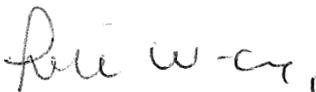


Date of issue: Friday, 12 April 2019

MEETING	PLANNING COMMITTEE (Councillors Dar (Chair), M Holledge, R Bains, Carter, Cheema, Minhas, Plenty, Rasib and Smith)
DATE AND TIME:	WEDNESDAY, 24TH APRIL, 2019 AT 6.30 PM
VENUE:	MEETING ROOMS 1 & 2 - THE CURVE, WILLIAM STREET, SLOUGH, SL1 1XY
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	NICHOLAS PONTONE 01753 875120

NOTICE OF MEETING

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



JOSIE WRAGG
Chief Executive

AGENDA

PART 1

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

APOLOGIES FOR ABSENCE

CONSTITUTIONAL MATTERS

1. Declarations of Interest

-

-

All Members who believe they have a Disclosable Pecuniary or other Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 4 paragraph 4.6 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.



<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
2.	Guidance on Predetermination/Predisposition - To Note	1 - 2	-
3.	Minutes of the Last Meeting held on 20th March 2019	3 - 6	-
4.	Human Rights Act Statement - To Note	7 - 8	-
PLANNING APPLICATIONS			
5.	P/10734/006 - Freestone Yard, Park Street, Colnbrook, SL3 0HT <i>Recommendation: Delegate to the Planning Manager for approval</i>	9 - 34	Colnbrook with Poyle
6.	P/00669/015 - Forward Building, 44-46, Windsor Road, Slough, SL1 2EJ <i>Recommendation: Delegate to the Planning Manager for approval</i>	35 - 68	Chalvey
7.	P/00669/016 - Forward Building, 44-46, Windsor Road, Slough, SL1 2EJ <i>Recommendation: Delegate to the Planning Manager for approval</i>	69 - 102	Chalvey
PRE-APPLICATION PRESENTATION			
8.	Horlicks Factory, Stoke Poges Lane, Slough	103 - 108	Baylis and Stoke
MISCELLANEOUS REPORTS			
9.	Update on the Review of the Local Plan for Slough 2016 - 2036 - Local Development Scheme and Housing Delivery Test	109 - 120	All
MATTERS FOR INFORMATION			
10.	Planning Appeal Decisions	121 - 126	-
11.	Members' Attendance Record	127 - 128	-
12.	Date of Next Meeting - 29th May 2019		

Press and Public

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

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

This page is intentionally left blank

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.

This page is intentionally left blank

Planning Committee – Meeting held on Wednesday, 20th March, 2019.

Present:- Councillors Dar (Chair), M Holledge (Vice-Chair), R Bains, Carter, Minhas, Plenty and Smith

Apologies for Absence:- Councillors Cheema and Rasib

PART I

120. Declarations of Interest

Agenda item 6: P/12244/009, Colnbrook Logistics Centre – Councillor Smith declared that the application was in his ward.

121. Guidance on Predetermination/Predisposition - To Note

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

122. Minutes of the Last Meeting held on 20th February 2019

Resolved – That the minutes of the meeting held on 20th February 2019 be approved as a correct record.

123. Human Rights Act Statement - To Note

The Human Rights Act Statement was noted.

124. Planning Applications

No amendment sheet was tabled at the meeting.

Oral representations were made to the Committee under the Public Participation Scheme in respect of item 6: P/12244/009, Colnbrook Logistics Centre. The agent addressed the Committee.

Resolved – That the decisions 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 Planning Manager and subject to any further amendments and conditions agreed by the Committee.

125. P/01276/003 - 279, High Street, Slough, Berkshire, SL1 1BN

Application	Decision
Outline Planning Permission (with Matters of Scale) for the demolition of the existing buildings on 277-279	Delegated to the Planning Manager for approval, subject to the satisfactory completion of a Section

Planning Committee - 20.03.19

<p>High Street and redevelopment consisting three buildings, one of a single storey link building for cycle store and reception area, one part four/five storey, one six storey and a single storey link building to provide up to 57no. residential flats with ground floor retail/commercial units, cycle storage facility and car parking. (Layout, Appearance and Landscaping to be dealt with by reserved matters).</p>	<p>106 to secure the planning obligations set out in paragraph 20.0 of the original 31st October 2018 Planning Committee report and finalising conditions and any other minor changes; or to refuse the application if the satisfactory completion of a Section 106 was not completed by 4th July 2019, unless otherwise agreed by the Planning Manager in consultation with the Chair of the Planning Committee.</p>
--	---

126. P/12244/009 - Colnbrook Logistics Centre, Colnbrook Bypass, Slough, SL1 0EB

Application	Decision
<p>Temporary logistics centre for the testing, screening, delivery, storage and assembly of materials and components related to the construction of Heathrow related development projects, incorporating administration buildings, rail sidings, gantry crane, cement building, and car and lorry parking. The provision of a temporary remote goods screening centre for goods entering Heathrow airport and secure screening of passengers prior to their entering of Heathrow Airport with associated storage. Means of access, drainage infrastructure, boundary treatments, landscaping and other ancillary works. (Change in Application Description - Revised Plans and Documents Received 15/01/2019)</p>	<p>Delegated to the Planning Manager for approval, subject to finalising conditions and any other minor changes.</p>

127. Former Octagon Site, Station Square, Slough, SL1 1QY

The Committee received a pre-application presentation on the proposals for the Former Octagon Site, Station Square, Slough, SL1 1QY. The protocol relating to pre-application presentations was tabled to remind Members of the purpose, scope and format of the discussion.

The pre-application presentation was given by representatives of the Applicant and Agent on the development of a prominent and high profile site

Planning Committee - 20.03.19

into a flexible 85,000sqft net HQ office 7 storey building and a 170 private unit 21 storey residential tower. The development included the provision of a new green urban link through a communal piazza public space that would feature the office reception, co-working communities, café & restaurants and dedicated separate residential entrances. There would be 120 car parking spaces at basement level with 80 allocated for the office and 40 for the residential development. The site history was noted and Members were informed that the applicant did not intend to implement the previous application considered by the Committee on 31st October 2018 for which a decision was pending.

Members were given the opportunity to ask a number of questions and made initial observations on the proposal. The following is a summary of key questions and issues raised:

- Balconies – the provision of balcony space for the office building was queried, including if they would be used as smoking areas. It was responded that amenity space of this type was important in modern office buildings and that they would be smoke free. It was also confirmed that all corner flats would have balconies.
- Co-working – the concept of co-working would provide more flexible office floorspace potentially for multiple tenants and start up businesses.
- Car parking – the indicative mix of units was for 50 2 bed flats and the provision of only 40 car parking spaces for the residential element may not be sufficient and it was suggested that some spaces from nearby car parks be allocated. Officers highlighted that in this town centre location, there could be no requirement to provide spaces for residential units. The representative of the applicant commented that the final mix of units was not confirmed.
- Access – Members highlighted the historic problems with buses off loading passengers on the footpath next to the site and questioned whether it could be widened as part of the development. This was an operational issue which could be looked at with bus operators.
- Retail/leisure – the ground floor units could be sub-divided to meet market demands. The indicative design included enhanced height of 5 metres at ground floor to maximise the attractiveness of the frontage.
- Materials – the designs for both blocks were indicative at present but assurance was provided that they would seek to fit with neighbouring buildings.

At the conclusion of the discussion, the presentation was noted.

Resolved – That the pre-application presentation be noted.

Planning Committee - 20.03.19

128. Members' Attendance Record

Resolved – That the Members' Attendance Record be noted.

129. Date of Next Meeting

The date of the next meeting was confirmed as 24th April 2019.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.39 pm)

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

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

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

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

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

OFFICER ABBREVIATIONS	
LM	Laurence Moore
DC	David Cooper
PS	Paul Stimpson
NR	Neetal Rajput
HA	Howard Albertini
JG	James Guthrie
SB	Sharon Belcher
IK	Ismat Kausar
CM	Christian Morrone
CL	Caroline Longman
NB	Neil Button
MS	Michael Scott

This page is intentionally left blank

Registration Date:	24-Dec-2018	Application No:	P/10734/006
Officer:	Michael Scott	Ward:	Colnbrook-with-Poyle
Applicant:	Mrs. Gaynor Fletcher	Application Type:	Major
		13 Week Date:	25 March 2019
Agent:	Mr. Taylor Cherrett, Turley The Pinnacle, 20 Tudor Road, Reading, RG1 1NH		
Location:	Freestone Yard, Park Street, Colnbrook, SL3 0HT		
Proposal:	Construction of 16 residential units comprising the conversion of two commercial buildings and the erection of a new building, together with ancillary car parking, landscaping, tree works and vehicular and pedestrian access from Park Street (as approved by OUTLINE application P/10734/004)		

Recommendation: Delegate to the Planning Manager for approval subject to completion of a satisfactory S106 Agreement and conditions as set out in 1.1 below.



SUMMARY OF RECOMMENDATION

- 1.0 This application has been referred to the Planning Committee for consideration as the application is for a Major Development.
- 1.1 Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager:
- A) For APPROVAL subject to:-
- 1) the satisfactory completion of a Section 106 agreement
 - 2) finalising conditions; and any other minor changes;
- or
- B) Refuse the application if the satisfactory completion of a Section 106 agreement is not engrossed and signed within six months hence 24th October 2019, unless otherwise agreed by the Planning Manager, in consultation with the Chair of Planning Committee.

PART A: BACKGROUND

2.0 Proposal

- 2.1 Full planning permission is sought for a scheme of 16 residential units comprising the conversion of two commercial buildings and the erection of a new building, together with ancillary car parking, landscaping, tree works and vehicular and pedestrian access from Park Street.
- 2.2 As set out below, this scheme follows an earlier grant of Outline Planning permission for 17 units involving the conversion of two commercial buildings and the erection of a new building, together with ancillary car parking, landscaping, tree works and vehicular and pedestrian access from Park Street.

3.0 Application site

- 3.1 The site area is 0.15 hectares. The site is currently occupied by 80m² of A1 shops use and 290m² of B1a office use. There are 6 existing flats at the front of the site which will be retained. The site is within the Colnbrook Conservation Area and the entrance to the site is formed by an archway under what was a former coach house which comprises, Hampton House and the Post office, both of which are Grade II listed buildings. There are designated heritage assets within the site although it does not lie in an area identified as of Archaeological Significance.
- 3.2 The site is an extensive backland site which stretches northwards as far as the Coln Brook which is a main river, the responsibility for which falls to the Environment Agency. Beyond the river to the north is Tan House Farm and to

the north east is the McArdle's site. To the east is the relatively modern part three storey/part two storey flats at Albany Park and to the west is the mature rear garden belonging to Hampden House. Access to the proposal premises is via the protected listed arch facade which falls between Hampden House and the Post Office. Hampton House and the Post Office form part of the original style coaching house and are listed as Grade II buildings on the statutory list.

- 3.3 The existing buildings on site are an eclectic mix of commercial properties
- 3.4 The yard is hard surfaced with parking for commercial vehicles and cars, which take access via the existing archway from Park Street. The arch access from the public highway being subject of a statutory listing, has become a considerable impediment to the continued practice of the industrial business at this site and they now wish to relocate to more convenient premises.

4.0 Relevant Site History

4.1 P/10734/005 Submission of details pursuant to conditions 9 (Drainage), 10 (Disposal of sewerage), 11 (Archaeological work), 16 (Noise), 23 (Contaminated Land) and 24 (contamination) of planning permission P/10734/004 – DISCHARGED 05/10/18.

- P/10734/004 Outline application with all matters reserved for subsequent approval for the construction of 17 no. residential units (8no x one bedroom flats and 8no x two bedrooms flats and one two bedroom dwelling house) comprising the conversion of two existing commercial buildings and the erection of a new building, together with ancillary car parking, landscaping, tree works and vehicular and pedestrian access from Park Street – APPROVED 27/09/16.

Flats in Freestone Yard

- P/10734/001 Installation of new windows, upvc - CONSERVATION AREA CONSENT 28-Nov-2000

Freestone Works

- P/10734/000 Erection of first floor pitched roof rear extension - APPROVED 25-Jan-1999

5.0 Press and site publicity, and neighbour notification

5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) a site notice was displayed outside the site on 21/01/19. The application was advertised as a major application and development affecting a Conservation Area, development affecting the setting of a Grade II Listed Building in the 18/01/2019 edition of The Slough Express. Neighbour letters were sent out on 08/01/2019 to the following addresses:

3, Park Street, Colnbrook, Slough, SL3 0HS, Flat 2, King Johns Palace, Park Street, Colnbrook, Slough, SL3 0JG, Star & Garter, Park Street, Colnbrook, Slough, SL3 0JF, Flat 1, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, Flat 2, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, Flat 3, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, 43, Albany Park, Colnbrook, Slough, SL3 0JU, Tan House Farmhouse, Mill Street, Colnbrook, Slough, SL3 0JP, 47, Albany Park, Colnbrook, Slough, SL3 0JU, 46, Albany Park, Colnbrook, Slough, SL3 0JU, Flat 3, King Johns Palace, Park Street, Colnbrook, Slough, SL3 0JG, 51, Albany Park, Colnbrook, Slough, SL3 0JU, 52, Albany Park, Colnbrook, Slough, SL3 0JU, 53, Albany Park, Colnbrook, Slough, SL3 0JU, 48, Albany Park, Colnbrook, Slough, SL3 0JU, 49, Albany Park, Colnbrook, Slough, SL3 0JU, 50, Albany Park, Colnbrook, Slough, SL3 0JU, Post Office, 5, Park Street, Colnbrook, Slough, SL3 0HS, Flat 4, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, 2, Park Street, Colnbrook, Slough, SL3 0HS, Badminton, Park Street, Colnbrook, Slough, SL3 0HS, Hampton House, Park Street, Colnbrook, Slough, SL3 0HS, Flat 1, The Haven, Park Street, Colnbrook, Slough, SL3 0HS, Flat 4, King Johns Palace, Park Street, Colnbrook, Slough, SL3 0JG, Flat 1, King Johns Palace, Park Street, Colnbrook, Slough, SL3 0JG, 44, Albany Park, Colnbrook, Slough, SL3 0JU, 1, Park Street, Colnbrook, Slough, SL3 0HS, 45, Albany Park, Colnbrook, Slough, SL3 0JU, The Smithy, Park Street, Slough, Berkshire, SL3 0JF, McArdle House, McArdle Way, Colnbrook, Slough, SL3 0RG, Flat 5, Freestone House, Park Street, Colnbrook, Slough, SL3 0HS, Flat 3, The Fairmead, Park Street, Colnbrook, Slough, SL3 0HS, Flat 1b, The Fairmead, Park Street, Colnbrook, Slough, SL3 0HS, Flat 1a, The Haven, Park Street, Colnbrook, Slough, SL3 0HS, Flat 2, The Fairmead, Park Street, Colnbrook, Slough, SL3 0HS, Flat 3b, The Fairmead, Park Street, Colnbrook, Slough, SL3 0HS, 5, Park Street, Slough, SL3 0HS, Inn Telligence Ltd, 8, Freestone Yard, Park Street, Colnbrook, SL3 0HT

5.2 The public consultation period expired on 29/01/19. Three letters of representation have been received from local residents objecting to the proposal with comments relating to:

- There are existing parking concerns and the development would lead to further difficulties both within the site and in the vicinity on the public highway
- Difficulty of access and egress due to narrow “tunnel”
- Concerns regarding access for emergency services
- Construction related issues of deliveries, noise and disturbance
- Litter and rats

6.0 **Consultations**

6.1 **Transport and Highways**

- **Car Parking** – 22no. spaces referred to in the documentation, however 23no. spaces shown on the plans. [It is understood] that the provision of 1 space per unit was agreed with SBC at the pre-application stage (proposals are for 16no. residential units plus 6no. existing = 22 units in total). No issues with dimensions and location of parking bays or aisle widths; however confirmation of parking numbers required for clarity.

- **Cycle Parking** – 22no. spaces (1 space per unit) agreed with SBC at the pre-application stage. Plans show two separate cycle stores providing 20 + 2 cycle spaces, which are acceptable.
- **Refuse Collections** – Annotation on plans refer to collection of bins by private refuse contractors from vehicle parked on Park Street, as agreed previously with SBC. Location of bin stores acceptable assuming private contractors will wheel bins to and from waiting vehicle on collection days given the distances involved.
- **Site Access** – little can be done to improve this given the existing constraints due to the historic building/archway – access for pedestrians, cycles and private cars only due to 3.0m height/width restriction. There may be scope however to widen the footway crossover onto Park Street to improve access to the site for vehicles.

6.2 Tree officer

Comments:

As long as there isn't any excavation work carried-out within the RPA of existing trees located on land located outside of the development area then there shouldn't be any unnecessary damage caused (As defined in RPA BSI 5837 (2012))

It is unlikely that there will be any substantial root growth beyond the RPA; however caution should still be applied as they may be some radial roots present within the top 600mm of topsoil outside of this zone and therefore should be taken into consideration should any further excavation work be planned. This would help preserve the health of all the trees located on adjacent land including protecting the overall stability & structure of the surrounding ground within the construction site itself.

Tree Protection Measures:

Tree protection barriers should be put in place outside of the RPA to create a construction exclusion zone around the boundary fence to help prevent any unnecessary damage from occurring to trees or contaminating adjacent land. Care should also be taken not to unnecessarily build-up the ground levels or pile up soil around the boundary fence as this could in time kill the trees off.

Tree Maintenance:

Within group of trees G1, it is proposed to remove x4 Lawson's Cypress from the proposed new construction area. Also for some light pruning work to take place to cut back overhanging branches from three trees located on adjacent land around the site boundary T14, T15, and T16 which in my opinion is perfectly acceptable if carried-out, as has been detailed in the Arb Report.

All tree related work will need to be done so in accordance with BS3998: 2010 Recommendations for tree work. This is to ensure that all work is carried out in such a way as to not cause avoidable harm to the tree(s) and to protect local amenity.

6.3 Berkshire Archaeology

"The conclusions attached to the outline applications are still relevant to the full proposals" The outstanding matters can be dealt with by the submitted Written Scheme of Investigation (WSI).

6.4 Environment Agency

The Agency confirms a condition [set out below] to embody the documentation from the applicant's specialist covering the terms of the mitigation required to enable the development to satisfy the required flood measures for this site.

6.5 Thames Water

- Waste comments: “if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer prior approval will be required.”
- Water comments: On the basis of the information provided, we would have no objection”

6.6 Council’s Contamination Officer

I have reviewed the information submitted and am satisfied by the submission.

6.7 Crime Prevention – Police Architectural Liaison Officer

Having reviewed the plan supplied I can say I would have no objections to the development in principle. However, I feel there are opportunities to design out crime and/or the fear of crime and to promote community safety. Therefore, I supply the following comments to assist the authority and the prospective applicants in creating as safe a development as possible:

Policy

- The National Planning Policy Framework 2018, Section 12 ‘Achieving well-designed places’, point 127 (part f), which states that; ‘Planning policies and decisions should ensure that developments... create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience’.
- Slough Core policy 6 and 12.

Observations:

- **General grassed area to the rear of New Block:** From plans rpf909sht6f.dwg rev F: I have concerns that the proposed ‘general grassed area’ to the rear of the New Block’ does not provide any separate between private and unrestricted public realm. or defensible space to ground floor apartments, from the plans provided it appears that a footpath along the rear of the block has been proposed, providing a legitimate excuse of any member of the public, resident or guests to have direct access to private ground floor living and bed rooms. Compromising the privacy those living on the ground floor. **I ask that detailed boundary are submitted and approved prior to planning approval being granted. (this will be a requirement any successful SBD award (condition 27 of P/10734/004)**
- **Cycle storage ‘C’:** From plans rpf909sht6f.dwg rev F I have concerns the Cycle storage facilities located to the rear of the ‘New Block’ appear to connect to the facade of the building obstructing ground floor bedroom window. **I ask that the cycle storage facilities be removed and relocated to an area where they do not conflict with private residential activity.**

- **Physical security**

Secured by Design Strategy

No development shall commence until details of the measures to be incorporated into the development to demonstrate how ‘Secured by Design (SBD)’ accreditation will be achieved have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details and shall not be occupied or used until the Council has acknowledged in writing that it has received written confirmation of SBD accreditation

I thank the applicant for providing the Secured by Design statement, however the development is required to achieved SBD accreditation, "**written confirmation of SBD accreditation**" this can only be evidenced once the SDB Accreditation Certificate of compliance has been issued. I therefor ask that the applicant submit a Secured by Design (SBD) application to SBD HQ (<https://www.securedbydesign.com/>). Once successfully completed the SBD Assessor will issue the SBD certificate.

PART B PLANNING APPRAISAL

7.0 Policy background

7.1 National Planning Policy Framework 2019

- Section 2: Achieving sustainable development
- Section 5: Delivering a sufficient supply of homes
- Section 8: Promoting healthy communities
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 16: Conserving and enhancing the historic environment

7.2 Slough Local Development Framework Core Strategy 2006 - 2026

- Core Policy 1 – Spatial Strategy
- Core Policy 3 – Housing Distribution
- Core Policy 4 – Type of Housing
- Core Policy 7 – Transport
- Core Policy 8 – Sustainability and the Environment
- Core Policy 9 – Natural and Built Environment
- Core Policy 11 – Social Cohesiveness
- Core Policy 12 – Community Safety

7.3 Local Plan for Slough 2004 (Saved Policies)

- 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
- EN13 (Conservation Areas)
- EN16 (Setting of a Listed Building)
- EN19 (Protection of Archaeological Sites)
- EN20 (Archaeology Remains)
- T2 Parking restraint

- T8 Cycling network and facilities
- EMP3 (Loss of Employment Land)

7.7 Composite Local Plan – Slough Local Development Plan and the NPPF

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 revised version of the National Planning Policy Framework (NPPF) was published on 19th February 2019.

Planning Officers have considered the revised NPPF which has been used together with other material planning considerations to assess this planning application.

The NPPF states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

7.8 Supplementary Planning Documents and Guidance

- Slough Borough Council Developer's Guide Parts 1-4
- Slough Borough Council's Draft Low Emission Strategy (LES 2017-25)
- ProPG: Planning & Noise: Professional Practice Guidance on Planning & Noise. New Residential Development. May 2017
- Technical housing standards - nationally described space standard 2015

8.0 Planning considerations

The planning considerations for this proposal are:

- Principle of Development
- Impact on Visual Amenity
- Impact on Neighbours' Amenity
- Living Conditions and Amenity Space for future residents
- Highways and Parking
- Flood Risk & Sustainable Drainage
- Heritage Assets & Archaeology
- Crime Prevention
- Contamination
- s.106 Requirements

Principle of development

8.1 Both the National Planning Policy Framework and the Local Development Plan seek a wide choice of high quality homes which should be considered in the context of the presumption in favour of sustainable development.

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

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

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

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

8.3 The earlier outline planning permission is a material consideration in the assessment of these current proposals. It is noted that the overriding issues of the proposed development have been agreed in that outline. Namely, that approval confirmed firstly the case for the change of use from commercial to residential and secondly, the case for flatted accommodation rather than family oriented dwellings in this specific location. So, subject to the consideration of the specifics of this application, there would be an expectation that the current scheme is acceptable in respect of the principle of the land use, if it accords with the same issues.

Impact on the visual amenity of the area

8.4 Paragraph 124 of the NPPF sets out that “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve”. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policies EN1 and EN2.

8.5 The current proposed form and design of the scheme arise from the grant of the earlier outline scheme. At that time it was stated that “*The general approach to development is considered acceptable, although this is an outline planning application with matters of appearance, layout and scale reserved for subsequent approval*”.

8.6 Furthermore, it was noted that “*This is a backland site which would not be highly visible from the street or public realm, with a backcloth of three storey modern flats to the east, quasi industrial uses to the north and north west, significant tree cover to the west but with a number limited views into the site for existing neighbouring residential occupiers from the rear of existing properties in Park Street. The maximum height of the proposed development is shown to be three storeys high plus accommodation within the roof space and given the site’s context, it is considered that a suitable and sympathetic design can be achieved. The proposed new buildings are located towards the rear of the site, away from the main sensitive parts of the site in heritage terms. However, as the site is located within a Conservation Area, the design*

will need to compliment and be sympathetic its heritage setting and which should include a suitable pallet of external construction and surface materials”.

- 8.7 It is considered that these current proposals, which match the scale, massing and illustrative design of that time, would relate well with the varying scale of the buildings in the surrounding area.
- 8.8 In relation to the comments of Historic England, it has to be said that the ethos of the design is to reflect the more modern additions and new buildings in the vicinity, as it is considered that this approach affords a greater degree of integrity to the formation of further new buildings rather than that of matching, indeed plagiarising, the remaining historic building within the site.
- 8.9 As such, the design and the palette of materials more closely follows the immediately adjacent style of the rear additions to the Park Street buildings with stained horizontal weatherboard at the upper floor level and window openings of similar proportions and detailing in the conversion of the industrial buildings in the inner courtyard. Likewise the larger new build block at the rear follows the style set by adjacent modern building at Albany Park in terms of its character and appearance, based on a palette of materials that would compliment the setting in that context.
- 8.10 Based on the above factors, the proposals are considered to be in keeping with the character and appearance of the area and therefore they comply with Policy EN1 of the Local Plan for Slough March 2004, Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the NPPF.

The impact of neighbours' amenity

- 8.11 The National Planning Policy Framework encourages new developments to be of a high quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Polies EN1 and EN2.
- 8.12 There would be various window openings on the east elevation of the new building facing Albany Court – 4no. at ground floor level; 11no. at first floor level; 9no. at second floor level; and, 2no. at third floor level. Each of these would be either a high-level “fanlight” or “obscure”. Therefore, it is considered that there would be no adverse impacts of loss of privacy and overlooking for either existing or future occupants of the two schemes respectively.
- 8.13 Given the distance between Albany Park and the new build block which varies from 11 metres and 13.5 metres, in conjunction with the north-south orientation of each of these buildings, it is considered that there would be no adverse impacts of overshadowing, overbearance or significant loss of sunlight and daylight for either existing or future occupants of the two schemes respectively. Notwithstanding this assessment, Condition 19 incorporates controls on the implementation of the scheme.

- 8.14 Furthermore, there would be some landscaping and a tree screen along the common boundary, which would soften the built environment to the benefit of both sets of occupants.
- 8.15 Within the proposed development itself, it is not considered that there will be issues of overlooking/loss of privacy and overbearing between the new building and the conversion of the existing buildings due to the proposed siting and relationship amongst these buildings.
- 8.16 With regard to the conversion of the existing properties, a condition will be attached to ensure that there are no new windows inserted into any of the elevations to protect the amenities of the residents along Park Street. As such, these matters are incorporated in Condition 18, as set below.
- 8.17 With respect to the occupiers of Park Street, the conversion of the existing commercial unit will screen the proposed new buildings, as such no detrimental impact is considered significantly affect these properties.
- 8.18 Based on the above in terms of the impact upon neighbouring properties and the proposal is considered to be consistent with the NPPF, Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and EN2 of the Adopted Local Plan.

Living conditions for future residents

- 8.19 The NPPF 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.
- 8.20 Core policy 4 of the Council's Core Strategy seeks high density residential development to achieve "a high standard of design which creates attractive living conditions."
- 8.21 Core Policy 8 from the Core Strategy, states that development shall not give rise to unacceptable levels of pollution including noise and shall not be located in noisy environments unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors.
- 8.22 Each of the proposed residential units would have acceptably sized internal spaces that would comply with the Council's current guidelines - Technical housing standards - nationally described space standard 2015, and would be served by windows that provide a suitable degree of daylight, aspect, and outlook.
- 8.23 At the earlier approval of the outline scheme, it was accepted that although the new build flats would not have any private amenity space, which is not ideal, it would not form a basis for refusal of that application, as the site is within close walking distance of accessible open amenity areas, such as Albany Park. The issue and the outcome would be the same in respect of the residential conversions of the existing building; as such these future occupants would be reliant on the nearby facilities for outdoor recreation.

- 8.24 A Noise Assessment is submitted with the application and considers noise from a number of potential sources, including aircraft noise and potential local sources, including the industrial uses located within close proximity of the application site, namely Tan House Farm.
- 8.25 The results of the Noise Assessment has determined that the internal sound levels in the proposed dwelling are likely to be achieved with the appropriate noise mitigation measures i.e. in terms of the right specification of glazing and external building envelopment.
- 8.26 Furthermore, based on the results of the noise survey and the assumed building fabric constructions, the suggested internal noise criteria are likely to be met during both daytime and night-time periods. The report notes that a detailed assessment should be undertaken during RIBA's Work Stage in order to ascertain the exact acoustic specification requirements for the various elements of the external building fabric.
- 8.27 As such, these matters are incorporated in Condition 14, as set below.
- 8.28 Based on the above, the living conditions and amenity space for future occupiers is considered to reflect the requirements of the NPPF, Core policy 4 of Council's Core Strategy, and Policy H14 of the Adopted Local Plan.

Highways and parking

- 8.29 The National Planning Policy Framework states that planning should seek to promote development that is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians and where appropriate local parking standards should be applied to secure appropriate levels of parking. This is reflected in Core Policy 7 and Local Plan Policies T2 and T8. Paragraph 32 of the National Planning Policy Framework states that '*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*'

Access from Park Street

- 8.30 The current scheme would utilise the existing access arrangements from Park Street. At the time of the outline planning scheme it was noted that:

"The existing vehicle access through the listed arch onto Park Street will be retained. This arch and the adjoining buildings are protected and therefore cannot be modified. Concerns were raised in pre-application discussions over sight lines and pedestrian visibility which are very constrained and cannot be improved, therefore it was requested that there be no intensification in its use, which the surveys have demonstrated.

The access is approximately 3.6m wide. As it is through a protected arch this is not considered sufficient for a refuse vehicle therefore, any servicing will take place from Park Street.

It is considered that the current condition of the crossover at the access point could be improved, and therefore a splayed entry crossover is requested with transition kerbs of 1m on either side of the access. The crossover also needs resurfacing to the

current carriageway standard. Any changes to kerbs will need to be made using conservation materials – e.g. granite kerbs etc.”

- 8.31 The current application is put forward on exactly the same basis with the single difference that this proposal is for 16 units rather than 17, as previously approved.

Car parking provision

- 8.32 The scheme proposes 23 car parking spaces. At the time of the outline planning scheme it was noted that:

“It is proposed that 24 spaces will be provided on site for both the proposed development of 17 flats and the existing 6 flats which park here. This results in provision of 1 space per dwelling. This is slightly below the parking standards as set out in the Slough Developer’s Guide part 3, which states that one bed flats should be supplied with 1.25 spaces per dwelling and 2 bed flats should have 1.75 spaces, this would result in 27 spaces. A slightly reduced provision has been accepted as this has allowed the local highway authority to request that 6 of the spaces be allocated to the existing 6 flats, so the 17 proposed dwellings and the 6 existing flats will have a minimum of 1 space each. This arrangement needs to be secured in the S106 agreement so that this benefit is not lost to the existing flats.”

- 8.33 The current application is put forward on exactly the same basis with the single difference that this proposal is for 16 units rather than 17, as previously approved. As such, the current application contains one less parking space, which would ease the layout and arrangement to the modest benefit of the area for circulation, amenity and landscape. As such, these matters are incorporated in Condition 15, as set below.

Cycle storage facilities

- 8.34 The scheme proposes space to store 22 cycles. At the time of the outline planning scheme it was noted that:

“24 cycle parking spaces are to be provided; this is one per dwelling, including the existing 6 flats. The cycle parking will be in the form of 1 x 2m cycle lockers as requested in pre-application discussions. The cycle lockers will be in two locations, one near the entrance to the site and one behind the most northern apartment building. It is considered that the parking by the access is well located as it will be covered by natural observation and easy to access however, the cycle parking behind the more northern apartment building is quite tucked away and will not be covered by natural observation. Although there are concerns over this and it would be better if it were located elsewhere, if there are no alternative locations that can be used, as the cycle stores will be secure this location will be accepted.”

- 8.35 The current application is put forward on exactly the same basis with the single difference that this proposal is for 16 units rather than 17, as previously approved. As such, the current application maintains the previous standard of one bay per unit i.e. 16 new units plus 6 existing units – thus proposals entail storage for 22 cycles. As such, these matters are incorporated in Condition 12, as set below.

Refuse and servicing provision

- 8.36 The site circumstances remain the same as at the time of the outline planning scheme, when it was noted that:

Due to the constrained nature of the access, refuse collection will need to take place from Park Street. There will be two locations for the bins to ensure that residents from all the apartment blocks can reach them easily and to ensure they are not located too far from the access point.

As the drag distance for the bins will be more than the maximum drag distance for bin collection operatives, as set out in the Slough Developer's Guide part 4, a management company will need to be employed to move the bins on collection day. The drag distance from the closest bin location to the collection point will be at least 28m while the further bin point is located 43m away. Residents should not need to carry their refuse more than 30m to a bin, again in line with the Slough Developers Guide p4 standards. For the residents in the most northerly apartment block there is a distance of approximately 33m to the nearest bins, due to the constrained nature of the site this distance is accepted. For residents in the other blocks the bins are located very close to the buildings.

- 8.37 As such, these matters are incorporated in Condition 13, as set below.
- 8.38 Given the above factors, and in particular the approval of these matters in the earlier outline planning application, it is considered that the potential impacts would not be severe and thus the development accords to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and Policies T2 and T8 of the Slough Local Plan 2004.

Flood Risk and Sustainable Drainage

- 8.39 As this is a major planning application, the surface water drainage from the site needs to be drained in accordance with the sustainable drainage system (SuDS) Technical Standards and the SuDS Manual. In accordance with the Ministerial Statement (HCWS161), the Local Planning Authority need to be satisfied the site will be satisfactorily drained in accordance with SuDS requirements and if draining into the main sewer, and agreed discharge rate with Thames Water.
- 8.40 The Environment Agency's Flood Zone map shows:
- The south of the site lies mainly in Flood Zone 1 'Low Probability' (less than a 1 in 1000 (0.1%) annual probability of river flooding).
 - The north of the site is within Flood Zone 2 'Medium Probability' (between a 1 in 100 (1%) and 1 in 1000 (0.1%) annual probability of river flooding).
- 8.41 Core Policy 8 of the Core Strategy states that development will only be permitted where it is safe and it can be demonstrated that there is minimal risk of flooding to the property, and it will not impede the flow of floodwaters, increase the risk of flooding elsewhere or reduce the capacity of a floodplain. It also states that development must manage surface water arising from a site in a sustainable manner which will also reduce the risk of flooding and improve water quality. Sustainable drainage systems should be used to attenuate surface water runoff and to minimise the risk of future sewer flooding where this is practical in terms of ground water levels, geology and land quality.
- 8.42 Peter Brett Associates has undertaken a Flood Risk Assessment (FRA) in

support of the application. As a 'More Vulnerable' use, the development is considered appropriate within Flood Zone 1 and 2.

- 8.43 A Sequential Test has been undertaken for the site by Peter Brett Associates which demonstrates that there are no alternative sites available for the proposed development in an area of lower flood risk within the Borough of Slough; as such the proposals pass the Sequential Test.
- 8.44 In considering the proposals, the following key aspects have been addressed:-
- Vulnerability to flooding from all sources.
 - Protection of occupants and users of the new development.
 - No increased flood risk to third parties as a result of the development.
- 8.45 Flood risk will be appropriately mitigated through measures including:
- Proposed ground floor levels set a minimum of 300mm above the modelled 1 in 100 (1%) annual probability plus climate change level, in accordance with EA and SBC requirements;
 - Continuous safe access arrangements provided at the modelled 1 in 100 (1%) annual probability plus climate change flood level via raised elements (including natural ground and raised walkways) running through the north of the site on to higher ground at the south of the site. This is supplemented by the provision of a Flood Risk Management Plan for all dwellings.
 - A flood compensation scheme demonstrating an increase in floodplain storage capacity over the site up to the modelled 1 in 100 (1%) annual probability plus climate change flood level.
 - A surface water drainage strategy, designed to the 1 in 100 (1%) annual probability plus 30% allowance for climate change storm event will be put in place to significantly reduce runoff from the site.
- 8.46 As such, the FRA confirms that the development is safe, it does not increase flood risk and does not detrimentally affect third parties, in accordance with the objectives of the NPPF.
- 8.47 The Environment Agency has been consulted on the current proposals and their formal comments are incorporated in Condition 16 set out below.
- 8.48 On 6th April 2015, the government introduced a requirement for all major development schemes to comply with the current Sustainable Drainage Regulations. This is now a material consideration in the determination of major planning applications, which necessitates the drainage system being designed in detail at an early stage in the planning process. However, as this is an outline application with all matters reserved for subsequent approval, it has been agreed that a sustainable drainage strategy can be conditioned.
- 8.49 Further to consultation with and agreement of the Environment Agency, a condition has been suggested to cover the recommended approval of these proposals.

Heritage assets & Archaeology

- 8.50 The National Planning Policy Framework states that planning should seek to ensure that developers set out how their proposals potentially affect heritage assets.

- 8.51 Historic England's "Conservation Principles" and the NPPF define conservation as "managing change". The NPPF recognises that change and adaptation must occur if the historic environment is to survive.
- 8.52 The subject site is not statutory listed but does lie within a Conservation Area and it is in the immediate Setting of a locally listed building with the access involving the Listed Archway.
- 8.53 A Character Appraisal of Colnbrook Conservation Area was carried out in 1997 and although now somewhat dated, the principles contained in that study are still very much relevant today. That being said there is nothing specifically contained in that study, such as a need to protect important views, which would preclude development on this site. Nonetheless, any development would need to be assessed in terms of its potential impact on the setting of the listed buildings in Park Street and the wider Conservation area itself.
- 8.54 A Heritage Statement has been submitted with the current application and it takes into account heritage sensitive receptors in or near the proposed development site. The report states that:
- "The closest listed building to the Proposed Development Area (PDA) is Badminton House, Post Office, adjoining house and Hampton House located immediately to the right of the PDA along Park Street. The designation comprises a row of late 18th Century houses with a central carriageway. Although it lies closest to the PDA, the development is secluded from view as it is situated behind the listed buildings and accessed through the central carriageway. Residential development is already popular down Park Street with properties from different eras. Modern flats (thought to have been constructed in 1990s) are located to the south west of the PDA therefore the development will be in keeping with its surroundings."*
- 8.55 The conclusion of the Heritage Statement states the following:
- "The proposed development will result in no changes to the setting of the heritage assets as there is no or limited visibility of the assets. The setting of the Conservation Area and heritage assets in which the development will be situated will be retained as the development is located behind the listed buildings on Park Street and is secluded from view. Furthermore, the setting of the heritage assets and Conservation Area is a residential one which the proposed development will do nothing to alter."*
- 8.56 It is noted that the site is situated behind the row of Listed Buildings that face on to Park Street on a former industrial back-plot and close to the banks of the Colnbrook. The two storey properties in Park Street have much character with their sloping tiles roofs and dormer windows and the carriage arches that survive from the former coaching days that were historically, socially and architecturally important for the significance of Colnbrook in the past.

- 8.57 As a back-land development, it is considered that in this setting, the proposals would serve to consolidate the residential character of Colnbrook in a way that is positive and should be welcomed.
- 8.58 In view of the historic role of the buildings adjacent, it is considered that the overall 'courtyard' layout is in keeping with the historic role of former stable and service yards.
- 8.59 It is considered that the new buildings would be subservient in scale and in overall character to the Listed Buildings adjacent but that they share some design characteristics with these neighbouring buildings. The proposed materials for cladding, fenestration and roofing would fit in well with the established character of the Conservation Area
- 8.60 In conclusion, it is considered that the proposals would preserve the adjacent heritage assets.

Crime Prevention

- 8.61 Paragraph 91 of the NPPF requires planning decisions to promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. These objectives are consistent with Core Policies 8 and 12, and Local Plan Policy EN5.
- 8.62 The current scheme has been discussed in detail with Police Liaison Officer, who has also been engaged by the applicant's agent during the course of the evolution of the plans. Their residual issues and comments, as set out above at paragraph 6.7, have been followed through by amendments, which are now collated in the application drawing set below.

Contamination

- 8.63 A report has been submitted setting out the findings of investigations relating to contamination. This has been considered by the Council's Contaminated Land Officer who has concluded that the proposals can proceed with a condition covering the production of a Validation Report (as set out at Condition 17 below).

9.0 S106 Agreement

- 9.1 A financial contribution is payable in lieu of the provision of affordable housing and the Council's Transport and Highway Engineers have advised the following additional S106 requirements:
- Residents of the development ineligible to apply for on-street parking permits in any existing or future on-street parking schemes;
 - 6 of the 24 spaces to be assigned to the 6 existing flats; and
 - Splayed entry crossover with transition kerbs of 1m on either side of the access using granite kerb materials and resurfacing the carriageway crossover – it may be appropriate for the applicant to agree a small contribution to cover this cost.

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.

The Agent has agreed to the S106 to secure the above.

PART C: RECOMMENDATION

- 9.0 It is recommended that the application be granted planning permission subject to the conditions set out below. Additional informative matters, as set out below, are also recommended to be attached to any planning permission granted.

PART D: CONDITIONS AND INFORMATIVES

1. Commence within three years

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

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

2. Drawing Numbers

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

- (a) Drawing No. rpf562 (freestone yard), Dated 15 Jul 2014, Rec'd on 24/12/2018
- (b) Drawing No. rpf562sht1b.dwg sheet 1 of 4 rev. B, Dated 05.12.18, Rec'd on 24/12/2018
- (c) Drawing No. rpf562sht2b.dwg sheet 2 of 4 rev. B, Dated 05.12.18, Rec'd on 24/12/2018
- (d) Drawing No. rpf562sht3b.dwg sheet 3 of 4 rev. B, Dated 05.12.18, Rec'd on 24/12/2018
- (e) Drawing No. rpf562sht4b.dwg sheet 4 of 4 rev. B, Dated 05.12.18, Rec'd on 24/12/2018
- (f) Drawing No. rpf909sht1F.dwg sheet 1 of 7 rev. F, Dated 05.12.18, Rec'd on 24/12/2018
- (g) Drawing No. rpf909sht2F.dwg sheet 2 of 7 rev. F, Dated 05.12.18, Rec'd on 24/12/2018
- (h) Drawing No. rpf909sht3F.dwg sheet 3 of 7 rev. F, Dated 05.12.18, Rec'd on 24/12/2018
- (i) Drawing No. rpf909sht4F.dwg sheet 4 of 7 rev. F, Dated 05.12.18, Rec'd on 24/12/2018
- (j) Drawing No. rpf909sht5F.dwg sheet 5 of 7 rev. F, Dated 05.12.18, Rec'd on 24/12/2018
- (k) Drawing No. rpf909sht6G.dwg sheet 6 of 7 rev. G, Dated 05.12.18, Rec'd on 04/04/2019

- (l) Drawing No. rpf909sht7F.dwg sheet 7 of 7 rev. F, Dated 05.12.18, Rec'd on 24/12/2018
- (m) Drawing No. 502-01 rev. C, Dated 24.08.18, Rec'd on 24/12/2018
- (n) Drawing No. 001, Dated DEC 2017, Rec'd on 24/12/2018
- (o) Transport Statement by "pba" Ref: 31822/001 Rev. 02, Dated December 2015, Rec'd 24/12/2018
- (p) Noise Assessment by Hepworth Acoustics Ref: P17-529-R01, Dated November 2017, Rec'd 24/12/2018
- (q) Letter dated 13th August 2018 by Hepworth Acoustics, Rec'd 24/12/2018
- (r) Arboricultural Impact Assessment by Treework Environmental Practice Ref: 151222-1.0-FYC-AIA-MW, Dated 22nd December 2015, Rec'd 24/12/2018
- (s) Secured by Design Statement by LimeBlue innovation Ref: lb1162 (rev. b), Dated 04.12.2018, Rec'd 04/04/2019
- (t) Landscape Management & Maintenance Strategy by LimeBlue innovation Ref: lb1161 (rev. a), Dated 04.12.2018, Rec'd 24/12/2018
- (u) Working Method Statement by LimeBlue innovation Ref: lb1160 (rev. a), Dated 04.12.2018, Rec'd 24/12/2018
- (v) Design & Specification Planning Statement by LimeBlue innovation Ref: lb1159 (rev. b), Dated 04.12.2018, Rec'd 04/04/2019
- (w) Heritage Assessment by "pba" Ref: 31822 Rev. Draft, Dated December 2015, Rec'd 24/12/2018
- (x) Town & Visual Statement by "pba" ref. 31822, dated 23 December 2015, Rec'd 24/12/2018
- (y) Sound Impact Assessment by "pba" Ref: 31822 Rev. 00, Dated December 2015, Rec'd 24/12/2018
- (z) Flood Risk Assessment by "pba" Ref: 31822/4002, Dated December 2018, Rec'd 24/12/2018
- (aa) Report on Phase 1 Ground Condition Assessment by "pba" ref. 42792/3501 GEO Phase 1, Dated December 2017, Rec'd 24/12/2018
- (bb) Main Investigation Report by Soils Limited Ref: 17161/MIR Rev. 1.01, Dated November 2018, Rec'd 24/12/2018
- (cc) Intrusive Investigation Method Statement – Condition 24 of planning Consent P/10734/004 by Soils Limited, Rec'd 24/12/2018
- (dd) Project specification for an archaeological evaluation by Thames Valley Archaeology Services Dated 13th November 2017 ref. 17e222ev, Rec'd 24/12/2018
- (ee) Unnumbered Design & Access Statement, Dated December 2018, Rec'd 24/12/2018
- (ff) Unnumbered Planning Statement by Turley, Dated 20 December 2018, Rec'd 24/12/2018
- (gg) Exterior Lighting Layout Rec'd 09/04/2019
- (hh) Exterior Area 3 dated January 2019 ref: P0119014-2 Rec'd 09/04/2019
- (ii) P0119014-2-Light Pollution calc's. Rec'd 09/04/2019

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. Tree Protection

No development hereby permitted shall commence until the tree protection measures detailed in the submitted Arboricultural Impact Assessment (Report Reference Number: 151222-1.0-FYC-AIA-MW), including all the Appendices

prepared by Treework Environmental Practice, Dated 22/12/2015 and have been implemented, in accordance with the recommendations set out in *BS 5837:2012 – Trees in relation to design, demolition and construction. Recommendations*. These measures shall be implemented prior to works beginning on site, and shall be provided and maintained during the period of construction works.

REASON To ensure the satisfactory protection of trees to be retained in the interest of visual amenity and to meet the objectives of Policy EN3 of The Local Plan for Slough 2004, Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the National Planning Policy Framework.

4. External materials - Development

The external materials to be used on the development hereby approved shall be as set out in the Design & Specification Planning Statement by LimeBlue innovation Ref: Ib1159 (rev. b), Dated 04.12.2018, Rec'd 04/04/2019 and no other materials unless and otherwise approved by the Local Planning Authority.

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.

5. External materials - Access

The external materials to be used in the construction of the access road, pathways and communal areas within the development hereby approved shall be as set out in the Design & Specification Planning Statement by LimeBlue innovation Ref: Ib1159 (rev. b), Dated 04.12.2018, Rec'd 04/04/2019 and no other materials unless and otherwise approved by the Local Planning Authority.

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

6. Landscaping Design

The external areas of the development hereby approved shall be landscaped as set out on Drawing No. rpf909sht6G.dwg sheet 6 of 7 rev. G, Dated 05.12.18, Rec'd On 04/04/2019 and in no other way unless and otherwise approved by the Local Planning Authority.

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

Planning Authority.

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

7. Drainage & Sewerage

The drainage and sewerage system of the development hereby approved shall be as set out on Drawing No. 502-01 rev. C, Dated 24.08.18, Rec'd On 24/12/2018 and no other way unless and otherwise approved by the Local Planning Authority.

REASON To ensure that the development can be adequately drained and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

8. Archaeology

The development shall be undertaken in accordance with the approved Written Scheme of Investigation (WSI). The development shall not be occupied until the site investigation and initial post investigation assessment has been completed in accordance with the programme set out in the approved WSI and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

REASON The site lies in an area of archaeological potential, particularly in relation to medieval and post-medieval Colnbrook.

9. Working Method Statement – [to be confirmed by Highways]

The development hereby approved shall be carried out in accordance with the approved written scheme set out in the Working Method Statement to control the environmental effects of demolition and construction work

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

10. External Lighting

The lighting scheme for the development hereby approved shall be provided prior to first occupation of the dwellings at the site and no other way unless otherwise approved 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.

11. Boundary Treatment

Before the development hereby permitted is occupied, the boundary treatment as set out on Drawing No. rpf909sht6G.dwg sheet 6 of 7 rev. G, Dated 05.12.18,

Rec'd On 04/04/2019 shall be implemented on site and retained in that condition unless otherwise approved by the Local Planning Authority.

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

12. Cycle parking

Prior to the first occupation of the development hereby permitted details of the cycle parking provision (including location, housing and cycle stand details) shall be submitted to for approval by the Local Planning Authority. The cycle parking shall be provided in accordance with these details and shall be retained for this purpose.

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

13. Bin storage

Details of the proposed bin store (to include siting, design and external materials) shall be submitted to for approval by the Local Planning Authority. The approved stores shall be completed prior to first occupation of the development and retained for this purpose.

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

14. Noise

Prior to first occupation of the dwellings as hereby approved the insulation scheme of the proposed dwellings shall ensure that the external noise (from aircraft noise) shall not cause an internal noise level greater than 30dBLAeq(T) in bedrooms (with the windows closed) nor 45dBLAeq(T) in living rooms (with the windows closed) between the hours of 23:00 and 07:00. Any individual noise event from road and aircraft noise shall not result in internal noise levels exceeding 45dB(A)L_{Amax}. Any works which form part of the scheme shall be carried out in accordance with the Sound Impact Assessment prepared by Peter Brett Associates LLP, Dated December 2015 and completed in accordance with the approved scheme and to the full satisfaction of the Local Planning Authority.

REASON To ensure satisfactory living conditions for the future occupiers of the development and protection from nuisance caused by excessive noise in accordance 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.

15. Car Parking Provision

Prior to first occupation of the proposed development hereby approved, the 24 no. car parking spaces shall be provided and made available for use in

connection with the proposed residential units and maintained for the parking of cars thereafter. The car parking spaces shall not be used for any separate business or commercial use.

REASON In the interests of ensuring that the use benefits from satisfactory car parking provision in the interests of the amenities of the area in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

16. Flood Protection

The development hereby approved shall be carried out in accordance with the submitted Flood Risk Assessment Addendum (ref: 31822/4001/CBH/RMF/GB) and the following mitigation measures it details:

- Compensatory storage shall be provided through the inclusion of voids within the building design. The soffit of the voids shall be set no lower than 20.75 metres above Ordnance Datum (AOD)
- Finished floor levels shall be set no lower than 21.1 metres above Ordnance datum (AOD)

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASON To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance 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.

17. 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.

18. Windows

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development)(England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), there shall be no new windows or changes to the existing windows, other than those works hereby approved, to the two converted properties without the prior consent of the Local Planning Authority in writing.

REASON To prevent overlooking or loss of privacy for existing and future residential occupiers.

19. Windows

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), each of the the windows in the first, second and third floors within the eastern rear main wall elevation of the proposed development, fronting Albany Court shall be obscurely glazed in accordance with a sample which shall be submitted to and approved in writing by the Local Planning Authority. The same windows shall be high level opening at a minimum height of 1.7 metres above the finished internal floor level.

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

20. Householder - Removal of Permitted Development Rights

Notwithstanding the terms and provisions of the Town & Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order), Schedule 2, Part 1, Classes A, B, C, D & E, no extension to the house hereby permitted or buildings or enclosures shall be erected constructed or placed on the site without the express permission of the Local Planning Authority

REASON To protect the character of the area and the visual amenity of the neighbouring occupiers within the Conservation Area.

21. Access

Notwithstanding the terms and provisions of the Town & Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order), no vehicle access gates, roller shutters doors or other vehicle entry barriers or control systems shall be installed without first obtaining permission in writing from the Local Planning Authority.

REASON In order to minimise danger, obstruction and inconvenience to users

of the highway and of the development.

Informatives:

1. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.
2. 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.
3. 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.
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 must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.
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.

This page is intentionally left blank

Registration Date:	04-May-2018	Application No:	P/00669/015
Officer:	Michael Scott	Ward:	Chalvey
Applicant:	Change of use of building to a mixed use	Application Type:	Major
		13 Week Date:	3 August 2018
Agent:	Mr. Prashanna Vivekananda, JLL 30, Warwick Street, London, W1B 5NH		
Location:	Forward Building, 44-46, Windsor Road, Slough, SL1 2EJ		
Proposal:	Change of use of building to a mixed use of Class C3 residential use to provide 6 no. 1 bedroom units and 4 no. 2 bedroom units, and three ground floor units for flexible commercial use (Use Classes A1, A2, B1(a)). Side infill extension at ground floor level, the creation of terraces to the front and rear at 2nd floor, the provision of balconies on the side elevation, and fenestration changes with associated landscaping.		

Recommendation: Delegate approval to the Planning Manager for approval subject to completion of a satisfactory S106 Agreement and conditions as set out in 1.1 below.



P/00669/015 - SUPPLEMENTARY REPORT

1.0 SUMMARY OF RECOMMENDATION

1.1 Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager:

A) For **APPROVAL** subject to:-

- 1) the satisfactory completion of a Section 106 to secure the planning obligations set out in paragraph 18.0 of the original Planning Committee Report, 31st October 2018;
- 2) finalising conditions; and any other minor changes;

or

B) Refuse the application if the satisfactory completion of a Section 106 to secure the planning obligations set out in paragraph 18.0 is not finalised by 31st July 2019, unless otherwise agreed by the Planning Manager, in consultation with the Chair of Planning Committee.

2.0 PART A: BACKGROUND

Planning Committee Resolution

2.1 On the 31st October 2018 the Planning Committee made the following resolution to delegate the decision on the application to the Planning Manager:

A) **APPROVAL** subject to:-

- 1) the satisfactory completion of a Section 106 to secure the planning obligations set out in paragraph 18.0;
- 2) finalising conditions; and any other minor changes.

B) Refuse the application if the satisfactory completion of a Section 106 to secure the planning obligations set out in paragraph 18.0 is not finalised by 4th April 2019.

2.2 Since the application was delegated back to the Planning Manager, the drafting of the Section 106 has begun however there has been delay from the developer in continuing with the Section 106 Agreement. Following discussions with the developer, it has been made clear that they are keen to complete the Agreement. Given the completion date of 4th April 2019 set out in the recommendation to the Planning Committee in October 2018 has not been achieved, it is therefore recommended that an extension to this date is recommended until 4th July 2019.

3.0 PART B: RECOMMENDATION

3.1 Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager:

A) For **APPROVAL** subject to:-

- 1) the satisfactory completion of a Section 106 to secure the planning obligations set out in paragraph 18.0 of the original Planning Committee Report, 31st October 2018;
- 2) finalising conditions; and any other minor changes;

or

B) Refuse the application if the satisfactory completion of a Section 106 to secure the planning obligations set out in paragraph 18.0 is not finalised by 31st July 2019, unless otherwise agreed by the Planning Manager, in consultation with the Chair of Planning Committee.

4.0 PART D: CONDITIONS

4.1 **PART D: LIST CONDITIONS AND INFORMATIVES – P/00669/015**

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

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

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

- (a) Site Location Plan PL_001, dated 28/09/2018;
- (b) Drawing No. PL_007, dated 28/09/2018, received 28/09/2018;
- (c) Drawing No. PL_008, dated 28/09/2018, received 28/09/2018;
- (d) Drawing No. PL_009, dated 28/09/2018, received 28/09/2018;
- (e) Drawing No. PL_010, dated 28/09/2018, received 28/09/2018;
- (f) Drawing No. PL_011, dated 28/09/2018, received 28/09/2018;

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

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

5. No part of the development shall be occupied 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, along with staking/guying, mulching, feeding, watering and soil quality, of new trees and shrubs.

The approved scheme of soft landscaping shall be carried out no later than the first planting season following first occupation 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 and to ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policy 8 of the adopted Core Strategy 2006 - 2026.

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

- (i) Construction access;

- (ii) Vehicle parking for site operatives and visitors;
- (iii) Loading/off-loading and turning areas;
- (iv) Site compound;
- (v) Storage of materials;
- (vi) Precautions to prevent the deposit of mud and debris on the adjacent highway;
- (vii) Details of any impact upon the public right of way.

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

REASON To minimise danger and inconvenience to highway users.

7. 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) site security arrangements including hoardings

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.

8. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order) and The Town & Country Planning Act 1990 (as amended), no window(s), other than those hereby approved, shall be formed in the northern or western elevations of the building without the prior written approval of the Local Planning Authority.

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

9. The following windows as shown on existing plans PL_002, PL_003, and PL_006 shall be permanently removed prior to first occupation of the development:
- a) 2x first floor windows on western elevation (rear facing Beechwood Gardens);
 - b) 2x ground floor windows on northern elevation within section to the west of existing western most internal staircase, as shown in plan PL_002;

- c) 1x central window in first floor on northern elevation within section to the west of existing western most internal staircase, as shown in plan PL_003.

REASON To minimise any loss of privacy to adjoining occupiers.

10. The following windows hereby approved shall be glazed with obscure glass and any opening shall be inward and at a high level (above 1.7m) only, and shall be so maintained unless prior written approval has been obtained from the Local Planning Authority:
- a) High level ground floor window on western elevation serving living/dining/kitchen of B.0.3 plan PL_007;
 - b) High level first floor window on western elevation serving hall of B.0.3 plan PL_008;
 - c) High level ground floor window on northern elevation serving kitchen of B.0.2, plan PL_007;
 - d) First floor window on northern elevation serving bathroom of B.0.3, plan PL_008.

REASON To minimise any loss of privacy to adjoining occupiers.

11. The following window hereby approved shall be glazed with obscure glass up to 1.7 metres above floor level, and shall be glazed with clear glass above 1.7 metres. Any openings shall be inward opening and shall be at a high level (above 1.7m) only, and shall be so maintained unless prior written approval has been obtained from the Local Planning Authority:
- a) First floor window on northern elevation serving bedroom of B.0.2, plan PL_008.

REASON To minimise any loss of privacy to adjoining occupiers and provide acceptable living conditions for the occupiers of this unit.

12. Prior to the first occupation of the development, details of the boundary screens to be erected along the northern and western elevations of the green roof at second floor (western end of the development), and around the northern, eastern and southern elevations of the terrace at second floor (eastern end of the development) shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary screening shall be erected on site prior to first occupation of the development in full accordance with the details as approved and shall be retained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.

REASON To minimise any loss of privacy to adjoining occupiers.

13. There shall be no access to the second floor green roof on the western end of the development other than for maintenance purposes. No access to this roof shall be provided from unit B.2.3.

REASON To minimise any loss of privacy to adjoining occupiers.

14. Prior to first occupation of the development the internal and external cycle parking, as shown in plan PL_007, shall be provided on site and shall be retained at all times in the future for this purpose.

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

15. Prior to first occupation of the development the residential refuse store, commercial refuse stores, and refuse collection point shall be provided on site in accordance with plan PL_007 and retained at all times in the future for this purpose.

REASON To ensure that there is adequate refuse storage at the site.

16. The waste management strategy outlined at page 24 of the Design and Access Statement, dated 28/09/2018, by RnH Architects shall be fully implemented on site and retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

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

17. Prior to first occupation, the Development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Security measures in line with the principles of Secured by Design are to be implemented following consultation with the Thames Valley Police, including a full and robust access control strategy. The measures incorporated shall be retained and maintained on site in perpetuity.

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.

18. Prior to first occupation of the development two new TSRGD cycling route signs and posts shall be erected at either end of the public right of way on site (one to the western end by Beechwood Gardens and one to the eastern end by Windsor Road) in consultation with the

Council's Public Rights of Way Officer, unless otherwise agreed in writing by the Local Planning Authority.

REASON To ensure adequate notification of the public right of way.

19. No part of the development shall be occupied until the redundant means of access on Beechwood Gardens has been removed and the footway re-instated and laid out in accordance with plans that shall first have been submitted to and approved in writing by the local planning authority and the works shall be constructed in accordance with Slough Borough Council's Design Guide.

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

20. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), the commercial units hereby permitted shall be used for Class A1, A2, or B1(a) purposes only and for no other purpose unless otherwise agreed in writing by the local planning authority.

REASON In order protect the amenities of the area.

21. Prior to first occupation of development details of the bollards to be installed at the Windsor Road and Beechwood Garden ends of the site, as shown on plan PL_007 shall be submitted to and approved in writing by the Local Planning Authority. The approved bollards shall be provided in full accordance with the approved details prior to first occupation of the development hereby approved, and retained thereafter.

REASON: To ensure that necessary works to minimise highway danger, obstruction and inconvenience as a result of this development are undertaken, in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

22. The development shall be undertaken in accordance with the findings of the Weetwood Drainage Assessment Final Report V1.4 June 2018, received 27/06/2018, unless otherwise agreed in writing by the Local Planning Authority.

REASON To ensure adequate drainage is provided for the development.

23. The developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority to the presence of any unsuspected contamination (to soil or/and water,

determined by either visual or olfactory indicators) encountered during the development.

In the event of contamination to land and/or water being encountered, no development or part thereof shall continue until a programme of investigation and/or remedial work to include details of the remedial scheme and methods of monitoring, and validation of such work undertaken has been submitted to and approved in writing by the Local Planning Authority.

None of the development shall be commissioned and/or occupied until the approved remedial works, monitoring and validation of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

In the event that no significant contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be commissioned and/or occupied.

Reason: To ensure that any ground and water contamination is identified and adequately assessed, and that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use.

INFORMATIVES:

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

2. Highways:

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.

The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.

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

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

The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.

3. If the footpath will need to be closed during construction the developer will need to apply for a Temporary TRO under S14 RTRA at a fee of £1250 if over 5 days closure period.
4. This planning permission is granted following the receipt of a completed S106 agreement.
5. Thames Water:

The applicant is reminded that there are public sewers crossing or close to your development. If planning significant work near sewers it's important that you minimise the risk of damage. Thames Water will need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhabit the services provided in any other way. The applicant is advised to read the guide for working near or diverting pipes.

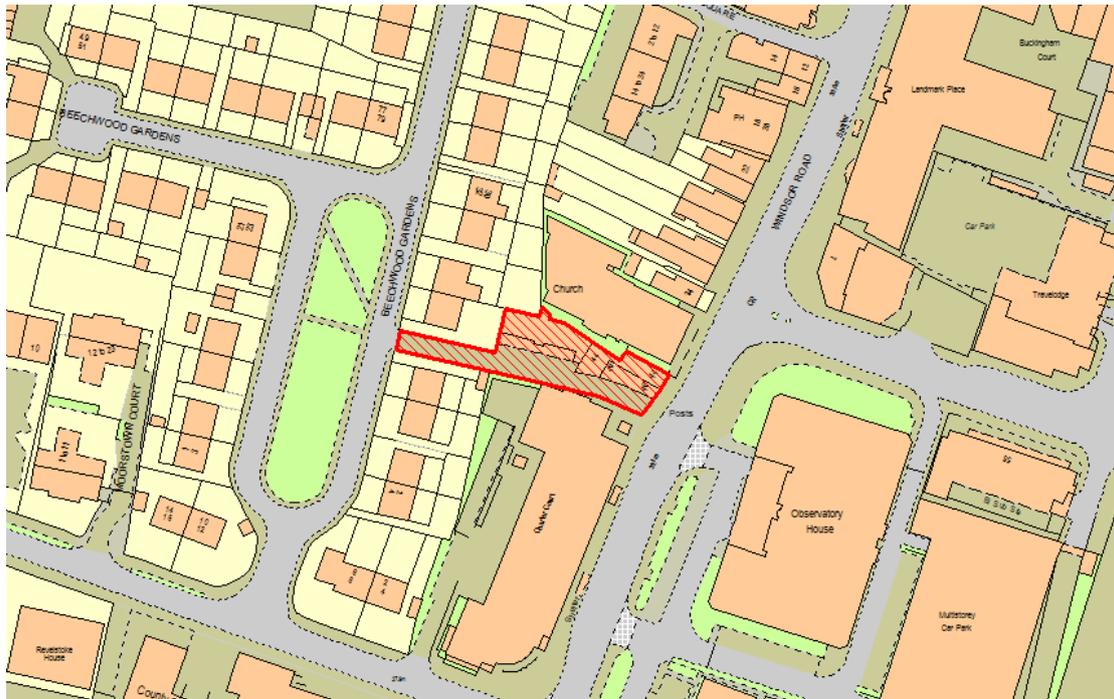
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

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

Please see original Committee Report Below - Committee Date 31st October 2018

Registration Date:	04-May-2018	Application No:	P/00669/015
Officer:	Hannah Weston	Ward:	Chalvey
Applicant:	Change of use of building to a mixed use	Application Type:	Major
		13 Week Date:	3 August 2018
Agent:	Mr. Prashanna Vivekananda, JLL 30, Warwick Street, London, W1B 5NH		
Location:	Forward Building, 44-46, Windsor Road, Slough, SL1 2EJ		
Proposal:	Change of use of building to a mixed use of Class C3 residential use to provide 6 no. 1 bedroom units and 4 no. 2 bedroom units, and three ground floor units for flexible commercial use (Use Classes A1, A2, B1(a)). Side infill extension at ground floor level, the creation of terraces to the front and rear at 2nd floor, the provision of balconies on the side elevation, and fenestration changes with associated landscaping.		

Recommendation: Delegate to Planning Manager for approval



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager:

A) For **APPROVAL** subject to:-

- 3) the satisfactory completion of a Section 106 to secure for the provision of contributions towards amenity space, highway and public right of way improvements;
- 4) finalising conditions; and any other minor changes.

C) Refuse the application if the satisfactory completion of a Section 106 to secure the above planning obligations is not finalised by 4th April 2019.

1.2 Under the current constitution this application is being brought to Committee for decision because this is a 'Major' application.

2.0 **PART A: BACKGROUND**

Proposal

2.1 The application is a full planning permission for 'Change of use of building to a mixed use of Class C3 residential use to provide 6 no. 1 bedroom units and 4 no. 2 bedroom units, and three ground floor units for flexible commercial use (Use Classes A1, A2, B1(a)). Side infill extension at ground floor level, the creation of terraces to the front and rear at 2nd floor, the provision of balconies on the side elevation, and fenestration changes with associated landscaping.'

2.2 The footprint of the existing building will remain unchanged, with the extension forming an infill of an existing undercroft in the ground floor, alongside the addition of balconies and terraces, and fenestration changes.

3.0 **Application Site**

3.1 The application site is located to the west of Windsor Road and comprises a three storey building which is now largely vacant but which previously had a mixture of business uses within. To the south of the site is a public footpath which extends between Windsor Road and Beechwood Gardens. The application site is bordered by Slough Baptist Church to the north, Charter Court (an office block) to the south, and residential properties and gardens to the west. To the east of the application site, across Windsor Road, are further office blocks.

4.0 **Relevant Site History**

- 4.1 F/00669/014 Prior approval for a change of use from office to residential (29no. studio units & 4no. 1 bedroom units).
Withdrawn (Treated As) 28-Sep-2017
- 4.2 P/00669/013 INSTALLATION OF ILLUMINATED SIGN (AMENDED PLANS RECEIVED 26.09.97)
Approved with Conditions 08-Oct-1997
- 4.3 P/00669/012 ERECTION OF FASCIA SIGN
Withdrawn (Treated As) 27-Sep-1994
- 4.4 P/00669/011 INSTALLATION OF AN ILLUMINATED FASCIA SIGN
Approved with Conditions 05-Sep-1983
- 4.5 P/00669/010 INSTALLATION OF NEW SHOP FRONT
Approved with Conditions 05-Sep-1983

5.0 **Neighbour Notification**

- 5.1 Bus Shelter Opposite Observato, Windsor Road, Bus Shelter Opposite Observato, Advertising Right, Windsor Road, Charter Court, 50, Windsor Road, Slough, SL1 2EE, Charter Court, Part Ground Floor, 50, Windsor Road, Slough, SL1 2EE, Charter Court, Fourth Floor, 50, Windsor Road, Slough, SL1 2EE, Charter Court, Second And Third Floor, 50, Windsor Road, Slough, SL1 2EE, Charter Court, Ground Floor Rear, 50, Windsor Road, Slough, SL1 2EE, 25, Windsor Road, Slough, SL1 2EL, Slough Baptist Church, Windsor Road, Slough, SL1 2EJ, Slough Baptist Church, Telecommunications Mast, Windsor Road, 24, Beechwood Gardens, Slough, SL1 2HR, 22, Beechwood Gardens, Slough, SL1 2HR, 18, Beechwood Gardens, Slough, SL1 2HR, 20, Beechwood Gardens, Slough, SL1 2HR, 14, Beechwood Gardens, Slough, SL1 2HR, 16, Beechwood Gardens, Slough, SL1 2HR, Second Floor, 44, Windsor Road, Slough, SL1 2EJ, Second Floor, Room 4, Windsor Road, Slough, SL1 2EJ, Second Floor, Rooms, 2, Windsor Road, Slough, SL1 2EJ, 44, Windsor Road, Slough, SL1 2EJ, Second Floor Front, 44, Windsor Road, Slough, SL1 2EJ, 46, Windsor Road, Slough, SL1 2EJ, Rooms 6 To 8 - First Floor, 46, Windsor Road, Slough, SL1 2EJ, Rooms 1 To 5 - First Floor, 46, Windsor Road, Slough, SL1 2EJ, Ground Floor, 46, Windsor Road, Slough, SL1 2EJ, Rooms 12 To 15 First Floor, 46, Windsor Road, Slough, SL1 2EJ, Ground Floor Rear, 44, Windsor Road, Slough, SL1 2EJ, First Floor Rear, 44, Windsor Road, Slough, SL1 2EJ

- 5.2 No letters have been received in connection with this application.

[Case Officer Response: the above issues are taken into consideration further below within the relevant parts of this report].

6.0 **Consultations**

6.1 **Transport and Highways Development, Resources, Housing and Regeneration**

Verbal comments received that waste and bike storage are acceptable. All waste should be collected via Beechwood Gardens, and a waste management strategy is required.

6.2 **Public Rights of Way Officer**

We would require the developer to enter into a Section 25 creation agreement to enable the footpath to be upgraded to a bridleway which would allow the cycling use to be legalised. The initial fee for this would be payable by the developer and is £1500 and requires the landowner to sign. The new surfacing needs to be agreed as the HA (Highway Authority) normally takes on future maintenance of the part which is PRow (Public Right of Way) unless it is written into the agreement that the entire width of block paved surface is privately maintained. Two new TSRGD (Traffic Signs Regulations and General Directions) cycling route signs and posts need to be erected at either end of the route (diag.956) and /or sign at Item 8, Part2 (pg240 TSRGD 2016). We would also require a contribution to the Slough Cycle Hire scheme in the form of 10 new cycle hire bikes @£1200 each.

If the footpath will need to be closed during construction the developer will need to apply for a Temporary TRO under S14 RTRA at a fee of £1250 if over 5 days closure period.

6.3 **Police Crime Prevention Design Advisor**

In principle I support the application however, there are some aspects of the design that cause concern. Therefore opportunities to design out crime and/or the fear of crime and to promote community safety are present within the proposed layout (see my observations below).

I make the following observations:

The residential lobby provides access to the private dwellings above and refuse /bin storage room. Aside from the unpleasant smell that could permeate into the residential core as the door is open/closed – or indeed left open. I also have significant concerns as to how the area described by the lobby and shared refuse facilities function and how this will negatively impact on the safety and security of residents.

Residential access lobby / Bin Store, From the plans provided it appears that the refuse facilities have two access points and can be accessed from either the residential core or by staff of the commercial units. Therefore staff of the commercial premises could easily gain unauthorised access the private residential corridors, (where they have no right to be).. The site constraints are appreciated however this is a significant concern. This access opportunity via the bin store effectively overrides any security offered by the external communal entrance door; creating an unacceptable level of permeability and provides multiple escape routes. In addition: in this location, given the crime risk all Bin stores doors must be robust and secure!, Double leaf door can be problematic in terms of reliability, sustainable operation and security. Secure operation of double doors is achieved when the active leaf is secure against the passive, this locking configuration can easily be overcome and it is not unusual to find insecure bin stores being used for other activities by the

homeless seeking temporary shelter. Given proposed direct access from the bin store into the residential units I (again) have significant concerns regarding this proposal

This is a significant concern and I ask that the residential lobby/ bin/ refuse area be redesigned to separate their use and activities'. This could be achieved via the following ; a) creating a secure residential lobby (achieved via the inclusion of a secondary internal secure line) within with inner access controlled communal entrance b). Re-locate the residential bin store access door from the bottom of the stairs into the secure lobby. c). Careful consideration must be given type and style of external bins store door, single leaf doors capable of allowing the passage of large wheelie bins, which meet the minimum physical security standards required are available. d). Given the proposed mixed use of the bin store , the interconnection door between bin store and residential area must also be regarded as a communal entrance and in compliance with building regulation Approved Document Q must meet the minimum physical security standards of PAS24.

I ask that detailed plans be submitted and approved prior to planning permission being granted

Apartment Mail delivery/residential security – From the submitted documentation, I am concerned that the layout plans do not identify the location of the residential letterboxes. I therefore cannot identify how the postal deliveries will be managed or how the safety and security of private residential areas will be maintained. Letterboxes for apartments are a contentious issue and can lead to the security of the apartments being undermined. Unrestricted postal delivery access also provides a legitimate excuse for unauthorised individuals to be in private areas where they have no right to be, this in turn raises the fear of crime and provides opportunity for ASB and criminal activity). This issue can be resolved via the inclusion of one of the following solutions; (1) creating an airlock system with secure boxes within the airlock area as detailed above ; (2) external secure letterboxes. I ask that a details relating to postal deliveries be submitted, and approved prior to planning approval being considered.

Bollards: I note that vehicle mitigation barrier in the form of bollards has been included, is it the applicants intention that these will be demountable bollards? How will these function with regards to refuse collections? I ask that additional details be provided prior to planning approval is granted.

Physical Security: I ask that a condition is imposed on this application to ensure that, any subsequent approved development is required to achieve robust access control throughout the whole development. Such a condition will help to ensure that the development achieves the highest standards of design in terms of safety and security, safe guarding future residents. This would not only ensure that crime prevention design is incorporated within the development but also assist the authority in satisfying the requirements of NPPF - creating 'Safe and accessible environments where crime and disorder, and the fear of crime will not undermine quality of life or community cohesion'.

Condition:

To ensure that the development achieves the highest standards of design in terms of safety and security, safe guarding future residents. I would ask the authority attach the following (or a similarly worded) condition upon any approval for this application; No development shall commence until details of the measures to be incorporated into the development to demonstrate how

Full and robust access control strategy (best practice guidance Secured by Design Homes 2016) will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy details, and shall not be occupied or used until the Council acknowledged in writing that it has received written confirmation of compliance. .

To aid the applicant I have provided the following as an aid to achieving this condition.

External Communal entrance: All external and internal Communal entrance doors meet the requirements of the minimum physical security requirements of PAS24:2012 tested to BS EN 1627 resistance class 3 access controlled via the include of electronic remote release locking systems with audio intercom link to each apartment.. This will allow residents to communicate with their visitors without having to open their front door and speak to them face-to-face as this allows them to filter who is allowed into the building and up into their flat.

Include secure communal lobbies ; the secondary internal secure doorset shall include an access controlled

Bin store doors must be robust and secure, double leaf door can be problematic sustainable operation and security, as the active leaf is required to secure against the passive. Additional details as to the type, style and minimum physical security standards of the doors will be required - alternatively a large single leaf door may well be more appropriate and cost effective.

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

I feel that attachment of this condition would help the development to meet the requirements of:

- The National Planning Policy Framework 2012 (Part 7, Sect 58; Requiring good Design and Part 8, Sect 69; Promoting Healthy Communities) where it is stated that development should create 'Safe and accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion'.
- DCLG's Planning Practice Guidance in relation to design, where it states 'Although design is only part of the planning process it can affect a range of economic, social and environmental objectives... Planning policies and decisions should seek to ensure the physical environment supports these objectives. The following issues should be considered: ...safe, connected and efficient streets, ... crime prevention, ...security measures, ...access and inclusion, ...cohesive & vibrant neighbourhoods.' It also states that 'Planning should promote appropriate security measures. Taking proportionate security measures should be a central consideration to the planning and delivery of new developments...'
- Slough Core Policy 12 section, 7.204 and 7.206)

The comments above are made on behalf of Thames Valley Police and relate to CPTED only. You may receive additional comments from TVP with regard to the impact of the development upon policing and a request for the provision of infrastructure to mitigate against this impact.

I hope that you find my comments of assistance in determining the application and if you or the applicants have any queries relating to CPTED in the meantime, please do not hesitate to contact me.

Officer Note – Following the receipt of these comments the scheme has been amended to take into account the concerns raised.

6.4 **Lead Local Flood Authority**

We have reviewed the following information in relation to the planning application:

- Weetwood Drainage Assessment Final Report V1.4 July 2018

The submitted information addresses our requirements and we have no further comments.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

6.5 **Tree Officer**

As the application provides insufficient amenity space for future occupiers a contribution of £3000 is required. This money would be put towards the improvement of the closed churchyard at St Mary's and/or at Herschel Park to enhance the sites' functionality for informal passive recreation through provision of new horticultural features that will benefit residents of the development.

6.6 **Contaminated Land Officer**

I have reviewed the "Phase 1 Contaminated Land Report" (Ref. 4026R1), dated July 2017, and prepared by Ground First Ltd.

Given the proposal is for the existing offices to be converted into residential, without any groundwork, the report is considered acceptable. However, should the development propose further groundworks, additional ground investigation and risk assessment will be required.

For the purpose of these two applications it is recommended that a Watching Brief is maintained for the duration of the works. Once the works are completed, a confirmation letter should be submitted explaining whether any issues were encountered, and how they were dealt with.

Based on the above, I recommend that the following Watching Brief is placed on the Decision Notice:

Watching Brief

The developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority to the presence of any unsuspected contamination (to soil or/and water, determined by either visual or olfactory indicators) encountered during the development.

In the event of contamination to land and/or water being encountered, no development or part thereof shall continue until a programme of investigation

and/or remedial work to include details of the remedial scheme and methods of monitoring, and validation of such work undertaken has been submitted to and approved in writing by the Local Planning Authority.

None of the development shall be commissioned and/or occupied until the approved remedial works, monitoring and validation of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

In the event that no significant contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be commissioned and/or occupied.

Reason: To ensure that any ground and water contamination is identified and adequately assessed, and that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use.

6.7

Thames Water

Waste comment – There are public sewers crossing or close to your development. If you're planning significant work near our sewers it's important that you minimise the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhabit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Water Comment – On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minutes at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

6.8

Environmental Protection

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

6.9

Environmental Quality

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

7.0

PART B: PLANNING APPRAISAL

7.1

Policy Background

Revised National Planning Policy Framework and National Planning Policy Guidance:

Chapter 2: Achieving Sustainable Development
Chapter 5: Building a sufficient supply of homes
Chapter 6: Building a strong, competitive economy
Chapter 7: Ensuring the vitality of town centre
Chapter 9: Promoting sustainable transport
Chapter 12: Achieving well-designed places

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

Core Policy 1 – Spatial Strategy
Core Policy 3 – Housing Distribution
Core Policy 4 – Type of Housing
Core Policy 5 – Employment
Core Policy 7 – Transport
Core Policy 8 – Sustainability and the Environment
Core Policy 10 – Infrastructure
Core Policy 12 – Community Safety

The Local Plan for Slough, Adopted March 2004 (Saved policies)

H9 – Comprehensive Planning
H11 – Change of use to residential
H14 – Amenity Space
EMP2 – Criteria for business development
S15 – Diversification of use
EN1 – Standard of Design
EN3 – Landscaping
EN5 – Design and Crime Prevention
T2 – Parking
T8 – Cycle Network and Facilities

Slough Local Development Plan and the NPPF - PAS Self Assessment Checklist, February 2013

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 revised version of the National planning Policy Framework (NPPF) was published upon 24th July 2018.

Planning Officers have considered the revised NPPF which has been used together with other material planning considerations to assess this planning application.

The NPPF states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

7.2 The planning considerations for this proposal are:

- Principle of development
- Impact on the character of the area
- Impact on residential amenity
- Living Conditions and Amenity Space for residents
- Crime Prevention
- Highways, Parking and Public Right of Way

8.0 **Principle of development**

8.1 At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 68 of the NPPF identifies that 'small and medium sized sites can make an important contribution to meeting the housing requirements of an area.'

8.2 Core Policy 1 sets out the overall spatial strategy for Slough requiring all developments to take place within the built up area, predominately on previously developed land. The policy seeks to ensure high density housing is located in the appropriate parts of Slough Town Centre with the scale and density of development elsewhere being related to the site's current or proposed accessibility, character and surroundings.

8.3 Core Policy 4 again emphasises that high density housing should be located in the Town Centre area and that outside the Town Centre the development will be predominately family housing at a density related to the character of the area. In particular, in suburban residential areas, there will only be limited infilling consisting of family houses which are designed to enhance the distinctive suburban character and identity of the area.

8.4 The application proposes to extend and convert the majority of the building into 10 residential units. Three commercial units would be retained at ground floor with a flexible use of A1, A2, B1(a).

8.5 The application site falls within Slough town centre, and as such the provision of residential flats is welcomed in terms of land use and the principle of this is supported.

8.6 The application also proposes to retain three commercial units at ground floor. These would be for a flexible use falling within A1, A2 or B1(a) uses, allowing some flexibility in the use of the units to try and ensure their future occupation. With the existing building having a mixture of commercial units, it is considered acceptable to retain three units for a flexible use.

9.0 **Impact on Visual Amenity**

9.1 The National Planning Policy Framework outlines that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

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 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.

9.4 The existing building at 44-46 Windsor Road comprises a three storey building which gives the appearance of a two storey building with a third floor within a mansard roof. This third floor is set back from the eastern (front) elevation and western (rear) elevation. The existing building footprint almost completely fills the application site, being approximately 44 metres deep and 10 metres wide. At ground floor there is an existing undercroft which allows vehicles to park under the first floor overhang on the southern elevation.

9.5 It is proposed to infill the existing undercroft on the southern elevation of the building to remove the parking spaces and add additional residential accommodation. The infilling of this section of the building would not greatly alter the appearance of the property and is considered acceptable in design terms.

9.6 Alongside the above, a large level of fenestration changes are proposed through alterations to the existing window openings, the insertion of balconies on the western elevation, and the creation of a terrace to the front (east) at second floor. It is considered that these fenestration changes would assist in improving the existing appearance of the building which is run-down, through refreshing the appearance of the building. It is considered that the fenestration changes proposed are acceptable in design terms.

9.7 It is noted that the existing building is not of a design that contributes to the

appearance of Windsor Road. The proposed alterations would not significantly alter the appearance of the existing building other than through improvements to the fenestration through the insertion of replacement and new windows, balconies and a terrace. Whilst the resultant building would not appear greatly different from that existing, the building is existing and it would not be reasonable to refuse an application due to the existing poor appearance.

10.0 **Impact to neighbouring residential properties**

10.1 The impact on adjacent residential properties is assessed against Core Policy 8 and Local Plan Policy EN1.

10.2 Core Policy 8 of the Local Development Framework, Core Strategy, states that *“The design of all development within existing residential areas should respect the amenities of adjoining occupiers.”*

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

10.4 The application does not increase the bulk of the site, other than through the insertion of balconies on the southern elevation. In line with this it is not considered that there would be an overshadowing or loss of light concern resultant from this proposal.

10.5 The eastern elevation of the property faces Windsor Road and across towards business units, and the southern elevation faces business units within Charter Court, across the public right of way, and as such the additional windows, balconies, and terrace on the eastern and southern elevations would not result in overlooking concerns in regards to neighbouring residential properties.

10.6 The majority of the northern elevation is bordered by Slough Baptist Church, and as such the additional windows on the northern elevation would not result in overlooking concerns in regards to neighbouring residential properties to the north in the section covered by this Church. Whilst Slough Baptist Church covers most of the northern elevation, the western most part of the northern elevation is bordered by a residential garden for Beechwood Gardens. The western elevation of the building is also bordered by residential properties and gardens of properties on Beechwood Gardens. As such an assessment of the overlooking impact of neighbouring properties on these elevations will be considered in full below.

10.7 The existing building is positioned on the garden boundary with 18 and 20 Beechwood Gardens to the west, and borders the garden for one of the maisonettes within 22 and 24 Beechwood Gardens to the north. The western elevation as existing has one window at ground floor, two windows at first floor, and three rooflights within the mansard roof. All of these windows offer a clear view into the rear gardens of properties on Beechwood Gardens and towards the rear windows of these properties. The application proposes to remove the existing windows on this elevation at ground and first floor and insert one high level window at ground floor, one high level window at first

floor. The ground and first floor windows are shown to be obscure glazed and a condition would be attached requiring these to be obscure glazed and non-opening in perpetuity. The existing second floor windows are retained and are shown to be clear glazed. To overcome any potential overlooking, a 1.8 metre high screen is proposed along the western and northern elevation of the existing flat roof outside these windows. This allows unobscured light to enter the residential unit at second floor through clear glazed windows, whilst still ensuring that there is no overlooking concern as without this obscure screen on the flat roof any occupiers could look directly into neighbouring residential gardens and rear windows. The flat roof to the west is not to form a terrace, with no access possible from the proposed flats. The use of this flat roof as a terrace is not deemed acceptable due to the potential impact upon existing neighbouring residential amenity immediately to the north and west of this terrace, through the intensified use of this roof and the associated noise from this.

10.8 Part of the northern elevation immediately backs onto the garden of properties on Beechwood Gardens. As existing two large windows at ground floor and three large windows at first floor look directly into this garden. It is proposed to remove the two existing ground floor windows and insert one high level window. This is shown to be obscure glazed and a condition would be attached requiring this window to be obscure glazed and non-opening. At first floor it is proposed to remove one of the existing windows. It is then proposed to replace the two remaining windows with obscure glass up to 1.7 metres with clear glass above. These windows would be inward opening above 1.7 metres from floor level (fixed shut below 1.7 metres). A condition would be attached requiring this to ensure no unacceptable overlooking of neighbouring properties.

10.9 The result would be an improvement to neighbouring properties over that existing, with a reduction in the number of windows, and the obscure glazing of those remaining/replacement.

10.10 In line with the above, it is not considered that there would be an unacceptable impact upon neighbouring amenity as a result of this proposal.

11.0 **Living Conditions and Amenity Space for residents**

11.1 The NPPF states that planning should ensure that developments provide a high standard of amenity for existing and future users (para 127).

11.2 Policy H14 of the Adopted Local Plan states that development will only be allowed with the provision of the appropriate amount of private amenity space with due consideration given for type and size of the dwelling, quality of the proposed amenity space, character of the surrounding area in terms of type and size of amenity space and the proximity to existing public open space and play facilities. This policy is further backed up with the Councils Guidelines for the Provision of Amenity Space around Residential Dwellings.

11.3 The application building is located on a constrained site, and windows are existing and proposed on the northern elevation, which is positioned close to Slough Baptist Church, or overlook a neighbouring garden and as such are proposed to be obscure glazed windows up to 1.7 metres above floor level. Whilst the outlook from the windows on the northern elevation (serving bedrooms, bathrooms, halls and kitchens) is restricted, this outlook is not

considered unacceptable, particularly as each flat is provided with good outlook from windows within the southern elevation (serving living rooms and bedrooms). The proposed flats are also each provided with good room sizes. As such it is considered that good living conditions are provided for future occupiers.

11.4

In regards to amenity space, three flats are provided with balconies and one flat is provided with a terrace. This provides insufficient amenity space for the future occupiers of the development. The Developers Contributions and Affordable Housing (Section 106) Developer's Guide Part 2, updated 2017, outlines that residential schemes in the town centre that have inadequate private amenity space must provide a financial contribution of £300 per dwelling for the enhancement of existing nearby public open space, to be paid prior to the commencement of development. With 10 flats proposed, this equates to a total of £3000. The Council must advise what project this money would be put towards and this is advised by the Council's Tree Officer to be towards improvements of the closed churchyard at St Mary's and/or at Herschel Park to enhance the sites' functionality for informal passive recreation through provision of new horticultural features that will benefit residents of the development.

11.5

A S106 agreement will be required with the developer for the provision of this contribution towards the enhancement of nearby amenity space. The applicant has confirmed that this contribution will be provided.

12.0

Crime Prevention

12.1

Policy EN5 of the adopted Local Plan states all development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour. The Police Crime Prevention Design Advisor was consulted on this application and advised that the principle of the application is supported but some changes could be made to improve the scheme.

12.2

Concern was raised with the proposed residential lobby, and the bin door linking from the outside into the main core. To overcome this the development has been re-designed to introduce a secure entrance lobby, with a second internal secure door to both cores. With this any person would need to enter through the secure front entrance and a secondary internal secure door prior to being able to enter the main staircase core. The internal access to the bin store would be located within this secure space, alongside the letterboxes, ensuring that if a person accesses the secure space through the bin store or through delivery of letters, they cannot gain access through the second internal secure door into the main core.

12.3

Concern was also raised that the bin store appears to be a shared space for the commercial and residential units. The submitted plans have been clarified to outline that the commercial units will each have an internal bin store within each commercial unit. The refuse store identified on the plan is for residential waste only.

12.4

A condition was requested requiring the development to achieve robust access control, to ensure that the development achieves the highest standards of design in terms of safety and security, and safe guarding future residents. It is considered appropriate to attach such a condition.

13.0

Highways and Parking

- 13.1 The NPPF outlines that transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impacts and opportunities of development on transport networks can be addressed, opportunities to promote walking, cycling and public transport are identified, the environmental impacts of traffic can be identified, and movement patterns can be incorporated into designs (para 102). When assessing development it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up, safe and suitable access is achieved, and any significant impacts from the development on the transport network or highway safety can be cost effective (para 108).
- 13.2 Paragraph 109 of the NPPF states that 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
- 13.3 Core Policy 7 requires that development proposals will have to make appropriate provisions for reducing the need to travel, widening travel choices and making travel by sustainable means of transport more attractive than the private car, improving road safety, improving air quality and reducing the impact of travel upon the environment.
- 13.4 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.
- 13.5 The Transport and Highway Guidance Developer's Guide Part 3 outlines that residential development of under 4 bedrooms have a nil parking requirement, but should be provided with 1 cycle space per unit. The guide also outlines that there is a nil parking requirement for A1 and A2 uses, and a maximum of 1 to 40m² parking requirement for B1(a) uses.
- 13.6 The application proposes a nil parking provision, with the existing vehicle access being removed through the installation of bollards at Beechwood Gardens and Windsor Road. Cycle parking racks for 10 bicycles would be provided within the residential core for the proposed flats. 5 Sheffield bike stands, providing parking for 10 bicycles, would be provided externally for use by visitors to the commercial units and residential units.
- 13.7 The Council's Highways Department have been consulted on the application and have advised that the provision of no on-site parking is appropriate for the town centre location. It is also advised that there is sufficient cycle parking provision for the proposed uses. Financial contributions towards cycle hire facilities and the upgrading of the public footpath to a bridleway have been requested. These are discussed further later within the report.
- 14.0 **Refuse**
- 14.1 The application provides a communal refuse store for the residential units, and individual internal refuse stores for each commercial unit. A refuse collection point is shown by Beechwood Gardens.

14.2

The Highways Authority have advised that the bin storage on site is acceptable, and that any bin collections must be from Beechwood Gardens. A bin management strategy is requested. The submitted Design and Access Statement dated 28/09/2018 advised at page 24 a bin management strategy. This outlines that the management company will be responsible for moving waste containers to the refuse holding point on bin collection day. A condition is proposed requiring compliance with this strategy.

15.0

Public Right of Way

15.1

The application site includes a public right of way footpath that joins Windsor Road to Beechwood Gardens. The Public Rights of Way officer has been consulted and has advised that the proposed development is acceptable and welcomes the removal of the vehicle access across this right of way which allows the upgrading of the footpath to a bridleway, which would allow the cycling use of this right of way to be legalised.

15.2

In line with this, it is considered that a condition should be attached to any approval requiring the implementation of the bollards to be inserted to remove vehicle access from both Windsor Road and Beechwood Gardens.

15.3

The Public Right of Way officer advises that the developer will be required to enter into a Section 25 creation agreement to enable the footpath to be upgraded to a bridleway, and a contribution to the Slough Cycle Hire scheme in the form of 10 new cycle hire bikes is required, which would form part of a legal agreement. Details of the materials to be used to re-surface the public right of way and two new TSRGD cycling route signs and posts need to be erected at either end of the route, which will be required through condition. It was also advised that consent will be required to close the right of way during construction works, which will be reminded through an informative.

16.0

Affordable Housing

16.1

The application adds 10 residential units and as such is not liable for the provision of affordable housing.

17.0

Financial Contributions

17.1

As discussed within the report above, the developer is requested to provide the following:

- £3000 towards the enhancement of existing public open space;
- £12000 towards the provision of 10 new cycle hire bikes for the Slough Cycle Hire Scheme;
- £1500 for a Section 25 creation agreement to enable the footpath to be upgraded to a bridleway.

17.2

A contribution towards the enhancement of existing public open space is required to overcome the shortfall of amenity space provided on site, the contribution towards cycle hire provision is to overcome the loss of existing parking on site and to facilitate sustainable transport, and the contribution towards the footpath enhancement is due to the impact of the proposal upon the existing right of way.

17.3 The applicant has agreed to the provision of the above contributions.

18.0 **PART C: RECOMMENDATION**
Planning Conclusion

18.1 Having considered the relevant policies set out below, and comments from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be approved subject to conditions and the entering into of a legal agreement.

19.0 **PART D: LIST CONDITIONS AND INFORMATIVES**

24. 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.

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

- (g) Site Location Plan PL_001, dated 28/09/2018;
- (h) Drawing No. PL_007, dated 28/09/2018, received 28/09/2018;
- (i) Drawing No. PL_008, dated 28/09/2018, received 28/09/2018;
- (j) Drawing No. PL_009, dated 28/09/2018, received 28/09/2018;
- (k) Drawing No. PL_010, dated 28/09/2018, received 28/09/2018;
- (l) Drawing No. PL_011, dated 28/09/2018, received 28/09/2018;

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.

26. Details 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.

27. Details of external materials to be used in the construction of the pathways, public right of way 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.

28. No part of the development shall be occupied 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, along with staking/guying, mulching, feeding, watering and soil quality, of new trees and shrubs.

The approved scheme of soft landscaping shall be carried out no later than the first planting season following first occupation 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 and to ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policy 8 of the adopted Core Strategy 2006 - 2026.

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

- (viii) Construction access;
- (ix) Vehicle parking for site operatives and visitors;
- (x) Loading/off-loading and turning areas;
- (xi) Site compound;
- (xii) Storage of materials;
- (xiii) Precautions to prevent the deposit of mud and debris on the adjacent highway;
- (xiv) Details of any impact upon the public right of way.

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

REASON To minimise danger and inconvenience to highway users.

30. 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) site security arrangements including hoardings

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.

31. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order) and The Town & Country Planning Act 1990 (as amended), no window(s), other than those hereby approved, shall be formed in the northern or western elevations of the building without the prior written approval of the Local Planning Authority.

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

32. The following windows as shown on existing plans PL_002, PL_003, and PL_006 shall be permanently removed prior to first occupation of the development:
- d) 2x first floor windows on western elevation (rear facing Beechwood Gardens);
 - e) 2x ground floor windows on northern elevation within section to the west of existing western most internal staircase, as shown in plan PL_002;
 - f) 1x central window in first floor on northern elevation within section to the west of existing western most internal staircase, as shown in plan PL_003.

REASON To minimise any loss of privacy to adjoining occupiers.

33. The following windows hereby approved shall be glazed with obscure glass and any opening shall be inward and at a high level (above 1.7m) only, and shall be so maintained unless prior written approval has been obtained from the Local Planning Authority:
- e) High level ground floor window on western elevation serving living/dining/kitchen of B.0.3 plan PL_007;
 - f) High level first floor window on western elevation serving hall of B.0.3 plan PL_008;
 - g) High level ground floor window on northern elevation serving kitchen of B.0.2, plan PL_007;
 - h) First floor window on northern elevation serving bathroom of

B.0.3, plan PL_008.

REASON To minimise any loss of privacy to adjoining occupiers.

34. The following window hereby approved shall be glazed with obscure glass up to 1.7 metres above floor level, and shall be glazed with clear glass above 1.7 metres. Any openings shall be inward opening and shall be at a high level (above 1.7m) only, and shall be so maintained unless prior written approval has been obtained from the Local Planning Authority:

- b) First floor window on northern elevation serving bedroom of B.0.2, plan PL_008.

REASON To minimise any loss of privacy to adjoining occupiers and provide acceptable living conditions for the occupiers of this unit.

35. Prior to the first occupation of the development, details of the boundary screens to be erected along the northern and western elevations of the green roof at second floor (western end of the development), and around the northern, eastern and southern elevations of the terrace at second floor (eastern end of the development) shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary screening shall be erected on site prior to first occupation of the development in full accordance with the details as approved and shall be retained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.

REASON To minimise any loss of privacy to adjoining occupiers.

36. There shall be no access to the second floor green roof on the western end of the development other than for maintenance purposes. No access to this roof shall be provided from unit B.2.3.

REASON To minimise any loss of privacy to adjoining occupiers.

37. Prior to first occupation of the development the internal and external cycle parking, as shown in plan PL_007, shall be provided on site and shall be retained at all times in the future for this purpose.

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

38. Prior to first occupation of the development the residential refuse store, commercial refuse stores, and refuse collection point shall be provided on site in accordance with plan PL_007 and retained at all times in the future for this purpose.

REASON To ensure that there is adequate refuse storage at the site.

39. The waste management strategy outlined at page 24 of the Design

and Access Statement, dated 28/09/2018, by RnH Architects shall be fully implemented on site and retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

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

40. Prior to first occupation, the Development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Security measures in line with the principles of Secured by Design are to be implemented following consultation with the Thames Valley Police, including a full and robust access control strategy. The measures incorporated shall be retained and maintained on site in perpetuity.

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.

41. Prior to first occupation of the development two new TSRGD cycling route signs and posts shall be erected at either end of the public right of way on site (one to the western end by Beechwood Gardens and one to the eastern end by Windsor Road) in consultation with the Council's Public Rights of Way Officer, unless otherwise agreed in writing by the Local Planning Authority.

REASON To ensure adequate notification of the public right of way.

42. No part of the development shall be occupied until the redundant means of access on Beechwood Gardens has been removed and the footway re-instated and laid out in accordance with plans that shall first have been submitted to and approved in writing by the local planning authority and the works shall be constructed in accordance with Slough Borough Council's Design Guide.

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

43. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), the commercial units hereby permitted shall be used for Class A1, A2, or B1(a) purposes only and for no other purpose unless otherwise agreed in writing by the local planning authority.

REASON In order protect the amenities of the area.

44. Prior to first occupation of development details of the bollards to be installed at the Windsor Road and Beechwood Garden ends of the site, as shown on plan PL_007 shall be submitted to and approved in writing by the Local Planning Authority. The approved bollards shall be provided in full accordance with the approved details prior to first occupation of the development hereby approved, and retained thereafter.

REASON: To ensure that necessary works to minimise highway danger, obstruction and inconvenience as a result of this development are undertaken, in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

45. The development shall be undertaken in accordance with the findings of the Weetwood Drainage Assessment Final Report V1.4 June 2018, received 27/06/2018, unless otherwise agreed in writing by the Local Planning Authority.

REASON To ensure adequate drainage is provided for the development.

46. The developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority to the presence of any unsuspected contamination (to soil or/and water, determined by either visual or olfactory indicators) encountered during the development.

In the event of contamination to land and/or water being encountered, no development or part thereof shall continue until a programme of investigation and/or remedial work to include details of the remedial scheme and methods of monitoring, and validation of such work undertaken has been submitted to and approved in writing by the Local Planning Authority.

None of the development shall be commissioned and/or occupied until the approved remedial works, monitoring and validation of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

In the event that no significant contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be commissioned and/or occupied.

Reason: To ensure that any ground and water contamination is identified and adequately assessed, and that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use.

INFORMATIVES:

6. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through discussing amendments to the scheme. 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.

7. Highways:

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.

The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.

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

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

The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.

8. If the footpath will need to be closed during construction the developer will need to apply for a Temporary TRO under S14 RTRA at a fee of £1250 if over 5 days closure period.
9. This planning permission is granted following the receipt of a completed S106 agreement.

10. Thames Water:

The applicant is reminded that there are public sewers crossing or close to your development. If planning significant work near sewers it's important that you minimise the risk of damage. Thames Water will need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhabit the services provided in any other way. The applicant is advised to read the guide for working near or diverting pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minutes at the point

where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Registration Date:	03-Jul-2018	Application No:	P/00669/016
Officer:	Michael Scott	Ward:	Chalvey
Applicant:	Leicester Central Property Co Ltd	Application Type:	Major
		13 Week Date:	2 October 2018
Agent:	Prashanna Vivekananda, JLL 30 Warwick Street, London, W1B 5NH		
Location:	Forward Building, 44-46, Windsor Road, Slough, SL1 2EJ		
Proposal:	The addition of a fourth floor, side infill extension at ground floor level, façade improvements, new window openings, balconies and terraces to facilitate the change of use to Class C3 residential use to provide 9 no. 1 bedroom units and 5 no. 2 bedroom units, and the retention and use of three ground floor units for flexible commercial use (Use Classes A1, A2, B1(a)).		

Recommendation: Delegate to Planning Manager for approval



P/00669/016 - SUPPLEMENTARY REPORT

1.0 SUMMARY OF RECOMMENDATION

1.1 Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager:

A) For **APPROVAL** subject to:-

- 1) the satisfactory completion of a Section 106 to secure the planning obligations set out in paragraph 18.0 of the original Planning Committee Report, 31st October 2018;
- 2) finalising conditions; and any other minor changes;

or

- B) Refuse the application if the satisfactory completion of a Section 106 to secure the planning obligations set out in paragraph 18.0 is not finalised by 31st July 2019, unless otherwise agreed by the Planning Manager, in consultation with the Chair of Planning Committee.

2.0 PART A: BACKGROUND

Planning Committee Resolution

2.1 On the 31st October 2018 the Planning Committee made the following resolution to delegate the decision on the application to the Planning Manager:

A) **APPROVAL** subject to:-

- 1) the satisfactory completion of a Section 106 to secure the planning obligations set out in paragraph 18.0;
- 2) finalising conditions; and any other minor changes.

B) Refuse the application if the satisfactory completion of a Section 106 to secure the planning obligations set out in [original] paragraph 18.0 is not finalised by 4th April 2019.

2.2 Since the application was delegated back to the Planning Manager, the drafting of the Section 106 has begun however there has been delay from the developer in continuing with the Section 106 Agreement. Following discussions with the developer, it has been made clear that they are keen to complete the Agreement. Given the completion date of 4th April 2019 set out in the recommendation to the Planning Committee in October 2018 has not be achieved, it is therefore recommended that an extension to this date is recommended until 4th July 2019.

3.0 PART B: RECOMMENDATION

3.1 Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager:

A) For **APPROVAL** subject to:-

- 1) the satisfactory completion of a Section 106 to secure the planning obligations set out in paragraph 18.0 of the original Planning Committee Report, 31st October 2018;
- 2) finalising conditions; and any other minor changes;

or

B) Refuse the application if the satisfactory completion of a Section 106 to secure the planning obligations set out in paragraph 18.0 is not finalised by 31st July 2019, unless otherwise agreed by the Planning Manager, in consultation with the Chair of Planning Committee.

4.0 PART D: CONDITIONS

4.1 **PART D: LIST CONDITIONS AND INFORMATIVES – P/00669/016**

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

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

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

- (a) Site Location Plan PL_001, dated 28/09/2018;
- (b) Drawing No. PL_007, dated 28/09/2018, received 28/09/2018;
- (c) Drawing No. PL_008, dated 28/09/2018, received 28/09/2018;
- (d) Drawing No. PL_009, dated 28/09/2018, received 28/09/2018;
- (e) Drawing No. PL_010, dated 28/09/2018, received 28/09/2018;
- (f) Drawing No. PL_011, dated 28/09/2018, received 28/09/2018;

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

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

- 5 No part of the development shall be occupied 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, along with staking/guying, mulching, feeding, watering and soil quality, of new trees and shrubs.

The approved scheme of soft landscaping shall be carried out no later than the first planting season following first occupation 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 and to ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policy 8 of the adopted Core Strategy 2006 - 2026.

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

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

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

REASON To minimise danger and inconvenience to highway users.

7 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) site security arrangements including hoardings

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.

8 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order) and The Town & Country Planning Act 1990 (as amended), no window(s), other than those hereby approved, shall be formed in the northern or western elevations of the building without the prior written approval of the Local Planning Authority.

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

9 The following windows as shown on existing plans PL_002,

PL_003, and PL_006 shall be permanently removed prior to first occupation of the development:

- a) 2x first floor windows on western elevation (rear facing Beechwood Gardens);
- b) 2x ground floor windows on northern elevation within section to the west of existing western most internal staircase, as shown in plan PL_002;
- c) 1x central window in first floor on northern elevation within section to the west of existing western most internal staircase, as shown in plan PL_003.

REASON To minimise any loss of privacy to adjoining occupiers.

- 10 The following windows hereby approved shall be glazed with obscure glass and any opening shall be inward and at a high level (above 1.7m) only, and shall be so maintained unless prior written approval has been obtained from the Local Planning Authority:
- a) High level ground floor window on western elevation serving living/dining/kitchen of B.0.3 plan PL_007;
 - b) High level first floor window on western elevation serving hall of B.0.3 plan PL_008;
 - c) High level ground floor window on northern elevation serving kitchen of B.0.2, plan PL_007;
 - d) First floor window on northern elevation serving bathroom of B.0.3, plan PL_008.

REASON To minimise any loss of privacy to adjoining occupiers.

- 11 The following window hereby approved shall be glazed with obscure glass up to 1.7 metres above floor level, and shall be glazed with clear glass above 1.7 metres. Any openings shall be inward opening and shall be at a high level (above 1.7m) only, and shall be so maintained unless prior written approval has been obtained from the Local Planning Authority:
- 12 First floor window on northern elevation serving bedroom of B.0.2, plan PL_008.

REASON To minimise any loss of privacy to adjoining occupiers and provide acceptable living conditions for the occupiers of this unit.

- 13 Prior to the first occupation of the development, details of the boundary screens to be erected along the northern and western elevations of the green roof at second floor (western end of the development), and around the northern, eastern and southern elevations of the terrace at second floor (eastern end of the development) shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary screening shall be erected on site prior to first occupation of the development in full accordance with the details as approved and shall be retained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.

REASON To minimise any loss of privacy to adjoining occupiers.

- 14 There shall be no access to the second floor green roof on the western end of the development other than for maintenance purposes. No access to this roof shall be provided from unit B.2.3.

REASON To minimise any loss of privacy to adjoining occupiers.

- 15 Prior to first occupation of the development the internal and external cycle parking, as shown in plan PL_007, shall be provided on site and shall be retained at all times in the future for this purpose.

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

- 16 Prior to first occupation of the development the residential refuse store, commercial refuse stores, and refuse collection point shall be provided on site in accordance with plan PL_007 and retained at all times in the future for this purpose.

REASON To ensure that there is adequate refuse storage at the site.

- 17 The waste management strategy outlined at page 24 of the Design and Access Statement, dated 28/09/2018, by RnH Architects shall be fully implemented on site and retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

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

- 18 Prior to first occupation, the Development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Security measures in line with the principles of Secured by Design are to be implemented following consultation with the Thames Valley Police, including a full and robust access control strategy. The measures incorporated shall be retained and maintained on site in perpetuity.

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.

- 19 Prior to first occupation of the development two new TSRGD cycling route signs and posts shall be erected at either end of the public right of way on site (one to the western end by Beechwood Gardens and one to the eastern end by Windsor Road) in consultation with the Council's Public Rights of Way Officer, unless otherwise agreed in writing by the Local Planning Authority.

REASON To ensure adequate notification of the public right of way.

- 20 No part of the development shall be occupied until the redundant means of access on Beechwood Gardens has been removed and the footway re-instated and laid out in accordance with plans that shall first have been submitted to and approved in writing by the local planning authority and the works shall be constructed in accordance with Slough Borough Council's Design Guide.

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

- 21 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), the commercial units hereby permitted shall be used for Class A1, A2, or B1(a) purposes only and for no other purpose unless otherwise agreed in writing by the local planning authority.

REASON In order protect the amenities of the area.

- 22 Prior to first occupation of development details of the bollards to be installed at the Windsor Road and Beechwood Garden ends of the site, as shown on plan PL_007 shall be submitted to and approved in writing by the Local Planning Authority. The approved bollards shall be provided in full accordance with the approved details prior to first occupation of the development hereby approved, and retained thereafter.

REASON: To ensure that necessary works to minimise highway danger, obstruction and inconvenience as a result of this development are undertaken, in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

- 23 The development shall be undertaken in accordance with the findings of the Weetwood Drainage Assessment Final Report V1.4 June 2018, received 27/06/2018, unless otherwise agreed in

writing by the Local Planning Authority.

REASON To ensure adequate drainage is provided for the development.

- 24 The developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority to the presence of any unsuspected contamination (to soil or/and water, determined by either visual or olfactory indicators) encountered during the development.

In the event of contamination to land and/or water being encountered, no development or part thereof shall continue until a programme of investigation and/or remedial work to include details of the remedial scheme and methods of monitoring, and validation of such work undertaken has been submitted to and approved in writing by the Local Planning Authority.

None of the development shall be commissioned and/or occupied until the approved remedial works, monitoring and validation of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

In the event that no significant contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be commissioned and/or occupied.

Reason: To ensure that any ground and water contamination is identified and adequately assessed, and that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use.

INFORMATIVES:

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

2. Highways:

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.

The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway

or into the highway drainage system.

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

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

The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.

3. If the footpath will need to be closed during construction the developer will need to apply for a Temporary TRO under S14 RTRA at a fee of £1250 if over 5 days closure period.
4. This planning permission is granted following the receipt of a completed S106 agreement.
5. Thames Water:

The applicant is reminded that there are public sewers crossing or close to your development. If planning significant work near sewers it's important that you minimise the risk of damage. Thames Water will need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhabit the services provided in any other way. The applicant is advised to read the guide for working near or diverting pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

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

Please see original Committee Report below – Planning Committee Date 31st October 2018

Registration Date:	03-Jul-2018	Application No:	P/00669/016
Officer:	Hannah Weston	Ward:	Chalvey
Applicant:	Leicester Central Property Co Ltd	Application Type:	Major
		13 Week Date:	2 October 2018
Agent:	Prashanna Vivekananda, JLL 30 Warwick Street, London, W1B 5NH		
Location:	Forward Building, 44-46, Windsor Road, Slough, SL1 2EJ		
Proposal:	The addition of a fourth floor, side infill extension at ground floor level, façade improvements, new window openings, balconies and terraces to facilitate the change of use to Class C3 residential use to provide 9 no. 1 bedroom units and 5 no. 2 bedroom units, and the retention and use of three ground floor units for flexible commercial use (Use Classes A1, A2, B1(a)).		

Recommendation: Delegate to Planning Manager for approval



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager:

A) For **APPROVAL** subject to:-

- 3) the satisfactory completion of a Section 106 to secure for the provision of contributions towards amenity space, highway and public right of way improvements;
- 4) finalising conditions; and any other minor changes.

B) Refuse the application if the satisfactory completion of a Section 106 to secure the above planning obligations is not finalised by 4th April 2019.

1.2 Under the current constitution this application is being brought to Committee for decision because this is a 'Major' application.

2.0 **PART A: BACKGROUND**

Proposal

2.1 The application is a full planning permission for 'The addition of a fourth floor, side infill extension at ground floor level, façade improvements, new window openings, balconies and terraces to facilitate the change of use to Class C3 residential use to provide 9 no. 1 bedroom units and 5 no. 2 bedroom units, and the retention and use of three ground floor units for flexible commercial use (Use Classes A1, A2, B1(a)).'

2.2 The footprint of the existing building will remain unchanged, with the extensions forming an additional fourth storey and the infill of an existing undercroft in the ground floor, alongside the addition of balconies and terraces, and fenestration changes. The total height increase of the building would be 2.9 metres, with the existing height being 8.6 metres and the proposed height 11.5 metres.

3.0 **Application Site**

3.1 The application site is located to the west of Windsor Road and comprises a three storey building which is now largely vacant but which previously had a mixture of business uses within. To the south of the site is a public footpath which extends between Windsor Road and Beechwood Gardens. The application site is bordered by Slough Baptist Church to the north, Charter Court (an office block) to the south, and residential properties and gardens to the west. To the east of the application site, across Windsor Road, are further office blocks.

4.0 **Relevant Site History**

- 4.1 F/00669/014 Prior approval for a change of use from office to residential (29no. studio units & 4no. 1 bedroom units).
Withdrawn (Treated As) 28-Sep-2017
- 4.2 P/00669/013 INSTALLATION OF ILLUMINATED SIGN (AMENDED PLANS RECEIVED 26.09.97)
Approved with Conditions 08-Oct-1997
- 4.3 P/00669/012 ERECTION OF FASCIA SIGN
Withdrawn (Treated As) 27-Sep-1994
- 4.4 P/00669/011 INSTALLATION OF AN ILLUMINATED FASCIA SIGN
Approved with Conditions 05-Sep-1983
- 4.5 P/00669/010 INSTALLATION OF NEW SHOP FRONT
Approved with Conditions 05-Sep-1983

5.0 **Neighbour Notification**

- 5.1 Bus Shelter Opposite Observato, Windsor Road, Bus Shelter Opposite Observato, Advertising Right, Windsor Road, Charter Court, 50, Windsor Road, Slough, SL1 2EE, Charter Court, Part Ground Floor, 50, Windsor Road, Slough, SL1 2EE, Charter Court, Fourth Floor, 50, Windsor Road, Slough, SL1 2EE, Charter Court, Second And Third Floor, 50, Windsor Road, Slough, SL1 2EE, Charter Court, Ground Floor Rear, 50, Windsor Road, Slough, SL1 2EE, 25, Windsor Road, Slough, SL1 2EL, Slough Baptist Church, Windsor Road, Slough, SL1 2EJ, Slough Baptist Church, Telecommunnications Mast, Windsor Road, 24, Beechwood Gardens, Slough, SL1 2HR, 22, Beechwood Gardens, Slough, SL1 2HR, 18, Beechwood Gardens, Slough, SL1 2HR, 20, Beechwood Gardens, Slough, SL1 2HR, 14, Beechwood Gardens, Slough, SL1 2HR, 16, Beechwood Gardens, Slough, SL1 2HR, Second Floor, 44, Windsor Road, Slough, SL1 2EJ, Second Floor, Room 4, Windsor Road, Slough, SL1 2EJ, Second Floor, Rooms, 2, Windsor Road, Slough, SL1 2EJ, 44, Windsor Road, Slough, SL1 2EJ, Second Floor Front, 44, Windsor Road, Slough, SL1 2EJ, 46, Windsor Road, Slough, SL1 2EJ, Rooms 6 To 8 - First Floor, 46, Windsor Road, Slough, SL1 2EJ, Rooms 1 To 5 - First Floor, 46, Windsor Road, Slough, SL1 2EJ, Ground Floor, 46, Windsor Road, Slough, SL1 2EJ, Rooms 12 To 15 First Floor, 46, Windsor Road, Slough, SL1 2EJ, Ground Floor Rear, 44, Windsor Road, Slough, SL1 2EJ, First Floor Rear, 44, Windsor Road, Slough, SL1 2EJ
- 5.2 Three letters of objection have been received from two addresses. The concerns raised within these letters can be summarised as follows:
- Overshadowing of 22 and 24 Beechwood Gardens dwellings and

gardens from fourth floor.

- Overshadowing of 24 Beechwood Gardens from infill of stepped rear (*Officer Note: The submitted plans do not include alterations to the existing footprint on the western elevation – no alterations are proposed to the stepped rear*).
- Overbearing to neighbouring properties.
- Overlooking of 24 Beechwood Gardens – whilst existing windows, these are used by offices and not ‘after hours’.
- Noise resultant from residential use.
- Conversion would increase congestion on Beechwood Gardens – more vehicles parking on street.

[Case Officer Response: the above issues are taken into consideration further below within the relevant parts of this report].

6.0 **Consultations**

6.1 **Transport and Highways Development, Resources, Housing and Regeneration**

Verbal comments received that waste and bike storage are acceptable. All waste should be collected via Beechwood Gardens, and a waste management strategy is required.

6.2 **Public Rights of Way Officer**

We would require the developer to enter into a Section 25 creation agreement to enable the footpath to be upgraded to a bridleway which would allow the cycling use to be legalised. The initial fee for this would be payable by the developer and is £1500 and requires the landowner to sign. The new surfacing needs to be agreed as the HA (Highway Authority) normally takes on future maintenance of the part which is PRoW (Public Right of Way) unless it is written into the agreement that the entire width of block paved surface is privately maintained. Two new TSRGD (Traffic Signs Regulations and General Directions) cycling route signs and posts need to be erected at either end of the route (diag.956) and /or sign at Item 8, Part2 (pg240 TSRGD 2016). We would also require a contribution to the Slough Cycle Hire scheme in the form of 10 new cycle hire bikes @£1200 each.

If the footpath will need to be closed during construction the developer will need to apply for a Temporary TRO under S14 RTRA at a fee of £1250 if over 5 days closure period.

6.3 **Police Crime Prevention Design Advisor**

In principle I support the application however, there are some aspects of the design that cause concern. Therefore opportunities to design out crime and/or the fear of crime and to promote community safety are present within the proposed layout (see my observations below).

I make the following observations:

The residential lobby provides access to the private dwellings above and refuse /bin storage room. Aside from the unpleasant smell that could

permeate into the residential core as the door is open/closed – or indeed left open. I also have significant concerns as to how the area described by the lobby and shared refuse facilities function and how this will negatively impact on the safety and security of residents.

Residential access lobby / Bin Store, From the plans provided it appears that the refuse facilities have two access points and can be accessed from either the residential core or by staff of the commercial units. Therefore staff of the commercial premises could easily gain unauthorised access to the private residential corridors, (where they have no right to be).. The site constraints are appreciated however this is a significant concern. This access opportunity via the bin store effectively overrides any security offered by the external communal entrance door; creating an unacceptable level of permeability and provides multiple escape routes. In addition: in this location, given the crime risk all Bin stores doors must be robust and secure!, Double leaf door can be problematic in terms of reliability, sustainable operation and security. Secure operation of double doors is achieved when the active leaf is secure against the passive, this locking configuration can easily be overcome and it is not unusual to find insecure bin stores being used for other activities by the homeless seeking temporary shelter. Given proposed direct access from the bin store into the residential units I (again) have significant concerns regarding this proposal

This is a significant concern and I ask that the residential lobby/ bin/ refuse area be redesigned to separate their use and activities'. This could be achieved via the following ; a) creating a secure residential lobby (achieved via the inclusion of a secondary internal secure line) within with inner access controlled communal entrance b). Re-locate the residential bin store access door from the bottom of the stairs into the secure lobby. c). Careful consideration must be given to type and style of external bins store door, single leaf doors capable of allowing the passage of large wheelie bins, which meet the minimum physical security standards required are available. d). Given the proposed mixed use of the bin store, the interconnection door between bin store and residential area must also be regarded as a communal entrance and in compliance with building regulation Approved Document Q must meet the minimum physical security standards of PAS24.

I ask that detailed plans be submitted and approved prior to planning permission being granted

Apartment Mail delivery/residential security – From the submitted documentation, I am concerned that the layout plans do not identify the location of the residential letterboxes. I therefore cannot identify how the postal deliveries will be managed or how the safety and security of private residential areas will be maintained. Letterboxes for apartments are a contentious issue and can lead to the security of the apartments being undermined. Unrestricted postal delivery access also provides a legitimate excuse for unauthorised individuals to be in private areas where they have no right to be, this in turn raises the fear of crime and provides opportunity for ASB and criminal activity). This issue can be resolved via the inclusion of one of the following solutions; (1) creating an airlock system with secure boxes within the airlock area as detailed above ; (2) external secure letterboxes. I ask that a details relating to postal deliveries be submitted, and approved prior to planning approval being considered.

Bollards: I note that vehicle mitigation barrier in the form of bollards has been included, is it the applicants intention that these will be demountable bollards? How will these function with regards to refuse collections? I ask that additional

details be provided prior to planning approval is granted.

Physical Security: I ask that a condition is imposed on this application to ensure that, any subsequent approved development is required to achieve robust access control throughout the whole development. Such a condition will help to ensure that the development achieves the highest standards of design in terms of safety and security, safe guarding future residents. This would not only ensure that crime prevention design is incorporated within the development but also assist the authority in satisfying the requirements of NPPF - creating 'Safe and accessible environments where crime and disorder, and the fear of crime will not undermine quality of life or community cohesion'.

Condition:

To ensure that the development achieves the highest standards of design in terms of safety and security, safe guarding future residents. I would ask the authority attach the following (or a similarly worded) condition upon any approval for this application; No development shall commence until details of the measures to be incorporated into the development to demonstrate how Full and robust access control strategy (best practice guidance Secured by Design Homes 2016) will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy details, and shall not be occupied or used until the Council acknowledged in writing that it has received written confirmation of compliance. .

To aid the applicant I have provided the following as an aid to achieving this condition.

External Communal entrance: All external and internal Communal entrance doors meet the requirements of the minimum physical security requirements of PAS24:2012 tested to BS EN 1627 resistance class 3 access controlled via the include of electronic remote release locking systems with audio intercom link to each apartment.. This will allow residents to communicate with their visitors without having to open their front door and speak to them face-to-face as this allows them to filter who is allowed into the building and up into their flat.

Include secure communal lobbies ; the secondary internal secure doorset shall include an access controlled

Bin store doors must be robust and secure, double leaf door can be problematic sustainable operation and security, as the active leaf is required to secure against the passive. Additional details as to the type, style and minimum physical security standards of the doors will be required - alternatively a large single leaf door may well be more appropriate and cost effective.

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

I feel that attachment of this condition would help the development to meet the requirements of:

- The National Planning Policy Framework 2012 (Part 7, Sect 58; Requiring good Design and Part 8, Sect 69; Promoting Healthy Communities) where it is

stated that development should create 'Safe and accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion'.

• DCLG's Planning Practice Guidance in relation to design, where it states 'Although design is only part of the planning process it can affect a range of economic, social and environmental objectives... Planning policies and decisions should seek to ensure the physical environment supports these objectives. The following issues should be considered: ...safe, connected and efficient streets, ... crime prevention, ...security measures, ...access and inclusion, ...cohesive & vibrant neighbourhoods.' It also states that 'Planning should promote appropriate security measures. Taking proportionate security measures should be a central consideration to the planning and delivery of new developments...'

• Slough Core Policy 12 section, 7.204 and 7.206)

The comments above are made on behalf of Thames Valley Police and relate to CPTED only. You may receive additional comments from TVP with regard to the impact of the development upon policing and a request for the provision of infrastructure to mitigate against this impact.

I hope that you find my comments of assistance in determining the application and if you or the applicants have any queries relating to CPTED in the meantime, please do not hesitate to contact me.

Officer Note – Following the receipt of these comments the scheme has been amended to take into account the concerns raised.

6.4

Lead Local Flood Authority

We have reviewed the following information in relation to the planning application:

- Weetwood Drainage Assessment Final Report V1.4 July 2018

The submitted information addresses our requirements and we have no further comments.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

6.5

Tree Officer

As the application provides insufficient amenity space for future occupiers a contribution of £4200 is required. This money would be put towards the improvement of the closed churchyard at St Mary's and/or at Herschel Park to enhance the sites' functionality for informal passive recreation through provision of new horticultural features that will benefit residents of the development.

6.6

Contaminated Land Officer

I have reviewed the "Phase 1 Contaminated Land Report" (Ref. 4026R1), dated July 2017, and prepared by Ground First Ltd.

Given the proposal is for the existing offices to be converted into residential, without any groundwork, the report is considered acceptable. However, should the development propose further groundworks, additional ground

investigation and risk assessment will be required.

For the purpose of these two applications it is recommended that a Watching Brief is maintained for the duration of the works. Once the works are completed, a confirmation letter should be submitted explaining whether any issues were encountered, and how they were dealt with.

Based on the above, I recommend that the following Watching Brief is placed on the Decision Notice:

Watching Brief

The developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority to the presence of any unsuspected contamination (to soil or/and water, determined by either visual or olfactory indicators) encountered during the development.

In the event of contamination to land and/or water being encountered, no development or part thereof shall continue until a programme of investigation and/or remedial work to include details of the remedial scheme and methods of monitoring, and validation of such work undertaken has been submitted to and approved in writing by the Local Planning Authority.

None of the development shall be commissioned and/or occupied until the approved remedial works, monitoring and validation of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

In the event that no significant contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be commissioned and/or occupied.

Reason: To ensure that any ground and water contamination is identified and adequately assessed, and that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use.

6.7

Environmental Protection

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

6.8

Environmental Quality

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

7.0

PART B: PLANNING APPRAISAL

7.1

Policy Background

Revised National Planning Policy Framework and National Planning Policy Guidance:

Chapter 2: Achieving Sustainable Development

Chapter 5: Building a sufficient supply of homes

Chapter 6: Building a strong, competitive economy

Chapter 7: Ensuring the vitality of town centre

Chapter 9: Promoting sustainable transport

Chapter 12: Achieving well-designed places

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

Core Policy 1 – Spatial Strategy

Core Policy 3 – Housing Distribution

Core Policy 4 – Type of Housing

Core Policy 5 – Employment

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 10 – Infrastructure

Core Policy 12 – Community Safety

The Local Plan for Slough, Adopted March 2004 (Saved policies)

H9 – Comprehensive Planning

H11 – Change of use to residential

H14 – Amenity Space

EMP2 – Criteria for business development

S15 – Diversification of use

EN1 – Standard of Design

EN3 – Landscaping

EN5 – Design and Crime Prevention

T2 – Parking

T8 – Cycle Network and Facilities

Slough Local Development Plan and the NPPF - PAS Self Assessment
Checklist, February 2013

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 revised version of the National planning Policy Framework (NPPF) was published upon 24th July 2018.

Planning Officers have considered the revised NPPF which has been used together with other material planning considerations to assess this planning application.

The NPPF states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

7.2 The planning considerations for this proposal are:

- Principle of development
- Impact on the character of the area
- Impact on residential amenity
- Living Conditions and Amenity Space for residents
- Crime Prevention
- Highways, Parking and Public Right of Way

8.0 **Principle of development**

8.1 At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 68 of the NPPF identifies that ‘small and medium sized sites can make an important contribution to meeting the housing requirements of an area.’

8.2 Core Policy 1 sets out the overall spatial strategy for Slough requiring all developments to take place within the built up area, predominately on previously developed land. The policy seeks to ensure high density housing is located in the appropriate parts of Slough Town Centre with the scale and density of development elsewhere being related to the site’s current or proposed accessibility, character and surroundings.

8.3 Core Policy 4 again emphasises that high density housing should be located in the Town Centre area and that outside the Town Centre the development will be predominately family housing at a density related to the character of the area. In particular, in suburban residential areas, there will only be limited infilling consisting of family houses which are designed to enhance the distinctive suburban character and identity of the area.

8.4 The application proposes to extend and convert the majority of the building into 14 residential units. Three commercial units would be retained at ground floor with a flexible use of A1, A2, B1(a).

8.5 The application site falls within Slough town centre, and as such the provision of residential flats is welcomed in terms of land use and the principle of this is supported.

8.6 The application also proposes to retain three commercial units at ground floor. These would be for a flexible use falling within A1, A2 or B1(a) uses, allowing some flexibility in the use of the units to try and ensure their future occupation. With the existing building having a mixture of commercial units, it is considered acceptable to retain three units for a flexible use.

9.0 **Impact on Visual Amenity**

9.1 The National Planning Policy Framework outlines that ‘the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of

sustainable development, creates better places in which to live and work and helps make development acceptable to communities.’

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 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.

9.4 The existing building at 44-46 Windsor Road comprises a three storey building which gives the appearance of a two storey building with a third floor within a mansard roof. This third floor is set back from the eastern (front) elevation and western (rear) elevation. The existing building footprint almost completely fills the application site, being approximately 44 metres deep and 10 metres wide. At ground floor there is an existing under croft which allows vehicles to park under the first floor overhang on the southern elevation.

9.5 The application proposes the erection of an additional floor to the existing property, increasing the building from three stories to four. This is facilitated in design terms through altering the existing mansard roof to brick walls, and building a new mansard roof above. The appearance is of the existing mansard roof being moved up to allow the insertion of an additional floor under this. The additional fourth floor would have the same footprint as the existing mansard roof, and as such would be set in from the eastern and western boundaries. The total increase in height would be 2.9 metres.

9.6 The application site is positioned between Slough Baptist Church and Charter Court on Windsor Road. Both of these buildings have ridge heights greater than the existing building at 44-46 Windsor Road, and the application building appears squat in comparison. The proposed additional floor assists in elevating the property to provide a ridge height between that of Slough Baptist Church and Charter Court. Through increasing the ridge height to be positioned between the two neighbouring properties, it is considered that the resultant mass would compliment that street scene of Windsor Road and would appear acceptable in design terms.

9.7 It is also proposed to infill the existing under croft on the southern elevation of

the existing building to remove the parking spaces and add additional residential accommodation. The infilling of this section of the building would not greatly alter the appearance of the property and is considered acceptable in design terms.

9.8 Alongside the above, a large level of fenestration changes are proposed through alterations to the existing window openings, the insertion of balconies on the western elevation, and the creation of a terrace to the front (east) at second floor. It is considered that these fenestration changes would assist in improving the existing appearance of the building which is run-down, through refreshing the appearance of the building. It is considered that the fenestration changes proposed are acceptable in design terms.

9.9 It is noted that the existing building is not of a design that contributes to the appearance of Windsor Road. The proposed alterations would not significantly alter the appearance of the existing building other than adding an additional floor and through improvements to the fenestration through the insertion of replacement and new windows. Whilst the resultant building would not appear greatly different from that existing, the building is existing and it would not be reasonable to refuse an application due to the existing poor appearance.

10.0 **Impact to neighbouring residential properties**

10.1 The impact on adjacent residential properties is assessed against Core Policy 8 and Local Plan Policy EN1.

10.2 Core Policy 8 of the Local Development Framework, Core Strategy, states that *“The design of all development within existing residential areas should respect the amenities of adjoining occupiers.”*

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

10.4 Concern was raised within neighbour letters that the proposal would result in overshadowing, loss of light and overlooking of neighbouring properties, and would appear overbearing to neighbouring properties. The application site as existing comprises a three storey building with window openings on all elevations. The application proposes the addition and alteration of existing windows, and the insertion of an additional floor.

10.5 The eastern elevation of the property faces Windsor Road and across towards business units, and the southern elevation faces business units within Charter Court, across the public right of way, and as such the additional bulk, windows, and terrace on the eastern and southern elevations would not result in overshadowing or overlooking concerns in regards to neighbouring residential properties.

10.6 The majority of the northern elevation is bordered by Slough Baptist Church, and as such the additional bulk and windows on the northern elevation would

not result in overshadowing or overlooking concerns in regards to neighbouring residential properties to the north in the section covered by this Church. Whilst Slough Baptist Church covers most of the northern elevation, the western most part of the northern elevation is bordered by a residential garden for Beechwood Gardens. The western elevation of the building is also bordered by residential properties and gardens of properties on Beechwood Gardens. As such an assessment of the additional floor, and alterations to the fenestration, on these elevations will be considered in full below.

10.7

The existing building is positioned on the garden boundary with 18 and 20 Beechwood Gardens to the west, and borders the garden for one of the maisonettes within 22 and 24 Beechwood Gardens to the north. The application proposes the addition of a fourth floor to the existing building, through removing the existing mansard roof and inserting an additional floor with mansard roof above (creating two floors). These two floors would be positioned to match the existing mansard roof footprint, being set in from the eastern and western boundaries of the existing building at ground and first floor.

10.8

It is considered that there would be an impact upon the outlook from neighbouring windows on Beechwood Gardens with the additional floor appearing more prominent and with the extension likely resulting in a reduction in light such as early morning winter sun, being positioned to the east. However, the application site is located nestled between larger buildings within the town centre of Slough, and the additional built form would be relatively narrow at 8.6 metres wide reducing to 7.8 metres wide. As such whilst there would likely be an impact upon the bottom floor of the residential property to the west, this is not to a level that is considered unacceptable due to the surrounding characteristic of large properties within the town centre of Slough. There would only be a negligible impact upon the top floor windows.

10.9

In line with the above, it is also not considered that the proposed additional floor would appear overbearing to neighbouring properties, being set back from the main bulk of the building, and being set down from neighbouring buildings on Windsor Road.

10.10

In regards to privacy, the western elevation as existing has one window at ground floor, two windows at first floor, and three rooflights within the mansard roof. All of these windows offer a clear view into the rear gardens of residential properties on Beechwood Gardens and towards the rear windows of these properties. The application proposes to remove the existing windows on this elevation and insert one high level window at ground floor, one high level window at first floor, and two windows at second floor. The ground and first floor window are shown to be obscure glazed and a condition would be attached requiring these to be obscure glazed and non-opening in perpetuity. The second floor windows are shown to be clear glazed. To overcome any potential overlooking, a 1.8 metre high screen is proposed along the western and northern elevation of the existing flat roof. This allows unobscured light to enter the residential unit at second floor through clear glazed windows, whilst still ensuring that there is no overlooking concern as without this obscure screen on the flat roof any occupiers could look directly into neighbouring residential gardens and rear windows. The flat roof to the west is not to form a terrace, with no access possible from the proposed flats. The use of this flat roof as a terrace is not deemed acceptable due to the potential impact upon existing neighbouring residential amenity immediately to the north and west of this terrace, through the intensified use of this roof and the associated noise from this.

10.11

Part of the northern elevation immediately backs onto the garden of residential properties on Beechwood Gardens. As existing two large windows at ground floor and three large windows at first floor look directly into this garden. It is proposed to remove these windows and insert one small high level window at ground floor which would be obscure glazed and fixed shut, and two windows at first floor. The windows at first floor would be obscure glazed and fixed shut up to 1.7 metres above floor level, and clear glazed and inward opening above this. Subject to a condition requiring this, it is considered that there would be an improvement to neighbouring amenity as a result of these changes.

Concern was also raised within a neighbour letter that the proposed residential use would result in additional noise. The use of the existing building as residential units would provide a level of noise and disturbance which would be compatible with the residential character of Beechwood Gardens. It is not considered that there would be an unacceptable impact upon neighbouring amenity in terms of noise, disturbance and air quality.

In line with the above, it is not considered that there would be an unacceptable impact upon neighbouring amenity as a result of this proposal.

11.0 **Living Conditions and Amenity Space for residents**

11.1 The NPPF states that planning should ensure that developments provide a high standard of amenity for existing and future users (para 127).

11.2 Policy H14 of the Adopted Local Plan states that development will only be allowed with the provision of the appropriate amount of private amenity space with due consideration given for type and size of the dwelling, quality of the proposed amenity space, character of the surrounding area in terms of type and size of amenity space and the proximity to existing public open space and play facilities. This policy is further backed up with the Councils Guidelines for the Provision of Amenity Space around Residential Dwellings.

11.3 The application building is located on a constrained site, and windows are existing and proposed on the northern elevation, which is positioned close to Slough Baptist Church, or overlook a neighbouring garden and as such are proposed to be obscure glazed windows up to 1.7 metres above floor level. Whilst the outlook from the windows on the northern elevation (serving bedrooms, bathrooms, halls and kitchens) is reduced, this outlook is not considered unacceptable, particularly as each flat is provided with good outlook from the southern elevation (serving living rooms and bedrooms). The proposed flats are also each provided with good room sizes. As such it is considered that good living conditions are provided for future occupiers.

11.4 In regards to amenity space, five flats are provided with balconies and one flat is provided with a terrace. This provides insufficient amenity space for the future occupiers of the development. The Developers Contributions and Affordable Housing (Section 106) Developer's Guide Part 2, updated 2017, outlines that residential schemes in the town centre that have inadequate private amenity space must provide a financial contribution of £300 per dwelling for the enhancement of existing nearby public open space, to be paid prior to the commencement of development. With 14 flats proposed, this equates to a total of £4200. The Council must advise what project this money

would be put towards and this is advised by the Council's Tree Officer to be towards improvements of the closed churchyard at St Mary's and/or at Herschel Park to enhance the sites' functionality for informal passive recreation through provision of new horticultural features that will benefit residents of the development.

11.5 A S106 agreement will be required with the developer for the provision of this contribution towards the enhancement of nearby amenity space. The applicant has confirmed agreement to the above contributions.

12.0 **Crime Prevention**

12.1 Policy EN5 of the adopted Local Plan states all development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour. The Police Crime Prevention Design Advisor was consulted on this application and advised that the principle of the application is supported but some changes could be made to improve the scheme.

12.2 Concern was raised with the proposed residential lobby, and the bin door linking from the outside into the main core. To overcome this the development has been re-designed to introduce a secure entrance lobby, with a second internal secure door to both cores. With this any person would need to enter through the secure front entrance and a secondary internal secure door prior to being able to enter the main staircase core. The internal access to the bin store would be located within this secure space, alongside the letterboxes, ensuring that if a person accesses the secure space through the bin store or through delivery of letters, they cannot gain access through the second internal secure door into the main core.

12.3 Concern was also raised that the bin store appears to be a shared space for the commercial and residential units. The submitted plans have been clarified to outline that the commercial units will each have an internal bin store within each commercial unit. The refuse store identified on the plan is for residential waste only.

12.4 A condition was requested requiring the development to achieve robust access control, to ensure that the development achieves the highest standards of design in terms of safety and security, and safe guarding future residents. It is considered appropriate to attach such a condition.

13.0 **Highways and Parking**

13.1 The NPPF outlines that transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impacts and opportunities of development on transport networks can be addressed, opportunities to promote walking, cycling and public transport are identified, the environmental impacts of traffic can be identified, and movement patterns can be incorporated into designs (para 102). When assessing development it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up, safe and suitable access is achieved, and any significant impacts from the development on the transport network or highway safety can be cost effective (para 108).

13.2 Paragraph 109 of the NPPF states that 'Development should only be prevented or refused on highway grounds if there would be an unacceptable

impact on highway safety, or the residual cumulative impacts on the road network would be severe’.

- 13.3 Core Policy 7 requires that development proposals will have to make appropriate provisions for reducing the need to travel, widening travel choices and making travel by sustainable means of transport more attractive than the private car, improving road safety, improving air quality and reducing the impact of travel upon the environment.
- 13.4 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.
- 13.5 The Transport and Highway Guidance Developer’s Guide Part 3 outlines that residential development of under 4 bedrooms have a nil parking requirement, but should be provided with 1 cycle space per unit. The guide also outlines that there is a nil parking requirement for A1 and A2 uses, and a maximum of 1 to 40m² parking requirement for B1(a) uses.
- 13.6 The application proposes a nil parking provision, with the existing vehicle access being removed through the installation of bollards at Beechwood Gardens and Windsor Road. Cycle parking racks for 14 bicycles would be provided within the residential core for the proposed flats. 5 Sheffield bike stands, providing parking for 10 bicycles, would be provided externally for use by visitors to the commercial units and residential units.
- 13.7 The Council’s Highways Department have been consulted on the application and have advised that the provision of no on-site parking is appropriate for the town centre location. It is also advised that there is sufficient cycle parking provision for the proposed uses. Financial contributions towards cycle hire facilities and the upgrading of the public footpath to a bridleway have been requested. These are discussed further later within the report.

14.0 **Refuse**

- 14.1 The application provides a communal refuse store for the residential units, and individual internal refuse stores for each commercial unit. A refuse collection point is shown by Beechwood Gardens.
- 14.2 The Highways Authority have advised that the bin storage on site is acceptable, and that any bin collections must be from Beechwood Gardens. A bin management strategy is requested. The submitted Design and Access Statement dated 28/09/2018 advised at page 25 a bin management strategy. This outlines that the management company will be responsible for moving waste containers to the refuse holding point on bin collection day. A condition is proposed requiring compliance with this strategy.

15.0 **Public Right of Way**

- 15.1 The application site includes a public right of way footpath that joins Windsor Road to Beechwood Gardens. The Public Rights of Way officer has been consulted and has advised that the proposed development is acceptable and welcomes the removal of the vehicle access across this right of way which allows the upgrading of the footpath to a bridleway, which would allow the

cycling use of this right of way to be legalised.

15.2

In line with this, it is considered that a condition should be attached to any approval requiring the implementation of the bollards to be inserted to remove vehicle access from both Windsor Road and Beechwood Gardens.

15.3

The Public Right of Way officer advises that the developer will be required to enter into a Section 25 creation agreement to enable the footpath to be upgraded to a bridleway, and a contribution to the Slough Cycle Hire scheme in the form of 10 new cycle hire bikes is required, which would form part of a legal agreement. Details of the materials to be used to re-surface the public right of way and two new TSRGD cycling route signs and posts need to be erected at either end of the route, which will be required through condition. It was also advised that consent will be required to close the right of way during construction works, which will be reminded through an informative.

16.0 **Affordable Housing**

16.1 The application adds 14 residential units and as such is not liable for the provision of affordable housing.

17.0 **Financial Contributions**

17.1 As discussed within the report above, the developer is requested to provide the following:

- £4200 towards the enhancement of existing public open space;
- £12000 towards the provision of 10 new cycle hire bikes for the Slough Cycle Hire Scheme;
- £1500 for a Section 25 creation agreement to enable the footpath to be upgraded to a bridleway.

17.2

A contribution towards the enhancement of existing public open space is required to overcome the shortfall of amenity space provided on site, the contribution towards cycle hire provision is to overcome the loss of existing parking on site and to facilitate sustainable transport, and the contribution towards the footpath enhancement is due to the impact of the proposal upon the existing right of way.

17.3

The applicant has confirmed agreement to the above contributions.

18.0 **PART C: RECOMMENDATION**

Planning Conclusion

18.1

Having considered the relevant policies set out below, and comments from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be approved subject to conditions and the entering into of a legal agreement.

19.0 **PART D: LIST CONDITIONS AND INFORMATIVES**

1. The development hereby permitted shall be commenced within three

years from the date of this permission.

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

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

- (g) Site Location Plan PL_001, dated 28/09/2018;
- (h) Drawing No. PL_107, dated 28/09/2018, received 28/09/2018;
- (i) Drawing No. PL_108, dated 28/09/2018, received 28/09/2018;
- (j) Drawing No. PL_109, dated 28/09/2018, received 28/09/2018;
- (k) Drawing No. PL_110, dated 28/09/2018, received 28/09/2018;
- (l) Drawing No. PL_111, dated 28/09/2018, received 28/09/2018;
- (m) Drawing No. PL_112, dated 28/09/2018, received 28/09/2018;
- (n) Drawing No. PL_113, dated 28/09/2018, received 28/09/2018;

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

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

5. No part of the development shall be occupied 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, along with staking/guying, mulching, feeding, watering and soil quality, of new

trees and shrubs.

The approved scheme of soft landscaping shall be carried out no later than the first planting season following first occupation 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 and to ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policy 8 of the adopted Core Strategy 2006 - 2026.

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

- (viii) Construction access;
- (ix) Vehicle parking for site operatives and visitors;
- (x) Loading/off-loading and turning areas;
- (xi) Site compound;
- (xii) Storage of materials;
- (xiii) Precautions to prevent the deposit of mud and debris on the adjacent highway;
- (xiv) Details of any impact upon the public right of way.

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

REASON To minimise danger and inconvenience to highway users.

7. 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) site security arrangements including hoardings

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.

8. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order) and The Town & Country Planning Act 1990 (as amended), no window(s), other than those hereby approved, shall be formed in the northern or western elevations of the building without the prior written approval of the Local Planning Authority.

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

9. The following windows as shown on existing plans PL_002, PL_003, and PL_006 shall be permanently removed prior to first occupation of the development:
- d) 2x first floor windows on western elevation (rear facing Beechwood Gardens);
 - e) 2x ground floor windows on northern elevation within section to the west of existing western most internal staircase, as shown in plan PL_002;
 - f) 1x central first floor window on northern elevation within section to the west of existing western most internal staircase, as shown in plan PL_003.

REASON To minimise any loss of privacy to adjoining occupiers.

10. The following windows hereby approved shall be glazed with obscure glass and any opening shall be inward and at a high level (above 1.7m) only, and shall be so maintained unless prior written approval has been obtained from the Local Planning Authority:
- e) High level ground floor window on western elevation serving living/dining/kitchen of B.0.3 plan PL_107;
 - f) High level first floor window on western elevation serving hall of B.0.3 plan PL_108;
 - g) High level ground floor window on northern elevation serving kitchen of B.0.2, plan PL_107;
 - h) First floor window on northern elevation serving bathroom of B.0.3, plan PL_108.

REASON To minimise any loss of privacy to adjoining occupiers.

11. The following window hereby approved shall be glazed with obscure glass up to 1.7 metres above floor level, and shall be glazed with clear glass above 1.7 metres. Any openings shall be inward opening and shall be at a high level (above 1.7m) only, and shall be so maintained unless prior written approval has been obtained from the Local Planning Authority:
- a) First floor window on northern elevation serving bedroom of B.0.2, plan PL_108.

REASON To minimise any loss of privacy to adjoining occupiers and provide acceptable living conditions for the occupiers of this unit.

12. Prior to the first occupation of the development, details of the boundary screens to be erected along the northern and western elevations of the green roof at second floor (western end of the development), and around the northern, eastern and southern elevations of the terrace at second floor (eastern end of the development) shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary screening shall be erected on site prior to first occupation of the development in full accordance with the details as approved and shall be retained as such thereafter, unless otherwise approved in writing by the Local Planning Authority..

REASON To minimise any loss of privacy to adjoining occupiers.

13. There shall be no access to the second floor green roof on the western end of the development other than for maintenance purposes. No access to this roof shall be provided from unit B.2.3.

REASON To minimise any loss of privacy to adjoining occupiers.

14. Prior to first occupation of the development the internal and external cycle parking, as shown in plan PL_107, shall be provided on site and shall be retained at all times in the future for this purpose.

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

15. Prior to first occupation of the development the residential refuse store, commercial refuse stores, and refuse collection point shall be provided on site in accordance with plan PL_107 and retained at all times in the future for this purpose.

REASON To ensure that there is adequate refuse storage at the site.

16. The waste management strategy outlined at page 25 of the Design and Access Statement, dated 28/09/2018, by RnH Architects shall be fully implemented on site and retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

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

17. Prior to first occupation, the Development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Security measures in line with the principles of Secured by Design are to be implemented following consultation with the Thames Valley Police, including a full and robust access control strategy. The

measures incorporated shall be retained and maintained on site in perpetuity.

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.

18. Prior to first occupation of the development two new TSRGD cycling route signs and posts shall be erected at either end of the public right of way on site (one to the western end by Beechwood Gardens and one to the eastern end by Windsor Road) in consultation with the Council's Public Rights of Way Officer, unless otherwise agreed in writing by the Local Planning Authority.

REASON To ensure adequate notification of the public right of way.

19. No part of the development shall be occupied until the redundant means of access on Beechwood Gardens has been removed and the footway re-instated and laid out in accordance with plans that shall first have been submitted to and approved in writing by the local planning authority and the works shall be constructed in accordance with Slough Borough Council's Design Guide.

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

20. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), the commercial units hereby permitted shall be used for Class A1, A2, or B1(a) purposes only and for no other purpose unless otherwise agreed in writing by the local planning authority.

REASON In order protect the amenities of the area.

21. Prior to first occupation of development details of the bollards to be installed at the Windsor Road and Beechwood Garden ends of the site, as shown on plan PL_107 shall be submitted to and approved in writing by the Local Planning Authority. The approved bollards shall be provided in full accordance with the approved details prior to first occupation of the development hereby approved, and retained thereafter.

REASON: To ensure that necessary works to minimise highway danger, obstruction and inconvenience as a result of this development

are undertaken, in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

22. The development shall be undertaken in accordance with the findings of the Weetwood Drainage Assessment Final Report V1.4 June 2018, received 27/06/2018, unless otherwise agreed in writing by the Local Planning Authority.

REASON To ensure adequate drainage is provided for the development.

23. The developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority to the presence of any unsuspected contamination (to soil or/and water, determined by either visual or olfactory indicators) encountered during the development.

In the event of contamination to land and/or water being encountered, no development or part thereof shall continue until a programme of investigation and/or remedial work to include details of the remedial scheme and methods of monitoring, and validation of such work undertaken has been submitted to and approved in writing by the Local Planning Authority.

None of the development shall be commissioned and/or occupied until the approved remedial works, monitoring and validation of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

In the event that no significant contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be commissioned and/or occupied.

Reason: To ensure that any ground and water contamination is identified and adequately assessed, and that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use.

INFORMATIVES:

6. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through discussing amendments to the scheme. 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.

7. Highways:

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.

The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.

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

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

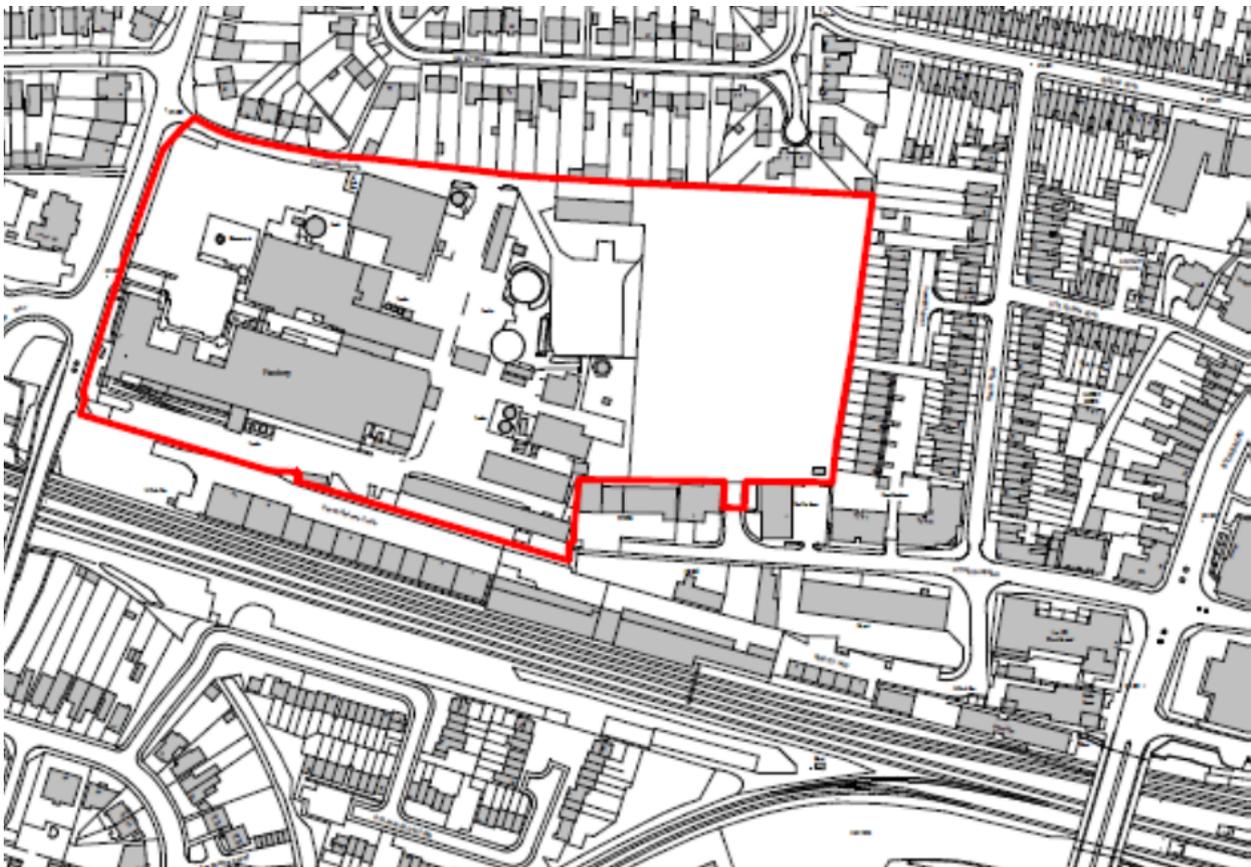
The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.

8. If the footpath will need to be closed during construction the developer will need to apply for a Temporary TRO under S14 RTRA at a fee of £1250 if over 5 days closure period.
9. This planning permission is granted following the receipt of a completed S106 agreement.
10. Thames Water:

The applicant is reminded that there are public sewers crossing or close to your development. If planning significant work near sewers it's important that you minimise the risk of damage. Thames Water will need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhabit the services provided in any other way. The applicant is advised to read the guide for working near or diverting pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

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

Registration Date:	N/A	Application No:	N/A
Officer:	Neil Button	Ward:	Baylis & Stoke
Applicant:	Berkeley Homes (Oxford and Chiltern) Ltd	Application Type:	Major
Agent:	Lichfield	13 Week Date:	N/A
Location:	Horlicks Factory, Stoke Poges Lane, Slough		
Proposal:	<p>Detailed planning permission is sought for part demolition, change of use, refurbishment and part extension of the existing Horlicks factory along with development of new buildings ranging from two to ten storeys to provide (approximately) 500 new homes, commercial floorspace (Classes A1/A3 (café/retail) and nursery (Class D1) with ancillary facilities, car and cycle parking, on-site relocation of war memorial, public realm, landscaping, amenity space, access and all associated works. Outline planning permission (all matters reserved) is sought for up to (approximately) 800 homes within buildings ranging from two to thirteen storeys with all matters reserved including commercial floorspace (Use Classes A1/A3 (Café/retail/restaurant), ancillary (residential) facilities, car and cycle parking, public realm, landscaping and amenity space; all associated works.</p>		



PRE-APPLICATION PRESENTATION

Introduction:

The applicant, Berkeley Homes (Oxford and Chiltern) Ltd is currently in pre-application discussion with the Local Planning Authority for the re-development of the Horlicks Factory, Stoke Poges Lane in Slough. The site is located between Stoke Gardens and Stoke Poges Lane, to the west of Slough Town Centre and the Heart of Slough (Core Strategy) Allocation which is envisaged for comprehensive and significant redevelopment and regeneration. The applicant intends to submit the planning application and listed building consent in May 2019.

The Site and Surroundings:

The proposed development site is approximately 4.9 hectares in size and comprises the buildings and grounds of the former Horlicks factory (Use Class B2) which ceased operation in 2018. The Horlicks factory is a landmark building located immediately to the north of the railway on Stokes Poges Lane and visible in longer views within Slough as well as further afield. It was built in 1908, to a design by the mechanical engineer A G Christiansen, as the first British factory for Horlicks, the malted milk drink. The company was founded by two British brothers, James and William Horlick in America where they built a large factory at Racine, Wisconsin on which the Slough factory is based. The building has undergone subsequent alterations and additional buildings for the factory have been built around the site.

The original factory is located on the south side of the site directly next to the railway for ease of transportation. It is a large brick building, comprising four storeys with a basement. The east end was built in 1908 and has an eye catching clock tower with crenulations and tourelles and a brick chimney which towers over the factory. It was extended to the west in 1929 and extended again in 1939 with a return bay.

The 1908 building phase was constructed with an iron grid and its exterior is characterised by its regular fenestration (now Upvc) and decorative pebble dash panels. The 1929 building phase echoes the fenestration but is most distinctive for its use of classical motifs, particularly on the north elevation, which serves as the main entrance to the building. There is a grand pediment and pilasters and a central door reached up stone steps. There is additional classical detail along the west elevation on Stokes Poges Lane with regular full height pilasters and a cornice breaking up the façade. By 1932 a small projecting extension had been added to the north of the original 1908 block.

From 1939 onwards numerous buildings were added to the site but these do not retain the same level of interest and significance as the main 1908-1939 range. In 1949 Horlicks commissioned and installed a war memorial in memory of those connected to the firm who had died in the first and second world wars. It consists of steps up to a stone pedestal on which there is a bronze statue of "Grief" by William Reid Dick. The memorial is located to the north of the main entrance in the car park.

Along with factory and storage buildings, the site also contains artesian wells, two circular concrete reservoirs, two former bomb shelters, and a Grade II listed war

memorial. The northwest of the site is currently a car park, with a secondary car park and an area of undeveloped land in the east of the site.

The site is bounded to the north by Ploughlees Lane, to the east by residential properties, to the west by Stoke Poges Lane and to the south by Bristol Way, with the mainline railway running parallel beneath this road. Existing access points are via Stoke Poges Lane and Ploughlees Lane with potential for a new access on Stoke Gardens.

The site is not within a Conservation Area and there are no Scheduled Ancient Monuments on the site. The Horlicks Factory building is not statutorily listed; however, it was locally listed in 1999. The site is not located within an Air Quality Management Area ('AQMA'), and is located entirely within Flood Zone 1 where there is a less than one in one-thousand-year probability of flooding from a river or the sea. The Salt Hill Stream runs adjacent to the northern site boundary within a concrete culvert. The site is designated on the adopted Slough Proposals Map (2010) as an Existing Business Area. In the emerging Preferred Spatial Strategy for the Local Plan for Slough the site is shown with the 'Centre of Slough' area and has been designated as a 'Strategic Housing Site'.

Site History:

The site history is explained in the description above. The site was subject to a pre-application enquiry in 2018 for a residential-led comprehensive development of the Factory and grounds. No other relevant planning history is of note.

The Proposal:

The Applicant 'Berkeley Homes' is proposing to submit a hybrid planning application for up to 1300 residential units comprising a detailed planning permission is sought for part demolition, change of use, refurbishment and part extension of the existing Horlicks factory along with development of new buildings ranging from two to ten storeys to provide (approximately) 500 new homes, commercial floorspace (Classes A1/A3 (café/retail) and nursery (Class D1) with ancillary facilities, car and cycle parking, on-site relocation of war memorial, public realm, landscaping, amenity space, access and all associated works. Outline planning permission (all matters reserved) is sought for up to (approximately) 800 homes within buildings ranging from two to thirteen storeys with all matters reserved including commercial floorspace (Use Classes A1/A3 (Café/retail/restaurant), ancillary (residential) facilities, car and cycle parking, public realm, landscaping and amenity space; all associated works ('The Planning Application'). The applicant will also submit an accompanying application for Listed Building Consent for works associated with the removal and relocation of the existing war memorial statue (The Listed Building Consent Application).

Access will be from an existing access point on Ploughlees Lane/Stoke Poges Lane, and an access point onto Stoke Gardens at the south east of the site. At this time, approx. 400 car parking spaces will be provided on site, as a mix of on street and undercroft car parking. With the exception of part of the original main factory building, all more contemporary buildings will be demolished.

EXTRACT FROM SBC CONSTITUTION: PART 5.2: CODE OF CONDUCT FOR COUNCILLORS AND OFFICERS IN RELATION TO PLANNING AND LICENSING MATTERS

Developer's briefings to Planning Committee Protocol

Early member engagement in the planning process is encouraged and supported by the NPPF. Enabling a developer to brief and seek the views of elected Members about planning proposals at an early stage (usually pre-application or where this is not possible, very early in the formal application period) is important in ensuring that new development is responsive to and reflects local interests/concerns where possible.

Slough Borough Council proposes to achieve this objective through formal presentations to the Planning Committee in accordance with procedures set out in this Protocol. No decision will be taken at these meetings and if the pre-application submission is followed by a formal planning application, the application will be subject to the normal procedure of a report to a future meeting of the Planning Committee.

1. The purpose of briefings is:

- To enable Members to provide feedback that supports the development of high quality development through the pre- application process, and avoid potential delays at later stages;
- To ensure Members are aware of significant applications prior to them being formally considered by the Planning Committee;
- To make subsequent Planning Committee consideration more informed and effective;
- To ensure issues are identified early in the application process, and improve the quality of applications; and
- To ensure Members are aware when applications raise issues of corporate or strategic importance.

2. What sort of presentations would be covered in the briefings?

Presentations on proposed large-scale developments of more than 50 dwellings, or 5,000m² of commercial or other floorspace or which includes significant social, community, health or education facilities, or where the Planning Manager considers early discussion of the issues would be useful; and

Presentations on other significant applications, such as those critical to the Council's regeneration programmes, significant Council developments, or those requested by the Chair of the Committee or deemed appropriate by the Planning Manager.

3. Frequency and timings of meetings

The presentation will coincide with the monthly Planning Committee meetings.

4. Format of the presentations

- The meeting will be chaired by the Chair of the Planning Committee who will ask Members attending to disclose any relevant interests;
 - The Developer will supply all presentation materials including any models, and these will be displayed in the meeting room;
 - Officers to introduce the proposal (5 minutes);
 - The developer and/or agents will be invited to make a presentation (10 minutes);
 - Ward Members will have the opportunity to address the Committee (4 minutes each, subject to the discretion of the Chair);
 - Question and answer session: Members of the Planning Committee and Ward Members will be able to ask questions to the Developer and officers (15 minutes) Supplementary questions from Ward members to be at the discretion of the Chair);
-
- A short note of the meeting summarising Members' comments would be made.

5. Other matters

Members questions will be restricted to points of fact or clarification and must be structured in a way that would not lead to a member being perceived as taking a fixed position on the proposals. Members should ensure that they are not seen to pre-determine or close their mind to any such proposal as otherwise they may then be precluded from participating in determining the application.

This page is intentionally left blank

SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee **DATE:** 24th April 2019

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

WARD(S): ALL

PART I
FOR DECISION**UPDATE ON THE REVIEW OF THE LOCAL PLAN FOR SLOUGH 2016 – 2036 - LOCAL DEVELOPMENT SCHEME AND HOUSING DELIVERY TEST****1. Purpose of Report**

- 1.1 The purpose of this report is to update Member's about the results of the Housing Delivery Test which has been published by the Government and the need to publish a new Local Development Scheme setting out the Local Plan timetable.

2. Recommendation(s)

The Committee is requested to resolve:

- a) That the result of the housing delivery test be noted and an Action Plan prepared.
- b) That the draft Local Development Scheme in Appendix 1 be approved for publication on the council's website.

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

The Local Plan will have an impact upon the following SJWS priorities:

1. *Protecting vulnerable children*
2. *Increasing life expectancy by focusing on inequalities*
3. *Improving mental health and wellbeing*
4. *Housing*

3b. Five Year Plan Outcomes

Ensuring that development is properly planned in Slough will contribute to the following Outcomes:

- *Our children and young people will have the best start in life and opportunities to give them positive lives.*

- *Our people will become healthier and will manage their own health, care and support needs.*
- *Slough will be an attractive place where people choose to live, work and visit.*
- *Our residents will have access to good quality homes.*
- *Slough will attract, retain and grow businesses and investment to provide jobs and opportunities for our residents*

4. **Other Implications**

(a) Financial

There are no financial implications.

(b) Risk Management

<i>Recommendation</i>	<i>Risk/Threat/Opportunity</i>	<i>Mitigation(s)</i>
That the actions set out in the report be approved.	Failure to progress the Local Plan will affect the Council's ability to plan for development in the most sustainable way.	Agree the recommendations.

(c) Human Rights Act and Other Legal Implications

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

(d) Equalities Impact Assessment

There are no equality impact issues

5. **Supporting Information**

Introduction

- 5.1 We have been making significant progress in producing the new Local Plan for Slough which will have to address a number of important issues. The emerging Preferred Spatial Strategy sets out how we intend to concentrate major new development in the centre of Slough, accommodate the growth at Heathrow and meet our unmet housing needs in a Northern Expansion of Slough.
- 5.2 These are complex matters which are not all under our control and will take time to resolve. We are, however, required to produce a timetable for the Local Plan which has to be published in a Local Development Scheme (LDS). The current assumption is that we cannot submit our Plan until the decision about the third runway at Heathrow has been made and this is reflected in the proposed LDS which is set out below.

- 5.3 In the meantime we have a short term problem with our housing supply which has been reflected in the results of the Housing Delivery Test which have just been published by the Government. This requires us to produce an Action Plan which will provide us with the opportunity to engage with landowners and developers to see how we can bring sites forward for development.

Local Development Scheme

- 5.4 Slough Borough Council, as the local planning authority, is required to produce a timetable for the preparation of the Local Plan, which is set out in a Local Development Scheme (LDS) under Section 15 of the Planning and Compulsory Purchase Act 2004.
- 5.5 The key purpose is to inform the public, stakeholders, and other interested groups of how the council is approaching spatial planning and the control of development in Slough.
- 5.6 The project plan sets out the following:
- the timetable (including milestones to be met) for Local Plan Documents to be prepared, together with information relating to the purpose and status of each document
 - the resources required for producing these and any risks in meeting the timetable
 - the saved Development Plan Policies for Slough
- 5.7 Our most recent version of the LDS, which was published in December 2016 does not provide any dates for the Local Plan for “Submission” through to “Adoption”. This is because of the uncertainty about what was happening with Heathrow.
- 5.8 We have been advised by the MHCLG that we need to put dates in the LDS in order to keep people fully informed about what is happening. As a result we are proposing to publish a new LDS document as set out in Appendix 1. The Local Development Scheme will be available on the Council website www.slough.gov.uk/localplan and be updated where necessary.
- 5.9 The new LDS includes dates for the Local Plan from the Preferred Options consultation to Adoption as shown below:
- Preferred Option consultation- February 2020
 - Publication- Summer 2021
 - Submission to the Secretary of State- Winter 2021
 - Independent examination-Spring 2022
 - Receipt of binding report- Summer 2022
 - Adoption- Summer 2022
- 5.10 This shows that the final submission of the Plan to the Secretary of State would be in Winter 2021 which is after we expect the decision to be made on the Third Runway Development Consent Order (DCO). The reason for this is

that since the Local Plan supports the third runway the examination could be inundated with objections about Heathrow which are outside of our control. This could result in a very long inquiry which would be an unnecessary use of time and resources.

5.11 An explanation of the proposed timetable is set out in the Draft document in Appendix 1.

5.12 It should be emphasised that this delay to the final stages of the Plan does not mean that we cannot make progress on bringing forward development. We will continue to prepare the necessary evidence for the Local Plan such as the Centre of Slough Strategy which will be brought to Members in due course.

Housing Delivery Test

5.13 The updated National Planning Policy framework introduced a Housing Delivery Test. This measures net additional dwellings over a three-year period against councils' housing requirements which is based upon the local housing need figure from the standard methodology.

5.14 The results for Slough, which were recently published by the MHCLG, are shown in Table 1 below:

Table 1.

Year	Need	Supply	Surplus/Shortfall
2015/16	922	789	-133
2016/17	910	524	-386
2017/19	690	846	156
Total	2,522	2,159	-633 (86%)

5.15 This shows that Slough met 86% of the housing needs over the last three years which was mainly caused by the comparatively low number of completions in 2016/17.

5.16 Councils that supplied less than 95% of the housing need are deemed to have failed the Test. As a result Slough, along with around a third of authorities will have to prepare an Action Plan.

5.17 Councils that supplied less than 85% of the need are classed as significant under delivers and so a 20% buffer has to be added to the % Year land Supply target. We just avoided this and so we only have to provide a 5% buffer.

5.18 Councils that supplied less than 25% of the need will face having a presumption in favour of development. No Authorities were found to be at this level but the requirement will be increased each year up to 75% in 2021 which is likely to affect many Councils in the future.

- 5.19 One of the problems with the Housing Delivery Test is that, because it is measuring past performance, there is not much that Council's can do to avoid being caught in the next couple of years.
- 5.20 One of the other problems is that the actual delivery of housing is also largely outside of the control of the Local Planning Authority which cannot force land owners or developers to build upon the sites that have been allocated in plans or granted planning permission.
- 5.21 The opportunity to prepare an Action Plan is, however, to be welcomed because it will give us the opportunity to explain what steps we are taking to promote development, highlight the problems that we have with the lack of sites and engage with landowners and developers to see what measures can be taken to speed up delivery.
- 5.22 There is a requirement to produce an Action Plan within six months and so it is proposed to produce a draft plan for approval by this Committee in June or July.
- 5.23 It should be noted that the Government has also made changes to the way in which the Five Year Land Supply is calculated. This includes using the standard methodology for calculating the requirement and changing the definition of which sites can be included in the supply. As a result sites without full planning permission are only considered to be "deliverable" if there is "clear evidence that housing completions will begin within five years".
- 5.24 The last report to Planning Committee on 1st August 2018 showed that on the evidence that we had at the time we had a 6.52 years supply of housing.
- 5.25 We haven't yet completed our site visits to establish how many houses have been built in 2018/2019. Once we have done this we will be able to report the latest position to Committee which will include an updated housing trajectory.
- 5.26 In the meantime Members need to be aware that we may no longer have a Five Year Land Supply which will need to be taken into account when determining planning applications. The NPPF makes it clear that in these circumstances the presumption in the favour of sustainable development applies and planning permission would be granted.

6. **Conclusion**

- 6.1 The report sets out the timetable for the Local Plan which will be published in a revised Local Development Scheme. It also highlights the need to produce an Action Plan following the publication of the Housing Delivery Test.

7. **Appendices Attached**

- '1' -Draft Local Development Scheme (April 2019)

Appendix 1:

**DRAFT LOCAL DEVELOPMENT
SCHEME (LDS)**

SLOUGH BOROUGH COUNCIL

April 2019

Contents

1.	<u>Introduction</u>	3
2.	<u>Background</u>	3
3.	<u>New Local Plan</u>	4
4.	<u>The Local Plan for Slough 2016-2036</u>	5
5.	<u>Community involvement</u>	6
6.	<u>Review</u>	6
7.	<u>External Factors</u>	6
8.	<u>Resources</u>	7
9.	<u>Risks</u>	8

Introduction

- 1.1 This Local Development Scheme (LDS) sets out Slough Borough Council's timetable for producing planning policy documents.
- 1.2 Local planning authorities are required to produce a Local Development Scheme under Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by part 111 of the Localism Act 2011.
- 1.3 The LDS should state:
 - (a) the local development documents that will be produced;
 - (b) the subject matter and geographical area to which each document is to relate;
 - (c) which documents are to have 'development plan' status;
 - (d) which documents (if any) are to be prepared jointly with one or more other local planning authorities;
 - (e) any matter or area where there is, or is likely to be, a joint committee;
 - (f) the timetable for the preparation and revision of the documents
- 1.4 The Local Development Scheme will be available on the Council website www.slough.gov.uk/localplan and be updated where necessary.

2 Background

- 2.1 Slough has a current Core Strategy adopted in December 2008; Site Allocations adopted in 2010 and saved policies from the Local Plan 2004. There are also saved policies from the Minerals and Waste Plans. These will remain the statutory Development Plan until the new Local Plan reaches adoption.
- 2.2 Councils are required to prepare a Statement of Community Involvement (SCI). The Council prepared a draft SCI which was consulted on alongside the Issues and Options document in February 2017.
- 2.3 The Local Plan will be accompanied by other planning documents which are not required to be included within this LDS. These include:
 - Annual Monitoring Report (AMR)
 - Sustainability Appraisal (SA)
 - Other supporting documents
- 2.4 For information purposes we also have a Residential Extensions Supplementary Planning Document (SPD) which was adopted in January 2010. Also we have Developers Guide which is supplementary planning guidance but not formal SPD.

3 New Local Plan

- 3.1 In December 2015 the Council carried out a Regulation 18 consultation on the scope of the local plan. This explained that Council is proposing to prepare a single Local Plan Document to fully replace the existing Core Strategy DPD, & Site Allocations

DPD and saved policies from the 2004 Local Plan. The Slough Local Plan will not cover Minerals and Waste but the need for these will be kept under review.

- 3.2 Slough's Issue and Options document was subject to a six weeks consultation on 16th January to 27th February 2017. The most significant outcome of the consultation on the Issues and Options Document has shown that there are no reasonable spatial options, or combination of options that would allow Slough to meet all of its identified housing and employment needs within its boundaries.
- 3.3 The development of the "emerging" Spatial Strategy took account of the results of the public consultation on the Issues and Options report, the identified spatial development principles and available evidence. It also took account of the major uncertainties which are facing Slough, such as the future of Heathrow Airport and the fact that there is no reasonable option which would allow all of the assessed housing and employment land needs to be met within the Borough boundaries.
- 3.4 The "emerging" Preferred Spatial Strategy for the Local Plan for Slough was reported to the Planning Committee meeting on 1st November 2017 when it was approved subject to further testing and consideration.

The emerging Preferred Spatial Strategy sets out following five elements:

- Delivering major comprehensive redevelopment within the "Centre of Slough";
- Selecting other key locations for appropriate development;
- Protecting the built and natural environment of Slough including the suburbs;
- Accommodating the proposed third runway at Heathrow and mitigating the impact;
- Promoting the northern expansion of Slough in the form of a "Garden Suburb";

- 3.5 A update report went to Planning Committee on the 21st February 2018 which identified the Strategic housing sites that will be needed to implement the Spatial Strategy and an interim Sustainability Appraisal of the emerging Preferred Spatial Strategy.
- 3.6 The current Local Plan work streams include:
- 3.7 Following the publication of the Airports National Policy Statement by the Secretary of State for Transport in June 2018 we have been working on how we can accommodate the proposed growth at Heathrow. We have produced an Emerging Spatial Strategy for Colnbrook and Poyle which sets out our planning principles for the development of the area, if the proposed third runway at Heathrow goes ahead. This will feed into the forthcoming consultation on the proposed third runway which will be carried out by Heathrow Airport.
- 3.8 Work on the Centre of Slough Strategy has commenced. This will establish the framework for promoting the comprehensive regeneration of the centre, including the redevelopment of the shopping centres.

3.9A draft plan for the Slough Northern Extension in the form of a “Garden Suburb” was produced by Atkins in September 2017 and is available on our website.

3.10A Wider Area Growth study is being prepared in conjunction with the Royal Borough of Windsor & Maidenhead, South Bucks District Council and Chiltern District Council. Part 1 of the Study, which looks at the area of search for meeting unmet housing needs which was produced by PBA has been published as draft. Part 2 of the Study will be completed towards the end of the year. This will assess the development needs and potential unmet needs within this Study area and generate a series of strategic spatial options, test these options, and make recommendations for consideration in relevant Local Plans

4 The Local Plan Timetable

4.1 The Review of the Local Plan for Slough will set out the Council’s vision and objectives for the area and include all policies and allocations.

4.2 An indicative timetable, including the key milestones, is set out in the table below:

Document: Slough Local Plan	The Local Plan will set out the Council’s vision, objectives and detailed policies and allocations for future development of the Borough. This will include the level of development and location of development required.
Timescale	2016-2036
Coverage	Whole Borough
Status	Local Plan Document
Reason	The adopted Core Strategy & Policies DPD is not considered entirely up to date and need to review of the planning policies.
Chain of Conformity	The new Local Plan will need to be consistent with the NPPF
Timetable	
Arrangements for Production	Work will be undertaken by the Planning Policy Team
Management Arrangements	Member Task and Finish Group, Member workshops, Planning Committee and Cabinet. Full Council for Submission & Adoption only.
Resources	Production costs and consultation, Inquiry
Key Milestones	
Evidence Base preparation	2015 ongoing
Call for Sites consultation	January 2016
Issue and Options Consultation	January 2017
Preferred Options Consultation	February 2020

Publication	Summer 2021
Submission to the Secretary of State	Winter 2021
Independent examination	Spring 2022
Receipt of binding report	Summer 2022
Adoption	Summer 2022

5 Community involvement

5.1 Early engagement and public consultation will be carried at the Preferred Options and publication stages. These will be carried out in accordance with the Council's Statement of Community Involvement.

6 Review

6.1 Progress on the delivery of the Local Plan, allocated sites and the effectiveness of policies will be assessed and reported through the Councils' Annual Monitoring Report (AMR).

6.2 The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 have introduced (as of 6th April 2018) a requirement to review Local Plans within five years of the adoption of the last local plan.

7 External Factors

7.1 The key external factor which affects the preparation of the Local Plan for Slough is the proposal for the third runway at Heathrow airport which would be partly built in Slough Borough. This could have major implications for Slough since it could result in major development in the eastern part of the borough and affect the overall strategy for the Borough. The Local Plan supports the third runway and is promoting the development that is necessary to support it. As a result we have been advised not to submit it until after the Development Consent Order (DCO) for the third runway has been determined. This is because we will want to avoid the Local Plan examination being taken over by objectors to the third runway which would be an unnecessary waste of time and resources.

7.2 The Secretary of State's decision on the third runway Development Consent Order is not expected until summer 2021. If DCO is approved then we will consult on the publication of the Local Plan in summer 2021. Then submit to the Secretary of State in winter 2021. The Local Plan examination is expected in spring 2022 and adoption in summer 2022.

7.3 The other major external factor which affects the Local Plan is the Joint Wider Area Growth Study. Progress on this is not, however, critical for the timetable for the Local Plan.

8 Resources

- 8.1 Much of the work to be undertaken on the Local Plan will be carried out using existing resources, in particular preparing policies and documents, carrying out sustainability appraisal will be carried out in house. The Scoping Report for the Sustainability Appraisal (SA) was prepared by consultants and the SA of the emerging Preferred Spatial Strategy was prepared in house. The subsequent stages of the SA will be prepared in- house.
- 8.2 In the case of consultation exercises, these are usually managed in-house using existing planning policy staff. This may involve costs due to exhibitions, meetings and publication material. This is essential to ensure effective engagement with the community.
- 8.3 Some of evidence base documents such as the Strategic Housing Market Assessment (SHMA), Functional Economic Market Area (FEMA) and Economic Development Needs Assessment (EDNA) were produced by consultants and commissioned jointly with adjoining local authorities which has saved costs. Additional resources maybe needed when preparing the evidence base.
- 8.4 The significant financial costs are associated with the later stage of plan making. This include the Planning Inspectorate charges, administration support and room hire for example.

9 Risks

- 9.1 There are a number of potential risks in producing a document such as the Local Plan. These are considered below:
- Heathrow Third Runway: is the reason for the delay in producing a final version of the Local Plan as stated above.
 - Duty to Cooperate: To respond to adjoining local authorities local plan consultations and negotiate cross boundary issues can cause delay to the programme of local plan production.
 - Changing national planning system: The planning system has changed a lot in recent years and any changes could have implication for the local plan
 - Changing national policy: If a new policy is introduced at the national level can cause issues and delay if does not conform with the proposed local planning policy.

SLOUGH BOROUGH COUNCIL**REPORT TO:** Planning Committee**DATE:** 24th April 2019**WARD(S):** All**PART I**
FOR INFORMATIONPlanning 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.

Ref	Appeal	Decision
P/16787/001	<p>4 Egerton Road, Slough, SL2 2LD</p> <p>Construction of an outbuilding with rear dormers to the front of 4 Egerton Road to be used as storage/workshop.</p> <p>Planning permission was granted on 7 March 2017 for an outbuilding to the front of the site, 4m high, to be used to store rowing boats and equipment for the occupant's personal use. A retrospective planning application was submitted for alterations to the approved outbuilding in the form of rear facing dormers within the roof, and use of the roof space as an office. The Local Planning Authority (LPA) considered that the new layout resulted in an outbuilding that had the appearance of a separate detached residential unit, and was therefore out of character with the predominantly terraced houses in the area. The LPA considered that the roof dormers impacted upon the privacy of neighbouring occupiers, especially as the outbuilding is perpendicular to the gardens on Vaughn Way, and also impacted upon the outlook of these neighbours.</p> <p>The planning inspector partially agreed with the LPA regarding the potential use, and imposed a condition restricting the use to that ancillary to the main dwelling, and not a separate dwelling or self contained business or commercial use. The inspector concluded that the dormers, when viewed from adjacent neighbours was not physically or visually dominant, and whilst there was an element of overlooking from the outbuilding towards neighbouring properties and gardens, it was not unreasonable or unacceptable.</p> <p>The inspector approved the outbuilding, with a condition restricting use other than that ancillary to the main house, and requiring tree planting as indicated on submitted plans to be carried out to partially screen the outbuilding from the street.</p>	<p>Appeal Granted</p> <p>28th March 2019</p>
2017/00290/ENF	<p>90, St. Georges Crescent, Slough, SL1 5PA</p> <p>Alleged unauthorised structure within front garden</p>	<p>Appeal Dismissed / Upheld</p> <p>3rd April 2019</p>

<https://www.gov.uk/planning-inspectorate>

P/01988/001	90, St. Georges Crescent, Slough, SL1 5PA Retention of outbuilding for ancillary use	Appeal Dismissed 3 rd April 2019
-------------	---	--

Appeal Decision

Site visit made on 8 February 2019

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th March 2019

Appeal Ref: APP/J0350/W/18/3209360

4 Egerton Road, Slough SL2 2LD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Dr Valery Kleshnev against the decision of Slough Borough Council.
 - The application Ref P/16787/001, dated 17 March 2018, was refused by notice dated 19 June 2018.
 - The development is a workshop/outbuilding/home office.
-

Decision

1. The appeal is allowed and planning permission is granted for a workshop/outbuilding/home office at 4 Egerton Road, Slough SL2 2LD in accordance with the terms of the application, Ref P/16787/001, dated 17 March 2018, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; 1812/PL/03 Rev A; 1812/PL/04 Rev A and 1812/PL/05 Rev A.
 - 2) The replacement trees as shown on Drawing No. 1812/PL/03 Rev A shall be planted no later than the first planting after the date of this decision. Any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
 - 3) The outbuilding hereby permitted shall not be occupied at any time other than for a home office or other purposes ancillary to the residential use of 4 Egerton Road and shall not be occupied either as a separate dwelling or by self-contained commercial or business uses.

Main Issues

2. It is considered that the main issues are the effects of the development on (a) the character and appearance of the surrounding area and (b) the living conditions of the occupiers of neighbouring properties, by reason of loss of privacy.

Reasons

Character and Appearance

3. Planning permission was granted for the erection of an outbuilding within the rear garden of 4 Egerton Road (Ref P/16787/000) and represents a fall-back position to which significant weight is given. However, the outbuilding that has been erected, and is the subject of this appeal, is of a different design by reason of fenestration, including 2 dormer windows within a roofslope, and height.
4. Whether there is a need for the size of outbuilding erected has been raised by the Council and so has its use not being incidental or ancillary to the occupancy of the host dwelling. Case Law has been referred to by the Council but this considers the erection of outbuildings pursuant to permitted development rights for dwelling houses¹ and whether a separate planning unit could be created². The Council's *Residential Extensions Guidelines Supplementary Planning Document (SPD)*, including guidelines EX38 and EX39, does not refer to controls concerning the specific use of an outbuilding when seeking planning permission except for the design reflecting the intended use and it not being used as a separate independent dwelling unit.
5. The accommodation comprises an open plan ground floor office with seating and rowing equipment with an office/workshop within the roofspace. Other than the central area and around the dormers the head height reduces the usable floorspace within the roofspace. The nature of the activities being undertaken by the appellant reflect the design of the outbuilding and are not of the type that generate an unacceptable level of noise and disturbance, particularly in circumstances where the outbuilding is sited adjacent to Egerton Road and separated from neighbouring dwellings.
6. However, the outbuilding could well be occupied by others at a future date who may not reflect the current use by the appellant and could seek to create a separate planning unit. Accordingly, if this appeal succeeds then it would be appropriate to impose a condition which links the use of the outbuilding with the occupancy of the host property.
7. The outbuilding has been erected within the private amenity space of the host property rather than the front garden. By reason of siting, appeal scheme is physically and visually related to the streetscene of Egerton Road rather than Vaughan Way. Although sited adjacent to the footway along Egerton Road, the general size, design and form of the outbuilding appears to be a garage with a pitched roof sited to the side of the host property. It does not either visually dominate the wider streetscene along Egerton Road or detract from the predominant character of the surrounding residential area.
8. As with other garages within the surrounding area, the appeal scheme is not an incongruous or visually detrimental addition to the residential character and appearance of the streetscene. Further, and taking into account the dormer windows and other openings, the outbuilding does not appear as a separate dwelling erected within the host property's garden. This impression is assisted by the lack of openings within the side elevation facing the road and the access being from the front garden of No. 4.

¹ *Emin v Secretary of State for the Environment and Mid Sussex County Council* [1989]

² *Uttlesford District Council v Secretary of State and White* [1992]

9. The ridge height of the outbuilding exceeds 4 metres from the original ground level. However, the lowered ground level means the appeal scheme has the appearance of single storey building which is physically and visually subordinate to the 2-storey host property. The footprint of the appeal scheme is not excessive for the size of the garden within which it is located. When the lower ground level is taken not account, the siting and bulk of the appeal scheme is similar to the approved outbuilding.
10. Roof dormers are not a common feature within the surrounding area and those erected within the roofslope of the outbuilding are visible from Egerton Road. However, it is only the checks of these dormers which are visible from the road. By reason of this limited view and their size, the dormers do not appear so conspicuous or prominent that they result in the outbuilding appearing an incongruous feature within the streetscene. From the gardens of neighbouring properties, the dormers are seen against the background of the roofslope and are not physically or visually dominant or bulky additions.
11. For the reasons given, it is concluded that the development does not cause unacceptable harm to the character and appearance of the surrounding area and, as such, it does not conflict with Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 (CS), Policy EN1 of the Local Plan for Slough 2004 (LP) and the SPD. In addition to specific design guidelines for outbuildings, these policies require development to be of a high quality of design, reflect the streetscene and to respect its location and surroundings, including by reason of siting, scale, bulk and form.

Living Conditions

12. By reason of siting and orientation, the outlook from the dormers is towards the rear gardens of the terrace of dwellings fronting Vaughan Way. There is some degree of screening of these gardens associated with the boundary fence and vegetation within the property's curtilage. However, a normal landscaping condition could not secure the maintenance and replacement of this vegetation beyond a 5-year period and, as such, it cannot be relied upon to continue to provide screening.
13. Accordingly, the Council has legitimate concerns about overlooking and loss of privacy for the occupiers of the neighbouring properties. This is reflected in SPD guideline DP8 where window positions should avoid direct overlooking of neighbouring properties, including gardens, to maintain a reasonable degree of privacy for the occupants of adjacent dwellings.
14. Some overlooking of private amenity spaces occur within residential urban areas usually associated with first floor windows looking towards the rear of gardens. The areas adjacent to the rear of a property are less likely to be overlooked from neighbouring windows because of the angle of view. However, because of its design the host property has a side window which directly overlooks the patio area to the rear of 2 Vaughan Way and those of other properties within the terrace. In this case, when assessed against the current degree of overlooking, the screening afforded by the fence and the separation distances to the other gardens, this is a case where the degree of harm caused by overlooking from the dormers is not such that the loss of privacy by reason of overlooking is unreasonable or unacceptable.

15. On this matter it is concluded that the development does not cause unacceptable harm to the living conditions of the occupiers of neighbouring properties by reason of loss of privacy and, as such, it does not conflict with CS Policy 8, LP Policy EN1 and the SPD. Amongst other matters these policies require development to take into account the relationship to near-by property and respect the amenities of adjoining occupiers

Other Matters

16. Reference has been made by the appellant to a number of appeal decisions but the detailed planning circumstances of these other cases have not been provided. For this reason, this appeal scheme has been assessed on its own merits.

Conditions

17. The Council has suggested several conditions in the event this appeal succeeds which have been assessed against the tests in the National Planning Policy Framework and the Planning Practice Guidance. The development has been erected and, as such, an implementation condition is unnecessary. The other suggested conditions are amended for reasons of precision. A condition restricting the use of the outbuilding has already been identified as being necessary and for reasons of clarity it is appropriate to refer to the approved drawings. The planting identified on the approved drawings should be secured by condition, including replacement planting.

Conclusion

18. For the reasons given, it is concluded that this appeal should be allowed.

D J Barnes

INSPECTOR

MEMBERS' ATTENDANCE RECORD 2018/19
PLANNING COMMITTEE

COUNCILLOR	30/5	4/7	1/8	5/9	3/10	31/10	5/12	16/1	20/2	20/3	24/4
R Bains	Ap	P	P	P	Ab	P	Ab	Ap	Ap	P	
Carter	P	P	P	P	P	P	P	P	P	P	
Cheema	P	Ap	P	P	P	P	Ap	P	P	Ap	
Dar	P	P	P	P	P	P	P	P	P	P	
M. Holledge	P	P	P	P	P	Ap	P	P	P	P	
Minhas	P	P	P	P	P	P	Ap	P	P	Ap	
Plenty	P	P	P	P	P	P	P	P	Ap	P	
Rasib	Ap	Ap	P	P	P	P	P	P	P	P	
Smith	P	P	P	P	P	Ap	P	P	P	P	

P = Present for whole meeting
Ap = Apologies given

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

This page is intentionally left blank