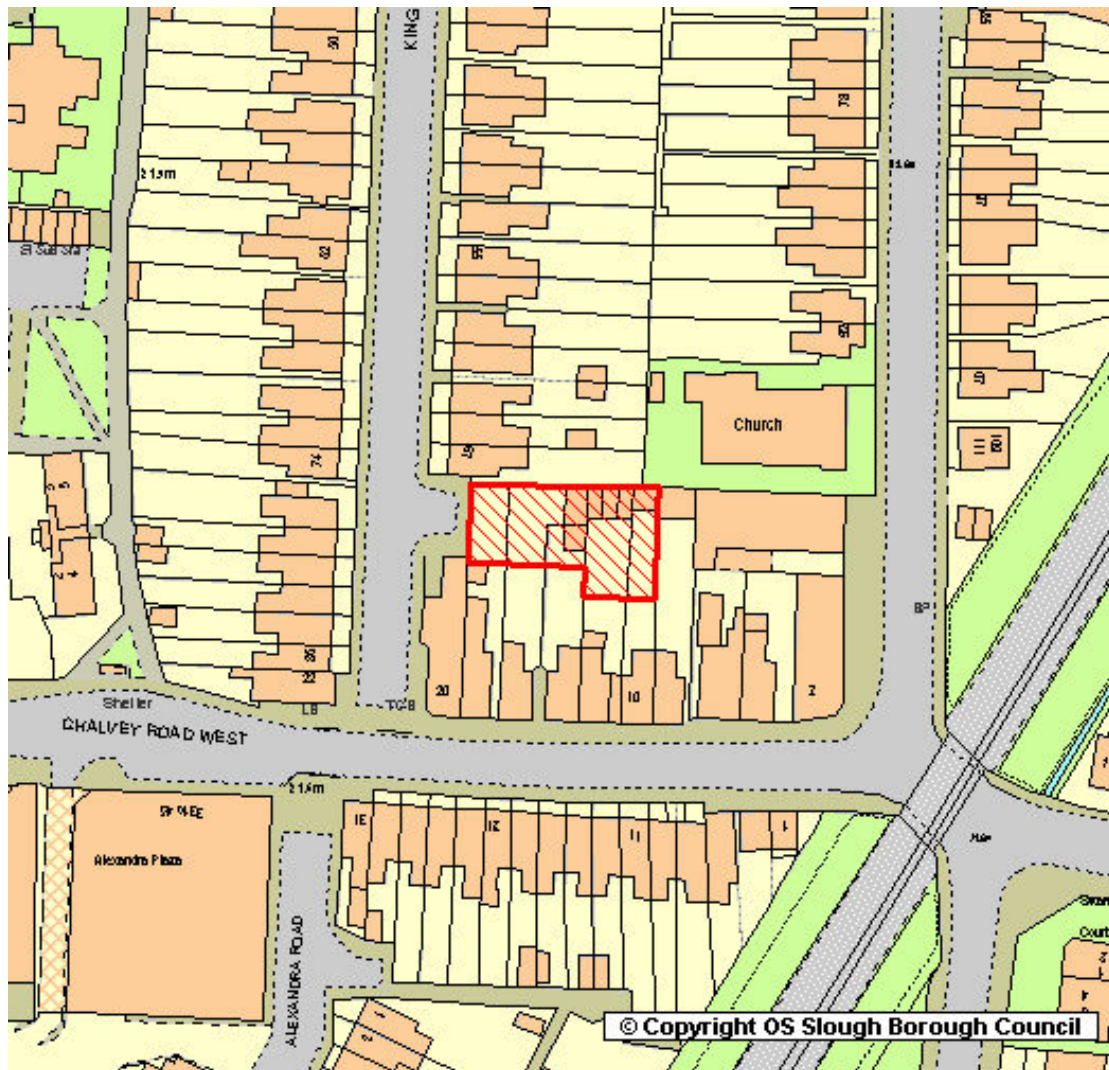


Registration Date:	13-May-2011	Applic. No:	P/02702/013
Officer:	Hayley Butcher	Ward:	Chalvey
Applicant:	Mirenpass Ltd		
Agent:	Mr. Neil Oakley, Danks Badnell LLP 3-4, KINGS STABLES, OSBOURNE MEWS, WINDSOR, BERKS, SL4 3DE		
Location:	Land R/O, 10-18, Chalvey Road West, Slough, Berkshire		
Proposal:	DEMOLITION OF STORAGE UNIT AND ERECTION OF 1 NO. ONE BEDROOM TERRACE AND 2 NO. THREE BEDROOM TERRACES		

**Recommendation:** Approve subject to Conditions



## **P/02702/013**

### **1.0 SUMMARY OF RECOMMENDATION**

- 1.1 Having considered the comments from consultees, policy background and planning history it is considered that the proposed scheme is acceptable and as such it is recommended to approve subject to conditions.
- 1.2 This application was called into 2<sup>nd</sup> August Planning Committee by Councillor Mohammed Sharif for the following reason: parking and congestion in King Edward Street.
- 1.3 This application was deferred from 2<sup>nd</sup> August Planning Committee to allow further consideration of the provision of parking spaces for each of the proposed dwellings.
- 1.4 Revised plans have since been received incorporating one parking space per proposed new dwelling therefore this application is referred back to Planning Committee for consideration.

### **PART A: BACKGROUND**

#### **2.0 Proposal**

- 2.1 Planning permission is sought for the demolition of an existing storage unit and erection of 2 x three bedroom and 1x one bedroom terraced houses.

#### **3.0 Application Site**

- 3.1 The application site consists of land to the rear of 10-18 Chalvey Road West and adjacent to residential property 67 King Edward Street. The properties which form 10-18 Chalvey Road East are predominantly retail at ground floor with residential or storage accommodation above. King Edward Street is predominantly made up of Victorian terraces and semi-detached properties.

#### **4.0 Relevant Site History**

- 4.1 The application site has a long planning history. From 1989 – 1996 various permissions were granted for the redevelopment of the site for 2x flats.
- 4.2 In 1997 an application was made for the retention of a catering kitchen on the site. This was refused and a number of later applications were made relating to this unauthorised kitchen which were either refused/withdrawn or invalidated.
- 4.3 Of note is application P/02702/010 in 2000 which proposed the demolition of the unauthorised commercial kitchen and the erection of 5x flats with associated parking. This application was refused but later allowed at appeal.
- 4.4 More recently in January 2011 an application was made for the redevelopment of the site (P2702/012) to provide 3x two bedroom terraced houses. This

application was refused on grounds of design and impact on neighbouring amenity.

5.0 **Neighbour Notification**

5.1 Zion Methodist Church  
Ledgers Road  
Slough  
SL1 2QZ

65, 67, 74, 76, 78, King Edward Street  
Slough  
SL1 2QS

8, 8a, 10, 10a, 10b, Flat 12, 12, 14, 14a 16, 16a 18, 18a, 20, 20a Chalvey Road  
West  
Slough  
SL1 2PN

Flat, 20, Chalvey Road West  
Slough  
SL1 2PN

Flat, 12, Chalvey Road West  
Slough  
SL1 2PN

5.2 A petition containing 70 signatures was received objecting on the grounds of:

Loss of privacy/overlooking of gardens; shortage of parking; loss of natural light; crime; drop in value of property; on-street parking to the detriment of the safety of highway users.

5.3 In addition seven letters of objection have been received objecting on grounds of:

Loss of privacy (overlooking into gardens); overcrowding; loss of view; loss of natural light; shortage of parking; crime; on-street parking to the detriment of the safety of highway users; drop in house prices; drop in business activity; impact on character of street scene; impact on sewage system; additional traffic and noise; increased vandalism, drug and prostitution; overbearing to neighbouring properties; height of properties proposed; public disorder over parking; noise disturbance from construction affecting the working environment of a pharmacy; currently lorry movements to the site are minimal; a car free development is fanciful; and parking problems associated with Houses of Multiple Occupation and inhabited sheds in gardens.

## 6.0 **Consultation**

6.1 **Crime Prevention Design Advisor:**  
No objection

**Highways and Traffic:**  
No objection subject to conditions

**Thames Water:**  
No objection

## **PART B: PLANNING APPRAISAL**

### 7.0 **Policy Background**

7.1 The proposal is considered in conjunction with saved policies: EN1 (Standard of Design), EN5 (Design and Crime Prevention), H13 (Backland/Infill Development), H14 (Amenity Space), and T2 (Parking Restraint) of the Adopted Local Plan for Slough (2004); Core Policies 1 (Spatial Strategy), 4 (Type of Housing), 7 (Transport) and 8 (Sustainability and the Environment) of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document (December 2008); Residential Extensions Guidelines, Supplementary Planning Document, December 2008; and Planning Policy Statement 1 - Sustainable Development, Planning Policy Statement 3 - Housing, and Planning Policy Guidance 13 - Transport and Planning.

### 8.0 **Principle of Development**

8.1 High density housing in the form of 5x one bedroom flats was allowed at appeal under permission P/02702/010 in July 2001. However, since this appeal decision the Core Strategy has been adopted (December 2008) and now forms a material planning consideration.

8.2 Due to there being a shortage of family housing in Slough, Core Policy 4 of the Core Strategy specifies that outside of Slough town centre new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area. This policy includes development within higher density mixed use areas such as District or Neighbourhood centres. The application site is located in a Neighbourhood Centre.

8.3 As a result flatted development would no longer be acceptable in principle in this location.

8.4 Family housing is defined in the Core Strategy as:

*“A fully self contained dwelling (with a minimum floor area of 76m<sup>2</sup>) that has direct access to a private garden. Comprises a minimum of two bedrooms and may include detached and semi-detached dwellings and townhouses, but not flats or maisonettes.”*

8.5 Two of the proposed dwellings meet the minimum requirements of family housing as per Core Policy 4. House 1, which is to be a one bedroom dwelling cannot be enlarged to a family sized dwelling without having a detrimental impact on neighbouring amenity. As such the provision of two family houses is considered to be sufficient for the proposal to be acceptable in principle.

## 9.0 **Impact on Character**

9.1 In line with PPS1 good design is fundamental. Good design is based on responding to existing character, appearance and other attributes of an area. At a more detailed level, it also includes design, massing and bulk, external materials, colours and landscaping, inclusive design, the orientation of the proposed buildings and their relationship to public spaces to provide adequate surveillance to help make a safe, secure environment.

### 9.2 *Layout*

This application has been designed as a linear form of development which matches the existing linear development in King Edward Street. As such the proposal has an active frontage which addresses King Edward Street. This revised layout overcomes design concerns raised in application P/02702/012 due to the lack of an active frontage.

### 9.3 *Access*

The main access to the site is achieved from King Edward Street. In addition there is pedestrian access from the rear of the proposed properties onto Chalvey Road West via an alleyway. In the interest of the principles of Secured by Design it would be preferable to have a gate at this access to allow only residents to pass. This can be secured via condition (Condition 7 refers).

### 9.4 *Bulk, Scale, Massing and Design:*

The eaves and ridge height of the proposed dwellings are in line with adjacent property 67 King Edward Street, and the wider street scene; Houses 2 and 3 have matching eaves and ridge heights with the surrounding existing properties, House 1 has a matching eaves height but a slightly lower ridge line. The properties themselves are narrower across the frontage at 4.3m than adjacent property 67 King Edward Street. However the proposed new dwellings do not seek to imitate the Victorian style of King Edward Street. Detailing such as the width of windows follows that of windows in adjacent properties but overall the proposed dwellings have a more contemporary design. As such the proposed development clearly separates itself from the surrounding development as a new addition, whilst responding to the surrounding historic context.

### 9.5 *Density:*

The proposed density of development is in line with the density of development in the immediate surrounding area.

### 9.6 *Amenity Space:*

Assessment of the appropriate level of amenity space requires consideration of the type and size of dwelling, and type of household likely to occupy the dwelling (policy H14 of The Local Plan for Slough refers). As the proposal is

predominantly for family sized accommodation the provision of suitable amenity space is essential.

- 9.7 The Residential Extensions Supplementary Planning Document (SPD) recommends a rear garden area consisting of a minimum depth of 9m or 50m<sup>2</sup> for a three bedroom dwelling. The proposal allows for garden space in excess of these guidelines.
- 9.8 The revised layout and resulting amenity space overcomes concerns raised under previous application P/02702/012 where a sub-standard level of amenity space was proposed for family sized dwellings.
- 9.9 *Landscaping:*  
There is limited scope for landscaping to the front of the proposed dwellings given their siting in the street. Given the urban character of the immediate surrounding area the proposal is not considered to have a detrimental impact on character by reason of lack of landscaping.
- 9.10 The proposal is therefore considered to comply with planning policies: H13, H14 and EN1 of The Adopted Local Plan for Slough 2004; Core Policies 1 and 8 of the Slough Local Development Framework, Core Strategy (2006 – 2026) Development Plan Document, December 2008; Supplementary Planning Document, Residential Extensions Guidelines; and Planning Policy Statement 1 – Sustainable Development and Planning Policy Statement 3 – Housing.
- 10.0 **Impact on Neighbouring Amenity**
- 10.1 Proposed House 1 will adjoin the boundary with 67 King Edward Street. The depth of proposed houses is greater than that of 67 King Edward Street. In addition the proposed dwellings are set back from the front building line of this neighbouring property. As such House 1 has a reduced first floor area making this a 1x bedroom property in order to limit the impact of the proposal on 67 King Edward Street.
- 10.2 Bearing in mind the extent of extensions allowed at appeal under ref P/2702/10 the revised scheme greatly reduces the amount of development on the boundary with 67 King Edward Street, most notably by the space to the rear which is now laid to garden.
- 10.3 The same is true of recently refused application P/2702/12 which again proposed the bulk of development along the shared boundary with 67 King Edward Street. This proposal is therefore considered to result in a more appropriate development within the context of King Edward Street, and with the revisions made to House 1 is not considered to have so detrimental an impact on 67 King Edward Street so as to warrant a reason for refusal.
- 10.4 Noise and disturbance has been raised as a concern. The level of noise and disturbance associated with the residential use of the site is not considered to be markedly different from the surrounding predominantly residential King Edward Street and the adjacent retail uses in Chalvey Road West which attract

a certain level of noise. As such noise and disturbance is not considered to be so detrimental so as to warrant a reason for refusal.

- 10.5 Noise from construction can be mitigated with a suitable informative attached to any subsequent permission (Informative 2 refers).
- 10.6 Concern has also been raised with respect to overlooking. The proposed dwellings have windows in the front and rear elevations only which is the same relationship as the majority of dwellings in King Edwards Street. As such only oblique views of the end of neighbouring properties' rear gardens would be achievable. This relationship in terms of overlooking is not considered to result in direct overlooking into neighbouring properties or of rear amenity spaces and as such is not considered to be detrimental to neighbouring amenity.
- 10.7 The rear of properties belonging to Chalvey Road West abut the south side boundary of the site. In most instances there is a separation from these properties with the boundary of the site by way of rear yards. However in the case of 18/18a and 16/16a Chalvey Road West the buildings abut this boundary; single storey at 18/18a and two storey at 16/16a. Both buildings appear to be unauthorised as there is no planning history at either site relating to these extensions.
- 10.8 Proposed House 3 would abut 18/18a and 16/16a Chalvey Road West completely blocking all light and outlook to these extensions. However, from visiting the site, most notably in the case of the two storey rear extension which abuts the site at 16/16a Chalvey Road West, this is a store to the shop. As such loss of light to this area would not constitute a reason for refusal.
- 10.9 The proposal is therefore considered to comply with planning policies: H13 and EN1 of The Adopted Local Plan for Slough 2004; Core Policies 1 and 8 of the Slough Local Development Framework, Core Strategy (2006 – 2026) Development Plan Document, December 2008; Supplementary Planning Document, Residential Extensions Guidelines; and Planning Policy Statement 1 - Sustainable Development and Planning Policy Statement 3 - Housing.
- 11.0 **Traffic and Highways**
- 11.1 The proposal has the potential to generate in the region of 15 movements per day. From a traffic generation point of view the proposal is considered to have limited traffic generation implications on the wider highway network, and as such would not warrant a reason for refusal. This is a view supported by the appeal decision on P/20702/10.
- 11.2 The application site is located within a small defined shopping area off Chalvey Road West. Residential Development within such shopping areas is expected to take the form of shops/businesses with residential flats above. Council Planning Policies allow such developments without a requirement to provide car parking as the owners often live and work on the same site.

- 11.3 The site was initially assessed as not requiring car parking due to its location within such a defined shopping area. However due to the objections received during the August Planning Committee relating to lack of car parking proposed on site and the existing car parking problems in King Edward Street and the surrounding area Highways have advised that car parking provision of 1x parking space per dwelling is appropriate.
- 11.4 Revised plans have therefore been received which incorporate undercarriage parking to the front of the properties thereby meeting the requirement to provide 1x parking space per dwelling.
- 11.5 The proposal is therefore considered to comply with planning policies: T2 of the adopted Local Plan for Slough; Core Policies 1 and 7 of the Slough Local Development Framework Core Strategy 2006-2026, Development Plan Document (December 2008); and Planning Policy Statement 1: Sustainable Development, Planning Policy 3 - Housing, and Planning Policy Guidance 13 - Transport.
- 12.0 **Other Issues**
- 12.1 Concern raised in letters of objection relating to loss of view; drop in house prices; drop in business activity; increased drug and prostitution; public disorder are not material planning considerations.
- 12.2 Issues relating to sewage would fall under the jurisdiction of Thames Water. Thames Water have been consulted on this application and in relation to sewerage infrastructure they have no objection to the proposal.
- 12.3 Care has been taken to ensure the proposal complies with the principles of Design and Crime Prevention as per Policy EN5 of the Local Plan for Slough and in addition the Crime Prevention Design Advisor has been consulted on the application and raises no objection as outlined above.
- 12.4 Any Change of Use of the properties from that proposed would require planning permission as would habitable sheds in gardens. Both issues do not form the basis of this application.
- 13.0 **Summary**
- 13.1 The proposal is considered acceptable as it would provide family housing within an existing suburban residential area, and is considered to comply with Local and National Planning Policy in terms of impact on character, neighbouring amenity and highway safety.

## **PART C: RECOMMENDATION**

- 14.0 **Recommendation**
- 14.1 Approve, subject to conditions.



15.0 **PART D: LIST OF CONDITION(S)**

Condition(s)

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 unless otherwise agreed in writing by the Local Planning Authority.

(a) Drawing No. 10/29/101D, Dated May 2011, Recd On 30/08/2011

(b) Drawing No. 10/29/102C, Dated May 2011, Recd On 30/08/2011

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. Notwithstanding the terms and provisions of the Town & Country Planning General Permitted Development Order 1995, Schedule 2, Part 1, Classes A, B, C, D, E & F, no further extension(s) 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 The rear garden(s) are considered to be only just adequate for the amenity area appropriate for houses of the size proposed and would be too small to accommodate future development(s) which would otherwise be deemed to be permitted by the provision of the above order.

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

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

5. No window, other than hereby approved, shall be formed in the development without the prior written approval of the Local Planning Authority.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties.

6. No access shall be provided to the roof of the single storey rear projection at House 1 by way of window, door or stairway and the roof of this projection hereby approved shall not be used as a balcony or sitting-out area.

REASON To preserve the amenity and privacy of neighbouring residential occupiers.

7. Before the development hereby permitted is occupied, a secure gated access for residents to the rear pedestrian access onto Chalvey Road West shall be erected in accordance with details to be submitted to and approved by the Local Planning Authority. The gate shall be permanently retained as approved.

REASON To safeguard the visual amenities of the locality and the privacy and amenity of adjoining properties.

8. The bin stores as shown on approved plans shall be erected prior to occupation of the dwellings hereby approved.

REASON In the interests of visual amenity.

9. The garage(s) hereby permitted shall only be used to accommodate cars which are used ancillary to the enjoyment of the dwelling-house on the site and shall not be used for any trade or business purposes; nor adapted as habitable room(s) without the prior permission in writing from the Local Planning Authority.

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities and visual amenities of the area in accordance with Policy T3 of The Adopted Local Plan for Slough 2004.

#### Informative(s)

1. The applicant is reminded of the following:

#### CONTROL OF NOISE ON CONSTRUCTION AND DEMOLITION SITES LEGISLATIVE CONTROLS

(a) Section 60 of the Control of Pollution Act 1974 enables this Authority to serve a Notice, detailing its requirements relating to the control of noise at a construction or demolition site, on the person carrying out the works and on such other persons responsible for, or having control over, the carrying out of the works.

(b) Section 61 of the Control of Pollution Act 1974 enables a contractor (or developer) to apply, if he so chooses, to this Authority for a prior consent which would define noise requirements relating to his proposals before construction commences.

As there is a need to protect persons living and working in the vicinity of the construction/demolition site from the effects of noise, the following conditions should be strictly adhered to:

1. All works and ancillary operations which are audible at the site boundary, which affect persons working and living in the locality shall only be carried out between the hours of 0800 hours and 1800 hours on Mondays to Fridays and 0800 and 1300

hours on Saturdays, and at no time on Sundays or Bank Holidays.

Works outside these hours only by written agreement with the Borough Environmental Health Officer.

Should complaints arise, this Authority will exercise its powers under Section 60 of the Control of Pollution Act 1974 to impose these times, or other times as considered appropriate.

2. Have regard to the basic information and procedures for noise control as it relates to the proposed construction and/or demolition as laid out in BS:5228: Part 1: 1984 Noise Control on Construction Sites - Code of Practice for Basic Information and Procedures for Noise Control Vibration is not covered by this Standard, but it should be borne in mind vibration can be the cause of serious disturbance and inconvenience to anyone exposed to it.
  3. If the proposal involves piling operations, have regard to BS 5228: Part 4 1986 - 'Noise Control on Construction and Demolition Sites - Code of Practice for Noise Control applicable to piling operations' and ensure details of the piling operations are forwarded to the Borough Environmental Health Officer no later than 28 days before piling is scheduled to commence. Information supplied should include method of piling, the anticipated maximum depth of piling and the predicted soil conditions, and the activity equivalent continuous sound pressure level at 10 metres for one piling cycle.
  4. The best practicable means, as defined in Section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.
  5. All plant and machinery in use shall be properly silenced and maintained in accordance with manufacturer's instructions.
2. 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:- EN1, EN5, H13, H14, and T2 of The Adopted Local Plan for Slough 2004; Core Policies 1, 4, 7 and 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008; Residential Extensions Guidelines, Supplementary Planning Document, December 2008; and PPS1, PPS3 and PPG13.

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.