

# **PLANNING COMMITTEE** **28<sup>th</sup> March 2012**

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

## **NATIONAL PLANING POLICY FRAMEWORK**

The National Planning Policy Framework was published yesterday and came into immediate effect. It has a number of implications for planning in Slough which will be reported to a future meeting of this Committee once we have had the opportunity to study it in detail.

The key point is that the new Framework does not alter the consideration of the planning applications on this agenda.

The new Guidance reiterates the fact that under planning law all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. It states that proposals that accord with an up to date Local Plan should be approved and proposals that conflict should be refused unless material considerations indicate otherwise.

The Guidance makes it clear that for plans such as our Core Strategy, which was adopted after 2004, decision makers may continue to give full weight to relevant policies for 12 months from the day of publication of the NPPF even if there is a limited degree of conflict with the Framework.

Other policies, such as the saved policies in our Local Plan, should be given due weight according to their degree of consistency with the new Framework.

In this respect it should be noted that although there is a new “presumption in favour of sustainable development”, the new Framework makes it clear that, for example, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

The new policy framework has also not changed Green Belt policy.

### **AGENDA ITEM 4**

#### **P/08911/006281, High Street, Slough, SL1 1BD, Slough**

Members are advised that negotiations have been on going to seek to achieve a satisfactory internal layout which does not rely on habitable rooms requiring principle windows within either of the flank wall elevations. It is confirmed that an alternative layout has been agreed in principle, which results in some change to the mix of units but not to the overall number. However, at this stage the submitted drawings are in sketch form only and the final drawings are being prepared.

On this basis there is no change to the recommendation.

### **NO CHANGE TO RECOMMENDATION**

## **AGENDA ITEM 5**

### **P/02230/001 – Land off Market Lane and to North of, Parlaunt Road, Langley, Slough, Berks, SL3 8AY**

A petition has been received which has been signed by 20 residents in Parlaunt Road and Market Lane raising the following objections:

The land is Green Belt and should remain so unless extenuating circumstances deem it to be changed.

**RESPONSE:** This issue is considered in Section 8 of the officers report.

The applicant is applying for continued (currently unauthorised) use of 50 car parking spaces. No request for light good or HGV vehicles that currently attend the weekly meetings. Are these 50 car spaces extras well as the HGV's or if the application incorrect.

**RESPONSE:** The issue of car parking is considered in paragraph 10.5 of the officers report. Lorry and HGV parking would also be undertaken in these spaces and parking for all vehicles are considered appropriate for the type of use which is being undertaken.

There is a concern over the request for additional long fair meetings. On previous occasions there has been disturbing and anti social behavior during these events.

**RESPONSE:** This application relates solely to the bunded area for weekly horse fairs. The additional fairs are not controlled under this application as outlined in paragraph 12.1 of the officers report.

Is any effluent being generated during all events disposed of in an environmental manner? There are portable toilets but no sign of a tanker to take it away, where is it being disposed.

**RESPONSE:** This issue is considered in paragraph 12.2 and 12.3 of the officers report.

General waste being generated during current events appears to be burnt on site and not removed. What controls are in place to ensure none of this is creating toxic smoke and is this even legal?

**RESPONSE:** This issue is considered in paragraph 12.3 of the officers report.

Exit of the site means that when weather is inclement mud is causing a hazard on the public road falling off the lorry tyres. Also when several vehicles arrive at the same time they queue into Parlaunt Road causing hold ups for regular commuting traffic.

**RESPONSE:** Issues with regards to mud on the highway is an issue which is controlled via highway legislation and such issues should be enforced by the highways department. The issue with regards to queuing on the highway will be resolved with the moving of the payment booth as required by condition 8.

As an observation the applicant claims the existing bund has been there for some 15 years. When it appeared there was concern raised with the council and it was widely reported in the local papers. This was no more than 4 years ago.

**RESPONSE:** It is accepted that the bund has been in existence for more than 4 years and therefore is immune from enforcement action.

The storage of skips and shipping containers doesn't seem to fit the remit for horse feed storage. There is concern that they are used for an undisclosed commercial use and also in breach of green belt regulations.

**RESPONSE:** The view of officers is that the use of storage containers would be appropriate and with the appropriate landscaping, as required via condition 9, they would not be overly visible beyond the bunded land they would be contained within and would not have a detrimental impact on the character of the area. The use of the containers would be controlled via condition 6 so that they are used purely in connection with the horse fair and no other uses.

The 28 day permitted development rule is already exceeded not just by weekly horse fairs but the fairground and Light and Life Mission caravan rally.

**RESPONSE:** The grant of planning permission would not impact upon the 28 day allowance to allow the grazing land. Which is not included under this planning permission, to be used for other uses which is the applicant can do under permitted development. This issue is considered in paragraph 12.1 of the officers report.

It is widely feared by most local residents that extending the permission beyond what is already permitted under green belt use will just be the thin end of the wedge. The owner of this land has already shown disregard to existing planning rules by storing skips, shipping containers, caravans and used it as a business for storing cars.

**RESPONSE:** This application would regularise the existing horse fairs and would allow the council a degree of control over the use to ensure that the use does not adversely impact the character of the area. Should the horse fairs not be carried out in accordance to the conditions that have been imposed or other activities are undertaken they would be subject to enforcement action or further planning applications.

Comments on some of the suggested conditions have been submitted by the applicant as follows:

5 - Seems odd requiring gates to be closed and locked when fairs are not being held for clearly Mr Smith has the right to access his land at any time and surely does not have to lock the gates when on the site for other reasons.

**RESPONSE:** The purpose of the condition is to ensure that the use does not prejudice the free flow of traffic and does not restrict the applicant from entering his land from the Parlaunt Road access at any time.

9 - I would ask that condition 9 gives us 3 not 2 months to comply

**RESPONSE:** Condition 9 should be reworded as follows :

*Within 3 months from the date of this permission a detailed landscaping and tree planting scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the trees and shrubs to be retained and/or removed and the type, density, position and planting heights of new trees and shrubs and including appropriate landscaping along the access road.*

*The approved scheme shall be carried out no later than the first planting season following its approval. 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.*

10 - I think this is unreasonable just because it looks in poor condition. My photos suggest it is intact. I think the informative is a more helpful approach -as already added.

RESPONSE: This condition is considered to be necessary to help maintain the amenities of the area and also to help stop horses escaping and causing a nuisance on the highway. The condition should be reworded as follows :

*The fencing along the southern boundary of the site with Parlaunt Road shall be repaired or repalced and additional fencing shall be placed along the northern and western edge of the access road within 1 month of the date of this permission.*

*REASON: In order protect the amenities of the area, the Green Belt and for highway safety to comply with Core Policies 2, 7 and 8 of The Slough Local Development Framework, Core Strategy 2006-2026 Development Plan Document.*

11 - Can we be clear what you mean by resurface. I presume topping up potholes with cold planings is not an issue but some may view that as resurfacing whereas to me that is repair and maintenance. Perhaps any change in the type of surface would be better.

RESPONSE: The purpose of the condition is to ensure that the surface is not increased or replaced to contain the area that hardstanding is laid to, it would not restrict repairs.

The condition should be reworded as follows :

*The area of hard surfacing currently used in the yard area and the access way shall not be increased or replaced without the written consent of the Local Planning Authority.*

*REASON: In order protect the amenities of the area and the Green Belt to comply and to ensure that any archaeological remains are properly recorded to comply with Core Policies 2, 8 and 9 of The Slough Local Development Framework, Core Strategy 2006-2026 Development Plan Document.*

12 - I am just unclear how we are to deal with oil spills given the type of surfacing of the yard area - this is not sealed so any spill can not be contained - it all drains to a general soakaway under the surface. What precisely do you expect us to do? I am at a bit of a loss - especially as we can not resurface with a sealed surface which could help contain any spills by draining to a sump.

RESPONSE: Details will need to be submitted to and agreed with the Local Planning Authority as to what steps will be taken to clear up spills should they occur so that they do not soak through the surface into the land below. This needs to be a plan of action rather than works that needs to be done. The condition should be reworded as follows :

*Full details of the surface water disposal from the access road and yard area, including details of how oil / petrol spills will be cleaned up shall be submitted to and agreed in writing by the Local Planning Authority within 1 month from the date of this permission.*

*REASON To prevent the risk of flooding and ground pollution in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026 Development Plan Document.*

13 - Is the waste just litter? If so can the condition refer to the fact it is concerned with litter collection.

**RESPONSE:** This condition relates to the collection of litter. The condition should be reworded as follows:

*Full details of a waste management plan for the collection of litter on the site shall be submitted to and agreed in writing by the Local Planning Authority within 1 month from the date of this permission.*

***REASON*** *In the interests of visual amenity of the site in accordance with Policy EN 1 of The Local Plan for Slough 2004.*

Condition 6 should be reworded so that the use of the remaining storage containers are controlled. The condition shall be reworded as follows:

*A maximum of three storage containers shall be kept of the land for the storage of feed and other items ancilliary to the horse fair and shall be perminantly stationed with in the bunded area of the site and screened from the publiclly accesable areas.*

***REASON:*** *In order protect the amenities of the area and the Green Belt to comply with Core Policies 2 and 8 of The Slough Local Development Framework, Core Strategy 2006-2026 Development Plan Document.*

**NO CHANGE TO RECOMMENDATION**

## **AGENDA ITEM 6**

### **P/08911/006 – 311-313, High Street, Slough, Berkshire, SL1 1BD**

Amended plans have been received but further negotiations are required with regards to the configuration of the third floor flats

**NO CHANGE TO RECOMMENDATION**