plan will encourage use on non-car modes of travel.
- 5.3 The agreed separate entry and exit point has the advantage of allowing larger vehicles to come into the site and exit without reversing. The alternative scheme allows for a delivery truck and large mini bus to turn without reversing. A full size coach would have to turn at the circular feature in the centre of the adjacent new housing area. This feature was designed to allow buses to turn. A layby nearly opposite the school entrance can be used for a coach to stand off the carriageway. This is acceptable as school use of a coach is likely to be occasional.
- 5.4 The arrangements for parent drop off and pick up have not changed.
- 5.5 The previously agreed arrangement is preferred as it provides more parking and, long term, it allows for various access arrangements to suit changing needs. By planning condition and or Section 106 the School will be required to implement the agreed scheme when they have access to the Bellway land. If, by the time of the school is occupied, use of Bellway land has not been secured the existing bell mouth formed for the western access point should be closed off to prevent it being used by parent drop off cars.
- 5.6 It should be noted that securing use of the Bellway land is a land owner matter. It is not necessary for it to be transferred for planning permission to be granted. But, at present, the current layout (as present to January Committee) includes a small part of the development (access/parking) on their land such that Bellway need to sign the Section 106 whilst the land is in their ownership. The alternative scheme now presented has no part of development on Bellway land so the Section 106 can be signed without Bellway even though the land is still within the planning application boundary.

6.0 **PART C: RECOMMENDATION**

Recommendation

Delegated to the Planning Manager for approval subject to completion of a

satisfactory Section 106 planning obligation and variation of conditions in connection with section 106 matters.

PART D: LIST OF CONDITIONS

1.

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

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

2. Approved plans

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

SITE LOCATION PLAN GA-(00)-Z100 Rev 6

List A if land in the north west corner of the site is not available for implementation of access, parking and external works and landscaping shown on drawings listed in List B :

PROPOSED SITE PLAN GA-(00)-Z101 Rev 14 Recvd 23/5/16
GROUND FLOOR PLAN GA-(10)-Z100 Rev 23 Recvd 23/5/16
FIRST FLOOR PLAN GA-(10)-Z101 Rev 23 Recvd 23/5/16
SECOND FLOOR PLAN GA-(10)-Z102 Rev 23 Recvd 23/5/16
ROOF PLAN GA-(10)-Z103 Rev 18 Recvd 23/5/16

SITE ELEVATIONS ELE-(11)-Z105 Rev 9 24/4/16
ELEVATIONS NORTH & EAST ELE-(11)-Z107 Rev 10 24/4/16
ELEVATIONS SOUTH & WEST ELE-(11)-Z108 Rev 11 24/4/16

PROPOSED SITE CROSS SECTIONS SEC-(01)-Z101 Rev 8 11/3/16
EYESIGHT LEVELS SEC-(01)-Z104 Rev 3
SECTIONS SEC-(12)-Z103 Rev 8 24/4/16
PLAN INDICATING OBSCURED WINDOWS GA-(10)-Z700 Rev 1

ILLUSTRATIVE MASTER PLAN HED.1187.101 Rev C Recvd 23/5/16
LANDSCAPE LAYOUT PLAN HED.1187.200 Rev G Recvd 23/5/16
BOUNDARY TREATMENT HED.1187.201 Rev E Recvd 23/5/16
EXTERNAL FURNITURE HED.1187.202 Rev E Recvd 23/5/16
TREES RETAINED AND PROPOSED HED.1187.203 Rev F Recvd 23/5/16
PLANTING PLAN HED.1187.204 Rev H Recvd 23/5/16
MATERIALS PALETTE HED.1187.206 Rev B 24/4/16

Excepting that any floodlights shown on the above drawings are not approved.

List B if land in the north west corner of the site is available for implementation of access, parking and external works and landscaping shown on drawings listed in List B :

PROPOSED SITE PLAN GA-(00)-Z101 Rev 13 24/4/16
GROUND FLOOR PLAN GA-(10)-Z100 Rev 22 24/4/16
FIRST FLOOR PLAN GA-(10)-Z101 Rev 22 24/4/16
SECOND FLOOR PLAN GA-(10)-Z102 Rev 22 24/4/16
ROOF PLAN GA-(10)-Z103 Rev 18 Recvd 23/5/16

SITE ELEVATIONS ELE-(11)-Z105 Rev 9 24/4/16
ELEVATIONS NORTH & EAST ELE-(11)-Z107 Rev 10 24/4/16
ELEVATIONS SOUTH & WEST ELE-(11)-Z108 Rev 11 24/4/16

PROPOSED SITE CROSS SECTIONS SEC-(01)-Z101 Rev 8 11/3/16
EYESIGHT LEVELS SEC-(01)-Z104 Rev 3
SECTIONS SEC-(12)-Z103 Rev 8 24/4/16
PLAN INDICATING OBSCURED WINDOWS GA-(10)-Z700 Rev 1

ILLUSTRATIVE MASTER PLAN HED.1187.101 Rev B 24/4/16
LANDSCAPE LAYOUT PLAN HED.1187.200 Rev F 24/4/16
BOUNDARY TREATMENT HED.1187.201 Rev D 24/4/16
EXTERNAL FURNITURE HED.1187.202 Rev D 24/4/16
TREES RETAINED AND PROPOSED HED.1187.203 Rev E 24/4/16
PLANTING PLAN HED.1187.204 Rev G 24/4/16
MATERIALS PALETTE HED.1187 206 Rev B 24/4/16

Excepting that any floodlights shown on the above drawings are not approved.

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

3. Samples of materials

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

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

4. Bin and cycle stores

Development shall not commence until details of cycle stands have been

submitted to and approved in writing by the planning authority. The development shall not be occupied until the cycle stores and bin stores have been constructed in accordance with the approved drawings.

REASON In the interest of visual amenity and sustainable travel.

5. Boundary treatment

The development shall not be occupied until the approved boundary treatment has been constructed and it shall be retained at all time in the future.

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

6. Landscaping Scheme

The approved landscaping and tree planting scheme be implemented 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.

7. Tree protection

No development shall commence until details of tree protection measures during construction of the development for existing retained trees (as identified on the approved layout and landscaping scheme) have been submitted to and been approved in writing by the local planning authority. The tree protection measures shall include details of low impact no dig construction where works overlap root protection areas.

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

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

8. Surface Water Drainage

No development shall commence until details of surface water drainage and its future maintenance have been submitted to and been approved by the local planning authority. No building shall be occupied until the approved surface water

drainage has been constructed. The drainage shall be maintained thereafter in accordance with the approved maintenance scheme.

REASON In the interest of flood prevention.

9. New access

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

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

10. Off Site Highway Works

The development shall not be occupied until the following off site highway works have been completed :

- Zebra crossing on Upton Court Road east of Quaves Road junction.
- Double height kerbs along grass verge on Upton Court Road between Castleview Road and Blenheim Road including service road.
- Double height kerbs along north side of Upton Court Road from opposite junction of Castleview Road (western end) to junction with Quaves Road.
- 0.75 metre widening at start of Upton Court Road service road (north side) east of its junction with Castleview Road.
- Bollards to protect crossing points on roundabout – 4-8 bollards required
- Minor alterations to existing access points to site
- Cycleway access to site next to west access
- Alterations of existing highway (Kings Reach) in connection with constructing access points (lighting, signage, drainage, reinstatement of footway etc).
- Detailed designs of above works to be agreed with Highways.

REASON In the interest of the free flow of traffic and conditions of general safety on the local highway network.

11. Off Site Park Works

The development shall not be occupied until the following off site works in Upton Court Park (owned by Slough Borough Council) have been completed :

- 2.5 metre wide shared cyclepath within Upton Court Park from opposite 40 Upton Court Road to the Rugby Club access road.
- Path to be fibredec finish and where overlap with park event access to be minor road specification across width of existing access.
- 3 entry points from Upton Court Road south-side cycleway to the new park path.

- Associated kerb works, signage, bollards, markings on path.
- Landscaping alongside path.
- (Informative : Detailed designs of above works to be agreed with Parks Manager via Section 106 agreement obligation)

REASON In the interest of the free flow of traffic and conditions of general safety on the local highway network.

12. Internal access road

Prior to first occupation of the development, the internal access ways foot and cycle paths and vehicular parking and turning provision shall be provided in accordance with approved plans.

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

13. Sustainable Development

The development shall not be occupied until it has been designed and constructed to achieve a rating of BREEAM Very Good.

REASON In the interest of sustainable development in particular reducing carbon emissions and in accordance with policy 8 of the Core Strategy 2008.

14. Energy

The development shall not be occupied until it has been constructed to incorporate measures to achieve carbon emissions that will be 10% lower than the Target Emission Rate as calculated in accordance with the Building Regulations 2013 Part L and associated Approved Documents.

REASON In the interest of sustainable development in particular reducing carbon emissions and in accordance with policy 8 of the Core Strategy 2008.

15. Thames Water 1

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

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

16. Thames Water 2

Development should not be commenced until an impact study of the existing water supply infrastructure has been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The study should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

REASON To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

17. Archaeological investigation

No development shall commence until the submitted written scheme of archaeological investigation (CGMS Ref: SD/21247 December 2015) has been implemented.

REASON To ensure that any archaeological remains are properly recorded and to comply with Policy EN20 of The Adopted Local Plan for Slough 2004.

18. Obscure Glazing

The science block building shall not be occupied until obscure glazing has been installed in first and second floor windows in the south east corner of the building as outlined on drawing number 16246 SEC-(01)-Z104 Rev 3 Eyesight Levels and Plan indicating obscured windows GA-(10)-Z700 Rev 1.

Reason In the interest of the living conditions of nearby residential occupiers. .

19. Construction Management Scheme

No development shall take place until a Construction Management Plan has been submitted and approved in writing by the local planning authority, which shall include details of the provision to be made to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning within the site, wheel cleaning facilities during the construction period. The Plan shall thereafter be implemented as approved before development begins and be maintained throughout the duration of the construction works period.

REASON In the interest of minimising danger and inconvenience to highway users in accordance with policy 7 of the Core Strategy 2008 and in the interest of residential amenity re noise and dust.

20. Flood Risk Mitigation

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (RAB ref. 966B v5, dated March 2016) and the following mitigation measures detailed within the FRA:

- 1 Provision of compensatory flood storage as set out within flood extents

drawing and drawing 5505/P1 dated March 2016.

2. Finished floor levels to the western block set no lower than 21.77m AOD

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

Reasons

To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, and ensure that the development is appropriately flood resilient.

21. Bellmouth

The development shall not be occupied until the existing western access bellmouth has been closed off and verge/footway reinstated unless the western access on drawing GA-(00)-Z101 Rev 13 24/4/1 has been implemented.

REASON In the interest of highway safety.

INFORMATIVE(S):

1. The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved. The park path works obligation is associated with condition 11 in terms of timing of works; the 106 requires details to be submitted based upon the list of works and based upon the Council providing access to the land for the works to be carried out. The indicative plan of the works is Mitigation Measures drawing number N4479 002 T SK-102 P03.

2. Highway Matters

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

No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.

The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system. In order to comply with this condition, the developer is required to submit a longitudinal detailed drawing indicating the location of the highway boundary.

The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment

Agency will be necessary.

The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.

The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.

Prior to commencing works the applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 / Minor Highway Works Agreement with Slough Borough Council for the implementation of the works in the highway works schedule. The applicant should be made aware that commuted sums will be payable under this agreement for any requirements that burden the highway authority with additional future maintenance costs.

3. Hours of Construction.

During the construction phase of the development hereby permitted the developer is asked to ensure contractors are engaged without reliance upon working unusual hours on site nor reliance upon unusual practices that are likely to cause a nuisance to nearby residents or road users. In general no work should be carried out on the site outside the hours of 08.00 hours to 18.00 hours Mondays - Fridays, 08.00 hours - 13.00 hours on Saturdays and at no time on Sundays and Bank/Public Holidays. Car parking for construction workers and space for deliveries should be within the site.

13th January 2016 COMMITTEE REPORT

Reference Number P/11425/022

1.0 **SUMMARY OF RECOMMENDATION**

Delegate to Planning Manager for Approval

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 This proposal comprises 3 linked three storey buildings and a fourth sports hall building. The linked buildings form a U shape with a courtyard between and the open end facing south. The sports hall is immediately south of the linked buildings and sits at a slightly lower level (0.5 metres). The total floorspace proposed is 8,124 sqm.
- 2.2 The site is broadly rectangular but the main buildings are not parallel to the site boundary. Space to the north and east of the main buildings is mostly car parking. Space to the south of the group of buildings contains a flood lit all weather sports pitch and an unlit multi use games area. Space to the west contains the cycle store and habitat/landscaping sloping down to the Park boundary. The floodlighting element of the scheme has now been withdrawn.
- 2.3 Access will be across the north boundary from the new Kings Reach road. A separate entry and exit are proposed linked to the cycleway already built along the south and west side of the access road. A zebra crossing is due to be built between the two access points.
- 2.4 110 car parking and 126 cycle parking spaces are proposed and provision for a coach to enter and park in the site. The access will be gated and on site parking will be for staff and visitors only. Students will be encouraged to come to school by non-car modes of travel. A travel plan has been submitted. The applicant's transport assessment concludes that the capacity of the surrounding road network and parking facilities can adequately cater for anticipated demand. School, start and finish times will be staggered. Details of off site works and contributions linked to off site drop off etc. that have been negotiated are outlined below in the assessment.
- 2.5 The buildings will have flat roofs. The roof line will vary a bit as a result of the slightly lower entrance block that will be partly two storey in height, screened plant areas on the roof and variation of the height of cladding. Materials used will be a dark and robust cladding on the lower storeys, vertical timber cladding above or render for the facades of the courtyard area, high level plant room and sports pavilion building. In the courtyard elevations window reveals will be coloured.

- 2.6 One poor quality oak tree will be removed on the site boundary. It overlaps another oak with a wider canopy. 'No dig' construction is proposed where access paths are needed within root protection zones of mature oak trees. Some of the young trees on the edge of the south boundary tree belt will be lost to fit in the MUGA. The landscaping plans indicate some new tree planting in the site plus a front boundary hedge with 1.5m railings. 2 metre high weld mesh is proposed along the boundary with the Park with native shrub planting adjacent. 8 six metre high flood light columns are proposed for the all weather pitch. Drawings show a pedestrian gate on the boundary that is shared with the Cricket Club.
- 2.7 The building will meet a BREEAM rating of 'very good' and incorporate energy efficiency and low carbon technology to ensure carbon emissions from the building will be at least 10 % better than Building Regulations.
- 2.8 Ditton Park Academy has already opened on a temporary basis in former Thames Valley University buildings with an intake of approximately 300 pupils. The new school will provide places for 1,100 students 200 of which will be sixth form students supported by 150 members of staff. August 2017 is the target opening date.
- 2.9 The applicant is a contractor appointed by the Education Funding Agency. This Government agency will fund and build the free school for the Academy. The school will be operated by the Slough Association of Secondary Head Teachers Education Trust (SASH).
- 2.10 The application is supported by a design and access statement, flood risk assessment; drainage strategy, ecology study, tree report, ground investigation, light study, energy statement, statement of community involvement, transport assessment and landscape details. A minor revision to the layout includes moving the site and buildings southwards slightly to accommodate the access road as built rather than as designed.
- 3.0 **Application Site**
- 3.1 This 2.02 ha. site was part of the Castlevew housing development site when first approved in 2006. It has not been farmed for a few years. It slopes from the north to the south/south west by about 2.5 metres. The western boundary that abuts Upton Court Park is formed by a ditch with several mature trees on or near the boundary. There is a thick (10 metre) belt of trees and shrubs along the south boundary next to the Cricket club grounds.
- 3.2 To the west is Upton Court Park, to the south is Slough Cricket Club with the pavilion and groundsman's home near the site boundary behind the tree belt. To the east are the rear gardens of new 2 and 3 storey homes plus, near the entrance, the flank of a block of flats. To the north is Kings Reach the access road leading to Upton Court Road. Opposite will be new homes on land currently used as Bellway Homes show homes and site compound. The site abuts the Green Belt on the Park and Cricket club boundaries.

3.3 The access road includes double height kerbs, a zebra crossing next to the school site (to be put in by Bellway Homes), a cycleway on the west side of the access road up to and joining the existing cycleway alongside Upton Court Road south side.

4.0 **Site History**

4.1 Allocated in the Local Plan 2004 and Proposals Map 2010 as part of a site for residential development and a school (Site 16).

4.2 Outline approval for a residential development, school and access 2006 (Appeal decision) Ref. P/11425/003. Planning obligation to transfer land for a school to the Council. The residential development did not proceed but obligation to transfer land for a school subsequently incorporated into a contract associated with land for access road for residential development. Most of the school site is owned by the Council.

4.3 Full planning permission for residential development (300 homes) and access from Upton Court Road on site adjacent to School proposal. Approved 2012 Ref. P/11425/012 plus subsequent amendments (Bellway Homes). The site access was designed to cope with school traffic.

5.0 **Neighbour Notification**

5.1 Kings Reach 1-7 odd
Oxlade Drive 2-24 ev
Blackwell Ct. 8-12 ev 1-9 odd
Starling Ct. 2-8 ev
Piggott Place 1-11 incl (1 Spicer Mews)
Spicer Mews 2-7 incl
Upton Ct Road - Cricket Club
Housing Solutions (owner of adjacent housing)
Bellway Homes

5.2 One petition of 35 names received from residents of the new Kings Reach. The residents welcome a new secondary school in the area and development but are deeply concerned about the layout of the entrance and exit road. They object to the access arrangement and are concerned about the significant increase in traffic, pollution, children's safety.

Some of their specific concerns/points are :

- (i) Access road is narrow and bendy and will be extremely busy.(response para 8.1)
- (ii) Parents will park in the new development.(2.4, 8.4-8.6)
- (iii) Privacy of homes and safety re possible youths hanging around.
- (iv) Light pollution at night. (9.5)

- (v) No secondary means of escape in an emergency.
- (vi) No plans of external highway works/pedestrian access available at public exhibition of plans
- (vii) Insufficient parking spaces. (8.3)
- (viii) Request alternative access to school site from Park (off Rugby Club access road)
- (ix) Ask Council if it considered or will consider alternative access.

5.3 A response to these issues is outlined in the paragraph number quoted above or below. (iii) the site has been planned for a school alongside the residential development and was known about before homes were sold. The risk of some children misbehaving is no worse than for any other area near a school and the extent of any problem would not be significant enough for it to be considered a Planning matter. (v) in the event of an emergency the site has two access points onto the public highway and Blenheim Road provides a secondary emergency escape from the area without using the access road. (vi) the lack of information at the applicants exhibition is not a Planning matter. (viii and ix) the planning permission for the Bellway Homes development included a suitable access for the school so there is no need to consider a further access in the Park.

6.0 **Consultation**

6.1 Traffic/ Highways

Request layout changes to ensure parking is workable, coach can enter the site from the west, gates set back from road. Revised plans received are still being looked at.

Request off site works to mitigate parent drop off/pick up parking in particular verge protection on parts of Upton Court Road plus minor widening of part of service road; create a crossing point on Upton Court Road near Quaves Road; create path (pedestrian and cycle) within Park to provide safe, alternative route to existing Upton Court Road south side foot/cycleway (which will be affected by drop off/pick up parking).

Request Section 106 agreement to cover a revised Travel Plan; financial contribution to travel plan monitoring; traffic regulation order (for parking controls on Kings Reach and near junctions on Upton Court Road) and park path construction inspection fees.

Request for contribution to Lacselles Rd/Bath Road junction only needed if this is not funded as part of Upton Grammar School expansion proposal. The Sec. 106 for Upton now includes suitable provision.

See section 8 below for background information. Further comments may be made on receipt of revised transport assessment.

- 6.2 Drainage
Regarding surface water drainage concerned about how well the proposed soakaways will work on this site. Boreholes on the adjacent site continue to be monitored for groundwater levels. A condition will require drainage details to be approved before development commences and the existing drainage strategy may need altering.
- 6.3 Parks Section
Support additional path that would be routed along north edge of Park. Concern about parents trying to use Rugby Club access for drop off etc. Request that it is made clear to the School that any regular use of Upton Court Park for sport should be by agreement with the Council. Proposed works to and clarity re ownership of boundary trees to be reviewed. Concern about effect of amended layout on oak trees.
- 6.4 Archaeology
Request a condition requiring a programme of archaeological investigation prior to commencement of development and for the a mitigation strategy be approved before any approval of planning application. An archaeological investigation of the adjoining site in 2012 and 2013 indicates that important archaeological remains are present in the area.
- 6.5 Environment Agency
Comments yet to be received. At the pre application stage the principle of development was accepted subject to no building or land raising in the flood zone that overlaps the west edge of the site.
- 6.6 Thames Water
Request conditions to restrict commencement of development until (1) a foul drainage strategy has been approved (2) a water supply impact study has been carried out.

PART B: PLANNING APPRAISAL

- 7.0 **Policy Background**
- 7.1 The site is allocated under saved policy H2 of the Local Plan 2004 and the 2010 Proposals Map for a school as part of the wider residential development site 'LP 16'. The wording of the Local Plan site requirements refers to provision of education facilities to meet the needs of the adjacent new housing development and relocation of of Castleview school. Since this was approved in 2004 education needs have changed. New primary and secondary school places have increased in the Borough including at Castleview School and there is a continuing and urgent need for further secondary places. The principle of a secondary school on the site is accepted and supported.
- 7.2 The site had been released from the Green Belt as a result of the previous 2006 planning permission for housing and a school. Issues regarding building next to the Green Belt are addressed below under design considerations.

7.3 Subject to Environment Agency comments flood risk can be satisfactorily addressed to comply with Core Strategy policy 9 by not building in the western fringe of the site identified as flood zone 3. If the main access road becomes flooded there is a dry access route available via Blenheim Road.

8.0 **Access and Transport**

8.1 The site access is satisfactory. Its design along with the roundabout took account of the future school use. The separation of vehicle entry and exit is supported as this reduces the need for reversing movements. The separate pedestrian access is also a benefit.

8.2 In terms of the approach to the school the access road to Upton Court Road already includes crossing points at the arms of the roundabout; cycle/footway alongside the access and pedestrian crossing on Kings Reach for those approaching on the east side of the road. In addition the existing link to Blenheim Road provides a quiet route for those approaching from the east of the site. However a crossing point is sought for Upton Court Road near Quaves Road. Furthermore the existing cycleway along the south side of Upton Court Road could be compromised by pick up/drop off parking; this issue is addressed below.

8.3 The on-site car and cycle parking arrangement on the revised plans is broadly satisfactory but details are still being checked.

8.4 Regarding drop off/pick up parking and in line with most other recent school proposals no provision on the site is made for this. Use of the car will be discouraged and for those that do come by car the aim is to disperse pick up parking in the area to limit congestion at the school entrance. The access road has double height kerbs to prevent road parking on the verge or footway. Parking restrictions (including school keep clear markings) will also need to be funded by the development. The road to the Rugby Club is not suitable for use by drop off/pick up traffic because of its width; lack of turning space and condition. However there is a risk that some people might try to use it.

8.5 Whilst the Travel Plan will play an important role in encouraging non-car modes of travel the applicants stated proportion of car use is considered low for this type of school and location. However irrespective of the exact proportion of car use the issue of off site pick up and drop off needs to be addressed although it is recognised this will cause some short term congestion at times on nearby roads.

8.6 The use of Upton Court Park car park for pick up parking would be useful but it is too far away to be relied upon. Consequently it is accepted that parents will use Upton Court Road. To limit the adverse effects of this verge protection is required for the green spaces off Upton Court Road east of the roundabout. Double height kerbs have been requested as they are more robust and attractive than timber knee rails. For the portion of this road west of the roundabout parking restrictions will be put in place near the junctions and crossing points up to the junction with Lascelles Road.

- 8.7 At drop off/pick up time multiple car doors opening on to the south side cycleway could create a safety hazard. So it is proposed to create an alternative path along the edge of the Park, behind the hedge, from about Lascelles Road junction to the new cycleway on Kings Reach near the roundabout.
- 8.8 This alternative route will also mitigate the likely problem of some cars mounting the kerb and parking partly on the footway.
- 8.9 Some further transport related information has been requested and the costings for the proposed off site works is still being investigated. Subject to consideration of this information, conditions and a Section 106 planning obligation to cover the items listed below the proposal complies with core policy 7 transport and Local Plan policy 8 Cycling facilities. .
- 9.0 **Layout and Design**
- 9.1 The school building will be quite prominent being next to the open areas of the adjacent park, Green Belt land to the south and visible from Upton Court Road. A smaller and less bulky building had been envisaged when the site was considered for a primary school. However the proposed building needs to be 3 storey to accommodate a secondary school on a small site. The layout requirements for the school have been carefully considered and are quite particular such that layout options are limited.
- 9.2 To soften the visual impact of the building it is set back within the site and existing boundary trees will help. The timber cladding will also help as it has a softer appearance than render or other cladding.
- 9.3 A corner of one of the teaching blocks will be 22 metres from the rear of existing homes to the east. This is quite close but being a corner rather than a whole façade will result in it not being overbearing for the suburban character of the area. However as it is a three storey building overlooking could be a problem. To address this upper level windows near the corner will be partly obscure glazed.
- 9.4 The sports hall building will be 16 metres from adjacent homes but this will not significantly adversely affect residents as that side of the building will be single storey changing rooms.
- 9.5 Regarding the sports pitch flood lighting the nearest new home will be 78 metres away to the east. It is unlikely to be adversely affected by light spill. The Cricket Club groundsman home will be closer to the lamps at 12 metres from the back of a lamp column and 58 metres from the front of a column. However the 6 to 9 metre high tree belt is 5 metres away from the home which will block much of the light spill. Further information has been sought to clarify the effect of light spill on residential property. However the applicant has now withdrawn the floodlighting element from this planning application.
- 9.6 The loss of some of the southern tree belt is acceptable as at least 3.5 metres width remains and it is substantial enough to still provide a screen between the school buildings and the green belt land to the south. The loss of one oak on the

west boundary is accepted because of its poor condition. Other mature trees on the Park boundary are important landscape features and good for ecology. 2 of the oaks are veteran trees. The applicants recommend a further survey of their condition but at present there is no reason to fell them. However the Academy may want to carry out some works to reduce risk of falling branches and provide space for the proposed path underneath some trees. For the latter path the 'no dig' construction over part of the root zone can be controlled by condition. The amended plan increases the amount of construction work in the root protection area of mature oaks; the impact of this is still being assessed.

- 9.7 New tree planting on the site will be important to help soften the appearance of the large buildings from views across the Park and from homes to the north and east. The fact that the adjacent spaces are in the Green Belt is also a justification for retaining and planting trees. Several east boundary trees are proposed near the rear of adjacent homes. There is regrettably limited space on the frontage for many trees because of the need to fit on parking and access ways. The proposed frontage hedge will therefore be important.
- 9.8 The proposed sustainability features – BREEAM very good and carbon emissions 10% better than Building Regulations are acceptable regarding Core Policy 8 Sustainability.
- 9.9 Overall subject to receipt of satisfactory further information and detailed inspection of the revised drawings the proposal complies with Local Plan policy EN 1 Design EN3 Landscaping OSC 13 floodlighting and Core Strategy policy 8 Sustainability and Environment, 9 Natural and Built Environment 12 Community Safety.

10.0 **Section 106 Planning Obligation**

10.1 The following are required :

- (i) Travel Plan – submit revised plan and implement.
- (ii) Financial contribution for travel plan monitoring.
- (iii) Financial contribution for traffic regulation order (for parking controls on Kings Reach and near junctions on Upton Court Road)
- (iv) Sign a Section 278 highway works agreement to cover off site works relating to school drop off/pick up parking and safe routes to school referred to in Section 8 above.
- (v) Construct an alternative cycle/footway along the edge of the Park
- (vi) Payment of fees for the Council inspecting the Park path works.

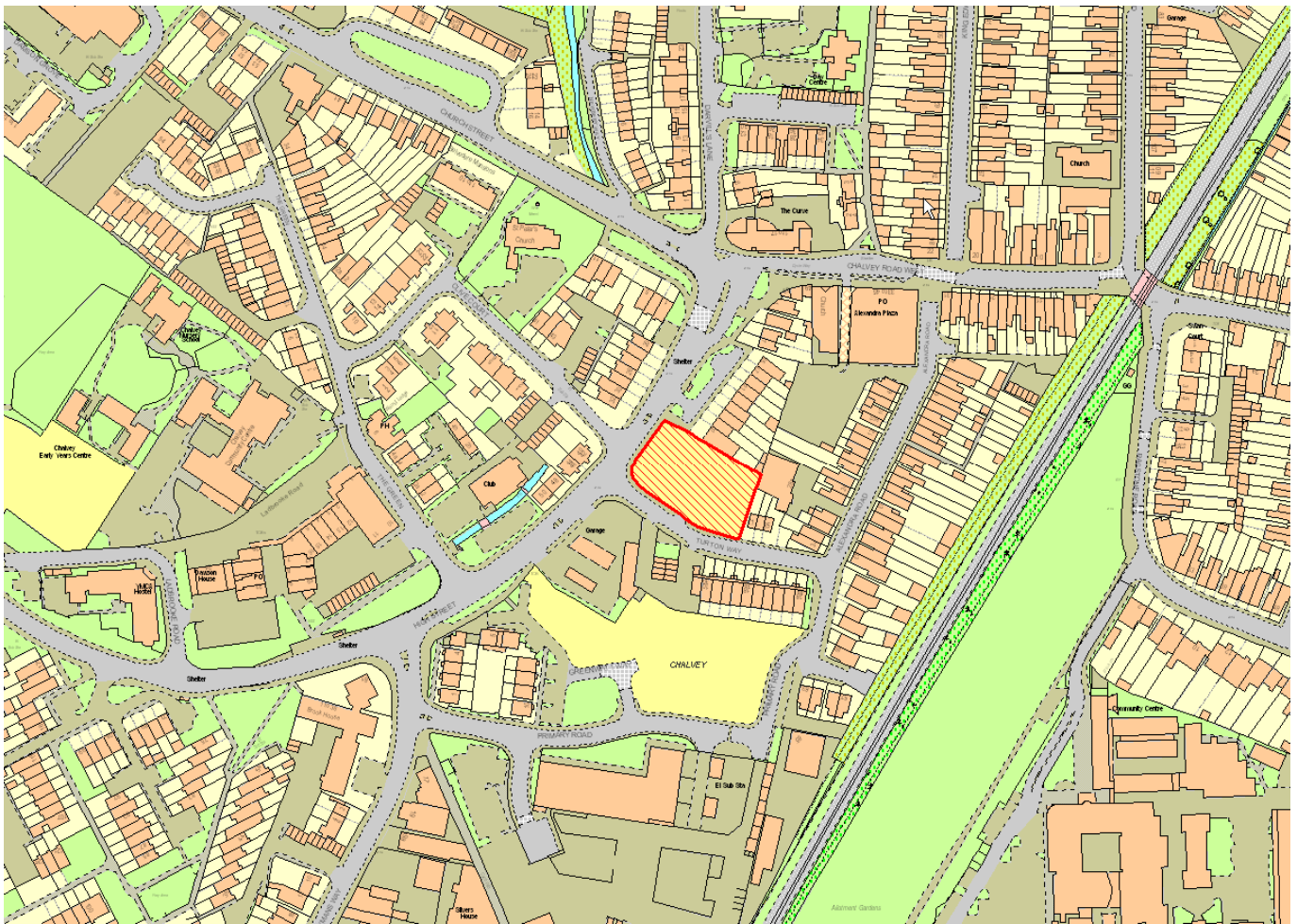
PART C: RECOMMENDATION

11.0 **Recommendation**

Delegated to the Planning Manager for approval subject to completion of a satisfactory Section 106 planning obligation; receipt of further information requested; consideration of Environment Agency comments; alteration and addition of conditions.

Registration Date:	15-Apr-2016	Applic. No:	P/02092/009
Officer:	Christian Morrone	Ward:	Chalvey
		Applic type:	Major
		13 week date:	15 th July 2016
Applicant:	Mr. Robert Harrison, HGR Management Ltd		
Agent:	Dominic Camegie, Godel Architects Godel Architects, LA Chasse Studio, LA Rue De La Vallee, St Mary, Jersey, JE3 3DL		
Location:	The Cross Keys, 35 High Street, Chalvey, Slough, SL1 2RU		
Proposal:	Construction of 7no. four bedroom three storey houses and 4no. three bedroom three storey houses with associated car and bicycle parking.		

Recommendation: Delegate to the Planning Manager for approval.



1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 Having considered the relevant policies set out below, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for **approval** subject to consideration of any substantive objections, resolution of outstanding issues, completion of a Section 106 agreement, minor design changes, and finalising conditions.
- 1.2 This application is to be determined at Planning Committee as it is an application for a major development, in line with the scheme of delegation.

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 This is a full planning application for the construction of 11 three storey dwellings. The site would consist of:
- 7 No. 4 Bed houses fronting the High Street, and 4 No. 3 Bed houses Turton Way.
 - New vehicular access from Turton Way to serve the Turton Way terrace.
 - The High Street terrace would utilise the existing vehicular access from the High Street.
 - Provision of 22 car parking spaces; 18 to the front of the High Street terrace, and 4 to the front of the Turton Way Terrace.
 - Cycle parking and bin storage to front of the dwellings.
 - Brick wall with railings western front and southern side of the High Street terrace.

3.0 **Application Site**

- 3.1 The application site is a corner plot located by the High Street and Turton Way junction. Part of the site is under the ownership of Slough Borough Council and once occupied a public house which is now demolished. The site remains unoccupied and hoarded off.
- 3.2 The site is close to Chalvey shops. Opposite to the south is the petrol station and Turton Way 3 storey flats. To the north is the flank of a 3 storey terrace; to the east 2 storey homes and the rear of an MoT garage. There are pay and display parking bays adjacent in Turton way with yellow line restrictions around the junction of Turton/High St.

4.0 **Relevant Site History**

- 4.1 P/02092/008 Erection of four three bedroom four storey houses and four two bedroom three storey houses with associated car and cycle parking.

Approved with Conditions; Informatives, 12-Jun-2015

P/02092/007 Application to replace extant planning permission p/02092/0006 for the demolition of the keys p.h and construction of four no. four storey, three bedroom and four no. three storey, two bedroom houses, with parking

Approved with Conditions; Informatives, 06-Jan-2012

P/02092/006 Demolition of the keys p.h. and construction of four no. four storey, three bedroom and four no. three-storey, two bedroom houses, with parking.

Approved with Conditions; Informatives, 28-Jul-2008

P/02092/005 Erection of single storey extension for dining and function room

Approved with Conditions, 24-Aug-1995

P/02092/004 Erection of rear conservatory

Approved with Conditions, 25-May-1995

P/02092/003 Retention of satellite dish on roof of back addition

Approved with Conditions, 23-Oct-1992

4.2 This site currently benefits from a recently approved planning permission for 8 houses. This application has not expired, and is therefore extant and can be fully built out.

4.3 This new planning application differs from the previous extant planning permission (ref. P/02092/008) in that the site area has been enlarged to accommodate the southwest corner by the High Street/Turton Road junction. The number of proposed houses has increased from 8 to 11. This application proposes a more traditional type of housing unit compared to the contemporary scheme previously approved.

5.0 **Neighbour Notification**

5.1 18, Turton Way, Slough, SL1 2ST, 38, Turton Way, Slough, SL1 2ST, 12, Turton Way, Slough, SL1 2ST, 30, High Street, Chalvey, Slough, SL1 2SQ, 28, High Street, Chalvey, Slough, SL1 2SQ, 21, Turton Way, Slough, SL1 2ST, 21, High Street, Chalvey, Slough, SL1 2RU, 30, Turton Way, Slough, SL1 2ST, 31, High Street, Chalvey, Slough, SL1 2RU, 36, Turton Way, Slough, SL1 2ST, 40, High Street, Chalvey, Slough, SL1 2SQ, 42, High Street, Chalvey, Slough, SL1 2SQ, 29, High Street, Chalvey, Slough, SL1 2RU, 19, High Street, Chalvey, Slough, SL1 2RU, 23, Turton Way, Slough, SL1 2ST, 26, High Street, Chalvey, Slough, SL1 2SQ, 14, Turton Way, Slough, SL1 2ST, 17, High Street, Chalvey, Slough, SL1 2RU, 24, High Street,

Chalvey, Slough, SL1 2SQ, 27, High Street, Chalvey, Slough, SL1 2RU, 25, Turton Way, Slough, SL1 2ST, 15, High Street, Chalvey, Slough, SL1 2RU, 34, Turton Way, Slough, SL1 2ST, 22, High Street, Chalvey, Slough, SL1 2SQ, 10, Turton Way, Slough, SL1 2ST, 16, Turton Way, Slough, SL1 2ST, 44, High Street, Chalvey, Slough, SL1 2SQ, 46, High Street, Chalvey, Slough, SL1 2SQ, 25, High Street, Chalvey, Slough, SL1 2RU, 20, High Street, Chalvey, Slough, SL1 2SQ, 32, Turton Way, Slough, SL1 2ST, 23, High Street, Chalvey, Slough, SL1 2RU, 32, High Street, Chalvey, Slough, SL1 2SQ, 28a, Alexandra Road, Chalvey, Slough, Berkshire, SL1 2NQ, Murco Garage, High Street, Chalvey, Slough, SL1 2RU

[Officer Note: no comments have been received at this stage. Once comments are received they will taken into account and be included within the update sheet].

6.0 **Consultation Responses**

6.1 Thames Water

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

Environment Agency

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

Crime Prevention Design Advisor, Local Policing

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

Environmental Protection

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

Contaminated Land Officer

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

Tree Management Officer

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

Transport and Highways Development

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)

Adopted Local Plan for Slough

- H13 – Backland/Infill Development

- H14 - Amenity Space
- EN1 – Standard of Design
- EN3 – Landscaping
- T2 - Parking

7.2 The main planning considerations are therefore considered to be:

- Principle of development
- Design, appearance and impact upon the street scene and local area.
- Design and Crime Prevention
- Impact on residential amenity
- Living Conditions and Amenity Space for residents
- Highways and parking
- Landscaping and Impact on Trees
- Flooding
- Contaminated land

8.0 **Principle of development**

8.1 Core Policy 4 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document states that in urban areas outside the town centre, new residential development will predominantly consist of family housing. The Berkshire Strategic Housing Market Assessment has identified the need for family housing which reflects the disproportionate number of flats which have been completed in recent years as a result any development within the urban area should consist predominantly of family housing.

8.2 The Core Policy defines family housing as ‘a fully self-contained dwelling (with a minimum floor area of 76 square metres) that has direct access to a private garden. Comprises a minimum of two bedrooms and may include detached and semi-detached dwellings and townhouses but not flats or maisonettes’.

8.3 The site is located in an urban area outside the town centre or shopping areas, and the proposed houses satisfy ‘family housing’ as defined by Core Policy 4. As such the principle of development is acceptable.

9.0 **Design, appearance and impact upon 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 The surrounding area comprises a mix of residential and commercial uses. To the southwest on the opposing side of Turton Road is the BP petrol garage which is located within a defined Business Area and the Chalvey Sports and Social Club is further south west. To the northwest are a further number of mixed uses along the Chalvey Road West. The remaining locality is predominantly residential.

9.5 The 11 houses would be distributed into two separate terraces, comprising 7 No. 4 Bed houses fronting the High Street, and 4 No. 2 Bed houses fronting Turton Way. The High Street terrace would accommodate one parking space with bin store cycle parking to the front of each house on a driveway. The Turton Way terrace would accommodate four parking spaces with bin store cycle parking within a shared space to the front of the terrace. A further 11 visitor parking spaces would be positioned in a shared space to the front of the High Street terrace.

9.6 Each terrace would continue the established building lines to the front; however, in doing so, the southernmost dwelling in High Street terrace would be forward of the return building line in Turton Way. This relationship would be similar to the pattern of

development at the eastern end of Turton Way, by the junction at Alexandra Road. Here the corner house at 34 Alexandra Road also sits forward the building line in Turton Way. As the proposed scheme's relationship would be similar to this, no objections are raised in this instance.

- 9.7 The proposed houses would be three storeys in height. There are existing three storey dwellings adjacent to the site in the High Street and directly opposite to the site at the southwest in Turton Way, and therefore three storeys are acceptable in principle. The height of the houses would be higher than the existing terraces to each side in the High Street and Turton Way. However a higher scheme has been approved through the previously approved planning application (ref. P/02092/008) which remains extant and therefore can still be implemented. As such, a refusal due to excessive height would not be upheld at appeal. Therefore, no objections are raised regarding height.
- 9.8 The surrounding area consists of dwellings that vary in form, design, and materials. The proposed houses would incorporate two-storey elevations to the front, with further accommodation in the pitched roof form. To the rear of the houses in Turton Way, the form alters somewhat to provide a three storey elevation and reduced roof slope. The houses would adopt a traditional form to the front elevations that would fit in with character with the surrounding area.
- 9.9 The pattern of fenestration would be suitable, and the materials to the external fabric would include face brickwork to the ground floor, white render to the upper floors, and fibre cement slate roof tiles. Subject to the materials being high quality, the overall appearance of the proposed houses would be of a good standard and be compatible their surroundings. Appropriate conditions can be included to ensure the materials for the elevations, roofs, boundary, wall, and bike stores are of a high quality. In order to retain the acceptable form and design, conditions to withdraw permitted development rights of front porches and rear dormers can be included.

10 **Design and Crime Prevention**

10.1 **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.

10.2 The proposed scheme would include a 'dry egress route' between the two proposed terraces, which is required as part of the flood mitigation strategy. This could potentially provide for unrestricted, secluded access to the rear gardens of the proposed houses, with no natural surveillance and hiding places.

10.3 These issues could be addressed by requiring the access to be adequately gated and

be kept locked shut when not in use. This can be secured by appropriate conditioning.

11.0 **Impact on residential amenity**

11.1 **The NPPF** provides guidance on impact stating that:

Planning should always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings.

11.2 Concerns are raised over the relationship between the western end of the Turton Way terrace, and the rear of three of the proposed dwellings in the High Street terrace. The upper floor rear windows within the central house in the High Street terrace would provide some views into the rear garden area and rear windows of the end terrace house in the Turton Way terrace. However, this relationship has been approved through the previous scheme (ref. P/02092/008) which remains extant and therefore can still be implemented. As such, a refusal on this basis would not be upheld at appeal.

11.3 This relationship between the terraces would also result in a relatively small separation distance between the rear elevations in the High Street terrace (second and third houses up from the south) and the flank elevation of the Turton Way terrace. This measures between 9 metres (min) and 12 metres (max). Owing to the limited width of the flank elevation of the Turton Lane terrace, a degree of openness would be retained at each side that would provide an acceptable aspect from the rear facing windows and rear gardens in this instance. Furthermore, as this is a new development, this relationship would not be imposed on any existing occupiers. Taking the above into account, in this instance the proposal would not result in wholly unacceptable living conditions for the future occupiers in these two houses in the High Street terrace.

11.4 The Turton Way terrace would be positioned within close proximity of the existing occupied end terrace house in Turton Way (21 Turton Way). The area to the side of the 21 Turton Way is used as access to the rear garden area, and is therefore used mainly in a transient manner and the occupants would not suffer a prolonged overbearing impact. Therefore, the overbearing impact in this area alone would not result in unacceptable living conditions for the occupants of the neighbouring dwelling.

11.5 The Turton Way terrace would project beyond the rear elevation of the existing house at 21 Turton Way. The proposal would not encroach within 45 degrees of any neighbouring habitable windows; however the proposed terrace would project approximately 2.8 metres past the neighbouring rear elevation. This would result in a degree of overbearing in the rear neighbouring garden area. When taking into consideration the large private amenity area at the neighbouring property, the proposal would not result in an unacceptable overbearing impact to these external

areas as a whole.

- 11.6 In order to protect the privacy of the houses and gardens proposed in the Turton Road Terrace, conditions included to withdraw permitted development right for roof lights and dormers.
- 11.7 The proposals would set away from the remaining neighbouring properties by a distance ample enough to negate any neighbouring amenity issues.
- 11.8 Having regard to guidance given in the NPPF, no objections are raised in relation to the impact on neighbouring amenity subject to appropriate planning conditions being imposed.
- 12.0 **Living Conditions and Amenity Space for residents**
- 12.1 **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.
- 12.2 The houses have been assessed in terms of room sizes and it is confirmed that the room sizes comply with the Council's approved guidelines for flat conversions, which although not strictly applicable to new build schemes, do nonetheless provide a reasonable rule of thumb.
- 12.3 The ratio of amenity space serving the houses has already been accepted through the previously approved scheme (ref. P/02092/008) which remains extant. As such, no objections are raised.
- 12.4 In order to retain an acceptable area of rear garden space, conditions are included to withdraw permitted development right of extensions and to only permit outbuildings under 25 cubic metres.
- 12.5 The High Street terrace would be consist of eight, four bedroom units, two bedrooms of which would be accommodated with the roof space to be served by roof lights. The applicant has confirmed the front bedrooms within the roof space would be served by roof lights positioned within 1.7 metres of the internal floor level. The applicant asserts this would provide a reasonable aspect and outlook for the future occupants. Dormer windows would provide a better the aspect and outlook from these bedrooms however; these would not be permitted due to their impact on the visual amenity of the street scene. Roof lights below 1.7 meters of the internal floor level are a compromise. The two main bedrooms at first floor level would provide acceptable aspect and outlook, and therefore, the proposed roof lights would not result in wholly unacceptable living conditions in this instance.

12.6 Due to overlooking issues from the rear of the High Street terrace, the rear bedrooms within the roof space would be served by roof lights positioned 1.7 metres above the internal floor level. These would provide for a limited aspect and outlook for these bedrooms. These are four bedroom units, and the two main bedrooms at first floor level would provide acceptable aspect and outlook. The proposed roof lights to the front bedrooms in the roof space would provide some aspect and outlook. The rear bedrooms in the roof space would not be considered the main bedrooms, (of which do have appropriate aspect and outlook). As such, a refusal on this basis would unlikely be upheld at appeal, and therefore the high level roof lights serving the bedroom area would be acceptable in this instance.

13.0 **Traffic and Highways Implications**

13.1 The previously approved scheme (ref. P/02092/008) provided for 2 spaces per dwelling which was deemed acceptable. It was found that there would be no traffic impact although a financial contribution and works agreement would be needed to change existing parking restrictions etc. and relocate the pay and display machine/bay affected by the access points. These items would be secured through a Section 106 Agreement.

13.2 The current proposal offers a similar ratio of parking spaces. The visitor parking spaces for the Turton Way terrace would be located to the front of the High Street terrace.

13.3 Having regard to the previous scheme, and the only difference in highways terms is an intensification of the site and additional parking spaces; no objections are raised as yet. At this stage, the conditions from the previous application can be included.

14.0 **Landscaping and Impact on Trees**

14.1 At this stage, the conditions from the previous application can be included. Once comments are received they will be included within the update sheet.

14.2 Having regard to the previous scheme, no objections are raised as yet. However, this is notwithstanding consultation comments that may bring to light issues that could change the Case Officer's recommendation.

15.0 **Flooding**

15.1 Having regard to the previous scheme, and the only difference in flood terms is three additional units and additional hard standing; no objections are raised as yet. At this stage, the conditions from the previous application can be included. However, this is notwithstanding consultation comments that may bring to light issues that could change the Case Officer's recommendation.

16.0 **Contaminated Land**

16.1 Having regard to the previous scheme, and the only difference in contaminated land terms is three additional units and additional hard standing; no objections are raised as yet. At this stage, the conditions from the previous application can be included. However, this is notwithstanding consultation comments that may bring to light issues that could change the Case Officer's recommendation.

17.0 **Section 106 agreement**

In previously approved scheme (ref. P/02092/008) a Section 106 agreement was entered into to secure financial contributions for:

- a) Traffic Regulation Orders Contribution
- b) Parking Meter Relocation Contribution

and a section 278 and/or section 38 of the Highways Act 1980 and/or section 111 of the Local Government Act 1972 for the following highways works:

- Temporary access point
- Installation of crossover / junction
- Reconstruct the footway fronting the application site (as necessary)
- Reinstatement of redundant access points to standard to footway construction
- Installation of street lighting modifications (as necessary)
- Drainage connections (as necessary)

Before planning permission is granted, the above Section 106 agreement would need to be completed in respect of this new proposal.

18.0 **Recommendation**

Having considered the relevant policies set out below, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for **approval** subject to consideration of any substantive objections, resolution of outstanding issues, completion of a Section 106 agreement, minor design changes, and finalising conditions.

19.0 **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.

19.1 **CONDITIONS (to be finalised)**

1. Commence within three years

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

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

2. Approved plans

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

Drawing Nos.

S01; Recd 19/04/2016

P01; Recd 19/04/2016

P02; Recd 19/04/2016

P03; Recd 19/04/2016

P04; Recd 19/04/2016

P05; Recd 19/04/2016

P06; Recd 19/04/2016

P07; Recd 19/04/2016

15089T-100; Recd 19/04/2016

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

3. Details and Samples of materials

Details of external materials and samples of elevations, roofs, boundary, wall, and bike stores to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced on site and the development shall be carried out in accordance with the details approved.

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

4. Bin storage

No development shall commence until details of the proposed bin store

(screening/enclosure/external materials) have been submitted to and approved in writing by the Local Planning Authority. The approved stores shall be completed prior to first occupation of the development and retained at all times in the future for this purpose.

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

5. Surface water

Development shall not commence until details of surface water drainage have been submitted to and been approved in writing by the Local Planning Authority. No house shall be occupied until the drainage has been constructed in accordance with the approved details. The drainage system shall be retained and maintained thereafter.

REASON To prevent the risk of flooding in accordance with policy 8 of the Core Strategy 2006-26 (Development Plan adopted 2008).

6. Cycle parking

No development shall be begun until details of the cycle parking provision (enclosure/external appearance and cycle stand detail) have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details prior to the occupation of the development and shall be retained at all times in the future for this purpose.

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

7. Landscaping Scheme

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

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. No house shall be occupied until its associated boundary treatment has been constructed in accordance with the approved details.

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

8. New access

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

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions prejudicial of general safety along the neighbouring highway in accordance with Policy 7 of the Core Strategy 2006 - 26.

9. Closing up existing access

The development shall not be occupied until the existing access(s) to the site has been closed and reinstated as footway in accordance with the details to be agreed in writing by the Local Planning Authority.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway in accordance with Policy 7 of the Core Strategy 2006 - 26.

10. Hours of construction

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

REASON To protect the amenity of residents within the vicinity of the site in accordance with the objectives of Policy EN26 of The Adopted Local Plan for Slough 2004.

11. No raising of levels

Development shall not commence until details of existing site levels and finished levels of the frontage access, frontage parking area and access paths to front doors on the High St frontage have been submitted to and been approved by the

local planning authority. The frontage shall be laid out as approved.

REASON In the interest of flood prevention in particular part of the site is in flood zone 2/3 and any raising of ground levels above existing will result on flood water being displaced to other property.

12. Time scale for the provision of parking

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

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities of the area in accordance with Policy T3 of The Adopted Local Plan for Slough 2004.

13. Removal of Permitted Development rights - outbuildings

Notwithstanding the terms and provisions of the Town and Country Planning General Permitted Development England Order 2015 (or any order amending or revoking and re-enacting that Order), Schedule 2, Part 1, Class E no buildings greater than 25 cubic metres shall be erected, constructed or placed on the site without the express permission of the Local Planning Authority.

REASON In the interest of residential amenity in particular retaining gardens that are small for the size of property and location of the development.

14. Removal of Permitted Development rights - extensions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any order revoking, re-enacting or modifying that Order), no extensions within Schedule 2, Part 1, Classes A of the Order shall be carried out without the express permission of the Local Planning Authority.

REASON In the interest of residential amenity in particular retaining gardens that are small for the size of property and location of the development.

15. Removal of Permitted Development rights - extensions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any order revoking, re-enacting or modifying that Order), no development within Schedule 2,

Part 1, Classes B, C and D of the Order shall be carried out without the express permission of the Local Planning Authority.

REASON In the interest of retaining the visual amenity of the houses and to protect the privacy of the houses and gardens proposed in the Turton Road Terrace.

INFORMATIVE

1. Section 106 Legal Agreement - The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 will need to be entered into with regards to the application hereby approved.
2. Highway Matters - 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. In order to comply with this condition, the developer is required to submit a longitudinal detailed drawing indicating the location of the highway boundary.
5. The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.
6. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
7. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.
8. 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: 16th June, 2016

PART 1

FOR INFORMATION

Planning Appeal Decisions

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

WARD(S)

ALL

Ref	Appeal	Decision
2011/00135/ENF	58 Blandford Road South, Slough, SL3 7RY Without planning permission, the material change of use of the land from use as a single residential dwelling to a mixed use of residential and commercial office.	Appeal Dismissed 12 th April 2016
P/14980/004	1 Granville Avenue, Slough, SL2 1ND Change of use from single family dwelling (C3) to special needs school (D1) and new front first floor window (temporary period of 3 years).	Appeal Dismissed 13 th April 2016
P/14231/009	244-248, High Street, Langley, Berks Retrospective application for retention of out building to rear of 244-246 High Street, Langley for use as stores. The inspector considered the main issues are the effects of the development on (1) the character and appearance of the area and (2) the living conditions of the occupiers of the adjacent neighbouring property in Elmhurst Road with particular regard to outlook The Inspector concluded that "whilst the appeal building is visible from Elmhurst Road, within the context and character of the surrounding area described above, and taking account of its low height, I do not consider that it is of a bulk, massing or appearance that appears as unacceptably dominant or obtrusive within the street scene. Although the development has reduced the garden/amenity space at the rear of the existing	Appeal Granted 15 th April 2016

	<p>properties, I am satisfied that sufficient useable space remains for the occupiers. Moreover, the separation distance between the rear elevation of the existing properties on the site and the development is not such that results in an unacceptably cramped appearance within the surrounding area.</p> <p>The building runs along the entire rear boundary of the appeal site which is shared with the side boundary of the adjacent dwelling. However, due its modest height and massing, I do not consider that it amounts to an unacceptable sense of enclosure or is overbearing in appearance in the outlook for the occupiers of this neighbouring property.</p> <p>It satisfactorily accords with the design and amenity aims of Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, EN1 of the Adopted Local Plan for Slough 2004, the Slough Local Development Framework Residential Extensions Guidelines Supplementary Planning Document 2010 and the National Planning Policy Framework”.</p>	

MEMBERS' ATTENDANCE RECORD 2016/17
PLANNING COMMITTEE

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

P = Present for whole meeting
 Ap = Apologies given

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

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