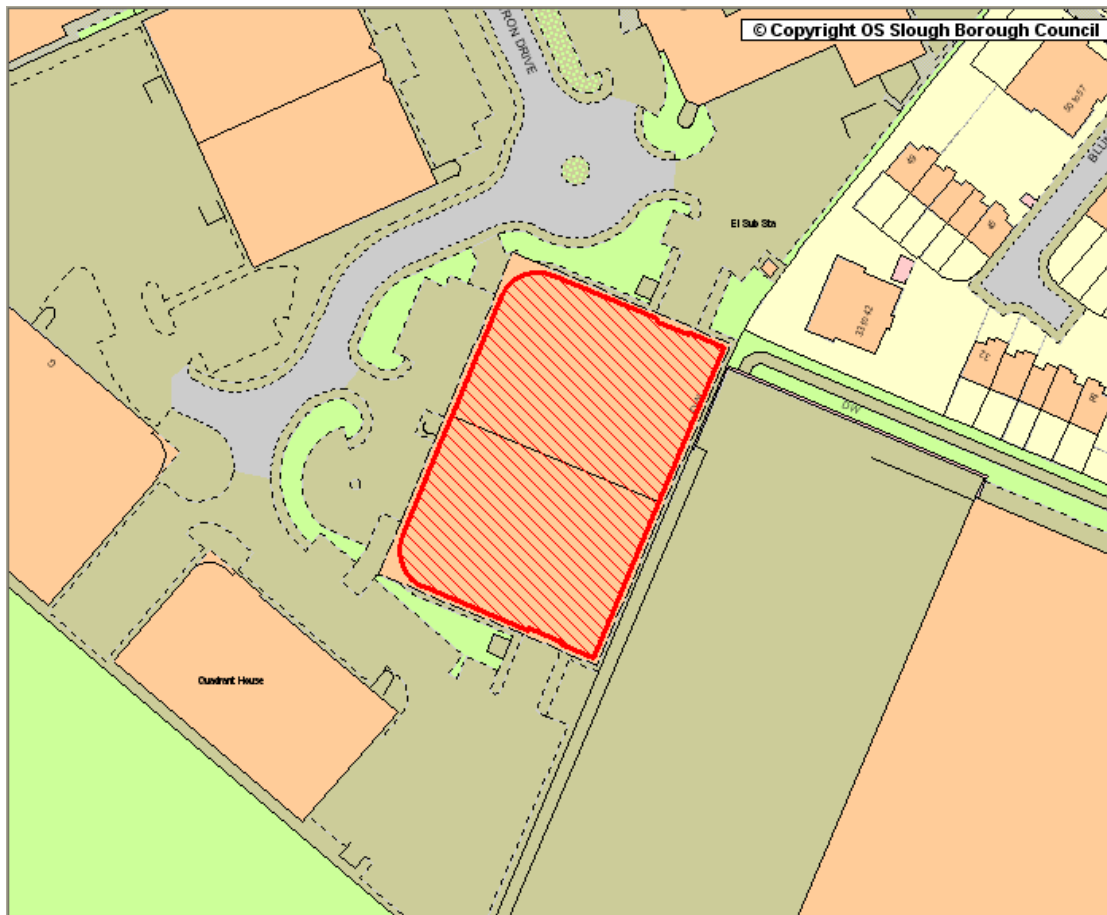


Registration Date:	09-Jul-2010	Applic. No:	P/09198/009
Officer:	Mr Smyth	Ward:	Foxborough
		Applic type:	Change of Use
		13 week date:	3rd September 2010
Applicant:	Legal & General Assurance Society Ltd		
Agent:	Savills Commercial Limited 20, Grosvenor Hill, London, W1K 3HQ		
Location:	Unit P, Heathrow Business Park, Heron Drive, Parlaunt Road, Slough, Berkshire		
Proposal:	CHANGE OF USE FROM CLASSES B1 (B) AND B1 (C) TO CLASSES B1 (B), B1 (C) AND B8.		

Recommendation: Approve subject to conditions



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Approve with conditions

1.2 Having considered the relevant Policies below, the development is considered to not have an adverse affect on the sustainability and the environment for the reasons set out.

PART A: BACKGROUND

2.0 **Proposal**

2.1 This application seeks planning permission for a change of use to allow Unit P at the Heathrow West Business Park to be used for all purposes within Classes B1(b), B(c) and B8.

2.2 The application is accompanied by a Planning Statement and ground and first floor plans.

2.3 The building has remained vacant since its completion in 2002. The landlord has undertaken an extensive marketing campaign, which had finally led to securing a tenancy arrangement with Bunzl Cleaning and Hygiene Supplies.

2.4 The company is the UK's largest supplier of janitorial, cleaning, hygiene and associated products and is part of Bunzl Plc. The intention is to relocate its current head office to the application site at Heathrow West.

2.5 The nature of Bunzl's operation is that they require a flexible use within Classes B1 and B8 as the site will be used to run their office requirements and also storing and distributing cleaning and hygiene products. The company operates a network of 50 such branches across the UK.

2.6 The proposed operation by Bunzl at the application site will primarily be for a storage and distribution use within Class B8. The Company will also include as part of its operation office accommodation and a series of other associated or 'ancillary' land uses (e.g. canteen and washrooms).

2.7 The existing building contains a first floor area, which extends to approximately 675 sq m. This first floor area and the floorspace directly below it (totalling 1,350 sq. m) will be used for the office and associated uses. This floorspace equates to approximately 35% of

the total floorspace at the site meaning that the primary storage and distribution land use accommodates 65%.

- 2.8 Bunzl has confirmed that a total of 40 staff will be employed within the office area. A further 20 staff will be employed within the branch network carrying out roles associated with the distribution element of the operation.

3.0 **Application Site**

- 3.1 The application site is Unit P at the Heathrow West Business Park. It measures 3,810 sq. m (3,135 ground floor warehouse with 675 sq m offices at first floor) and has been vacant since its construction in 2002.

- 3.2 The building lies within a modern industrial/business park with its principle spine access off Parlaunt Road. Only in the north east corner does the property abut existing residential. Its immediate environment is for the most part industrial with the Royal Mail 24 Distribution depot sites immediately to the east/ south east.

4.0 **Site History**

- 4.1 The premises at Heathrow West were constructed pursuant to Planning Permission: P/04619/008, which was granted in March 1990. Unit P forms part of the final phase of development, which was granted on 28 September 2000 (Ref: P/09198/004). Condition 9 attached to the Planning Permission restricts the use of the premises to Class B1(b) and B1(c).

On 28 January 2002, during the construction of Unit P, planning permission was granted to extend the use of the premises to include Class B8 (Ref P/09198/007). Condition 1 required the development to be implemented within five years from the date of the decision (i.e. by 28 January 2007).

On 13 July 2005, planning permission was refused to vary Condition 3 of Permission P/09198/007 which restricted delivery hours (Ref: P/09198/008). The decision was subject to an appeal which was allowed and planning permission granted (Ref: APP/J0350/A/05/1178737).

The Permission allowed deliveries to take place over a 24 hour period from one of the two service doors at the premises). All other conditions attached to the original Permission remained relevant to the control of the building. The revised Condition 3 states:

“Where the B8 use is implemented, deliveries to and from the northern service Door A of this unit shall not take place outside the hours of 08.00 to 20.00 on Monday to Friday inclusive and 08.00 to

13.00 on Saturdays”

5.0 **Neighbour Notification**

- 5.1 46, Blunden Drive, Slough, SL3 8WG, 47, Blunden Drive, Slough, SL3 8WG, 48, Blunden Drive, Slough, SL3 8WG, 49, Blunden Drive, Slough, SL3 8WG, 43, Blunden Drive, Slough, SL3 8WG, 44, Blunden Drive, Slough, SL3 8WG, 45, Blunden Drive, Slough, SL3 8WG, 28, Blunden Drive, Slough, SL3 8WG, 29, Blunden Drive, Slough, SL3 8WG, 42, Blunden Drive, Slough, SL3 8WG, 30, Blunden Drive, Slough, SL3 8WG, 31, Blunden Drive, Slough, SL3 8WG, 32, Blunden Drive, Slough, SL3 8WG, Pentax Uk Ltd, Pentax House, Heron Drive, Slough, SL3 8PN, Matsushita Avionics Systems Corp, Quadrant House, 50, Heron Drive, Slough, SL3 8XP, Alcontrol Technichem, Heron Drive, Langley, Slough, Berkshire, SL3 8XP, Eurosport, Unit G, Heron Drive, Slough, SL3 8XP, NTL, Unit G, Heron Drive, Slough, SL3 8XP, Digital Media Centre, Unit G, Heron Drive, Slough, SL3 8XP, Royal Mail, Heathrow Worldwide Distribution Centre, Hurricane Way, Slough, SL3 8AQ

Notice placed on site and included in local press

No objections received

6.0 **Consultation**

- 6.1 Transport :

The Transport section has requested further information on the proposed floor space split together with servicing arrangements and car and cycle parking

Comments to be reported on the Amendment Sheet

Highways

Any comments to be reported on the Amendment Sheet

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

- 7.1 This application is assessed against the following planning policies:
Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008

- Core Policy 5 (Employment)

Adopted Local Plan for Slough 2004

- *Policy EMP8 (Heathrow Business Park)*
- *Policy T2 (Parking Restraint)*

- 7.2 Core Policy 5 (Employment) provides the local policies relevant to employment land uses. The Policy seeks to protect and renew the Existing Business Areas and states that major warehousing and distribution developments (Class B8) will be located in the eastern part of the Borough and in Existing Business Areas that have good access to the strategic road and rail network. Further, the Policy states that there will be no loss of the defined Existing Business Areas to non-employment generating uses, especially where this would reduce the range of jobs available.
- 7.3 Appendix 4 of the Core Strategy identifies the 21 Existing Business Areas which are defined within the Slough Local Plan proposals map and Slough Employment Land Study (2005). The Heathrow West Business Park is one of the defined Existing Business Areas and is located within the eastern part of the Borough.
- 7.4 Policy EMP8 of the Adopted Local Plan states:
- Within the Heathrow West Business park, proposals for Class B1(a)(Business) and Class b8 (Storage and Distribution) will be permitted. Class B1(a) independent offices will only be permitted in accordance with the sequential test. Any redevelopment should not result in an increase in the number of car parking spaces from existing levels.*
- 7.5 Policy T2 of the Adopted Local Plan states:
- No increase in the total number of car parking spaces on-site will be permitted within commercial redevelopment schemes.*

8.0 **Principle of Use**

- 8.1 The principle of a B8 use in this location would comply with local planning policies. The proposed increase in office floor space would still mean that the office content would be ancillary to the primary use of the building as a distribution warehouse. However, conditions will be imposed stipulating a maximum B1(a) office content to ensure that it remains ancillary to the primary use.
- 8.2 No objections are raised to the principle of B8 use in relation to Core Policy 5 (Employment) of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan

Document December 2008 nor Policy EMP8 (Heathrow Business Park) of the Adopted Local Plan for Slough 2004. No objections are raised to the increase in office content subject to a condition restricting it to a maximum floor area.

9.0 **Parking**

9.1 A total of 59 no. car parking spaces are provided on site. The parking requirement to serve a Class B8 unit measuring 3810 sq m would be 20 no. spaces. Although the level of parking would exceed that required by the Council's approved parking standards, this application seeks an open planning permission which also covers Class B1(b) and B1(c) and for which a higher parking ratio is required. Further, as the proposals do not include any increase in the total levels of parking on site, then there is no conflict with approved planning policies

9.2 Details of cycle parking have not been provided, but can be covered by planning condition.

10.0 **Servicing**

10.1 The total number of service bays on site is 4 no. To support a B8 use on the site would necessitate parking for 6 no. lorries. The nature of the occupier's business is such that much of the business would involve the use of vans for distribution purposes and that a maximum of 2 no. lorry spaces on site would be necessary for the company to undertake its daily business.

10.2 As the application is seeking an open planning permission for B1(b) B1(c) and B8 the site needs to be able to cope with the worse case scenario whether it be in terms of car parking or servicing requirements. Notwithstanding the potential occupier's specific servicing requirements, a condition will be imposed requiring the laying out of 2 no. additional lorry bays adjacent to the existing lorry bays next to the southern access door, such that the use complies with the Council's approved parking standards.

11.0 **Impact on Neighbouring Residential Occupiers**

11.1 As set out above, planning permission was granted in 2005 following an Appeal to allow an extension to the permitted hours that the premises could be served. In his decision, the Inspector deemed it appropriate to continue to restrict the hours of operation of Service Door A, which is located closest to the residential properties on Blunden Drive, but permitted 24 hour use of southern service doors (Door B). Paragraph 8 states:

"The southern pair of service doors to the Galaxy Unit – Door B – and its loading yard are located some distance from any housing,

they are overlooked only by non-residential uses, they are sheltered from housing by the 10m high appeal building and are in an area where there is already the facility for 24 hour depot operations. These factors persuade me that use of the southern doors on a 24 hour basis would have a very limited impact on the living conditions of those in the nearest flats on Blunden Drive”

- 12.2 There has been no fundamental change to relevant planning policy objectives or the surrounding land uses subsequent to the Appeal decision being issued to the extent that residential amenity would be more adversely affected by the proposal. The northern service door, being in close proximity to existing residential properties in Blunden Road would by necessity, continue to be subject to a restriction on servicing times in accordance with the Appeal Inspector’s decision, as follows:

Where the B8 use is implemented, deliveries to and from the northern service access Door of this unit shall not take place outside of the hours of 08:00 to 20.00 on Monday to Friday inclusive and 08:00 to 13:00 hours on Saturdays.

No such restrictions would apply to the southern service access, which can operate 24 hours.

13.0 **Summary**

- 13.1 The principle of a change of use to create an open planning permission for Classes B1(b), B1(c) and B8 is acceptable and complies with local planning policies. The proposal to increase the level of internal office space is acceptable so long as it remains ancillary to the primary use. The shortfall in lorry parking bays can be addressed through the provision of 2 no additional lorry spaces. Restrictions on servicing hours would continue to apply for the northern service access door but the southern access door can continue in use unrestricted over a 24 hour period.

PART C: RECOMMENDATION

14.0 **Recommendation**

Approve with conditions

15.0 **PART D: LIST OF CONDITIONS OR REFUSAL REASONS**

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

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

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

(a) Drawing No. HWBP-FFP-001, Dated 04/08/2010, Recd On 10 August 2010

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

3. The maximum level of internal office floorspace shall not exceed 1350 sq metres and which shall remain ancillary to primary use of the building within Classes B1(b), B1(c) and B8 of the Town and Country Planning Use Classes Order 1987(as amended)

REASON: To comply with approved car parking standards and the requirements of the spatial strategy and sequential test in accordance with Core Policies 1 and 5 of the Slough Local development Framework Core Strategy (2006 - 2026) Development Plan Document December 2008 and Policies EMP1, EMP8 and T2 of the Adopted Local Plan for Slough 2004

4. Details of secure bicycle parking including siting and design which shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in accordance with the details approved prior to the occupation of the building

REASON: To comply with the Council's parking requirements in accordance with Policy T2 of the Adopted local Plan for Slough

5. Where Class B8 use is to be implemented the applicant shall submit to the Local Planning Authority for its written approval details of 2 no. additional lorry parking bays which shall be laid out on site in accordance with the details agreed prior to the occupation of the building.

REASON: To ensure adequate lorry parking to serve the proposed use of the building for B8 warehousing in accordance with Policy T2 of the Adopted Local Plan for Slough 2004

6. Where the B8 use is implemented, deliveries to and from the northern service access Door of this unit shall not take place outside of the hours of 08:00 to 20.00 on Monday to Friday inclusive and 08:00 to 13:00 hours on Saturdays.

REASON: To prevent late night noise and disturbance for nearby residential occupiers in accordance with PPG 24

Informatives

1. This decision has been taken having regard to the policies and proposals in the Local Plan for Slough 2004 and the Slough Local Development Framework, Core Strategy 2006 - 2026, as set out below, (to Supplementary Planning Guidance) and to all relevant material considerations.

Policies:- Core Policy 5 of the Slough Local Development Framework Core Strategy (2006 - 2026) Development Plan Document December 2008

Policies EMP8 and T2 of the adopted Local Plan for Slough 2004

This informative is only intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report by contacting the Development Control Section on 01753 477340.