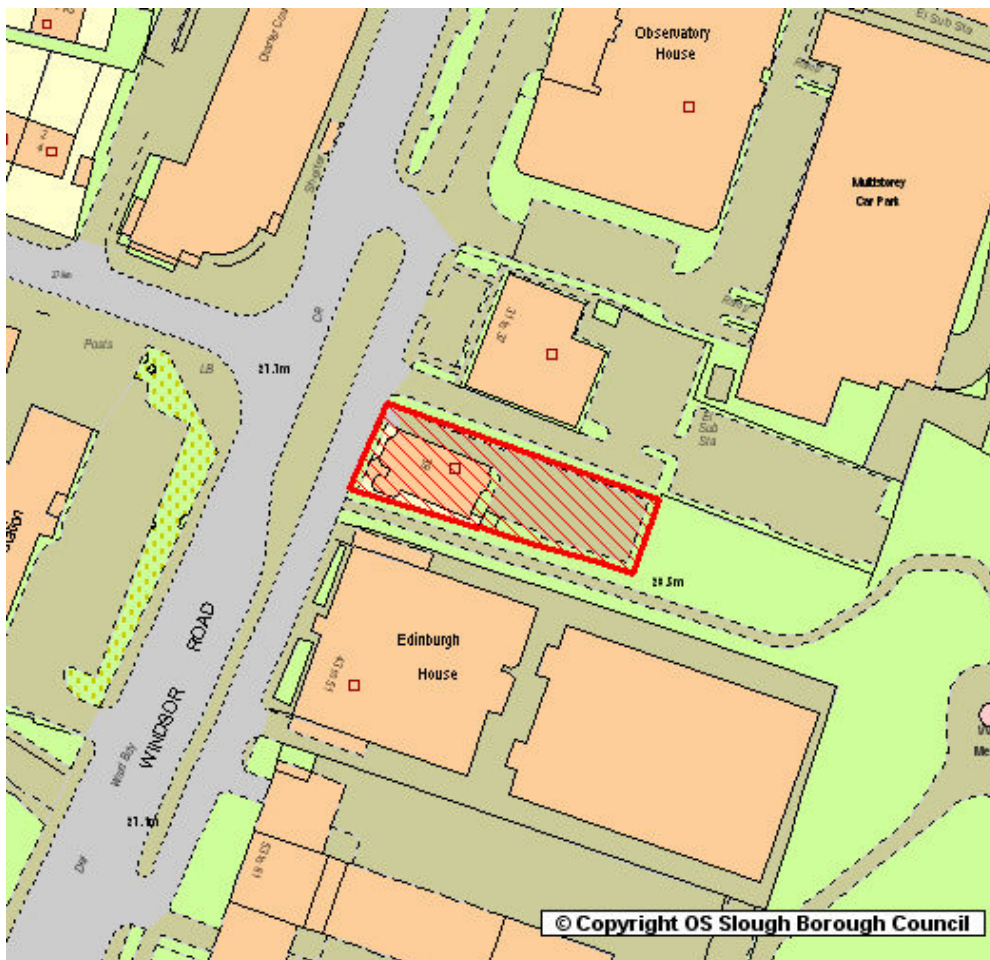


Registration Date:	06-Dec-2011	Applic. No:	P/00861/012
Officer:	Mr. Albertini	Ward:	Upton
		Applic type:	<b>Major</b>
		13 week date:	<b>6th March 2012</b>
Applicant:	Eyton Construction Ltd		
Agent:	Ms. N Broderick, NMB Planning Ltd 124, Horton Road, Datchet, Slough, SL3 9HE		
Location:	Arbor Hill House, 39, Windsor Road, Slough, Berkshire, SL1 2EL		
Proposal:	EXTENSIONS TO EXISTING BUILDING AND CHANGE OF USE FROM B1 OFFICE TO C3 RESIDENTIAL COMPRISING 14 NOS. 1 AND 2 BED APARTMENTS, WITH ASSOCIATED PARKING		

**Recommendation: Approve with conditions**



## **1.0 SUMMARY OF RECOMMENDATION**

Approve with conditions.

### **PART A: BACKGROUND**

#### **2.0 Proposal**

2.1 This proposal involves conversion and extension of a vacant office building to form 14 flats. The extensions comprise construction of a fifth storey and an extension to the front elevation by creation of a bay for each floor above the entrance canopy. 6 flats will have balconies.

2.2 The existing rear car park will contain 10 spaces, a covered cycle store and a new bin store. No changes to the access or trees are proposed.

2.3 The bay extension will be rendered and the new top floor will be finished in a coloured metal cladding and a flat roof. Since the application was first submitted revised plans have been received. Some of the continuous horizontal strip windows (on north and south elevations) are now shown as either blocked up within coloured infill panels, obscure glazed or with vertical angled fins on the outside.

2.4 A light study has been submitted with the application and a revised version takes account of some windows being blocked up in the revised scheme.

#### **3.0 Application Site**

3.1 This 0.1 ha. site contains a dark brick 4 storey office (418 sqm gross internal floorspace) with access along its north side to a rear car park. Access is from a service road alongside Windsor Rd. The building is narrow and deep with windows on both flanks. A large taller office building (Edinburgh House) lies to the south and another office building to the north but set back from the Windsor Rd frontage. There are windows in the flanks of both buildings. To the south is a public path through to the Churchyard. There are trees on the south boundary of the car park and trees just over the north boundary but with branches very close to the application building. To the rear are the Church, a listed building, and its church yard with several trees.

#### **4.0 Site History**

4.1 None relevant to this proposal

## **5.0 Neighbour Notification**

5.1 Windsor Rd – Edinburgh Ho; 31/37, Charter Ct., Police Stn.

No observations received

6.0 Consultation

6.1 Traffic /Highways

No objection. Seek covered cycle store. Details since submitted.

6.2 Environmental Protection

Request standard soil quality conditions.

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

7.1 The site is within the town centre boundary of the proposals map. Core Strategy policy encourages residential development in the town centre. Core Strategy Policy 5 encourages change of use to residential where appropriate. The principle of creating a residential use sandwiched between established offices is not ideal. However bearing in mind its small size (418 sqm) and the current economic circumstances (the building is unlikely to be let as an office in the near future) the principle of change of use is acceptable. There are design issues to consider as well which are outlined below.

7.2 Windsor Road is an established office location and before the economic downturn there had been discussions about redevelopment of the adjoining Edinburgh House site. However this application site is divided from the later by a public path so a comprehensive redevelopment scheme involving the site is unlikely. The effect of the proposal on redevelopment of Edinburgh House or the office building to the north is referred to in para 8.4.

7.3 There are no transport implications.

### **8.0 Design Matters**

8.1 The key issue is the living conditions of future residents. The proximity of office buildings to north and south will affect light to flats and they will result in overlooking from office windows or any future flats in those buildings.

8.2 Regarding overlooking adjacent office windows will be 9.5 m away to the south and for some flats 11 m away to the north from habitable rooms. This is very close and less than the generally

accepted 18 – 21m minimum privacy distance and less than typical front to front distances across traditional terraced housing streets. The windows are in continuous strips around most of the building so the applicants will block up some panes to create a window arrangement more suitable for residential use. The applicant points out that it is mainly non habitable rooms or bedrooms that will be directly overlooked and these are not used much during the day when offices are occupied. Living rooms will have windows at the west or east end of the building that are not so overlooked.

- 8.3 Regarding the adjacent office buildings the proposal for No. 39 might restrict options for the possible future redevelopment or conversion to residential use because of proximity and the sensitivity of residential use regarding light and overlooking. The proposed obscured glazing and external fins on certain windows will help to reduce future overlooking conflicts. However this does have the disadvantage that some bedrooms will have a restricted outlook from windows.
- 8.4 Even for a town centre development this extent of overlooking is not desirable however an exception can be made only on the basis of the following : (i) that all living rooms have at least one main window not in view of immediately adjacent offices (ii) blocking up of some side windows (iii) restricting views into some side windows (iv) opportunities to reorganise an existing building are limited and (v) residential use would, in the current economic down turn, be better than the building remaining empty. Information about lack of commercial letting opportunities has been submitted.
- 8.5 Overlooking on the north elevation will be partially blocked by existing trees in the summer but this will not overcome the overlooking issue.
- 8.6 The outlook from many windows will be restricted or provide a poor view. At ground floor one flat will have all its windows alongside the access road or car park. However 7 flats have east elevation windows overlooking the Church and surrounding trees.
- 8.7 The adjacent buildings and trees will limit light to many rooms. The day and sun light study indicates that habitable rooms will be in broad accordance with recognised light standards. For town centre sites some flexibility on the application of these standards is acceptable in specific circumstances. The top floor living rooms have roof lights to supplement the recessed main balcony windows.
- 8.8 6 flats will have a small balcony and one has a very small green space adjacent. The rest have no proper amenity space and because few flats have a pleasant outlook, as described above, it is appropriate for mitigation measures to be sought. In line with Council guidance (Developers Guide) regarding lack of private

amenity space the applicant has agreed to pay a small contribution towards off site amenity enhancements. A Section 106 unilateral undertaking covering this contribution has been received.

- 8.9 Regarding room sizes some fall below the minimum quoted in the Councils flat conversion guidance. These minimums can be treated flexibly if variations are modest or if justified by development specific reasons. For this scheme some bedrooms have very modest variations. The other variations of up to 10% floor area ( 4 bedrooms and 4 living room/kitchens) can be justified by the exceptional circumstances outlined in paragraph 8.4 above and consideration of restricted room division opportunities because of the need to line up with window divisions and pillars. The alternative is to remove ensuite bathrooms for second bedrooms.
- 8.10 Refuse bins will be located beyond the recommended drag distance regarding collection. There is no space to locate bins at the frontage so, as this is a change of use and a small development an exception can be made. The Council contactor may make an exception and pick up the bins if not the owners accept that a private collection may have to be arranged.
- 8.11 The 10 parking spaces will mean not every flat will be allocated a space but for a town centre location this is acceptable. Cycle storage is proposed at the rear.
- 8.12 The extra storey will not adversely affect the setting of the Church a Listed Building which is 10 m away to the east.
- 8.13 In conclusion conversion to residential raises no significant land use issue. The unilateral undertaking deals with the amenity space issue raised in paragraph 8.8. However the shape and surroundings of the building mean living conditions for future residents will be compromised to some extent. The recommendation for approval is based upon an exception to normal policy for this particular proposal a key factor being the current economic down turn and the limited prospect of the building being re-let for offices or another use other than residential.

### **PART C: RECOMMENDATION**

#### **9.0 Recommendation**

- 9.1 Approve with conditions
- 9.2 Having considered the relevant policies and comments from consultees and those notified the development is considered to be acceptable subject to conditions and the planning obligation.

## **PART D: LIST OF CONDITIONS.**

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. 3536 PLA 2.01 G Recd On 5th April 2012
- (b) Drawing No. 3536 PLA 2.02 C Recd On 9th Feb 2012
- (c) Drawing No. 3536 PLA 2.03 A Recd On 9th Feb 2012
- (d) Drawing No. 3536 PLA 2.04 A Recd On 9th Feb 2012

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. No dwelling shall be occupied until the cycle store and bin store have been constructed in accordance with the approved drawings. Construction of the larger bin store shall include door stops to prevent adjacent cars being damaged.

REASON In the interest of encouraging non car modes of travel and in the interest of visual amenity.

5. No dwelling shall be occupied until lighting has been provided in the parking area and access to it in accordance with details that shall have first been submitted to and been approved in writing by the local planning authority.

REASON In the interest of crime prevention.

6. The parking spaces and turning area shown on the approved plan shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles.

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

7. No dwelling shall be occupied until existing windows have been infilled or obscure glazed or had external fins installed in accordance with the drawing 3536 PLA 2.01 G and, in the case of the fins, in accordance with details of the size, spacing and alignment that shall have first been submitted to and approved in writing by the local planning authority. The infilled windows, obscured glazing and fins shall be retained and maintained in the future as approved.

REASON In the interest of the living conditions of future residents.

8. Sites where contamination is low/unsuspected:

The developer shall carry out and submit in writing to the LA an environmental search to identify all possible sources of contamination. If contamination is identified then the LA should be contacted and a further condition will be placed on the development which covers sites where land contamination may be expected as a result of former land use.

If no sources of contamination are identified then the developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority the presence of any unsuspected contamination encountered during the development.

In the event of contamination to land and/or water being encountered, no development shall continue until a programme of investigation and/or remedial work to include methods of monitoring and certification of such work undertaken has been submitted and approved in writing by the LPA.

No dwelling shall be occupied until the approved remedial works, monitoring and certification of the works have been carried out and a full validation report has been submitted to and been 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 occupied

9. 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.

10. Development shall not commence until an arboricultural method statement has been submitted to and been approved by the local planning authority. The statement shall be in accordance with BS5837:2005 and give details of, but not be limited to, the construction of all structures/surfaces within the Root Protection Area (RPA) of any trees on or overhanging the site, details of the removal of any structures/surfaces within the RPAs of retained trees and the method of tree protection to be used, phased if necessary, to allow for the requirements of the construction of the external works and construction site activity.

REASON In the interest of visual amenity and wildlife habitat protection.

11. No tree shall be felled or removed whilst the construction works associated with the development continue. No branches of trees shall be cut without details having been first submitted to and been approved in writing by the local planning authority. Any works so approved shall be carried out in accordance with the approved details.

REASON In the interest of visual amenity and protection of wildlife habitat.

12. No dwelling shall be occupied until refuse collection arrangements have been submitted to and been agreed by the local planning authority.

REASON In the interest of public health in particular the bins are located beyond the minimum drag distance such that private collection arrangements may be needed.

#### Informative(s)

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, and to all relevant material considerations.
2. Policies:- H 11, H 14, EN 1 EN3 T2 T8 of The Adopted Local Plan for Slough 2004 and Core Policy 1, 3, 4, 5, 7, 9, 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.
3. 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.
4. Please note that there is a Section 106 planning obligation under the Town and Country Planning Act 1990 that applies to this site.



5. No water meters will be permitted in the public highway.
6. For postal numbering of new homes please apply to the Council's Local Land Charges Section on 01753 875039 or email [0350SN&N@slough.gov.uk](mailto:0350SN&N@slough.gov.uk)contact.