

PLANNING COMMITTEE **10th May 2012**

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

AGENDA ITEM 4

P/03504/006 – Marish Primary School, Swabey Road, Slough

The applicant has submitted a copy of the school's Travel Plan. This Travel Plan is currently under consideration.

The Travel Plan contains a school travel survey which includes data taken from a random sample of questionnaires completed by pupils and staff. The Travel Plan also identifies problems and opportunities, school aims, targets and a plan setting out the timescale for the implementation of actions.

Whilst the submitted Travel Plan is considered to demonstrate the school's positive commitment to the reduction in the number of car trips to and from the school and the reduction in congestion, it is considered that the robustness and measures of the Travel Plan needs to be improved in order to meet the Council's Standard in relation to the preparation of Travel Plans.

This is considered to require further consideration in order that the travel behaviour of staff can be properly understood and the parking requirements can be addressed.

It is understood that there are 43 no. parking spaces and 3 no. disability splay to the front of the school.

The submitted application states that there are 27 full time employees and 59 part time employees at the school. The applicant has subsequently advised that if the bulge classes materialise, there would be up to four additional staff. Two staff would be in post this coming September and two further staff would be in post by September 2013.

It is unclear however at this stage however as to how many full time equivalent staff the number of part time staff equate to and what the existing parking demand is so the need for any additional provision in association with the additional four staff being required in conjunction with the bulge classes can be assessed.

As such, the officer recommendation remains to delegate to the Head of Planning Policy and Projects for consideration of further information on staff parking, finalising of conditions and final determination.

NO CHANGE TO RECOMMENDATION

AGENDA ITEM 5

P/04239/033 – East Berkshire College, Station Road, Langley, Slough

Additional information has been received regarding transport matters and the background to the proposal. A further meeting has been held with the applicant, their agent and their transport consultant to discuss the additional information submitted. A temporary disabled pedestrian access arrangement during construction has been proposed. Comments have also been made in respect of the list of conditions recommended in the officer report. These matters are assessed below.

Highways and Traffic

The proposal is considered to be acceptable in terms of highways and traffic.

Accordingly, it is proposed to change the officer recommendation. It is recommended that the application be delegated to the head of planning policy and projects for finalising of conditions, completion of a section 106 agreement and final determination.

It was stated in the officer report that no objection to the proposal was raised on highway and traffic grounds subject to the applicant revising and re-submitting the Travel Plan and agreement being reached on the Section 106 Agreement transport schedule.

A revised Travel Plan has been submitted. The package of measures set out in the Travel Plan is considered to comprise a combination of good and robust measures to promote sustainable travel to and from the site and reduce reliance on the car.

Agreement has also been reached in respect of the Section 106 transport schedule.

The College have agreed to dedicate land within the adopted widening line to allow improvements for vulnerable road users; pay a contribution of £40,000 to fund improvement works to the existing crossing on Station Road; implement the submitted Travel Plan and pay a Travel Plan monitoring contribution of £6,000.

The Council's Transport consultant has provided further comments on the above and has raised no objection subject to suggested conditions and the completion of a Section 106 Agreement.

The additional transport related information received is assessed in detail below.

Travel Plan

Revisions to the Travel Plan have been undertaken in consultation with the Council's Transport consultant and in accordance with the Slough Borough Council Travel Plan Guidance. The revised document has now been approved by the Council's Transport consultant.

The travel plan includes targets to reduce staff single occupancy vehicle trips by 10%, full time student single occupancy vehicle trips by 10% and part-time student single occupancy vehicle trips by 5%. The travel plan also contains a range of measures and initiatives to encourage student and staff travel by bicycle and public transport. The College is currently in negotiation with public transport operators to negotiate reduced tickets for student travel and the College will be trialing a mini-bus service to pick up and drop off students on dedicated routes. A car park management plan forms part of the Travel Plan and includes permit parking control of the parking spaces. Measures are proposed to promote car sharing to the campus. The College has agreed to fund a part-time travel plan coordinator and set up a Travel Plan Forum.

The measures contained within the Travel Plan are considered to be sound and robust, and would likely bring about a significant behavioural change in travel to and from the site and promote non-car modes of transport. The College are understood to have been successful in reducing the number of car drivers through the Travel Plan implemented in conjunction with the development of their Windsor Campus.

The implementation of the Travel Plan and the associated monitoring fee of £6,000 will be secured through the Section 106 Agreement.

Highway Works and Road Widening Line

The College have agreed to fund an improvement to the existing crossing on Station Road. The existing crossing would be upgraded to either a raised zebra crossing or a raised signal controlled crossing. A £40,000 contribution to fund this measure would be provided by the College. The College's agreement to fund this improvement, and to extend and enhance the public realm is welcomed by the Council. This would be secured through the Section 106 Agreement.

Furthermore, the College have agreed to dedicate the part of the land falling within the approved road widening line for the B470 Langley High Street and Station which the Council considers would be required in order that improved footway and cycleway provision could be implemented. The College's agreement to dedicate this land to provide improvements is similarly welcomed. This would also be secured through the Section 106 Agreement.

Trip Generation

As requested, the College have provided traffic counts that were conducted in 2007 of the parking accumulation and vehicle movements arriving and departing from the Station Road and Langley Road entrances. This information has helped clarify how many trip movements were being made when the two social services centres were operational.

Having regard to this supplementary information, it is considered that the proposed scheme is unlikely to cause material impact on the local highway network and the trip generation would thus be acceptable.

It is considered that the former and proposed uses would attract a similar number of trips and they would therefore in effect cancel each other out.

Car Parking

It was previously commented that the travel survey results suggested that there might have been students driving to the site who were not parking within the site. Further information regarding car parking has been provided. It is understood that the College have not received any recent complaints about overspill parking on surrounding streets.

The College have clarified how their car park permit system operates. It is understood that permits are distributed to all members of staff and students who make a valid application and whilst this does not guarantee them a space, as attendance by students at the College is predominantly part-time, there is a much greater chance that permit holders will be able to park on campus.

The Travel Plan contains a number of measures that seeks to make bus use cheaper and more attractive for students and the College is also trialing a minibus collection service for some students. It is understood that this will likely commence in September. Two routes will be piloted initially with of an inter-campus route likely being run.

Furthermore, as part of this proposed scheme, the College is proposing to rationalise the location of car parking on site making it more legible for staff and students to find a space. Additional drawings have been submitted showing the car park layouts. Whilst the location of proposed barriers has not been shown at this stage, details will be required by condition to ensure that operation and circulation is acceptable.

Given the relatively modest number of additional students attending the College in connection with the proposed development, it is considered that the proposal would not have the potential to cause detriment through parking on surrounding streets. The Council's Transport consultant considers that through the combination of these measures, the proposed car parking arrangements are considered to be acceptable.

Temporary Pedestrian Access Arrangements

A temporary reception area is proposed to be provided whilst the works are ongoing.

In conjunction with this temporary reception, the applicant is proposing to upgrade an existing disabled access ramp to provide an entrance compliant with current Building Regulations. Additional plans have been received relating to the proposed ramp.

The proposed amendment is not considered to be so significant in the context of the wider scheme to warrant reconsultation given the location of the temporary reception area has been shown and there is a ramp in situ at present. The proposal is considered to be acceptable and would allow the temporary reception to be accessible for disabled users of the site during the construction phase.

Background to the Proposal

Further information has been provided by the College with respect to the eligibility criteria for the Enhanced Renewal Grant of £2 million which they have secured from the Skills Funding Agency.

Attention has been drawn to the eligibility condition which states that the development must be complete and operational by September 2013, ready for the 2013/14 academic year.

Furthermore, it is understood that there is a requirement for a final reconciliation statement to be submitted at the end of the project by October 2013. It is understood that the Chief Executive of the Skills Funding Agency reserves the right to recover funds by clawback.

Given the funding conditions and the tight timescales involved, it is understood to be critical for the College that they secure planning permission at the earliest opportunity in order that they can begin the construction phases as set out in the officer report to meet their completion and operational deadline.

The College have engaged in active and positive discussions during the pre-application stage and throughout the course of the application. The development proposed along with the package of transport measures and associated highway improvements are considered to constitute a well thought-out scheme which would be acceptable in planning terms. The proposal is considered to provide educational and employment opportunities and be of a high quality in design terms which would bring about street scene enhancements to the area. The proposed car parking arrangements along with the good package of measures proposed to promote sustainable travel contained within the Travel Plan are considered to be acceptable in transport terms. The development would contribute towards improving pedestrian and cycle linkages in the area. It is considered that the funding available to the College presents an opportunity for a high quality development to be secured which would respect and enhance the character of the area and surrounding properties and would contribute positively to the local area.

Planning Obligations and Conditions

Planning Obligations

Matters for inclusion in the Section 106 Agreement are as follows:

- Dedicate land within adopted widening line to allow improvements for vulnerable road users;
- Pay a contribution of £40,000 to fund improvement works to the existing crossing on Station Road;
- Implement the submitted Travel Plan;
- Pay a Travel Plan monitoring contribution of £6,000;
- Achieve a minimum BREEAM rating of very good.

Conditions

It is necessary to revise the list of recommended conditions set out on pages 57-70 of the officer report to reflect the amendments to the scheme, the additional information that has been provided and the further comments from the Council's Transport consultant.

Comments have been received from the applicant in respect of the list of recommended conditions set out in the officer report. It has been requested that certain conditions requiring details to be submitted and agreed in writing prior to the commencement of the development be reworded to allow for details to be submitted and agreed in writing prior to the development being first occupied/brought into use instead.

The rewording of the conditions would still allow the Local Planning Authority to consider the requisite details and retain control without unnecessarily delaying the commencement of the development where information which is required to be submitted relates to parts of the development which would follow during a later phase.

It is considered that there is no objection in principle to considering the applicant's request for the rewording of some of the conditions on this basis having regard to the advice contained in *Circular 11/95: The Use of Conditions in Planning Permissions*. Those which go to the heart of the permission would remain as pre-commencement conditions.

The conditions are as follows:

The applicant has requested that condition 9 relating to the submission of a report following an environmental search to identify possible sources of contamination is removed, as they submit that the information has been prepared and will be submitted.

Officer comment: Officers have yet to receive this information and this condition is therefore considered reasonable, necessary and relevant to the development permitted.

The applicant has requested that condition 14 relating to the submission and approval of a lighting scheme is reworded so the information is required to be submitted and approved prior to first occupation.

Officer comment: There is considered to be no objection to the comprehensive lighting scheme for the site being submitted for approval prior to first occupation; however it is considered that details relating to site lighting during the construction phase are necessary in the interests of safeguarding neighbour amenity. Details of site lighting during construction has been incorporated into the

condition relating to the submission of a Working Method Statement to control the environmental effects of construction.

The applicant has requested that condition 20 relating to the provision of pedestrian visibility splays is reworded to require these to be provided prior to first occupation.

Officer comment: In the interests of pedestrian safety and convenience, it is considered necessary to provide pedestrian visibility splays throughout the construction and occupation phase.

The applicant has requested that condition 21 relating to the provision of details of cycle parking is reworded to require these details to be provided prior to first occupation.

Officer comment: The location of the cycle parking is shown on drawing SK02 dated 26.04.12 received 01/05/2012 contained within the revised Travel Plan, however details of the housing and cycle stand will be necessary. It is considered that this could be provided prior to first occupation.

The applicant has requested that condition 23 relating to the provision of a visibility splay on Langley Road is reworded to require this to be provided prior to first occupation of the development.

Officer comment: The Langley Road visibility splay is shown on drawing SK01 Revision A dated 02.04.12 received 01/05/2012 contained within the revised Travel Plan. This condition has therefore been reworded to refer to the visibility splay and hedge realignment as shown on this submitted drawing. There is considered to be no objection to this being provided prior to the first occupation of the development.

The applicant has requested that condition 24 relating to the submission of a Travel Plan is removed as a Travel Plan has already been submitted.

Officer comment: Given that the applicant has submitted a revised Travel Plan prepared by Transport Planning Associates, Report Number 1201-06/TP/01B, dated April 2012, received 01/05/2012 which is considered to be acceptable, it is recommended that this condition be reworded to ensure that prior to the first occupation of the development, the Travel Plan is implemented in accordance with the initiatives, measures, action plan and targets to reduce car travel to the College set out. The Travel Plan contains actions proposed prior to the first occupation of the development and the monitoring and review of the Travel Plan should be in accordance with the timescale set out in the plan.

The applicant has requested that conditions 28 and 33 relating to the submission of a Community Use Statement and Floodlighting Impact Assessment is reworded to require a these details to be provided prior to first occupation the development as the provision of the MUGA will be following the Phase 1 works and details relating to this are therefore unlikely to be known at this time.

Officer comment: There is considered to be no objection to the Community Use Statement and Floodlighting Impact Assessment being provided prior to the first occupation of the development once relevant details are known.

The applicant has requested that conditions 32 and 34 relating to the hours of use of the proposed MUGA and the associated floodlighting and emergency lighting on Mondays-Saturdays are extended. The applicant has requested that the use of the MUGA is extended from 21:00 hours until 22:00, the operation of the floodlighting is extended from 21:00 hours until 22:00, and the operation of the emergency lighting is extended from 21:30 until 22:30.

Officer comment: It is noted that the applicant has made reference to the 'Power League' facility in Slough. They have stated that the 9-10pm slot is well used. Whilst the applicant has suggested that any potential neighbour amenity concerns would be addressed through the floodlighting impact assessment, limiting the hours of use to 21:00 is considered to be necessary based on the potential impact of floodlighting and light spill in the evening, as well as noise arising from activities taking place on the MUGA taking account of background noise levels.

It is considered that it would be for the applicant to demonstrate through the floodlighting impact assessment and a noise impact assessment that extending the hours of use until 22:00 would be

acceptable given the relatively close proximity of existing nearby residential properties on Langley Road. As noted in the officer report, the properties most likely to be potential affected by the proposed MUGA and floodlighting are those likely to be built sometime in the future on the neighbouring vacant British Telecom Telephone Engineering Centre site, under site allocation SSA22 of the Slough Local Development Framework Site Allocations Development Plan Document when this allocation comes forward. It would need to be established that the future delivery of this site for residential development as allocated is not prejudiced through unacceptable noise levels from the proposed MUGA.

The Power League facility is situated to the rear of Slough and Eton School. This facility appears to be located further away from residential properties than the site of the proposed MUGA. In addition, the M4 motorway is situated in close proximity which would likely have a bearing on background noise levels and the extent to which noise generated by the Power League pitches would be audible. In summary, based on the information available at present, the 21:00 cut-off time is considered to be necessary and reasonable.

The applicant has requested that condition 35 relating to the provision of CCTV details is reworded to require these to be provided prior to first occupation.

Officer comment: The condition was worded to allow details to be submitted prior to the development first being brought into use.

For the purposes of clarity, the full list of recommended conditions is therefore as follows:

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. (01)001 Revision D2 Existing Site Plan, Dated 17/12/11, Recd On 01/05/2012
- (b) Drawing No. (01)002 Site Location Plan, Dated 23/01/2012, Recd On 01/02/2012
- (c) Drawing No. (01)003 Topographical Survey, Dated 09/01/2012, Recd On 01/02/2012
- (d) Drawing No. (02)001 Existing Ground Floor, Dated 30/01/2012, Recd On 01/02/2012
- (e) Drawing No. (02)002 Existing First Floor, Dated 30/01/2012, Recd On 01/02/2012
- (f) Drawing No. (02)003 Existing Second Floor, Dated 30/01/2012, Recd On 01/02/2012
- (g) Drawing No. (02)004 Existing Roof Plan, Dated 30/01/2012, Recd On 01/02/2012
- (h) Drawing No. (03)001 Existing Elevations (1 of 3), Dated 06/01/2012, Recd On 01/02/2012
- (i) Drawing No. (03)002 Existing Elevations (2 of 3), Dated 06/01/2012, Recd On 01/02/2012
- (j) Drawing No. (03)003 Existing Elevations (3 of 3), Dated 06/01/2012, Recd On 01/02/2012
- (k) Drawing No. (04)001 Existing Sections, Dated 06/01/2012, Recd On 01/02/2012
- (l) Drawing No. (07)001 Revision PL1 Proposed Ground Floor, Dated 30/01/2012, Recd On 23/02/2012
- (m) Drawing No. (07)002 Revision PL1 Proposed First Floor, Dated 30/01/2012, Recd On 23/02/2012
- (n) Drawing No. (07)003 Revision PL1 Proposed Second Floor, Dated 30/01/2012, Recd On 23/02/2012
- (o) Drawing No. (07)004 Revision PL1 Proposed Roof Plan, Dated 30/01/2012, Recd On 23/02/2012
- (p) Drawing No. (08)001 Revision PL2 Proposed GA Elevations, Dated 30/01/2012, Recd On 23/02/2012
- (q) Drawing No. (08)002 Revision PL2 Proposed GA Elevations, Dated 30/01/2012, Recd On 23/02/2012
- (r) Drawing No. (09)001 Revision PL1 Proposed GA Sections, Dated 30/01/2012, Recd On 23/02/2012
- (s) Drawing No. (21)001 Detail Part Elevation and Profile Street, Dated 27/01/2012, Recd On 01/02/2012
- (t) Drawing No. (21)002 Detail Part Elevation and Profile Entrance, Dated 27/01/2012, Recd On 01/02/2012
- (u) Drawing No. (21)003 Detail Part Elevation and Profile Hospitality, Dated 27/01/2012, Recd On 01/02/2012
- (v) Drawing No. (21)004 Detail Part Elevation and Profile Sports Hall, Dated 27/01/2012, Recd On 01/02/2012
- (w) Drawing No. (21)005 Detail Part Elevation and Profile South Wing, Dated 27/01/2012, Recd On 01/02/2012
- (x) Drawing No.110250L03 Landscape Masterplan, Dated Feb 2012, Recd On 03/02/2012
- (y) Drawing No.110250L01 Retained and Removed Trees, Dated 27/01/2012, Recd On 01/02/2012
- (z) Drawing No.J44.72/01 Tree Constraints Plan, Dated 25/01/2012, Recd On 01/02/2012

- (aa) Drawing No.J44.72/02 Tree Protection Plan, Dated 27/01/2012, Recd On 01/02/2012
- (bb) Drawing No.110250L09 North East Side Enabling Works, Dated April 2012, Recd On 27/04/2012
- (cc) Drawing No.110250D05 North East Side Enabling Works, Dated April 2012, Recd On 27/04/2012
- (dd) Drawing No.110250D06 North East Side Enabling Works, Dated April 2012, Recd On 27/04/2012
- (ee) Drawing No.110250D07 North East Side Enabling Works, Dated April 2012, Recd On 27/04/2012
- (ff) Drawing No.SK01 Revision A Existing Site Egress Junction Visibility Splays, Dated 02.04.12, Recd On 01/05/2012
- (gg) Drawing No.SK02 Proposed Car Park Spaces, Dated 26.04.12, Recd On 01/05/2012

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. 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 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, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

4. Samples of external materials to be used in the construction of the access road, pathways and communal areas within 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, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

5. No development shall commence on site until 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.

The approved scheme shall be carried out no later than the first planting season following completion of the development. 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, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

6. No development shall commence on site until details of the proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved by the Local Planning Authority. Before the development hereby permitted is occupied, a suitable means of his boundary treatment shall be implemented on site prior to the first occupation of the development and retained at all time on the future.

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, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

7. No development shall commence until the tree protection measures detailed in the submitted Arboricultural Implications Assessment prepared by Broad Oak Tree Consultants Limited dated 26th January 2012 have been implemented, in accordance with the recommendations set out in BS 5837:2005 – Trees in Relation to Construction. These measures shall be implemented prior to works beginning on site, and shall be provided and maintained during the period of construction works.

REASON To ensure the satisfactory protection of trees to be retained in the interest of visual amenity and to meet the objectives of Policy EN3 of The Local Plan for Slough 2004, Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the National Planning Policy Framework.

8. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also:

- Include infiltration tests in accordance with BRE 365 for any proposed infiltration devices
- Demonstrate no increase in surface water rates and volumes leaving the site up to the 1 in 100 storm event with an appropriate allowance for climate change.
- Demonstrate that no onsite flooding will occur up to the 1 in 30 storm event and any flooding up to the 1 in 100 storm event with an appropriate allowance for climate change will be safely contained on site.
- Provide detail plans showing the location and pipe numbers of all drainage features
- Ensure that no soakaways are constructed in contaminated land.

REASON To prevent the increased risk of surface water flooding in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework.

9. The development hereby permitted shall not begin until details of on and off site drainage works have been submitted to the Local Planning Authority and approved in writing. No works which result in the discharge of ground or surface water from the site shall be commenced until the off-site drainage works detailed in the approved scheme have been completed.

REASON To ensure that foul and water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework.

10. No development shall be undertaken until an environmental search has been carried out to identify all possible sources of contamination and a report has been submitted in writing to the Local Planning Authority. If contamination is identified then a remediation statement shall be produced to and agreed in writing with the Local Planning Authority.

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.

None of the development 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 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

REASON To ensure that any 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 in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

11. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

REASON To ensure that deep penetrative foundation methods do not coincide with potentially contaminated land in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

12. The development hereby approved shall be carried out in accordance with the Flood Risk Assessment produced by Sinclair Knight Merz Pty Ltd Dated 31st January 2012 and the following supplementary details:

- Letter dated 28 March 2012
- Datasheet Leisuretex plus, Issue 3, dated January 2006.

REASON To prevent the increased risk of flooding in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework.

13. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off
- (iv) site security arrangements including hoardings
- (v) site lighting
- (vi) proposed method of piling for foundations
- (vii) construction working hours, hours during the construction phase, when delivery vehicles taking materials are allowed to enter or leave the site
- (viii) the route of construction traffic to the development

The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

REASON In the interests of the amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

14. No construction work shall take place outside the hours of 08:00 - 18:00 hrs Monday to Friday, 08:00 - 13:00 hrs on a Saturday and no working at all on Sundays or public holidays.

REASON In the interests of the amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

15. Prior to the development hereby approved first being brought into use, a scheme shall be submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON In the interests of safeguarding the amenities of neighbouring properties in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

16. No development shall take place until details in respect of measures to:

- (a) Minimise, re-use and re-cycle waste, including materials and waste arising from any demolition;
- (b) Minimise the pollution potential of unavoidable waste;
- (c) Dispose of unavoidable waste in an environmentally acceptable manner;
- (d) Have been submitted to and approved in writing by the Local Planning Authority. The approved details shall

be implemented during the course of building operations and the subsequent use of the buildings.

REASON In the interests of the amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

17. The machinery, plant or equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise there from does not, at any time, increase the ambient equivalent noise level when the plant, etc. is in use at any adjoining or nearby properties in separate occupation.

REASON To protect local residents from nuisance caused by excessive noise in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

18. All plant, machinery and equipment (including refrigeration and air conditioning systems) to be used in conjunction with the development hereby approved shall be so installed, maintained and operated so as to prevent the transmission of noise and vibration into any neighbouring properties.

REASON To protect local residents from nuisance caused by excessive noise in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

19. No additional external plant or equipment shall be installed or used without the prior written consent of the local Planning Authority. Any external plant designed for use in connection with the building must have provided with it the sound mitigation measures necessary to ensure that the amenity of occupiers of neighbouring properties is protected.

REASON To protect local residents from nuisance caused by odours in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

20. The development hereby approved shall be carried out in accordance with the Noise Impact Assessment produced by Hoare Lea Acoustics.

REASON To protect local residents from nuisance caused by excessive noise in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

21. No development shall commence until 2.4m by 2.4m pedestrian visibility splays have been provided behind the back of the footpath on each side of the access and these shall be retained permanently kept free of all obstructions exceeding 900mm in height.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general pedestrian safety along the neighbouring highway in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

22. Prior to the development hereby approved first being brought into use, details of the cycle parking provision (including location, housing and cycle stand details) shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details prior to the first occupation of the development and shall be retained at all times in the future for this purpose.

REASON To ensure that there is adequate cycle parking available at the site in accordance with Policy T8 of The Adopted Local Plan for Slough 2004, Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

23. Prior to first occupation of the development hereby approved, the internal access roads footpath and vehicular parking and turning provision shall be provided in accordance with approved plans.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety on the local highway network in accordance with Core Policy 7 of The Slough Local Development

Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

24. Prior to the development hereby approved first being brought into use, the vehicle visibility splays shown on the approved drawing TPA 1201-06 SK01 Revision A, dated 02.04.12, received 01/05/2012 have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 600mm in height above the nearside channel level of the carriageway.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

25. Prior to the first occupation of the development hereby approved, the initiatives, measures, action plan and targets to reduce car travel to the College contained within the submitted Travel Plan prepared by Transport Planning Associates, Report Number 1201-06/TP/01B, dated April 2012, received 01/05/2012 shall be implemented as set out in the submitted Travel Plan unless otherwise agreed in writing with the Local Planning Authority. The Travel Plan shall be monitored and reviewed in accordance with the timescale set out in the plan.

REASON To reduce travel to work by private car, to meet the objectives of Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

26. In accordance with the approved plans, 342 no. car parking spaces shall be provided on-site prior to the first occupation of the development hereby approved 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 T2 of The Adopted Local Plan for Slough 2004, Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

27. During the construction phase of the development hereby approved, 342 no. car parking spaces shall be provided on-site for the parking of motor vehicles, unless otherwise agreed in writing with the Local Planning Authority.

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 T2 of The Adopted Local Plan for Slough 2004, Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

28. Prior to the development hereby approved first being brought into use, a detailed scheme for car parking including the location of car park access barriers and details of their operation shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and retained in that form thereafter.

REASON To enable vehicles to draw off, park and turn clear of the highway to minimize danger, obstruction and inconvenience to users of the adjoining highway in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

29. The hospitality suite (including ancillary restaurant, private dining area and bar) hereby approved shall only be used as a hospitality suite associated with East Berkshire College and for no other purposes falling within Use Class D2 of The Town and Country Planning (Use Classes) Order 1987 (as amended).

REASON To ensure that the site is developed in accordance with the submitted planning application and to ensure that the development hereby approved does not prejudice the vitality and viability of the Langley district shopping centre in accordance with Core Policy 6 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

30. Prior to the first occupation of the sports centre and multi use games arena (MUGA) hereby approved, a community use statement for the sports centre and multi use games arena (MUGA) shall be submitted to the Local

Planning Authority and approved in writing. Once approved, the sports centre and multi use games arena (MUGA) shall only be used for purposes in accordance with the approved community use statement and/or for purposes in association with East Berkshire College, and for no other purposes falling within Use Class D2 of The Town and Country Planning (Use Classes) Order 1987 (as amended), unless otherwise agreed in writing with the Local Planning Authority.

REASON To secure wider community benefits in accordance with Core Policy 11 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework and to ensure that the site is developed in accordance with the submitted planning application in the interests of providing sufficient parking provision to safeguard the amenities of the area in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

31. The hospitality suite (including ancillary restaurant, private dining area and bar) hereby approved shall not be open to members of the public / customers outside the hours of 08:00 hours to 23:00 hours on Mondays-Saturdays, 12:00 hours to 20:00 hours on Sundays and Bank/Public Holidays.

REASON To ensure that the use of the premises does not prejudice the quiet enjoyment by neighbouring occupiers of their dwellings by reason of noise or general disturbance in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

32. There shall be no commercial deliveries in connection with the hospitality suite hereby approved visiting the site outside the hours of 08:00 hours to 18:00 hours on Mondays-Fridays, 10:00 hours to 18:00 hours on Saturdays. There shall be no commercial deliveries in connection with the hospitality suite hereby approved visiting the site on Sundays and Bank/Public Holidays.

REASON To protect the amenity of residents within the vicinity of the site in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

33. The sports centre hereby approved shall not be open to members of the public / customers outside the hours of 08:00 hours to 23:00 hours on Mondays-Saturdays, 10:00 hours to 23:00 hours on Sundays and Bank/Public Holidays.

REASON To ensure that the use of the premises does not prejudice the quiet enjoyment by neighbouring occupiers of their dwellings by reason of noise or general disturbance in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

34. The multi use games arena (MUGA) hereby approved shall not be open to members of the public / customers outside the hours of 08:00 hours to 21:00 hours on Mondays-Saturdays, 10:00 hours to 18:00 hours on Sundays and Bank/Public Holidays.

REASON To ensure that the use of the premises does not prejudice the quiet enjoyment by neighbouring occupiers of their dwellings by reason of noise or general disturbance in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

35. Prior to the multi use games arena (MUGA) hereby approved first being brought into use, a floodlighting impact assessment for the floodlights and associated emergency lighting to the multi use games arena (MUGA) shall be submitted to the Local Planning Authority and agreed in writing. The floodlighting shall be installed and operated thereafter strictly in accordance with the approved floodlighting impact assessment and not subsequently altered unless otherwise agreed in writing with the Local Planning Authority.

REASON To safeguard the amenity of neighbouring properties from light pollution in accordance with Policy OSC13 of The Adopted Local Plan for Slough 2004, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

36. The floodlighting to the multi use games arena (MUGA) hereby approved shall at no time be operated outside the hours of 08:00 hours to 21:00 hours on Mondays-Saturdays, 10:00 hours to 18:00 hours on Sundays and Bank/Public Holidays.

Emergency lighting to the multi use games arena (MUGA) hereby approved shall at no time be operated outside the hours of 07:30 hours to 21:30 hours on Mondays-Saturdays, 10:00 hours to 18:30 hours on Sundays and Bank/Public Holidays.

REASON To safeguard the amenity of neighbouring properties from light pollution in accordance with Policy OSC13 of The Adopted Local Plan for Slough 2004, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

37. Prior to the development hereby approved first being brought into use, full details of a CCTV system, including details of its management and maintenance, shall have been submitted to and approved by the local planning authority in writing. The approved CCTV system shall be installed in accordance with the approved details before any part of the development is first brought into use. The system shall thereafter be maintained and managed in accordance with the approved details.

REASON In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and to reflect the guidance contained in the National Planning Policy Framework.

38. The development hereby approved shall be carried out in accordance with the Sustainability Statement Incl. Building Services Strategy produced by Pick Everard Dated January 2012.

REASON In the interests of sustainability in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

39. The development hereby approved shall be carried out in accordance with the findings and recommendations set out in the Ecology Update produced by The Environmental Dimension Partnership Dated 30th January 2012.

REASON In the interests of the preservation of natural habitats and safeguarding protected species in accordance with Core Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

INFORMATIVES:

1. The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
2. It is recommended that the college have a secure room where all portable IT equipment can be stored out of hours. This should be certificated to BS PAS24 door of enhanced security.
3. It is recommended that the have a comprehensive CCTV system that covers all vulnerable areas. Some basic areas that should be covered are the reception area, the internal street, the entrance to the hospitality/public restaurant, cycle and vehicle parking areas and any other high risk areas. The Home Office have produced guidance which can be found at:
http://tna.europarchive.org/20100413151426/http://scienceandresearch.homeoffice.gov.uk/hosdb/publications/cctv-publications/28_09_CCTV_OR_Manual2835.pdf?view=Binary
4. In accordance with the recommendations of Secured by Design, all ground floor exterior doors and windows should be certificated to BS PAS24 and BS7950 respectively. All ground floor glazing should include one pane of laminate glass.
5. All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent.

6. In accordance with the requirements of condition 5, it is recommended that new trees of 40-45cm in stem girth are used in prominent positions in the Station Road area of the site.
7. 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.

Policies:- EN1, EN2, EN3, EN5, T2, T8, T9, T13, OSC8 and OSC13 of The Adopted Local Plan for Slough 2004 and Core Policies 1, 5, 6, 7, 8, 9, 10, 11, and 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, the National Planning Policy Framework, and the Technical Guidance to the National Planning Policy Framework

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.

CHANGE OF RECOMMENDATION: DELEGATE TO THE HEAD OF PLANNING POLICY AND PROJECTS FOR FINALISING OF CONDITIONS, COMPLETION OF A SECTION 106 AGREEMENT AND FINAL DETERMINATION.

AGENDA ITEM 6

P/10755/003 – Poyle Place, Horton Road, Colnbrook, Slough

1. The applicant has been requested to amend the red line application site to include the private access road. Amendments to the red line are normally permitted if it relates to access.
2. Notwithstanding earlier legal advice, whereby no specific issues were raised, more recent legal advice advises that the grant of a temporary planning permission could weaken the Council's case in the future should it prove necessary to pursue further planning enforcement action. More specifically the following advice is given:

With regard to the planning enforcement history for this site and how it will affect the Council's position if enforcement action is needed in the future, I advise that if you grant temporary planning permission for the proposed development for this will prejudice the Council's position and this will be contradictory. It will result in immunity from future enforcement action. The Council will not be able to seek future enforcement action or injunctive relief as the owner could challenge the Council's decision based on the fact that temporary planning permission was granted now. This would be a weakness in any potential enforcement case in the future. You also need to consider the period of any breach of planning control and whether there will be a break in the period as a result of the Council grant temporary planning permission.

The Head of Legal Services agrees that the Olympics would be considered "very special circumstances" only because it is the Olympics event. However, the advice on enforcement action is still the same.

Response: The views of the legal section are acknowledged. It is recognised that a number of planning enforcement notices and an injunction have been served on the owner of the site stretching back over a period of years, relating mainly to the unauthorised parking of lorries on the land. More recently in 2010 the site was used for unauthorised storage of cars in connection with airport parking which was operating out a site known as Theale. That operation ceased and the cars were removed.

With the exception of the recent breach in 2010, the Council has not been particularly pro active in dealing with the breaches beyond the serving of the notices. With respect to the current application, it is considered that it is in the national interest, being related to the London Olympics, that following a comprehensive site search, this is the only suitable site available, that it is for a temporary period only for the period of the Olympics and Paralympics and the Council is seeking some planning gain by securing improvements to the site by requiring an ecological corridor to be provided as part of the

restoration works and that these factors together, provide the “very special circumstances” necessary for permitting this use within the Green Belt. Whilst accepting the legal view, Officers are of the opinion that, in the light of these facts, that an exception can be made to the application of normal Green Belt policy on the basis that such a set of circumstances are unlikely to be repeated.

3. Comments have been received from British Airports Authority Environment Agency who raise no objections to the planning application and provided further advice with regards to the use of cranes and lighting in close proximity to the airport.
4. Comments have been received from the Council’s Land Contamination Officer who has stated that no further investigation is necessary at this time although a condition should be added to any permission stipulating that what action should be taken if any contamination is found. These comments also confirm that there will be no implications under the Petroleum Licensing Regulations.
5. Comments have been received from the Environment Agency who have no objections to the scheme subject to conditions requiring that all works must be carried out in accordance with the Flood Risk Assessment, that a minimum 4 metre buffer be maintained alongside the river and appropriate site mitigation be carried out. Appropriate conditions are proposed. They make further comment that they are disappointed to note that a full 8m ecological corridor appropriately cleared and landscaped next the river is not being provided. Further comments are made with regards to this point below.
6. Comments have been received from the Council’s Transport Engineer’s who raise no objections to the planning application subject to the existing Horton Road entrance only being used for cars entering the site. Egress for cars from the site using the existing access on Horton Road will not be permitted due to inadequate sight lines and concerns about highway safety. This will require an amended site layout plan to be submitted and is covered by planning condition.
7. Through on going discussions with the applicant, Planning Officers have raised several queries with regards to the submitted Acoustic Study.
 - ***It is noted that the numbers of coach movements in the traffic assessment and noise assessment are different. A correct set of coach movements will need to be provided with confirmation as to if this would impact upon the findings of the noise assessment.***

Applicants Response: *The calculations of the worst-case hour noise levels at the NNSL for day and night were based on 293 and 157 respectively. This was taken from the proposed maximum vehicle movement data we were provided with, understood to be the most accurate available at the time. The data shown in the traffic assessment is based on more recent information about the scheduled movements. The worst-case hour data is 254 and 155. Therefore the data used in the report was prudent and the calculated worst-case hour noise levels are also prudent (over estimating).*

- ***It is also noted that the noise assessment has not included the hours between 2.00 to 4.00 am when there is likely to be sufficient coach movements. As the noise from the planes and motorway will be lessened during this time the survey will need to include these hours.***

Applicants Response: *The L_{A90} remained steady from around 23:45hrs. It was noted onsite that the source of background noise was from traffic on the M25 motorway. The lowest night time $L_{A90, 15 \text{ minutes}}$ noise level of 46 dB occurred twice starting at 23:45 hrs and at 00:30 hrs. It is considered representative of night-time background noise at the NNSL. The background noise is not anticipated to fall by any significant amount between 02:00hrs and 04:00hrs.*

- ***Some of the ambient noise figures are 10db over the background noise levels, which it is stated in the report could indicate that complaints will be likely. Please confirm why it is considered acceptable on this site and the difference that would be achieved if an acoustic barrier is installed.***

Applicant’s Response: *Several of the measured existing ambient $L_{Aeq, 15 \text{ minute}}$ noise levels are indeed above the background $L_{Aeq, 15 \text{ minute}}$ noise levels as shown in Table 1 and Table 2 of our report. The dominant ambient noise sources were noted to be aircraft passing overhead and road traffic on the M25 motorway. However, in a BS 4142 assessment, as outlined in Appendix 1 of the report, it is the rating level which is to be compared against the calculated noise level as shown in Table 8. The rating level is calculated from the specific noise level by adding a 5 dB correction if certain characteristics are present. This was done and is prudent. The specific noise was taken to be the level calculated for the worst-case*

hour for both day and night, which is prudent. As Table 8 shows the rating level does not exceed the measured background noise.

- **The acoustic barrier has been mentioned in the report but does not state what level of benefit it would bring.**

Applicant's Response: A noise barrier was mentioned in the conclusion as a possibility if a lower impact were sought. The level of noise reduction from a barrier depends on the height of the barrier and several other variables. A barrier was not included in the model as it is calculated that it would not be necessary to achieve acceptable levels at the NNSL. Additionally the model included only a small number of stationary coaches. This was another prudent assumption made in the calculations. In practise there may be significantly more coaches parked and their arrangement is likely to act as an effective noise barrier, the effect of which is disregarded in these calculations.

With respect to issues of noise further consultations have been undertaken with the Council's Neighbourhood Enforcement Team, who in turn have been in discussions with the applicant. The following advice is given:

If this was to be a permanent coach park I would raise issues with respect of the noise survey – there's no figures for peak noise events and the existing back ground levels seem high.

However for a temporary arrangement I believe the majority of issues will be resolved with a noise management plan to control short duration peak noise events such as vehicles starting, reversing, left idling, drivers waiting to start/leave and also traffic management to avoid queues of coaches of the service roads coming in or going out.

I would seek that a condition be placed on the consent that "A noise management plan must be submitted and agreed with the Council so as to control noise from the operation of the coaches from becoming of significant detriment to the amenities of local residents".

Although I have discussed this plan with the applicant, his view is that it will be provided by the site operators and that he would refer the matter to them

In line with the advice received it is proposed that a condition be applied which requires submission of a Noise Management Plan.

8. The applicant was consulted on proposed draft planning conditions, albeit these are not the same as contained within the officer's report which has been the subject of on going refinement. The applicant responded as follows:

Condition 4 Site Restoration

The condition will have the effect of stopping the job. As written and taken in context with #15 our client TGM will be responsible for the remediation of the existing hardstanding areas that will add considerable costs that could easily reach £1.5M - £2.0M depending on the quality of that remediation. This would be on top of costs that already substantially exceed the budget and would make the whole project unviable. We have said all along that we would remediate the site back to the current state although that in itself has proved to be a considerable expense.

Notwithstanding the above it is also very doubtful whether the landlord will grant a lease for the 8 week occupation if the whole site were rendered back to a previous condition.

Response: Besides being a site within the Green Belt, there is a history of planning enforcement notices and an injunction on the site, so there must be some clear justification as to why this site is being considered for a use which would not normally be permitted on Green Belt land. The Colnbrook area of Slough, being located close to Heathrow airport is under enormous pressure for green belt releases to meet the requirements of the commercial sector and the Council needs to be satisfied that an approval here would not create an undesirable precedent.

In addition to the sequential test which provides some justification in terms of site selection, plus its temporary nature and it being of national significance, there must be some identifiable benefit by allowing such use. Simply restoring the site back to its current position is not enough.

Condition 4 refers to a total restoration of the site. It is understood that this may not be a financially viable option and that it would require the permission of the land owner which may not be forthcoming. If this is not a feasible option then as a minimum it is considered that an 8 metre wide ecological buffer, to be cleared prepared and planted in accordance with the advice of the Environment Agency. This would at least provide some planning benefit, which when considered in the context of the above could be taken as being the exceptional circumstances necessary to allow what would otherwise normally be regarded as unacceptable development within the Green Belt.

Condition 04 has been amended to reflect this.

Condition 05, Timing of Site Restoration

The time constraints highlighted within the clause are wholly unrealistic given the extent of the task highlighted in condition 4 above. However, should the remediation be limited to returning the site back to its current state then that would be acceptable.

Response: Given the changes to requirements under condition 04, the time limits set out in this condition would be appropriate.

Condition 08, Coach Parking Spaces at Western End to be Filled First

The site operation will require that the vehicle parked on site will be organised into blocks commensurate with the travel company that they serve. It would be disastrous to simply park up the vehicles at the west end of the site in the order of their return. The resulting chaos of allocated vehicles potentially being parked anywhere on the site dependant on their return time would result in a shambolic and disorganised operation with drivers wandering around the site looking for their vehicle that may or may not be readily retrievable. Whilst we appreciate the intent in this clause, operationally it would lead to a disaster.

Response: This was suggested in the Acoustic report as a means of reducing noise impact for the existing residential occupiers at Poyle Place, but was not made a requirement. Given the views of the Council's neighbourhood Enforcement Team and the requirements for a noise Management Plan to be submitted, this can be dropped as a specific condition.

Condition 11, Archaeology

This clause is a completely new requirement that could have been addressed much earlier. It will be impossible to implement this clause within the period between now and when the siteworks commence. To achieve the operational date the groundworks must start on 14th May, by which time we could not be expected to have commissioned an archaeological report and scheme of investigation, submitted it to you by way of Discharge of Condition and for you to approve it. Our works envisage only scraping off the rubbish and immediate top soil (if any), onto which we will make up any levels with hardcore and top off with road planings, using what is available on site where we can. It is very unlikely that we will get anywhere near any archaeological remains or indeed create any disturbance and I suspect that had there been any archaeological remains within our zone of operation then they will have already been destroyed by previous site uses. Notwithstanding this if somehow a find was discovered then the consequences of interrupting the project with an archaeological dig would result in an Olympic disaster.

Response: Discussion have been carried out with Berkshire Archaeology who have revised their original condition, to allow compliance on a phased basis and to allow work to commence on site at an earlier stage, but with a qualified Archaeologist on site to keep a watching brief .

Condition 12, Requirements for an Acoustic Fence

There is no requirement for an acoustic fence within the project and the Acoustic report specifically precludes this requirement. I passed your previous comments contained in your e-mail of 19th April to our acoustic consultant who's response I have copied below. I understand that the Council's Environmental Health Officer, Mr Palacio concurs with the content and conclusion of the Acoustic Report. He did however, ask for a noise management strategy, which our client is currently producing as part of the overall site management systems. I will forward a copy of this as soon as I have it.

Response: The acoustic report states that "if a lower noise impact is sort, a noise barrier could be constructed on the west boundary of the site". However, in terms of mitigation it has not been made a requirement in the Acoustic Study. Given the views of the Council's neighbourhood Enforcement Team

and the requirements for a noise Management Plan to be submitted, this can be dropped as a specific condition.

Condition 13, Further Ecological Survey

This item was anticipated from the Ecological Report and will be implemented.

Response: noted.

Condition 14, Spills

Spills from vehicles outside of the fuelling area is highly unlikely and is doubtful whether any spill would be noticed given the porosity of the surfacing and therefore no action could be taken.

Response: The wording of the condition has been amended but which still requires spill kits to be kept on site for use outside of the refuelling area(s) and other measures to be put in place in relation to the refuelling areas.

Conditions 18 and 19, Access

Access to the car park is via the existing entrance from Horton Road next to the Sub Station Site. This clause precludes that use. We do not want to have any conflict between cars and coaches on this confined site, besides the layout does not allow access from the main coach park to the car park. Also, for security reasons the gate will be closed for the short period when the site is not operational including the period between the Olympics and Paralympics.

As discussed in relation to condition 11 above, development must start on 14th May and to comply with this condition is unreasonable. Details of this nature could have been provided earlier if required so as to obviate the need to have the condition. The gates shown quite clearly demonstrate that there is free access through them and #18 ought to ensure that the gates are open at all operational times. It certainly isn't in the interests of the operation that there is any restriction to flow.

Response: The Council's Transport Engineer's who raise no objections to the planning application subject to the existing Horton Road entrance only being used for cars entering the site. Egress for cars from the site using the existing access on Horton Road will not be permitted due to inadequate sight lines and concerns about highway safety. This will require an amended site layout plan to be submitted and is covered by planning condition.

9. A letter has been sent to Councillor Rasib by solicitors acting on behalf of the applicant. The letter is attached for Members consideration. The letter refers to guidance given in Circular 11/95 relating to the use of planning conditions: On the basis of such guidance the writer recommends:

In view of the clear guidance, we would therefore respectfully ask on behalf of our client that conditions 1, 4 and 5 are amended as indicated below:

Condition 1 – "The use hereby permitted shall not be carried out except between 2 July 2012 and 10 September 2012 inclusive"

Response: Noted. Condition 01 will be amended accordingly.

Condition 4 – "Any works carried out, or temporary buildings erected, pursuant to this permission shall be removed and the land restored to its condition that existed immediately prior to the implementation of this permission before 11 December 2012"

Response: The writer was advised as follows:

"You may not be aware of the history on this site relating to matters of planning enforcement and an injunction. To justify use of the Green Belt for a use which under normal circumstances would not be supported in planning terms, requires justification. It is on this basis that some improvement to the original site is being sought. It is acknowledged that full site restoration may render the project non viable, as a compromise the Council is seeking works to create an ecological corridor alongside the stream, very much in line with the objectives of the Environment Agency. It is not considered that the costs would be anything like those necessitated by full restoration".

The enhancements works to the riverside corridor within the site are considered proportionate to the scale of the scheme. Condition 04 has been suitably reworded.

Condition 5 should be deleted.

Response: Not agreed it is essential that time limits be set for restoration works to be undertaken otherwise it would be open ended. No change to the wording of condition 05.

10. A further response has been received from the agent:

Condition 4. We are willing to accept that we will remove all the hardstanding brought into the site for the development.

As regards the enhancement to the river bank we are not sure it is within our ability to deliver the improvements requested being land outside of the lease area and in the ownership of others, who may not necessarily be the owner of our site. We would consider it more expedient if a sum of money were set aside for environmental improvements that the Council could then allocate against specific projects. We appreciate that an agreement will need to be formulated but this needs to be completed without delay but such completion of that agreement must not hinder the approval and to allow the site to become operational on time.

Response: The wording of the condition requires clarifying such that it relates only to that part of the streamside which falls within the application site:

Condition 04

A scheme for the restoration of the site, to include removal of all hard surfacing laid out as part of this application and enhancements to the river corridor within the boundaries of the application site shall be submitted for the written approval of the Local Planning Authority within 2 months of the date of this permission and which shall include any relevant licences necessary for the disposal of spoli from the site. The enhancements shall include:

- Removal of vegetation along the river bank as appropriate in order to provide more sunlight
- Improvement of vegetation along the top and the toe of the bank to provide further shade
- Application of wild seed mix at the top of the bank
- Coir rolls of pre planted sods placed at the toe of the bank
- Planting of native hedges, locally native species or specimen trees

Reason: To ensure that the restoration of the site contributes to the amenities of Poyle Place and to comply with core policies 2 and 9 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document.

Condition 11. We are disappointed that this condition is proposed at this late stage in the planning process. We specifically went through the requirements with Ian Hann last November, the object of which was to obviate the need to have any post approval submissions as we all recognised that the timescales would preclude those submissions and approvals. I cannot believe that this requirement was not known much earlier and therefore we should have been notified sooner. We do not believe that we will be able to comply with this clause within acceptable timescales especially since we must start the groundworks that are affected by this condition on Monday 14th May. To get an agreed scheme and programme for the archaeological work will take at least 4 weeks assuming that we can find an archaeologist at short notice. It should be noted that the operational dates for the facility are sacrosanct and cannot be delayed and clearly all the site facilities must be in place for that date. The proposed phased completion of the archaeological work has no relevance in that the completion of Stage A is impossible to meet our construction programme and therefore B & C stages similarly fail.

We therefore require this clause to be struck out.

To assist with the archaeological monitoring of the site we offer to allow the County Archaeologist reasonable access during the works to view any of the excavations and record any interests and finds.

Response: This condition cannot be discarded. Through further discussions with Berkshire Archaeology, there appears to be no further flexibility with respect to the condition being imposed.

Condition 21 We note that this condition is brand new and has been included since the original conditions were proposed. This condition seeks to impose a wholesale redesign of the facility at an unacceptably late stage. It is clearly a poorly thought out requirement as it seeks to use a site entrance outside of the application site beyond Slough BC boundaries that will then need a further planning application from another Authority. Even a cursory investigation will show that the existing gates are simply not wide enough to manoeuvre coaches through. The proposed temporary site access is clearly shown on the application drawing that was submitted at the beginning of February. The position and size of this opening as well as the diagrammatic plot of the vehicle tracking to prove its efficacy is purposefully identified and to date we were not advised of any issues with this temporary opening. This condition is clearly unworkable and ought to be removed.

We understand the comments about the exit from the site for departing cars via the private access road and we will accept such a condition and amend the site layout accordingly.

There may be some misunderstanding as it had been assumed that the access shown is existing. The wording of the condition can be suitably amended.

Notwithstanding the deposited plan as hereby approved, all coaches and delivery vehicles shall enter and leave the site via the proposed entrance onto the private access road in the south western corner of the site. Cars only can access the site via the existing Horton Road entrance, but must egress the site via the private access road and the main gates to the private access road shall be kept open at all times. Prior to the commencement of works on site an amended site layout plan shall be submitted to the Local Planning Authority for its written approval and shall be implemented in accordance with the details approved.

REASON The existing entrance onto Horton Road has sub standard visibility and is not suitable for vehicles egressing the site, therefore all egressing vehicles must leave the site via the private access road to the south west, so as not to prejudice the free flow of traffic or conditions of general pedestrian safety along the neighbouring highway in accordance core policy 7 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document

11. A letter has been received and circulated to Members of the Planning Committee from The London Organising Committee of the Olympic Games and Paralympic Games Ltd which is attached for Members consideration. On behalf of the applicant the reasonableness of some of the conditions being proposed is being questioned, although the specific conditions being referred to are not identified.

Response: Since the letter was written changes have been made to a number of the conditions which in the view of officers makes them less onerous, particularly with reference to conditions 1, 4, 11 and 21. The one remaining sticking point relates to condition 11 in relation to archaeology,

In light of the above changes the draft planning conditions have been amended as set out below:

1. The use hereby permitted shall not be carried out except between 2 July 2012 and 10 September 2012 inclusive and all buildings, equipment and hard surfaces shall be removed upon the cessation of the use.

Reason: To ensure the temporary use is discontinued and the site can be restored.

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 1105-04A Dated October 2011 Recd On 09/02/2012

(b) Drawing No 1105-06 Dated October 2010 Recd On 09/02/2012

(c) Drawing No 1105-07 Dated October 2010 Recd On 09/02/2012

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 Local Plan for Slough 2004.

3. The development hereby approved shall be implemented only in accordance with the details and recommendations contained in the following reports hereby approved by the Local Planning Authority:

- (a) Design and Access Statement Dated 08/02/2012 Recd On 09/02/2012
- (b) Lighting Details Dated 06/02/2012 Recd On 13/03/2012
- (c) Transport Assessment Dated January 2012 Recd On 14/02/2012
- (d) Noise Impact Assessment Dated 03/02/2012 Recd On 14/02/2012
- (e) Flood Risk Assessment Dated January 2012 Recd On 14/02/2012
- (f) Tree Survey Dated January 2012 Recd On 14/02/2012
- (g) Habitat Survey Report Dated January 2012 Recd On 14/02/2012
- (h) Phase 1 Site Appraisal (desk Survey) Dated January 2012 Recd On 14/02/2012

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 Local Plan for Slough 2004.

4. A scheme for the restoration of the site, to include removal of all hard surfacing laid out as part of this application and enhancements to the river corridor within the boundaries of the application site shall be submitted for the written approval of the Local Planning Authority within 2 months of the date of this permission and which shall include any relevant licences necessary for the disposal of spoli from the site. The enhancements shall include:
 - Removal of vegetation along the river bank as appropriate in order to provide more sunlight
 - Improvement of vegetation along the top and the toe of the bank to provide further shade
 - Application of wild seed mix at the top of the bank
 - Coir rolls of pre planted sods placed at the toe of the bank
 - Planting of native hedges, locally native species or specimen trees

Reason: To ensure that the restoration of the site contributes to the amenities of Poyle Place and to comply with core policies 2 and 9 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document.

5. Restoration of the site in accordance with any scheme approved pursuant to Condition 4 shall be commenced within 1 month of the cessation of the use hereby permitted. Restoration works shall be completed within 3 months of commencement of restoration. Imported materials used on the site shall come from a recognised source and details of the licences confirming this shall be provided prior to the completion of the restoration works

Reason: To ensure that the restoration of the site contributes to the amenities of Poyle Place and to comply with core policy 2 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document.

6. Reversing alarms shall be switched off when the coaches are in the park and a banksman shall be used to ensure safe manoeuvring.

REASON To protect amenities of neighbouring residents and to comply with core policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document.

7. There shall be no external tannoys or loud speakers in use at the site.

REASON To protect amenities of neighbouring residents and to comply with core policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document.

8. Prior to the commencement of the use on site a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority and the findings and recommendations of the approved Noise Management Plan shall be implemented in full to the satisfaction of the Local Planning Authority

REASON To protect amenities of neighbouring residents and to comply with core policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document.

9. All delivery vehicles (other than small vans) and coaches shall not be left with engines running while in the coach park or on the access road leaving / entering the site and there shall not be excessive revving of

engines.

REASON To protect amenities of neighbouring residents and to comply with core policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document.

10. Coaches leaving and arriving the site shall do so from junction 14 of the M25 and along Horton Road only as stipulated in the Transport Assessment Dated January 2012 Recd On 14/02/2012.

REASON To protect amenities of neighbouring residents and to comply with core policies 7 and 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document.

11. Prior to the start of each phase of work, the applicant, or their agents or successors in title, will secure and implement a programme of archaeological work (which may comprise more than one phase of work). Each phase will require adherence to stages A, B and C as follows-
A) No development shall commence until a Written Scheme of Investigation for a programme of archaeological work has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of the significance of the archaeology and related research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

REASON: To ensure that any archaeological remains within the site are adequately investigated and recorded or preserved in situ in the interest of protecting the archaeological heritage of the borough in accordance with core policy 9 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document December 2008.

12. A further survey of all vegetation by a suitably qualified ecologist shall be carried out prior to any clearance works at the site during the bird breeding season (March to August).

REASON To ensure that protection of ecology and to comply with Policy EN22 of The Local Plan for Slough 2004.

13. Spill kits shall be kept on site and shall be used in the event of spills from vehicles parked in areas outside of the refueling areas. Within the refueling area(s) storm water run off and diesel spills shall drain to a sump and then pumped to a suitable receptacle for subsequent disposal.

REASON To protect against land and groundwater contamination in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document December 2008.

14. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) 26392/001 dated January 2012 and drawing number 1105-04A dated October 2011, and the following mitigation measures detailed within the FRA:

No change to the permeability of the land so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

REASON: To comply with the National Planning Policy guidance and Core Policy Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document December 2008.

- 15 Throughout the period of use of the site as a coach park an access strip of at least 4m wide shall be provided and maintained between the coach park and the top of bank of the River Wraysbury main river, as shown on the plan, reference 1105-04A, dated October 2011. The buffer zone should be measured from the bank top, defined as where the surrounding ground level meets the slope of the channel bank and must be free of any structures, hardstanding, formal planting or parking. Following cessation of the use the measures set out in condition 04 shall be implemented in accordance with the requirements of that condition.

REASON: To maintain a wildlife corridor and to comply with Core Policy 9 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document December 2008.

- 16 The site will be returned to current condition subsequent to the cessation of the temporary use as stated in section 2.4 of the FRA.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority

REASON: To prevent increased risk of flooding due to impedance of flood flows and to ensure that adequate access can be provided for any maintenance works required in accordance with the National Planning Policy guidance and Core Policy Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document December 2008

17. There shall be no washing or repairing of vehicles on site.

REASON: To protect against land or groundwater pollution in accordance with Core Policy Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document December 2008.

18. This permission is for the personal benefit of TM Group only and shall not endure for the benefit of the land, nor for any other person or persons for the time being having an interest in the land.

REASON But for the special circumstances of the case, planning permission would not have been granted for the use in accordance with Policy EN1 of The Local Plan for Slough 2004.

19. There shall be a maximum of 387 coaches and 25 car parking spaces parked on the site.

REASON To protect amenities of neighbouring residents and to maintain highway capacity in accordance with Core Policy 7 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document December 2008.

- 20 Details of the buildings and structures to be placed on the site shall be submitted to and agreed in writing by the Local Planning Authority prior to the use commencing.

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 Local Plan for Slough 2004.

21. Notwithstanding the deposited plan as hereby approved, all coaches and delivery vehicles shall enter and leave the site via the proposed entrance onto the private access road in the south western corner of the site. Cars only can access the site via the existing Horton Road entrance, but must egress the site via the private access road and the main gates to the private access road shall be kept open at all times. Prior to the commencement of works on site an amended site layout plan shall be submitted to the Local Planning Authority for its written approval and shall be implemented in accordance with the details approved.

REASON The existing entrance onto Horton Road has sub standard visibility and is not suitable for vehicles egressing the site, therefore all egressing vehicles must leave the site via the private access road to the south west, so as not to prejudice the free flow of traffic or conditions of general pedestrian safety

along the neighbouring highway in accordance core policy 7 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document.

22. Deliveries from large vehicles, including fuel and removal of waste from the site shall be done between the hours of 0800 hours to 1800 hours on Mondays- Saturdays, and 1000 hours to 1600 hours on Sundays and Bank/Public Holidays.

REASON To protect the amenity of residents within the vicinity of the site in accordance with core policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document.

23. 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.

None of the development 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 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.

REASON In the interests of the safety of the future occupiers of the development and comply with the provisions of core policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document.

INFORMATIVE(S):

1. The applicant is reminded that an appropriate fire safety and evacuation plan should be in place for the operation of the site.

2. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-safeguarding.htm>)

3. The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice Note 2, 'Lighting near Aerodromes' (available at <http://www.aoa.org.uk/policy-safeguarding.htm>). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

4. The decision to grant planning permission has been taken having regard to the policies and proposals in the Local Plan for Slough 2004, as set out below, (to Supplementary Planning Guidance) and to all relevant material considerations.

National guidance

- National Planning Policy Framework

Local Development Framework, Core Strategy, Submission Document

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 2 (Green Belt and Open Spaces)
- Core Policy 6 (Retail, Leisure and Community Facilities)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability & the Environment)

- Core Policy 10 (Infrastructure)
- Adopted Local Plan for Slough
- OSC1 (Protection of Public Open Space)
- T2 (Parking Restraint)

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.

CHANGE OF RECOMMENDATION: DELEGATE TO THE HEAD OF PLANNING POLICY AND PROJECTS FOR CONDITIONAL APPROVAL SUBJECT TO CONFIRMATION OF ACCESS DETAILS.

Councillor Mr Mohammed Rasib
Slough Borough Council

Date 9 May 2012
Your ref
Our ref GRIMBLRJ/068041-NEW
Direct dial 0845 497 4983
johngrimbley@eversheds.com

Dear Councillor Rasib,

Temporary Coach Park for the Olympic and Paralympics Game at Poyle Place, Horton Road, Colnbrook, Slough, Berkshire

We have been consulted by our client, TGM Group Limited in respect of the above application, which is due to be considered at the meeting of the Council's Planning Committee on 10th May. The application represents a key element in the transportation arrangement for the Olympic and Paralympic Games and the site was identified following an exhaustive search for suitable locations. The Organising Committee for the Games, LOCOG, strongly supports the proposal.

Although our client has been in close negotiations with officers since last November, they first learned of the proposed restoration conditions for the site only at the end of last week and the content has caused significant alarm. The conditions in question (namely 1, 4 and 5 as they appear in the officer's report) go significantly beyond what would be needed to restore the land to its present condition. The seven figure cost of the works would make the development unviable, leaving our client with the very difficult task of identifying, acquiring and preparing an alternative site with only two months to go before the Games begin.

The five hectare application site is mainly made up of compacted hard-core with approximately one hectare being grassland vegetation, scrubland and ditch. Our client's application proposals will entail adding some relatively small areas of hard-core and a number of temporary buildings for the duration of the coach park use. Our client fully accepts that a condition requiring the removal of these additional work and buildings would be entirely legitimate and fair.

However, the proposed restoration conditions go well beyond this and would require complete restoration of the site to a green field condition. The conditions plainly conflict with long established case law and government policy (Circular 11/95, “*The Use of Planning Conditions in Planning Permissions*”) that conditions should be restricted to the effects of the temporary permission and not require the developer to remedy pre-existing matters. For example, the courts have held that it is wrong for councils to impose conditions requiring the removal of existing aircraft hangers where the permission only permitted a change of use of the hangars, or to require the removal of buildings and gravel from a site where such buildings and gravel has nothing to do with the permission granted. The principle has also been consistently supported by Ministers and Inspectors in planning appeal decisions.

The relevant paragraph of circular 11/95, paragraph 113, states:

“If the temporary permission is for development consisting of or including the carrying out of operations, it is important to make provision by condition for the removal of any buildings and works permitted- not merely for the cessation of the use- and for the reinstatement of the land, when the permission expires (model condition 41).

The model condition, referred to above, makes it clear that the restoration must be limited to the restoring the land to its condition before the permitted works began:

“[The building hereby permitted shall be removed] [The use hereby permitted shall be discontinued] and the land restored to its former condition on or before.[date] in accordance with a scheme of work submitted to and approved by the local planning authority (paragraph 113).

An agreed note showing the condition of the site before works begin [our emphasis] should be attached to a permission granted subject to this condition.”

In view of the clear guidance, we would therefore respectfully ask on behalf of our client that conditions 1, 4 and 5 are amended as indicated below:

Condition 1 – “The use hereby permitted shall not be carried out except between 2 July 2012 and 10 September 2012 inclusive”

Condition 4 – “Any works carried out, or temporary buildings erected, pursuant to this permission shall be removed and the land restored to its condition that existed immediately prior to the implementation of this permission before 11 December 2012”

Condition 5 should be deleted.

We would therefore be very grateful if you would take the contents of this letter into account when deciding our client’s application in order that this very important application is not frustrated.

Yours faithfully,

Eversheds LLP

NO CHANGE TO RECOMMENDATION

Ref: P/10755/003 – Proposed TGW Coach Park, Poyle Place, Horton Road

Hi Wesley,

I am writing in regards to planning application P/10755/003, which will be heard by the Planning Committee tonight. Unfortunately, due to other commitments, I will be unable to attend the meeting but hope that my comments as ward member can be taken into consideration. I'll aim to keep it brief for sake of brevity.

- 1) As you will be aware, the site to which the application pertains is greenbelt land adjacent to junction 14 of the M25. It has a long history of illegal development, primarily the installation of hardstanding which has been regularly used as an informal car park.
- 2) While I am not wholly convinced of the viability of an Olympics coach park in Colnbrook on the grounds of the local road infrastructure, should permission be granted, I would like the committee to consider putting measures in place to avoid the coach park becoming a permanent feature after July 2012. I believe that approval should only be given with provisos that the land be returned to greenbelt use after July 2012.
- 3) We have a big problem with drivers using the "Access Only" High Street as a rat-run. Ideally, any approval of this scheme might come with a proviso that two large "Access Only – No Entry to Colnbrook High Street" signs be erected. One could go at the junction of Old Bath Road and Park Street and the other at the junction of London Road and Colnbrook Bypass.
- 4) The committee should consider the special nature of the site and the need to return it to greenbelt use subsequent to this "one-off" use – and this should be done in conjunction with organisations such as the Environment Agency and the Colne Valley Partnership. A condition should be considered whereby the landowner must take measures to remove the hardstanding by a specific date after the coach park closes. This has been one of Colnbrook's "running sores" for several years and – as approval for this scheme will financially benefit the landowner – they must in return adhere to law once the coach park is closed. I don't see how the Council can approve this application without an enforceable provision that leads to this outcome.

Kind Regards,

Cllr James Walsh

AGENDA ITEM 7

P/00861/012 – Arbor Hill House, 39, Windsor Road, Slough

NO CHANGE TO RECOMMENDATION

AGENDA ITEM 8

**P/02441/010 – Land at Wyeth Pharmaceuticals
Huntercombe Lane South, Slough**

NO CHANGE TO RECOMMENDATION