

PLANNING COMMITTEE **17th May 2011**

THE FOLLOWING ALTERATIONS AND AMENDMENTS HAVE BEEN
RECEIVED SINCE THE PLANNING OFFICER'S REPORT WAS
PRESENTED TO MEMBERS

AGENDA ITEM 5

S/00672/000 – Garage Site Rear of 7-9 Mansel Close, Slough

A consultation response has been received from the Council's Drainage Engineer stating that a condition would be required in relation to drainage as the application states that surface water drainage is by SuDS but no drainage details have been given. The ground on this estate is a bit variable and there is a need to confirm how the drainage is to be achieved.

Therefore condition 17 should be amended to:

Prior to commencement of the development, the applicant shall submit to and have approved in writing by the Local Planning Authority full details of the surface water disposal from the buildings and the area within the application site. The scheme shall be implemented in accordance with the approved details and maintained thereafter.

REASON To ensure that foul and water discharge from the site is satisfactory in accordance with Policy EN31 of The Local Plan for Slough 2004.

The Council's Contaminated Land Officer has stated that any contamination resulting from the former use of the site needs to be assessed prior to its re-development. The site is also located within 250m of the historic Norway Drive landfill; as such an assessment of risks from ground gases or incorporation of gas protection measures in the new dwellings is also required.

As such the following condition relating to contamination should be added to any permission:

It is suspected that this site and/or nearby land and water may be contaminated as a result of former use(s) or otherwise. The site is situated within 250m of a known landfill site. Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice, such as CLR11, BS10175, BS5930 and CIRIA 665. Each phase shall be submitted in writing and approved by the LPA.

Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.

Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals. If significant contamination is found by undertaking the Phase 2 investigation then Phase 3 shall be undertaken.

Phase 3 requires that a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use be submitted and approved in writing by the LPA. The remediation shall be carried out in accordance with the approved scheme and the applicant shall provide written verification to that effect.

The development shall not be occupied until any approved remedial works, have been carried out and a full validation report has been submitted and approved to the satisfaction of LPA. In the event that gas protection is required, all such measures shall be

implemented in full and confirmation of satisfactory installation obtained in writing from a Building Control Regulator.

Reason- To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use.

NO CHANGE TO RECOMMENDATION

AGENDA ITEM 6

P/09979/001 – Mill House, Mathisen Way & Mill Brook Way, Slough

Further letters of objection received from nos. 1, 6, 7 & 10 Poplar Close. The main points raised are summarised below:

- Close to private housing and will result in an increase in traffic passing our road.
- This is a residential plagued with lorries and vans
- There will be an adverse effect on trees, noise and more pollution
- Increase in development related noise and disturbance already endured over many years
- Already empty warehouses on the estate.

Response

There is no direct vehicular access to the industrial estate or the proposal site through Poplar Close, which is residential only. In terms of additional noise and disturbance, the applicant has produced a noise report, which concludes that the development will not result in an unacceptable adverse impact on the amenity of nearby residents. The noise report has been considered by the Council's Neighbourhood Protection Team who having considered it, have raised no objections.

The loss of trees is acknowledged within the Officer's report and an aboricultural survey has been undertaken. The survey identified a total of 49 no. trees of mixed species and age class, the majority comprising sycamore, common alder and grey alder. The study concludes that *"in their current context, all individually surveyed specimens are considered to be of only low arboricultural quality and value (category C trees) and where on site, is not to be considered as a constraint to development during design"*.

In the time available, the aboricultural study has not been considered by the Council's own tree officer and therefore consideration of its findings is one of the matters that officer's are seeking be delegated back, before a final decision is made on the application.

It may be the case that there are empty warehouses within the Poyle Industrial estate. Given the demands of the logistics industry modern large distribution warehouses are increasingly being demanded to meet the needs of the industry, particularly given the areas location close to Heathrow Airport. It is also important as part of the wider regeneration of the industrial estate.

As stated in the Officer's report on pages 55 and 56 a revised Flood Risk Assessment has been submitted to the Environment Agency with proposals to mitigate against the incursion into the 8 metre buffer strip alongside the Poyle channel. A response has not yet been received from the Environment Agency and it is understood that negotiations are continuing with the applicant and a further meeting between the applicant and the Environment Agency has been scheduled for 25th May 2011. Consideration of this matter, including further comments by the Environment Agency is one of the further matters that officer's are seeking be delegated back, before a final decision is made on the application.

Comments have been received from the Council's transport engineers, which are set out below:

This is a development to demolish an existing B1 office measuring 2683sqm and 136 parking spaces and replacing it with a warehouse measuring 3425sqm of storage and distribution space with ancillary office space and staff facilities. 29 car parking spaces will be provided and 5 HGV bays for the loading and unloading of vehicles.

Car Parking

The applicant is proposing to provide 29 car parking spaces at the equivalent ratio of 1 space per 118sqm. The Slough Local Plan minimum parking standards are set out as 1 space per 200sqm and therefore the number of proposed spaces is in accordance with the parking standards. I note from the application that 100 employees are proposed to be working at the site, which if working three shifts would equate to 33 staff per shift. However I would expect a greater number of staff to be working during the day as admin and other managerial staff may work in predominantly daylight hours therefore there will be a greater number of staff during putting pressure on 29 car parking spaces.

There is comment in both the planning statement and transport statement that the reduction of car parking will be beneficial to the site, however it is important to bare in mind that the Poyle Trading Estate does suffer from widespread parking on footways by both cars and HGVs and there is generally a shortage of parking on the Estate. On my site visit I noted that cars and HGVs were overspilling onto the roads around the site, therefore I shall be seeking further information from the applicant to ensure that sufficient car parking is to be provided.

HGV Parking

Five HGV bays are to be provided, which is slightly below the HGV parking standards set out in the Slough Local Plan, which requires 1 space per 500sqm for the first 2000sqm and then 1 space per 1000sqm for each 1000sqm thereafter. Therefore this development should provide 6 HGV bays. I am concerned that with a development of this size that HGVs may end up queuing in the roads leading to development or parking up waiting for a space on the highway. In the immediate vicinity to the site the footways on Mathisen way have been severely damaged by HGVs and other vehicles parking on the footway, and all the pavement flagstones are broken. Therefore noting the undersupply of HGV parking and the number of HGV bays which would indicate a high number of HGV movements to and from the site and the possibility that there will be times when HGVs need to wait on the adjoining highway for a bay to become available then I would request that a S106 contribution or works to be carried out via a Grampian condition to implement physical measures on the footways along Mathisen Way to prevent vehicles riding up onto the footway.

This should be in the form of widening the footway on the southside by approximately 0.7m to 1.0m and installing bollards or trief kerbing and reinstating the footway using a bitumen surface. The section of footway that should be protected is that between Poyle Road and Millbrook Way on both sides of the road, although only the southside should be widened, so as to leave a carriageway of approximately 7m in width. The widening of the footway is requested so that bollards could be installed, whilst also maintaining a suitable width for pedestrians.

The transport statement refers to the bus stops as providing an alternative mode of transport of the site and therefore reinforces the need to ensure that the footways are protected from overspill HGV and vehicle parking.

Traffic Generation

The transport statement shows that the site will lead to a reduction in vehicle movements by a total of 250 arrivals and departures per day. This assessment is a simplification of the traffic reduction as the site will be generating an increase in HGVs which are equivalent of 2.5 passenger car units (pcu), whereas a car is equivalent of 1 pcu. Nevertheless I am of the view that this site will lead to a reduction of vehicular traffic to the site than would be occurring if the site was fully operational as an office. In the meantime I will be seeking clarification from the applicant in terms of the number of HGV movements to and from the site.

Site Access

The transport statement comments that visibility splay to the right of 2.4m by 30m can be achieved, however this has not taken into account the implementation of the boundary fence and therefore this visibility splay cannot be achieved. The plans will need to be re-issued showing how the visibility splay can be achieved by modifying the boundary fence.

Site Access Gate

A sliding site access gate is shown on the plans, but I understand that negotiations have already taken place such that the applicant has agreed that the gates will remain open during the site is operational to prevent vehicles obstructing the site access and waiting for the gates to be opened. This agreement will need to be secured by condition.

Cycle Parking

A cycle parking store is shown on the plans. This store is existing, although probably not being used for storing cycles. It measures 2.0 x 4.5m and it would therefore appear to be too small to provide adequate cycle storage in the way that it is laid out as bicycles measure 1.8m in length. However it is feasible to provide cycle parking on 45 degree angle and therefore so long as reasonable layout can be achieved I am willing to accept it is to be provided within an existing store.

Recommendation

Subject to the applicant agreeing to enter into a Grampian condition to implement measures on Mathisen Way footways to protect them from footway parking (HGV and other vehicles) then I would not raise a highway objection to this application.

Response

As stated by the transport engineer, the proposal for 29 no. cars complies with the Council's approved car parking standards. On this basis alone an objection cannot be sustained on grounds of insufficient car parking.

The requirement for HGV parking is marginally below the Council's standard. The applicant is looking at the feasibility of providing an additional standing area within the site for one HGV and is also considering the Council's suggestion of carrying out off site works to prevent cars and HGVs parking on the southern footway in Mathisen Way, the works for which have been costed and sent to the applicant. If agreeable to the applicant the requirement for such works to be carried out could be required by Grampian condition or if a financial contribution could be secured through a legal agreement.

With respect to the siting of the boundary fence, a re-siting of the fence behind the proposed sight line will be discussed with the applicant and which can be covered by planning condition.

The applicant has responded to the concerns raised by the Council's Transport engineer, but in the time available it is not possible to say whether or not all matters have been successfully resolved. However, it is confirmed that negotiations are still on going with the Council's transport consultant and that a resolution is likely. In the meantime this is a further matter which officers are requesting be delegated back for further consideration, prior to a final determination being made.

The applicant has submitted revised floor plans in the top 'stub' this shows an entrance and two meeting rooms. The bottom stub shows offices for the ground floor warehouse wrapping around a staff canteen and locker room.

The ground floor offices have a total area of 79 sq.m. GIA. If the first floor offices are also measured on a GIA basis then the total amount of office space provided still amounts to the 705 sq m quoted in draft condition 6. Importantly, the space on the ground floor has no bearing on the number of staff or visitors that will be present at the site.

The wording of draft condition which should read as condition 24, but the numbering is out of sink, is to be amended as at present it reads incorrectly, the amended version is set out below:

The site and buildings therein shall be managed in accordance with the recommendations contained in the Bird Hazard Management Plan prepared by Aspect dated February to ensure that effective measures are put in place to prevent the nesting, roosting or loafing of hazardous birds, in particular gulls on flat/shallow pitched roofs. (Any method statement must ensure that flat/shallow pitched roofs be constructed to allow access to all areas using an appropriate means of access to be first agreed in writing by the Local Planning Authority. The owner/occupier must not allow gulls to nest, roost or loaf on the building. Checks must be made weekly during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airfield operations staff. The owner/occupier must hold appropriate Defra licences before the removal of nests and eggs).

Draft Condition 02 relating to approved drawings is to be amended to reflect the submission of an amended plan:

(C) Drawing No. 1481 – TP – 02, Revision A, Date 02/2011, Received on 17/05/2011

There is a change to the Officers recommendation:

CHANGE TO RECOMMENDATION

DELEGATE TO THE HEAD OF PLANNING POLICY AND PROJECTS FOR CONSIDERATION OF OUTSTANDING DRAINAGE / ECOLOGY, TREE AND TRANSPORT / HIGHWAY MATTERS, COMPLETION OF A SECTION 106 AGREEMENT, IF REQUIRED, FINALISING CONDITIONS AND FINAL DETERMINATION