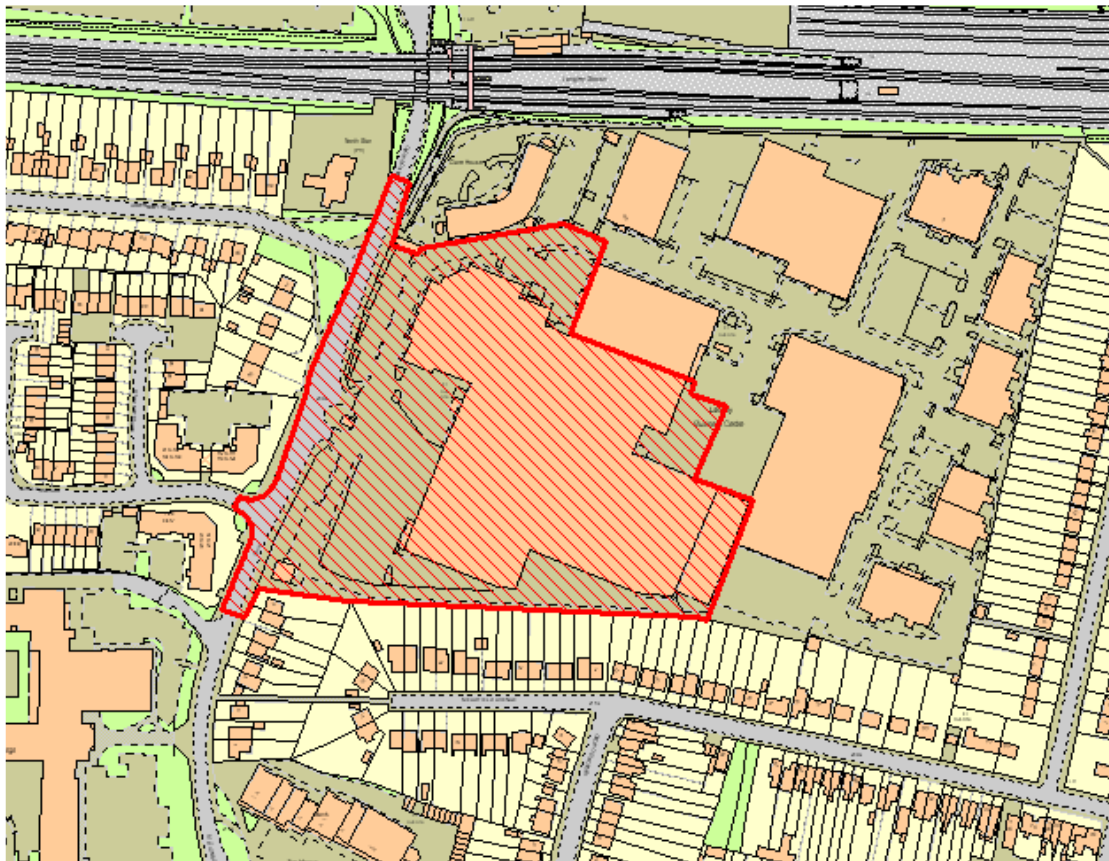


Registration Date:	12-Jul-2013	Applic. No:	P/00437/085
Officer:	Ian Hann	Ward:	Langley St. Marys
		Applic type:	Major
		13 week date:	11th October 2013
Applicant:	Optimisation Developments Ltd		
Agent:	Mr. Ed Kemsley, Peacock & Smith Ltd 1, Naoroji Street, London, WC1X 0GB		
Location:	Langley Business Centre, 11-49, Station Road, Slough, Berkshire, SL3 8DS		
Proposal:	DEMOLITION OF EXISTING BUILDING AND ERECTION OF PART SINGLE AND PART TWO STOREY 4,567 M ² FOODSTORE AND SEPARATE PETROL FILLING STATION WITH 306 NO. ASSOCIATED PARKING SPACES, 2 NO. ACCESSES TO SERVE THE NEW RETAIL UNIT AND EXISTING INDUSTRIAL UNITS, BOUNDARY TREATMENTS AND OTHER ASSOCIATED WORKS.		

Recommendation: The application be refused for the reasons set out below.



1.0 SUMMARY OF RECOMMENDATION

- 1.1 Having considered the relevant policies below and the information provided by the applicant, officers are of the view that the development is considered to have an adverse affect on the character of the area, amenity of neighbour residents and travel and transport issues. Therefore planning permission should be refused for the reasons set out at the end of this report.
- 1.2 This application is to be determined by the Planning Committee as it forms a major development.

PART A: BACKGROUND

2.0 Application Site

- 2.1 The site is located at the eastern side of Station Road, Langley and is part of Langley Business Centre currently occupied by a 2 storey industrial building with associated parking, and service area, which is accessed from a service road along the southern boundary of the site. The site is approximately 2.9 hectares. There is an existing tree belt separating the service road from the rear gardens of 2 – 30 & 27 – 35 Meadfield Road. The service road runs north- south within the site and also serves the remainder of the existing business park to the north. An open frontage is maintained to Station Road with some grass and hedging, where green frontages are a character of Station Road. There are also some mature trees interspersed along the frontage
- 2.2 The site has residential dwellings opposite, to the west, and to the south, beyond the existing service road. Harrow Market, a district shopping centre lies approximately 200m further to the south west with the East Berkshire College opposite the Harrow Market. To the north and east of the site are industrial and office buildings that form part of Langley Business Park, with Langley Railway Station further to the north.
- 2.3 The site forms part of the Slough Local Development Framework Site Allocations Development Plan Document and is allocated for a supermarket as site reference SSA23.

3.0 Proposal

- 3.1 The proposals that are currently being considered involves the redevelopment of the site to provide a 4,471 sq m supermarket with 2,338 sq m of net sales space and a petrol filling station with kiosk, and car wash facilities. The proposals also include 306 car parking spaces within the site as well as remodelling to the car parking areas adjacent to the site within the Langley Business Park, service

areas and a new entrance to the site via a roundabout at the southern end of the site and a new entrance to the Langley Business Park via a priority junction just beyond the northern part of the site. It is currently proposed to use the existing service road which runs along the southern boundary of the site and the existing service yard to serve the supermarket. The existing landscaping strip between the existing service road and the rear gardens of properties in Meadfield Road is to be retained. The current proposals will see the supermarket at the rear northeast corner of the site with the petrol filling station situated towards the front western boundary on Station Road. It is considered that the proposal will create 200 jobs, not including those employed during the construction phase.

3.2 The building is proposed to be double height with offices over the main store entrance. In addition visualisations have been produced confirming the main building to be two storey facing into the car park with a more prominent feature on the corner of the building where the main entrance will be situated. The building will be finished with insulated cladding panels and curtain wall glazing giving the building a light appearance. The building will measure a total of 59m by 60m (with an additional 10m for the warehouse and plant areas) and will have a height of between 10.36m and 12m. The petrol filling station will have a kiosk building measuring 8.5m by 14m with a height of 3.8m with an adjoining canopy measuring a maximum of 15m by 66m with a height of 4.8m and will contain 5 pump islands and jet wash facilities. The kiosk building will be finished with smooth facing brick in a buff colour and the canopy will have dark green fascia panels with branding attached.

3.3 During the pre application discussions that have taken place to date the following preferences have emerged from the proposed store owner:

- A single point of access to serve the store (customer parking) petrol filling station and servicing area.
- A separate access to serve the remaining business area, avoiding a mix of commercial and customer traffic and which keeps the sites totally independent.
- The petrol filling station has a visually strong street presence, but which the operator has suggested could be toned down through restrictions on signage lighting and boundary landscaping and by designing an unimposing canopy
- The siting of the store ensures that none of the car parking is sited behind the store, which would

otherwise require both front and rear entrances to be provided which is more difficult to manage.

- The proposed layout also maximises on site car parking.
- Sufficient separation between the petrol filling station and the store necessary to reduce the risk of fire spread.
- Utilises an existing service road and service yard, with ease of access into and out of the site. The boundary separating the service road and residential properties is already heavily landscaped and considerations can be given to acoustic fencing if a need is demonstrated through an acoustic study.
- The siting of the building together with a reduction in height will be less visually intrusive than the existing building for the occupiers of the neighbouring residential properties.

While these points may be what is required by the developer, pre application advice made it clear that the proposals must also meet appropriate planning guidance and not have a detrimental impact upon the character of the area, impact neighbouring amenity, highways safety / traffic movement and help maintain the vitality of the existing shopping area.

3.4 The following documents have been submitted along with this planning application:

- Application Form
- Plans
- Design & Access Statement
- Planning Statement
- Travel Plan
- Transport Assessment
- Lighting Details
- Tree Report
- Archaeological Heritage Statement
- Statement of Community Engagement
- BREEAM Pre-Assessment
- Acoustic Impact Assessment
- Flood Risk and Drainage Assessment

4.0 **Planning Background**

4.1 Planning permission has been granted since the mid 1960's for various warehouse type buildings around the site with numerous extensions, additional buildings, some of which have been temporary and change of uses to office uses since then. The most

recent larger scale development includes the building of a four storey office block in July 1981 (P/00437/036), new industrial buildings and extensions in July 1982 (P/00437/041), New industrial units in March 1985 (P/00437/050), ten business units in March 1988 (P/00437/066) and 3 business units and multi storey car park in February 1990 (p/00437/075). Since 2000 all planning applications have been related to advertisement consent only. There is no relevant history belonging to the application building.

4.2 In order to inform the Slough Local Development Framework, Site Allocations, Development Plan Document which was adopted in November 2010, the Council commissioned a Supermarket Capacity Analysis from CACI in June 2009. The Langley Supermarket Capacity Analysis Report specifically considers whether in quantitative terms the need exists for a new supermarket in the location of Langley Business Centre, Station Road, Langley. It considered what the impact might be on the turnover of the principal convenience food store within the existing District Shopping Centre area of Langley; currently trading as Budgens. In summary the Langley Supermarket Capacity Analysis Report showed that in qualitative terms, the need exists for a convenience supermarket in Langley when taking into account existing and planned supermarket provision in Slough Borough. The report further showed that a supermarket in this location is likely to have an impact on the turnover of the Budgens Store. The impacts of which will be softened by continued population growth in the Borough and the weighted catchment area.

4.3 Following on from this report the site was included in the Slough Local Development Framework Site Allocations Development Plan Document (site reference SSA23). The site was considered to be acceptable to allocate for use as a supermarket :

“To meet an identified need for additional convenience floorspace within the eastern part of the borough in an edge of centre location.

To ensure any new supermarket development which comes forward is of an appropriate scale given the site’s:

- *Location near to the Langley District Shopping Centre*
- *Physical characteristics and constraints*
- *Capacity of the surrounding highway network”*

4.4 The site allocation document therefore considered that redevelopment or reconfiguration proposals should have the following:

- *“Include provision for a supermarket with no more than 2,500 sq m trading floorspace³. The majority of this floorspace will be made available for the sale of convenience goods with no more than 25% of this floorspace being made available for comparison goods*

- *Ensure car parking provided is accessible to users of the supermarket and to the Langley shopping centre to encourage linked trips. This will be achieved by locating the car parking provision for the supermarket close to the Station Road frontage and allowing parking for long enough to undertake joint trips*
- *Enhance the quality and attractiveness of the footway between the supermarket site and the Harrow Market*
- *include a design and layout attractive and accessible to pedestrians and cyclists*
- *Allow for access to the site off Station Road. Making provision for the necessary traffic and transport improvements along Station Road and affected junctions and roads. This should take into consideration other planned developments within the central area of Langley*

Proposals for non-food retail units would not be acceptable in this location. It is, however, recognised that the site could accommodate more than the proposed supermarket and so the development could incorporate an element of residential, financial and professional services, restaurants, cafes, drinking establishments or takeaways. This would have to be of a scale and design which enhanced the vitality and viability of the District Shopping Centre as a whole.”

4.5 The Site Allocation document considers the situation further to state that:

“It is proposed to limit the scale of the supermarket that will be allowed on the site to no more than 2,500 sq m of trading floorspace⁶. This takes into consideration:

- (i) the capacity of the local road network to cope with the traffic generated by a supermarket in this location (taking into account other future developments and development opportunities planned in and around central Langley);*
- (ii) the type of supermarket suited to the local context given the amount and scale of other supermarkets/superstores within Borough; and*
- (iii) the potential impact of the development on the existing shops in the Langley District Centre.*

The percentage of the 2,500 sq m total trading floorspace of the supermarket that will be allowed for sale of comparison goods will be limited to no more than 25% (625 sq m). This percentage is consistent with the supermarket floorspace ratios that have been permitted on the former Co-op Site, Uxbridge Road, Slough.

Proposals for non-food retail stores on the site will not be supported in this location. It is considered that all opportunities to expand the retail provision of Slough Town Centre should be prioritised above other shopping centres. The Core Strategy states that “all new major retail, leisure and community facilities will be located in Slough town centre. Not only is this the most accessible and sustainable location for major development to take place, it will also maximise the opportunities for

improving the environment and the overall image of the town” 7.

The design and layout of the proposed store, including the location of the service yard, will have to take account of the need to protect the amenities of adjoining residential properties.

The site is located in the Langley Business Centre Existing Business Area as identified within the Local Plan for Slough (2004). Until such time as the site is developed for a supermarket it is not intended to alter the boundary of the Existing Business Area. Accordingly, the relevant policies in the Local Plan and Core Strategy remain in force for the site. The proposal is not considered to be contrary to Core Policy 5 as the proposed supermarket will continue to provide employment on the site.”

- 4.6 There have been protracted negotiations over a period of one and a half years, but with significant breaks, relating to the development of this site by Morrison’s. Throughout the process officers have been of the view that the layout of the site has been driven by the operational requirements of Morrison’s and land ownership issues rather than by site constraints, impact considerations the character and nature of the area and the needs of the area in terms of improving the viability and vitality of the nearby Harrow Market Shopping Centre. The proposal has scant regard to the planning requirements set out in the Site Allocation Document.

5.0 Consultation

5.1 HIGHWAYS AND TRANSPORT

A full response is still awaited and Members will be updated via the amendment sheet as to any response that is received.

5.2 POLICE ARCHITECTURAL LIAISON

A full response is still awaited and Members will be updated via the amendment sheet as to any response that is received.

5.3 ENVIRONMENTAL PROTECTION

The Acoustic Survey makes reference to BS4142 being widely mis-applied to a diverse range of situations and, seemingly, not being used in this instance – However, as a “Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas” I propose that a BS4142 assessment be carried out and therefore the following condition applied:

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 generated by the operation of machinery shall not increase the background noise levels during day time expressed as (a) LA90 {1 hour} (day time 07:00 –

23:00hrs) and or (b) LA90 {5 mins} during night time hours (23:00 – 07:00hrs) at any adjoining premise above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall therefore be pursuant to BS 4142:1997.

These additional conditions are also proposed:

Construction Phase of the Development

- There shall be no noisy works or deliveries to site outside the hours of 08:00 hours to 18:00 hours Mondays – Fridays, 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays and Bank/Public Holidays.
- During the demolition stage of the development, a suitable continuous water supply shall be provided in order to minimise the formation and spread of dust and the perimeter of the site shall be screened to a sufficient height to prevent the spread of dust.
- Security/external lighting within the perimeter of the site shall not be positioned so as to cause light disturbance to any adjoining properties.

Proposed Development

- All delivery vehicles to use the service access and all loading & unloading to take place within the designated service yard. Reversing alarms shall be switched off when vehicles deliver to the proposed food store (as stated in the noise survey)
- A scheme for containing all shopping trolleys within the site shall be submitted to the Local Planning Authority for approval prior to the commencement of the development and shall be implemented there after.
- The use hereby permitted shall not be begun until full particulars and details of a scheme for the ventilation system of the premises has been submitted for the approval of the Local Planning Authority. The ventilation scheme shall deal adequately and render any smells to a level as to not cause an odour nuisance.
- Before the proposed development is occupied a Noise Management Plan shall be agreed with the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the site. The agreed noise management plan shall be fully implemented before the development is occupied and shall be retained in its approved form for so long as the use continues on site. Any

changes to the noise management plan must be agreed with the Authority prior to its implementation.

- Before the proposed development is occupied a Car Park Management Plan shall be agreed with the Local Planning Authority which specifies that the car park shall be for the sole use of the food store; if closing late, parking bays nearest to residential properties shall be cordoned off and the car park shall not be accessible to vehicles outside of opening hours. The agreed Car Park Management Plan shall be fully implemented before the development is occupied and shall be retained in its approved form for so long as the use continues on site. Any changes to the Car Park Management Plan must be agreed with the Authority prior to its implementation. *(Note: such car park management plan would also have to state that car park spaces would have to be shared with users of the Harrow Market).*
- All air conditioning or other ventilation plant shall be designed to ensure that external noise generated by the plant of equipment shall not at any time exceed the ambient sound level as measured at the site boundary when the equipment is not in operation. This shall be implemented prior to first occupation of the development and retained at all times in the future.
- Details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority before the store is opened.

Additional data is required regarding noise associated with delivery vehicles visiting (and unloading activities at) the proposed food store – Noise levels submitted relate to current guidance and supposition, not to actual assessed noise levels - Likewise noise levels provided in connection with the Petrol Filling Station (PFS) are insufficient to assess potential disturbance to nearby noise-sensitive properties.

5.4 SOUTH BUCKS DISTRICT COUNCIL

No objections to the proposed development.

5.5 WEXHAM PARISH COUNCIL

Given that we are only being consulted as an adjacent Parish we do not object to the proposed development as a concept but we are very concerned about:

1. The overall traffic flow in the area which is already been impacted by Slough traffic flow and the high foot fall & flow of

vehicle count as result of both the college and the school.

2. The entrance to the rest of the site looks to be extremely tight & ill defined especially as large vehicles would not be able to gain access under the railway bridge.

3. Sight lines for anyone travelling under railway bridge are extremely limited & we are concerned that this would result in a significant higher risk of accidents to car drivers, pedestrians and cyclists alike.

5.6 TREE MANAGEMENT OFFICER

A full response is still awaited and Members will be updated via the amendment sheet as to any response that is received.

5.7 ENVIRONMENT AGENCY

A full response is still awaited and Members will be updated via the amendment sheet as to any response that is received.

6.0 **Neighbour Notification**

6.1 The following neighbours have been consulted with regards to this application:

Unit 3, 5, 5e, 5j-5k, 5h, 6, 6a, 6c, Vantage Point, Clare House
Langley Business Centre, Station Road, Langley

4, 5, 6, 7, 8, 9, 50, 52, 54, 56, 58, 60, Station Road, Langley

2, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 29, 30, 31, 32, 33, 35,
37, 39, 41, 43, 45, 47, 55, 57, 59, 61, 63, 65, Meadfield Road,
Langley, Slough

2, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31 Meadfield Avenue,
Langley, Slough
Slough

31, Scholars Walk, Langley, Slough

6.2 There has been eight letters received as a response of the neighbour consultation, including two from occupiers of Langley Business Centre raising the following issues:

- The Council owes a duty of care to the local residents and previous research only “suggests” the need and the research must be revalidated.

RESPONSE: The need for development is a material planning

consideration and is considered in the report below. The research that has been undertaken is considered to be robust and form the provision of existing policy which is still valid and current. It should however be noted that the principle for development has been established in the Site Allocations Document.

- There is sufficient capacity in existing supermarkets which are 10 minute drives away.

RESPONSE: The need for development is a material planning consideration and is considered in the report below.

- The development is outside the district shopping centre and not all options have been considered within the existing district shopping centre.

RESPONSE: This is a material planning consideration and is considered in the report below.

- The development is contrary to the type of use and constraints in the Local Plan for the Langley Business Centre.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Most people will drive to the site and not walk as claimed by the applicant's and the parking provision is excessive to make people drive to the site and other stores are better options for people who use public transport to do their shopping.

RESPONSE: This is a material planning consideration and is considered in the report below.

- The overall net impact will be a reduction in the number of jobs with the loss of an employment generating use and the loss of surrounding businesses. The number of 200 newly created jobs may not be local but actually involve the supply chain and logistics operation.

RESPONSE: This is a material planning consideration and is considered in the report below.

- The proposed development will impact upon the existing business in the Harrow Market.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Very significant increase in car and lorry traffic on an already very congested road. The Applicants should fund improvements to the Railway Bridge.

RESPONSE: This is a material planning consideration and is considered in the report below.

- The site access will increase the risk of danger and accidents for people using Scholars Walk.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Noise from vehicle traffic will have a detrimental impact upon the amenity of neighbouring residents.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Noise from the petrol filling station will be louder than the existing soundscape.

RESPONSE: This is a material planning consideration and is considered in the report below.

- The proposals will impact upon the environment including light pollution and manufacture, construction and disposal of materials at the end of their life.

RESPONSE: Issues of light pollution is a material planning consideration and is considered in the report below. The use of materials through the life of the development is not a material planning consideration which only covers issues such as energy, design, construction techniques and energy efficient materials.

- Noise and disturbance would be caused during the construction phase.

RESPONSE: Noise during the construction period is a matter for environmental health as they have appropriate legislation to deal with such matters.

- Deliveries during the night will impact on neighbours especially as the warehouse will be close to residential properties.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Roof mounted extraction fans will impact upon neighbouring residential amenity.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Concern about security and the use of the car park in the evening once the store has been shut.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Some of the signage serves no purpose and will become a great irritation to the neighbours that it faces.

RESPONSE: All signage would be subject to a separate application for advertisement consent when such issues would be considered.

- The trees which are to be felled will remove a barrier between the store and neighbouring residential properties and should be replaced with quick growing trees.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Places should be provided for staff parking.

RESPONSE: This is a material planning consideration and is considered in the report below.

- The petrol filling station should not be 24 hours and should be further away from residential properties due to the safety issues concerning such uses.

RESPONSE: This is a material planning consideration and is considered in the report below.

- The proposals will lead to traffic issues on Station Road.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Greater risk of theft and home invasion as the site may not be as secure as currently.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Air quality will suffer due to the increase in traffic standing still.

RESPONSE: This is a material planning consideration and is considered in the report below.

- No real benefits to the village as will not offer anything not currently available in the village or locally.

RESPONSE: The need for development is a material planning consideration and is considered in the report below.

- Bats are known to roost in the trees between the site and the residential properties.

RESPONSE: This is a material planning consideration and is considered in the report below.

- Inadequate provision of landscaping.

RESPONSE: This is a material planning consideration and is considered in the report below.

- There will be a build up of traffic at the proposed exit to the business site, especially with the roundabout in close proximity.

RESPONSE: This is a material planning consideration and is considered in the report below.

PART B: PLANNING APPRAISAL

6.0 Policy Background

6.1 The application will be assessed against the following policies:

- The National Planning Policy Framework (NPPF)
- Slough Local Development Framework Core Strategy (2006–2026) Development Plan Document December 2008
Core Policy 1 (Spatial Planning Strategy),
Core Policy 5 (Employment)
Core Policy 6 (Retail, leisure & Community Facilities)
Core Policy 7 (Transport)
Core Policy 8 (Sustainability and the environment)
Core Policy 9 (Natural, built and historic environment)
Core Policy 10 (Infrastructure)
Core Policy 11 (Community safety)

- Slough Local Development Framework Site Allocations SSA 23 (Part of Langley Business Centre)

- Adopted Local Plan for Slough 2004
- Policy EMP10 (Langley Business Park and Langley Business Centre)
- Policy S1 (Retail Hierarchy)
- Policy S3 (Major Non-Food Retail Development)
- Policy EN1 (Standard of Design)
- EN3 (Landscaping Requirements)
- Policy EN5 (Design and Crime Prevention)
- Policy T2 (Parking Restraint)

6.2 The main planning considerations are considered to be:

- Principle of development
- Design
- Impact on neighbouring amenity
- Transport and parking
- Financial contributions

7.0 **Principle of development**

7.1 As outlined above the site has been included within the Slough Local Development Framework, Site Allocations, Development Plan Document, as a site for a 2,500 sq m supermarket after research showed that when taking into consideration of the existing and proposed supermarket provision the quantitative need for a food supermarket exists within the eastern part of the borough. Local Plan Policy S1 identifies Langley as a District Centre within the network of centres in Slough. Therefore, sequentially, Langley is considered to be the best location in the eastern part of the Borough to accommodate a supermarket. Due to the amount of land needed to accommodate a supermarket there is however no scope to locate a new supermarket within the existing District Centre itself. The Core Strategy recognises this, and notes the option to extend the Langley District Centre into the Langley Business Centre located within 80 metres of the Harrow market.

7.2 Therefore the principle of the redevelopment of the site to provide a food retail supermarket is considered to be acceptable in principle, subject to the stipulated planning requirements as stated above, with need already established through the previously commissioned reports. The intention behind allocating this site for the food supermarket is so that it will act as an extension or a satellite to the existing centre with the provision of good links so that people can have shared trips to the Harrow Market and the supermarket. It was decided to provide the supermarket provision in this way as there is no space available for such a building and associated services within the Harrow Market itself so that the site can work with the centre rather than work against it.

- 7.3 While it is acknowledged that the site is within an Existing Business Area as defined in the Core Strategy and Local Plan (Policy EMP10) and that the site should provide employment generating uses the fact that the site has been allocated for another use takes precedence. In addition to this the provision of a supermarket is likely to provide 200 jobs, based on the applicant's statement, and therefore the site would still provide employment.
- 7.4 However notwithstanding the fact that the need and principle of the development has been established there are some issues arising from the proposals that are in direct conflict with the details contained in the allocations document as outlined below.
- 7.5 The red line site in the allocations document is different to that being used in relation to the current proposals as the current site has a smaller land take. The proposals include a petrol filling station, incorporating kiosk/shop and car wash facility, together with its own servicing and customer access and egress arrangements.
- 7.6 The allocation document recognises that the site could also accommodate more than the proposed supermarket which could include an element of residential, financial and professional services, restaurants, cafes, drinking establishments or takeaways. The list does not however extend to a free standing petrol filling station.
- 7.7 The site now proposed is smaller than the original allocation, the external size of the store is larger than anticipated and the proposals include a free standing petrol filling station which is not one of the complimentary uses listed in the allocations document but is nonetheless quite land intensive. Therefore it will need to be demonstrated that the petrol filling station will not have an adverse impact upon the character of the area, residential amenity or how the site will link with the Harrow Market for it to be acceptable.
- 7.8 The allocations document specifies a maximum of 2500 sq m of trading floor space. This falls within the definition of what constitutes a supermarket, the scale being appropriate to the location. It is noted that a larger area is required for food preparation on the site. Some retail research has been undertaken to see if other Morrison's stores typically have a 46% gross to net floor area. A Morrison's Food store in Croydon was 7,210 sq m gross and 3,399 sq m net and a few other stores were similar. Therefore this is not an unusual scenario and the gross to net ratio can be considered acceptable in principle. The proposed net sales floor area being 2338 sq m falls within the maximum trading floor space of 2500 sq m as set out in the Site Allocations Document, but would need to be conditioned should planning permission be granted.

- 7.9 As stated in the Site Allocations Document one of the purposes of the development is to help and promote the Harrow Market District Shopping Centre and it will need to provide good and usable links to this site. The current proposals show that the proposed site entrance via a roundabout at the southern end of the site is of particular concern with regards to the viability of Langley shopping area. It provides a significant obstacle to the free flow of pedestrians along this part of Station Road which is heavily used by pedestrians walking to and from Langley Rail Station. As such it creates a barrier to achieving effective pedestrian links between the site and Harrow District Shopping Centre, with regards to encouraging linked trips, improving the footway between the site and Harrow Market and including a design and layout attractive and accessible to pedestrians and cyclists.
- 7.10 In order to encourage linked trips it is necessary to up to 2 hours free car parking for non store users through the provision of a Section 106 Agreement with a view to encouraging greater interaction between the proposed supermarket and the Harrow district shopping centre. This was discussed with the applicant's at pre application stage. It is understood that a charging regime is in operation at the Harrow Market car park (although the first 30 minutes parking is free) and therefore it might be attractive for shoppers using the Harrow Shopping Centre and parking for more than 30 minutes to park in the Morrison's car park which would be free of charge. This further highlights the important need of there being good pedestrian linkages between the site and Harrow District Shopping Centre. Such links cannot be achieved when people have to negotiate their way through a car park and around a petrol filling station and be in conflict with vehicles trying to enter the site. The pedestrian access to the Harrow is vital to the scheme being acceptable. This requires that the improvement and future maintenance of the footway must be secured through a S106 Agreement. It is currently considered that it falls short of what is required in the Site Allocations Document. It must be remembered that one of the prime motives behind allocating the site as a supermarket site is to improve the vitality of the Langley shopping area and these proposals in their current form do not provide the measures required to do meet this aim.
- 7.11 So while the provision of a supermarket in this location is considered to be acceptable in principle it does not meet the aims of the Site Allocation Document in so far that it fails to provide a suitable link to the Harrow Market and fails to fully utilise the site allocated for it leading to problems related to neighbouring amenity and design as outlined further below.

8.0 Design

8.1 The National Planning Policy Framework confirms the following:

“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people” (para 56).

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment” (Para61).

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions” (Para 64).

“Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal’s economic, social and environmental benefits.” (Para 65).

8.2 Core Policy 8 of the Core Strategy requires that, in terms of design, all development:

- a) Be of high quality design that is practical, attractive, safe, accessible and adaptable;
- b) Respect its location and surroundings;
- c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and
- d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.

8.3 Policy EN1 of the adopted Local Plan states that development proposals are required to reflect a high standard of design and must be compatible with and/ or improve their surroundings in terms of scale, height, massing/ bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees; and relationship to watercourses.

8.4 The design of the supermarket building itself with clean lines and facades and the main entrance to the store being announced by the taller glazed element of the building is considered to be acceptable

in principle. The design also respects the character of the area by picking up some features from the surrounding industrial buildings such as the flat roof design and the light palette of cladding that would be used. The fact that the building is on a relatively large site also lends it to having an individual style and design.

- 8.5 However there are some fundamental concerns relating to the design and layout of the site. Given the siting of the store to the rear of the site, the proposal turns its back on the street, rather than attempting to reinforce/recreate a street frontage and therefore alienates itself from the nearby Harrow Market. Whilst the Site Allocation requires some parking to be close to Station Road, there is an opportunity to bring the building forward closer to the frontage of the site such that it would then help to create a street frontage and interact with the street scene and further show itself to be an extension or satellite of the Harrow Market. While the siting would need to achieve the correct balance between strengthening the existing street scene on the one hand and maintaining a reasonable relationship with the existing housing opposite it is considered that this could be achieved via sympathetic design and use of materials. The relocation of the store would also provide the most convenient access for pedestrians, cyclists and public transport users, whereas the proposed layout makes it most convenient for car users and inconvenient and unattractive for non car users. This would however need to necessitate either the relocation or the removal of the petrol filling station to another part of the site.
- 8.7 The proposed petrol filling station has a large land take and the operators requirements for such a facility to have high visibility, requiring a prominent street frontage have significantly restricted options for the site's layout. The petrol filling station will dominate the street and will not create an attractive frontage. Whilst Morrisons have stated that petrol filling stations do not have to be intrusive in the street and that much can be done with boundary treatment, reduced signage and lighting and low canopies, there must be a potential conflict in that if the petrol filling station is to be highly visible to catch passing trade then this would appear to be at odds with measures to reduce its impact. In its current proposed position it will be intrusive to opposing residential occupiers. It is considered that the petrol filling station should be positioned within the site so that it will not have a detrimental impact upon the street scene. Attention can still be drawn to the existence of the petrol filling station via the presence of a suitably located totem sign which are common on sites where petrol filling stations are in existence. The land take, mass and bulk of the petrol filling station could also be reduced by having kiosks for payment only so that the store element of the larger kiosk is substantially reduced in size. This would involve customers using the petrol pumps and then driving to the kiosk to pay for their fuel. The provision of a payment kiosk

would substantially reduce the necessary land take.

- 8.9 An additional issue of concern relating to the appearance of the area relates to the proposed roundabout providing an entrance to the site. While the issues concerning highway issues with the roundabout are discussed below from an aesthetics point of view the roundabout is considered to be excessively large and dominating on the street scene. This impacts not just on the appearance of the street scene with it being exceptionally harsh but also cuts down on the area that is available for landscaping, which is already compromised along this frontage. A change to the proposed access arrangements would remove a significant physical barrier to the free flow of pedestrian movements along this part of Station Road, a regular route for pedestrians accessing the train station and reduce the need for such a harsh and obtrusive popsicle within the street scene. This coupled with a poor siting of the store would act as a barrier to linked shopping trips, not achieve one of the prime site planning requirements of the Allocations Document and thereby not take the opportunity to improve the attractiveness of the Harrow shopping centre as discussed.
- 8.10 Further concern is raised due to the fact that the scheme appears to retain little room for meaningful landscaping along the site frontage. The character of the area is formed by green frontages along Station Road and these proposals should provide the opportunity to build upon this. It is important to note that a planning permission for East Berkshire College, which is 150m to the south west of the application site, includes a large amount of works to the public realm and the frontage facing Station Road, to help the reinforce the green open feel of the area. The Council would expect other schemes to build upon the work being done by the College and also provide attractive well landscaped frontages to help maintain the character of the street scene. The landscaping plans that have been submitted with these proposals show that although some trees would be provided amongst some ground cover shrubs this does not provide the green open frontages that make up the character of the area and furthermore will not help to soften the stark appearance of the petrol filling station beyond. At this point a buffer measuring a width of only 1m to 2m is provided so that any planting within this area would be extremely limited.
- 8.11 Therefore it is considered that the proposals fail to provide a design which fully capitalises on the opportunity to provide clear and strong links to the Harrow Centre, suitable landscaping and provides harsh forms of development in the shape of the proposed petrol filling station and roundabout with will look out of keeping with the surrounding area failing to fully address the issues raised in the Site Allocation document.

9.0 **Impact on neighbouring amenity**

9.1 The National Planning Policy Framework outlines the following:

“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should ... always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (Para 17).

9.2 Core Policy 8 states *“The design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area ... Development shall not give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise”.*

9.3 Policy EN1 of the Local Plan requires that *“Development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of a) scale, b) height, c) massing/Bulk, d) layout, e) siting, f) building form and design, g) architectural style, h) materials, i) access points and servicing, j) visual impact, k) relationship to nearby properties, l) relationship to mature trees and m) relationship to water courses. These factors will be assessed in the context of each site and their immediate surroundings. Poor designs which are not in keeping with their surroundings and schemes which result in over-development of a site will be refused.”*

9.4 Policy EMP2 of the Local Plan requires that: *“there is no significant loss of amenities for the neighbouring land uses as a result of noise, the level of activity, overlooking, or overbearing appearance of the new building”.*

9.5 It is noted that the building of the supermarket itself is contained within the envelope of the existing building on the site and it would not have any greater visual impact upon the amenity of neighbouring residential properties, than the building which currently exists on site.

9.6 There is an existing service road on the boundary with the rear of the residential dwellings and it is acceptable for this service road to continue to be used to service the proposed store. The existing mature boundary landscaping and the erection of an acoustic fence, which could be secured via condition if permission is to be granted would protect the amenity of these residential properties. It is noted that some of the trees along this boundary are considered for removal due to their condition. If these trees are removed then

they should be replaced with similar mature specimen trees which can be secured via condition if planning permission was to be granted. Concern about bats in these trees have been raised and an ecological report can be secured via condition if permission was to be granted requesting a full bat survey to be undertaken before any works to the trees have been carried out. Furthermore conditions could be applied limiting hours of servicing and servicing should be in strict accordance with the Acoustic Impact Assessment which accompanied the application to ensure that deliveries are undertaken to cause minimum disruption to neighbouring properties. However officers would suggest that the need for the retention of this service road (other than as an emergency escape route), being so close to existing residential properties could be relocated on the basis of a redesign of the site layout to include another means of accessing the site.

- 9.7 Noise from the petrol filling station has also been raised as a concern, especially if it is to be used on a 24 hour basis. The opening hours of such a use could be controlled via conditions to ensure that it is not used at times that could cause inconvenience to neighbouring residential properties. However it would be far more beneficial to have a redesigned layout so that the proposed petrol filling station be positioned in a far less intrusive location as stated above. Safety concerns have also been raised with regards to a petrol filling station being in a residential location and causing a safety hazard due to the hazard nature of the materials being stored there. This is generally not an unusual feature and appropriate legislation is in place to ensure that such a filling station will operate in a safe and secure way.
- 9.8 A condition would be added to any permission to ensure that any plant and machinery is appropriately attenuated so that there is no noise and disturbance arising from its use.
- 9.9 Concern has been raised with regards to issues of security of the site when not in use and further impacts on the security of neighbouring residential properties. Such issues can be secured via condition if planning permission is to be granted in consultation with the Thames Valley Police Advisors. Likewise appropriate conditions could also cover the lighting of the site to ensure that it is safe and that light spill will not affect neighbouring properties.
- 9.10 These proposals will not result in any additional issues of flooding as the site is outside of a flood zone and appropriate drainage can be provided.
- 9.11 It is therefore considered that the proposals provide a scheme which will not have any adverse impact upon the surrounding buildings.

10.0 **Transport and Parking**

10.1 With regards to issues of transport and parking the NPPF states:

“All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- safe and suitable access to the site can be achieved for all people; and*
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.” (para 32)*

“Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.” (Pars 34)

“Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to

- accommodate the efficient delivery of goods and supplies;*
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;*
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;*
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and*
- consider the needs of people with disabilities by all modes of transport.*

A key tool to facilitate this will be a Travel Plan. All developments which generate significant amounts of movement should be required to provide a Travel Plan.

Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.

If setting local parking standards for residential and non-residential development, local planning authorities should take into account:

- *the accessibility of the development;*
- *the type, mix and use of development;*
- *the availability of and opportunities for public transport;*
- *local car ownership levels; and*
- *an overall need to reduce the use of high-emission vehicles.*

Local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure, including appropriate provision for motorcycles. They should set appropriate parking charges that do not undermine the vitality of town centres. Parking enforcement should be proportionate.” (Para 35-40)

- 10.2 Core Policy 7 (Transport) seeks to ensure that all new developments are sustainable, located in accessible locations and hence reduces the need to travel. It requires that development proposals will, either individually or collectively, have to make appropriate provisions for:
- Reducing the need to travel;
 - Widening travel choices and making travel by sustainable means of transport more attractive than the private car;
 - Improving road safety; and
 - Improving air quality and reducing the impact of travel upon the environment, in particular climate change.
- 10.3 Local Plan Policy T2 requires residential development to provide a level of parking appropriate to its location and overcome road safety problems while protecting the amenities of adjoining residents and the visual amenities of the area.
- 10.4 The access and egress will be changed under these current proposals so that a roundabout be installed for as access for the supermarket and a new junction laid out approximately 95m to the north to act as access to the remaining industrial estate. The Local Highway Authority would prefer to see a shared access being created for the existing business park and the proposed store which would resolve the highway issues outlined below and well as the aesthetic issues of the large roundabout as already discussed. The applicant's had previously designed a scheme to incorporate one entrance, despite their protestations that this was not what was operationally required as it would result in industrial traffic meeting

visitor traffic, which could be dealt with by a smaller roundabout within the site in any event. However the applicant's have since gone back to the prior scheme, which officers advised against at pre application stage, as citing that other users on the business park have a right in their leases which grants rights of way over the application site which would be negated if the single access was introduced as the service road which this right runs over is removed. These rights are confined to emergency escape access over a 6m wide strip running along the southern boundary of the site which doubles up as a service road in the current proposals. It is the view of officers that that this emergency access could have been excluded from the sale or incorporated into an alternative design. A letter has been provided from the landlord of the business park who has stated that all the occupiers would need to agree to the leases being renegotiated and the leaseholders have been written to on two occasions with regards to this matter and from the responses that have been received half have agreed to a new lease incorporating this change, although a vast majority have not replied. While the Officers note that the issue of the leases makes it more difficult to provide a single entrance point it does not make it impossible if suitable and through negotiations are undertaken. Furthermore it is not possible to plan according to restrictions in other parties leases as this would tie up the planning system making development almost impossible. This is just another example as to how only planning for part of the site rather than the whole site as allocated restricts development.

- 10.5 The proposal shows the provision of two new accesses and the removal of the existing site access. It is proposed that the store will be accessed by way of a new "Normal Roundabout" sited at the junction with Scholars Walk. A "Compact Roundabout" could not be provided instead which would have less capacity than Normal Roundabouts, but are particularly suitable where there is a need to accommodate the movement of pedestrians and cyclists. Given the close proximity of Langley railway station, East Berkshire College, a range of schools, employers, shopping facilities and housing it is clear that there is a need for the design to positively accommodate pedestrian and cycle movements; the proposed design of the Normal Roundabout does not achieve this. The developer should ensure that the existing cycle lanes are accommodated into the design of any junction alterations including the existing plans to extend the cycle lanes to the junction of Langley Road. The proposed roundabout at the Scholars Walk junction will create very little deflection. If the access junction was proposed further to the north, greater deflection could be achieved, which would have a positive impact on vehicle speeds. The provision of the signalised pedestrian crossing would need to have Zig Zag markings in accordance with the Traffic Signs Manual, and as such, the right turn pocket lane for the business centre would need to start further north than it is currently shown.

- 10.6 A new access is proposed to serve the business park to the north of the existing access. The proposed access is approximately 10m to the south of the centre-line of the Alderbury Road priority junction. The proximity of the two junctions to each other, could lead to vehicles leaving either junctions and heading across Station Road. This movement would increase the likelihood of accidents as drivers would have additional traffic movements to consider between the two junctions. The proposed junction spacing is insufficient and the LHA would not support it as proposed.
- 10.8 It is considered that the development does not provide a safe access to all road users and therefore does not meet the required policy in this regard.

11.0 **Contributions**

- 11.1 A Section 106 Agreement will be required, to secure the free parking long enough to allow the linked trips with Harrow Market. Financial contributions are anticipated which would be related to off site highway works and improvements of the pedestrian footway between the site and the Harrow Shopping Centre. Further contributions may be required for highway improvements depending upon a comparison of trip rates between existing and proposed uses.

PART C: RECOMMENDATION

12.0 **Recommendation**

- 12.1 The application be refused for the reasons set out below.

PART D: REASONS FOR REFUSAL

- 16.1 1. The developer has failed to demonstrate that the scheme layout can provide an opportunity for the provision of shared pedestrian links / shared shopping trips between the proposed supermarket and Harrow Market District Shopping Centre essential to the future viability and vitality of the centre and would also be contrary to the National Planning Policy Framework, Core Policy 6 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, site planning requirements of SSA23 Site Allocations Development Plan Document 2010 and policy S6 of the Local Plan for Slough 2004 (incorporated in the Composite Local Plan for Slough 2013).

2. The proposed layout of the site with the main supermarket building being positioned at the rear of the site failing to reinforce/recreate a street frontage, with the over dominant petrol filling station at the front of the being a bulky alien feature in the street scene together with a large harsh overbearing roundabout to the detriment of the street scene, accessibility for pedestrians and cyclists and the character of the area and would be contrary to the National Planning Policy Framework, Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document site planning requirements of SSA23 Site Allocations Development Plan Document 2010 and policy EN1 of the Local Plan for Slough 2004 (incorporated in the Composite Local Plan for Slough 2013).
3. A holding objection is raised on the grounds that the applicant has failed to enter into a S106 Planning Obligation Agreement to provide limited stay free parking for non store users or for the carrying out of off site highway works to include improvements to pedestrian links between the site and Harrow Market and the payment of a financial contribution for local transport improvements.

Members are advised that the final wording of reason 3 above may change upon receipt of comments from the Council's transport and highways adviser and that this will be included on the Amendment Sheet.

INFORMATIVES

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions. It is the view of the Local Planning Authority that the proposed development does not improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is not in accordance with the National Planning Policy Framework.
2. The development hereby refused was submitted with the following plans and drawings:
 - (a) Drawing No. I2366 AL(0)000 P1, Dated 04/07/2013, Recd On 10/07/2013
 - (b) Drawing No. I2366 AL(0)001 P1, Dated 04/07/2013, Recd On 10/07/2013
 - (c) Drawing No. QL11117/D1 P1, Dated 20/02/2012, Recd On 10/07/2013
 - (d) Drawing No. I2366 AL(0)002 P1, Dated 04/07/2013, Recd On

10/07/2013

(e) Drawing No. I2366 AL(0)004 P1, Dated 04/07/2013, Recd On 10/07/2013

(f) Drawing No. I2366 AL(0)005 P1, Dated 04/07/2013, Recd On 10/07/2013

(g) Drawing No. I2366 AL(0)006 P1, Dated 04/07/2013, Recd On 10/07/2013

(h) Drawing No. I2366 AL(0)008 P1, Dated 04/07/2013, Recd On 10/07/2013

(i) Drawing No. I2366 AL(0)003 P1, Dated 04/07/2013, Recd On 10/07/2013

(j) Drawing No. I2366 AL(0)007 P1, Dated 04/07/2013, Recd On 10/07/2013

(k) Drawing No. I2366 AL(0)009 P1, Dated 04/07/2013, Recd On 10/07/2013

(l) Drawing No. I2366 AL(9)100 P1, Dated 12/04/2012, Recd On 10/07/2013