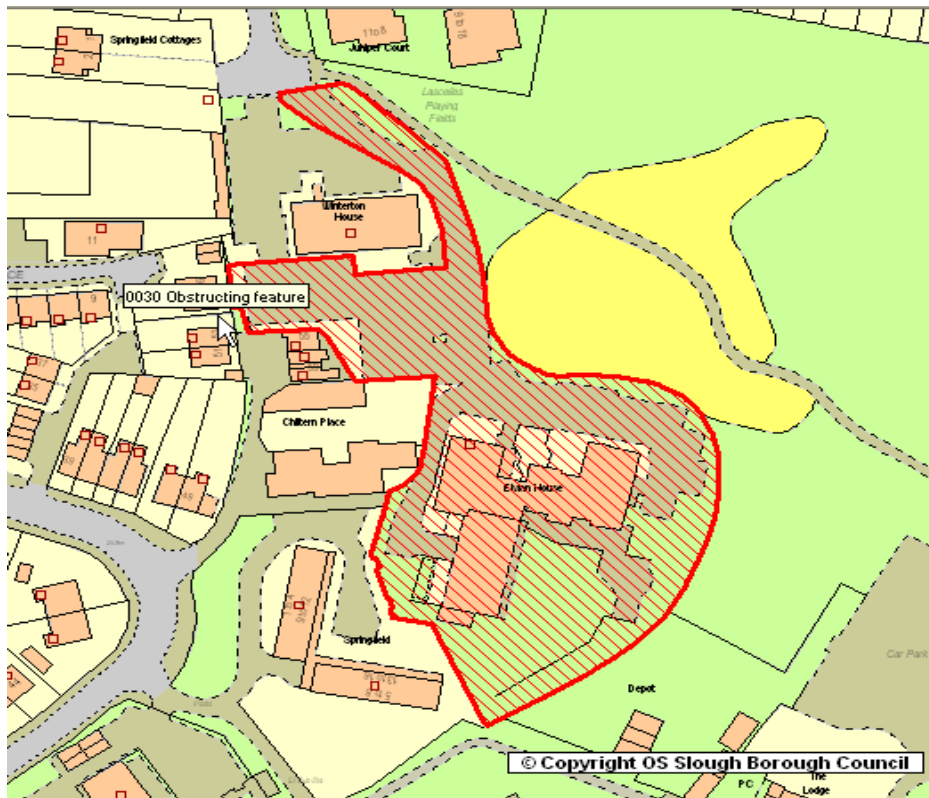


Registration Date:	10-Jul-2013	Applic. No:	P/04551/013
Officer:	Ian Hann	Ward:	Upton
		Applic type:	Major
		13 week date:	9th October 2013
Applicant:	Beachcroft SA		
Agent:	Mr. David Mercer, DVM Architects 4A, Murray Street, London, NW1 9RE		
Location:	Elvian House, Nixey Close, Slough, SL1 1ND		
Proposal:	<p>ERECTION OF AN ADDITIONAL FLOOR ON THE SOUTH WESTERN ELEVATION, FIRST FLOOR EXTENSION ABOVE THE EXISTING BILLIARD ROOM, INFILLING OF THE BASEMENT AND CONVERSION OF THE BUILDING INTO RESIDENTIAL ACCOMMODATION COMPRISING 29NO. X 1 BED, 7NO. X 2 BED, 9NO. X STUDIO AND 2NO. X 3 BED FLATS WITH ASSOCIATED CAR PARKING REFUSE AREAS AND AMENITY SPACE AS WELL AS A SEPARATE TERRACE OF 4NO. 3 BEDROOM THREE STOREY DWELLINGS WITH ROOMS IN ROOF SPACE COMPRISING 2NO. X 3 BEDROOM AND 2NO. X 5 BEDROOM UNITS WITH ASSOCIATED PARKING.</p>		

Recommendation: Approve



SUPPLEMENTARY REPORT TO PLANNING COMMITTEE 17TH OCTOBER 2013.

1.0 SUMMARY OF RECOMMENDATION

- 1.1 Approve subject to conditions.
- 1.2 This application is to be determined by the Planning Committee as it forms a major development.

2.0 PART A: REPORT

- 2.1 At the meeting of the Planning Committee on 4th September 2013 Members decided to defer the decision of the planning application in order to allow the applicant and planning officers to negotiate Section 106 contributions as well as to discuss issues with regards to cycle and refuse storage and drainage with the applicant's. A copy of the original officer's report to Planning Committee is attached at appendix A for information purposes. At the previous meeting Members reviewed the scheme in light of the principle of development, design and appearance, impact on neighbours and future occupiers and transport / parking leaving negotiations for contributions, cycle storage, refuse storage and drainage.
- 2.2 With regards to viability and planning contributions the applicant has provided a viability statement that states that despite efforts to reduce build costs the scheme shows a negative 'profit' of approximately 30%. Therefore the applicant's consider that any payment made to the Council will only exacerbate this situation and make it less likely that the project will proceed. If planning permission is granted the applicant's have stated that the scheme will be built out despite the fact that it shows a negative profit. The applicant bought the property as a commercial investment at the height of the market in 2007. Within 6 months of the purchase the then tenant had given notice and the applicant has been unable to find a tenant since. Planning permission had previously been granted for educational use in February 2012 (P/04551/011). An educational user had been found only to withdraw after the change in government policy on overseas students. In addition to this there was a fire in the annex block which resulted in that part of the building being unusable. This has placed a considerable financial burden on the applicant who is now seeking a suitable exit strategy for the site. If planning permission is granted for residential use on the current scheme, the applicant has stated that they will at least be able to cap his loss on the purchase value and put a stop to the continual costs of maintaining and securing an empty building.
- 2.3 The Council has not sought to verify the Viability Study submitted by the applicant but accepts the general point that, because of the particular circumstances of the site, the proposal will be of marginal

viability.

- 2.4 It is considered that the best way to determine the extent to which section 106 contributions should be made is to consider what the fall back position would be if planning permission were not to be granted.
- 2.5 As a result of the Government's changes to the General Permitted Development Order, it would be possible to carry out the change of use of all of the existing office floorspace to residential under the prior approval process. This means that it would not be possible to secure affordable housing, education and/or open space contributions for any of the units created by a change of use.
- 2.6 In this case, although the applicant has applied for planning permission for 53 units, 39 of them are being created by a change of use. The other part of the permission is for the creation of 10 new flats on the roof of the main building and a terrace of 4 new houses. If they were applied for separately these 14 units would be below our threshold whereby contributions would normally be sought for affordable housing education or open space.
- 2.7 As a result given the marginal viability of the proposal and the fact that it could go ahead without any requirements to make section 106 contributions it is considered that a relaxation to planning policy can be made in this case and no affordable housing sought from the scheme.
- 2.8 Furthermore the scheme is considered to be important in order to retain an existing building of significant character within the Conservation Area where there is danger that if the current situation remains and it is not brought back into life then it will continue to fall into further disrepair to the point where it will degenerate into an unusable condition and could eventually be demolished. The retention of the building and bringing it back into life is an important issue and should be taken into consideration when determining the planning application.
- 2.9 The issues with regards to the proposed bin stores and cycle parking are being discussed with the Council's Transport Advisor and steps have been made in finding a suitable location for these facilities and further details can be covered via conditions.
- 2.10 A drainage strategy has been submitted and is considered to be acceptable to overcome the points previously raised by the Drainage Engineer and its implementation can be secured via condition.

3.0 PART B: RECOMMENDATION

3.1 Approve Subject to conditions.

4.0 PART C: CONDITIONS AND INFORMATIVES

4.1 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 Number: 1825-14, Dated: 04/07/2013, Received: 10/07/2013

(b) Drawing Number: 1825-29, Dated: 04/07/2013, Received: 10/07/2013

(c) Drawing Number: 1825-15, Dated: 04/07/2013, Received: 10/07/2013

(d) Drawing Number: 1825-14, Dated: 04/07/2013, Received: 10/07/2013

(e) Drawing Number: 1825-16, Dated: 04/07/2013, Received: 10/07/2013

(f) Drawing Number: 1825-27, Dated: 04/07/2013, Received: 10/07/2013

(g) Drawing Number: 1825-17, Dated: 04/07/2013, Received: 10/07/2013

(h) Drawing Number: 1825-18, Dated: 04/07/2013, Received: 10/07/2013

(i) Drawing Number: 1825-19, Dated: 04/07/2013, Received: 10/07/2013

(j) Drawing Number: 1825-20, Dated: 04/07/2013, Received: 10/07/2013

(k) Drawing Number: 1825-21, Dated: 04/07/2013, Received: 10/07/2013

(l) Drawing Number: 1825-22, Dated: 04/07/2013, Received: 10/07/2013

(m) Drawing Number: 1825-23, Dated: 04/07/2013, Received: 10/07/2013

(n) Drawing Number: 1825-25, Dated: 04/07/2013, Received: 10/07/2013

(o) Drawing Number: 1825-28, Dated: 04/07/2013, Received: 10/07/2013

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. The development shall be implemented in accordance with the approved details.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

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 Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

5. Prior to the commencement of works on site a strategy for the management of construction traffic to and from the site together with details of parking/ waiting for demolition/ construction site staff and for delivery vehicles shall be submitted to and approved in writing by the Local Planning Authority.

REASON In the interests of amenity of nearby residents and so as not to prejudice the free flow of traffic along the neighbouring highway or in surrounding residential streets.

6. During the construction phase of the development hereby permitted, there shall be no deliveries to the site outside the hours of 08.00 hours to 18.00 hours Mondays - Fridays, 08.00 hours - 13.00 hours on Saturdays and at no time on Sundays and Bank/Public Holidays.

REASON To protect the amenity of residents within the vicinity of the site.

7. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of demolition and 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) proposed method of piling for foundations
 - (vi) construction and demolition working hours, during the

construction and demolition phase, when delivery vehicles taking materials are allowed to enter or leave the site.

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.

8. No development shall take place until a scheme has been 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 the amenities of the area and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

9. 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.

10. No development shall take place until a landscape management plan has been submitted to and approved in writing by the Local Planning Authority. This management plan shall set out the long term objectives, management responsibilities and maintenance schedule for the landscape areas other than the privately owned domestic gardens, shown on the approved landscape plan, and should include time scale for the implementation and be carried out in accordance with the approved details.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004.

10. 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 In the interests of the visual amenity of the area and accordance with Policy EN3 of The Local Plan for Slough 2004.

11. No development shall be begun until details of the cycle parking provision (including location, housing and cycle stand details) have been 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 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 Local Plan for Slough 2004, and to meet the objectives of the Slough Integrated Transport Strategy

12. All development shall occur in accordance with the Arboricultural Report by Keith Macgregor dated 25/06/2013, reference 13 650 the Daylight and Sunlight Study by Right of Light Consulting dated 04/07/2013 and Drainage Design by Malachy Walsy and Partners dated September 2013.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004.

12. Details of all replacement windows, including the provision of measures to reduce overlooking shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site. The development shall be implement in accordance with the approved details.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

13. Notwithstanding the terms and provisions of the Town & Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that Order), Schedule 2, Part 1, Classes A, B, C, D, E & F, no extension to the house hereby permitted or buildings or enclosures shall be erected constructed or placed on the site without the express permission of the Local Planning Authority

REASON The scale of development as approved on the site is

considered to be the maximum acceptable on this site, given the character and appearance of the surrounding area in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policies H13, H14 and EN1 of the Slough Adopted Local Plan 2004

13. No development shall commence until details of the proposed bin store (to include siting, design and external materials) and a management plan for site waste have been submitted to and approved in writing by the Local Planning Authority. The approved stores shall be completed prior to first occupation of the development and retained at all times in the future for this purpose.

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

14. The parking spaces and turning area shown on the approved plan shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles on a communal basis and not reserved for any users.

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

15. Prior to the commencement of works a detailed schedule of works, including materials to be used, method of repair / refurbishment and examples of any materials, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that development does not have an adverse impact upon the character and appearance of the Conservation Area.

16. No development shall commence until details of the measures to be incorporated into the development to demonstrate how compliance with Secured by Design Part 2 (physical security) will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until the Council has acknowledged in writing that it has received writing confirmation of the Secured by Design Part 2 (physical security) being awarded.

Reason: In the interests of the safety, crime prevention and amenity of future occupiers of the development.

17. No access gates shall be installed without getting written permission from the Local Planning Authority.

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.

INFORMATIVE(S):

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 improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

Appendix A

1.0 SUMMARY OF RECOMMENDATION

- 1.1 Delegate the planning application to Head of Planning, Policy and Projects for the consideration of outstanding consultations with statutory consultees, completion of a Section 106 Agreement, finalising layout and conditions and final determination. In the event that the section 106 agreement can not be completed within the 13 week target date, or any other date as so agreed with the developers, that the Head of Planning, Policy and Projects reserves the right to refuse planning permission.
- 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 to the south of Nixey Close and is currently occupied with a vacant office block at 3 storeys in height with associated parking which is accessed from the end of Nixey Close. The building itself is a mid Victorian brick and stone building with modern extensions to the south and west. The site is located within a Conservation Area and the building is an important building in the Conservation Area as defined in the Conservation Area Appraisal. The building is currently in a run down state as it has been vacant for approximately five years and made worse by a fire that in the annex block making that part of the building unusable.
- 2.2 The site has a commercial building to the north and a former commercial building which is being converted into residential accommodation to the west and further residential accommodation to the south while open park land is to the east and north east.

3.0 Proposal

- 3.1 The proposals that are currently being considered involve the refurbishment of the current building to provide 47 residential units together with a new terrace of 4 residential houses. There will also be 54 parking spaces provided for the flats and 11 for the dwellings.
- 3.2 The refurbishment of the existing building will see a total of 47 units provided with the following mix:
9 X studio flats
29 X one bedroom flats
7 X 2 bedroom flats
2 X 3 bedroom flats

- 3.3 In order to facilitate the conversion of the building it is proposed to add three extensions to the building. The first will see the infilling of the current undercroft car park. The second will see an addition of an additional floor above the billiard room of the original building, which is itself a single story addition to the existing building. It will be set back to line up with the front of the original building and have a parapet design to match the existing building. The final extension will see an additional floor on the south western elevation of the modern annex which would be set back from the front elevation and be no higher than the existing air conditioning plant and housing at that level.
- 3.4 Parking would be provided at the north of the site with some additional parking to the south west and eastern corner. Private landscaped gardens will be provided for the occupiers of the flats to the south of the building.
- 3.5 The terrace of dwelling houses will be positioned to the west of the site on a piece of land that juts out from the access road to the main building. The terrace will contain a total of 2 X 3 bedroom and 2 X 5 bedroom houses with rooms in the roof space. The terrace will have a total length of 26.6m, depth of 9.2m and a height of 8.3m.
- 3.6 The terrace will have an arch within to allow access to the rear where the car parking will be provided.
- 3.7 The following documents have been submitted along with this planning application:
- Application Form
 - Plans
 - Design & Access Statement
 - Transport Statement
 - Daylight / Sunlight Study
 - Arboricultural Report

4.0 Planning Background

- 4.1 Planning permission was granted for the change of use of the existing nursing home into a headquarters building for a National Governing Body for Sport with offices, storage, residential accommodation and gym in June 1977 (P/04551/000). A further conversion of the premises to office accommodation together with extensions to the building was granted in July 1980 (P/04551/002). A further permission to extend the building, add an underground car park and change the rest of the building into office use was granted in November 1980 (P/04551/004). Various applications were received with regards to changes to the building with the last significant application being approved in February 2012 for the use

of the building as offices or non residential education uses but was not implemented due the fire at the building rendering it unusable (P/04551/011).

5.0 Consultation

5.1 HIGHWAYS AND TRANSPORT

No response to date. Members will be updated via the amendment sheet.

5.2 HERITAGE ADVISOR

No response to date. Members will be updated via the amendment sheet. However the Council's Heritage Advisor has been involved at the pre application stage and has been generally supportive of the scheme.

5.3 POLICE ARCHITECTURAL LIAISON

There are no police objections to this applications but there are some concerns as below:

Rear Landscaped Gardens – There is a lack of detail in the plans but they appear to show that there is no separation between the rear gardens of the block and the front parking areas. There should be a clear distinction between private and public space to stop casual intrusion around the block. Encouraging residents and users of places to feel a sense of ownership and responsibility for their surroundings can make an important contribution to crime prevention and community safety. Clarity as to where public space ends and where communal, semi-private or private space begins is necessary to achieve this. It is very important that casual access around the block is prevented. Without controls this area in effect becomes semi public space and residents will not challenge strangers and suspicious behaviour, let alone take control of the area. The addition of a suitable side boundary treatment in the area of both cycle stores, supported with planting and lockable gates, will empower residents to take control of this communal area. This will increase the security of the block and greatly enhance their quality of life by providing a reasonably safe and secure communal amenity area. The perimeter backs onto the park and the railings appear to be in good order and mostly supported with mature hedging. I couldn't gain access to the site to check this from the inside but if any part of this fencing or hedging is damaged this should be replaced as this is an obvious vulnerable area.

Communal Entrances - The communal entrances to blocks of flats should form a line of defence acting as a physical barrier to access for outsiders and in this case should be fitted with an access control system with an electronic lock release with entry phone and visual verification linked to the flats. Communal door entry systems prevent casual intrusion by offenders into the block, where they can break into unoccupied flats

during the day without being seen and they also act as a line of defence against bogus callers.

The method of mail delivery must be designed in from the start.

Tradesman buttons are no longer acceptable and must not be used. Mail boxes can be either positioned through the wall on the main entrance or be situated in the main lobby and a fob be given to the local Royal Mail sorting office for access.

Physical Security – This location is on the edge of the town centre where crime levels are raised. Town centers attract a greater number of people and coupled with the night time economy increase the potential for crime. This can spill over into the surrounding residential roads as can be seen by the crime figures for Sussex Place. From the 1/1/2013 to 9/8/2013 there have been 47 crimes and crime related incidents recorded for Sussex Place and these include 8 burglaries. To reduce this crime risk all exterior doors, individual front entrance doors and ground floor and easily accessible windows should be tested to BSPAS 24 and glazing should include a laminate pane.

Cycle Stores – There is little detail regarding these stores and the security measures incorporated will make the difference between the stores being used or abandoned as to risky to store cycles by the residents. The key point will be the entrance doors which should be robust, preferably tested to BSPAS 24 and fitted with an appropriate secure lock. The stands should be of a type that allows both wheels and the crossbar to be secured

Secured by Design – As previously stated above physical security measures will be key in ensuring this is a safe development. If built to at least Secured by Design Part 2 (physical Security) standards then most of the above points would be covered. If this proposal is permitted on this site then I would request that a condition is imposed on the applicant to ensure that it is built to the Secured by Design physical standards. Continuing national research shows that Secured by Design housing developments suffer at least 50% less burglary, 25% less vehicle crime and 25% less criminal damage.

The following condition has previously been tested and approved by the Planning Inspector at appeal and is suggested as a template for this application:

Condition

No development shall commence until details of the measures to be incorporated into the development to demonstrate how compliance with Secured by Design Part 2 (physical security) will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until the Council has acknowledged in writing that it has received writing confirmation of the Secured by Design Part 2 (physical security) being awarded.

Reason

In the interests of the safety, crime prevention and amenity of future occupiers of the development.

5.4 **ENVIRONMENTAL PROTECTION**

No response to date. Members will be updated via the amendment sheet.

5.5 **TREE MANAGEMENT OFFICER**

No response to date. Members will be updated via the amendment sheet.

6.0 Neighbour Notification

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

Upton Road – 51, 53, 55, 57, 1-16 Springfield, Chiltern House
Harewood Place – 9, 10
Nixey Close – 1-8 Juniper Court, Winterton House, Autum End, 1-2
Springfield Cottages
Yew Tree Road – 3B, 11 Flats 1-5 15, 17,

6.2 No responses have been received from the neighbour consultations.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The application will be assessed against the following policies:

The National Planning Policy Framework (NPPF)

The NPPF states that unless material considerations dictate otherwise development proposals that accord with the development plan should be approved without delay. That planning should not act as an impediment to sustainable growth and should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. It also states that high quality design should be secured and a good standard of amenity for all existing and future occupants of land and buildings. 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.

**Local Development Framework, Core Strategy 2006-2026,
Development Plan Document**

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 4 (Type of Housing)
- Core Policy 5 (Employment)
- 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

- H14 (Amenity Space)
- EN1 (Standard of Design)
- T2 (Parking Restraint)

- 7.2 The main planning considerations are considered to be:
- Principle of development
 - Design and appearance on the character of the area
 - Impact on neighbouring residents
 - Living conditions for future occupiers
 - Transport and parking
 - Financial contributions

8.0 Principle of development

- 8.1 The principle of redevelopment of the site would comply with the National Planning Policy Framework in principle as it is a brownfield site and makes efficient use of an underutilised site and could be supported subject to the acceptance of issues such as scale, bulk, design and environmental impacts that are considered in detail below.

- 8.2 Core Policies 1 and 4 of the Council's Core Strategy states that high density flatted development shall be contained to the Town Centre only. As this site is outside of the Town Centre flatted development would not be in accordance to these policies. However as the building is an important building within the Conservation Area and is in need of being refitted and brought back into use before further and irreparable harm is caused to it is considered to be acceptable to allow the conversion of the building into flats to ensure its survival and to bring it back into use. Given that there are no other viable alternative uses for the existing building or site it is considered acceptable in principle to see the site used for residential purposes.

- 8.3 The provision of family houses although small in number is also considered acceptable in this out of town centre location within a predominantly residential location.
- 8.4 Therefore the site is considered suitable for residential use due to the need to preserve the building and the fact that surrounding buildings are residential and domestic in character. The number of residential units which could be accommodated on the site is dictated by the design and constraints that arise from the site and neighbouring uses.

9.0 **Design and appearance on the character of the conservation area**

- 9.1 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).

“In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
- and
- the desirability of new development making a positive contribution

to local character and distinctiveness.” (Para 131)

9.2 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.

Core Policy 9 states that development will not be permitted unless:

- Enhances and protects the historic environment;
- Respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations;
- Protects and enhances the water environment and its margins;
- Enhances and preserves natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.

9.3 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.

9.4 The design of the building itself will not be unduly affected by these proposals and that the important features and appearance of the building will be retained. The additional storey to the 1980s block at right angles to the Victorian building is of no particular concern as it rises no higher than the water tank/lift housing element and will not impact upon the design or appearance of the existing building. This raising would not be visible from the north on the approach to Elvian House and will impact upon the character of the area.

9.5 Building above the single storey wing of the house, known as the billiard room is in keeping with the existing building through the use of a matching parapet roof design. This extension is also a relatively minor extension compared to the host building and will not impact upon the design and appearance of the existing building and will be set back so that it will not be visible thereby having negligible impact upon the character of the area.

9.6 The infilling of the basement will not have any material impact upon the character and appearance of the building as it simply infilling the existing parking area and will not be very visible within the

publically accessible areas.

- 9.7 The proposed terrace of dwellings is considered to be of an appropriate design forming a street frontage along the access road to Elvian House and in a subtle design that will not compete with the setting of the more impressive building beyond it although a need to reconfigure the layout is set out below. The terrace will be built within an area of land which is currently being used as a parking area and will not impact upon the character or appearance of the area.
- 9.8 Because of the sensitive design of the terrace of building as well as the sensitive and minor work the Elvian House the proposal will not impact upon the character and appearance of the Conservation Area and indeed with the existing property being brought back into use and therefore losing its current derelict use will act as a positive action for the appearance of the Conservation Area.
- 9.9 Materials will need to be of high quality and comparable to the materials used in rest of the site and this can be secured via condition to agree materials before the commencement of the works.
- 9.10 The Council's Heritage Advisor is generally supportive of the scheme in Conservation Area Impact Terms and it is considered that brining back an important building into use will have a positive impact on an important Heritage Asset and meets the test of the National Planning Policy Framework and Core Policy 9 of the Local Development Framework.
- 9.11 Therefore it is considered that the proposals provide a design which is representative to the surrounding area and will not have a detrimental impact upon the character and appearance of the surrounding area and Conservation Area and complies with the relevant policies with this regard.

10.0 Impact on neighbouring residents

- 10.1 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).
- 10.2 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”.

- 10.3 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.”
- 10.4 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”.
- 10.5 The proposed changes to Elvian House will not have any detrimental impact upon neighbouring properties as the changes to the building do not add on any fundamental additional mass and bulk that may impact upon neighbouring properties in terms of loss of light or being overbearing. Windows will be inserted in elevations where there are existing windows and therefore not result in any additional overlooking.
- 10.6 The proposed terrace is sited in close proximity to neighbouring properties in Upton Park to the west (between 13-18m and falling short of the recommended distance of 22m). The main element of any overlooking or overbearing impact will be shielded by an existing tree that can be protected via condition to lessen any impact on these properties. However there is scope to redesign the terrace and parking area to ensure that any issues of overlooking are minimised. This is currently being discussed with officers and any changes will be reported to the Committee. There will be no increase in overshadowing or loss of sunlight due to the orientation of the properties. The neighbouring office development at Winterton House would not be affected by these proposals as being an office development is not protected in terms of loss of light or outlook. The offices would however overlook the gardens of the proposed houses which leads to another reason to consider a redesign of this area. These proposals would therefore not have a detrimental impact that would warrant the refusal of this application.
- 10.7 It is therefore considered that the proposals provide a scheme

which will not have any adverse impact the surrounding buildings and complies with the relevant policies.

11.0 Living conditions for future occupiers

11.1 The National Planning Policy Framework states that following with regards to impact upon the amenity of future occupiers:

“Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages;
- moving from a net loss of bio-diversity to achieving net gains for nature;⁶
- replacing poor design with better design;
- improving the conditions in which people live, work, travel and take leisure and
- widening the choice of high quality homes.” (Para 9).

“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).

“Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.” (Para 73).

11.2 Core Policy 8 states “All development will: a) Be of a 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....

11.3 The Daylight and Sunlight Study which has been submitted with the application shows that the proposed design satisfies all of the requirements set out in the BRE guide “Site Layout Planning for Daylight and Sunlight”, which is seen as the definitive guide for sunlight and day light for such sites. Therefore the proposed flats will obtain the required amount of sunlight and daylight. There are some possible issues with regards to overlooking where, due to the angle of the walls being at 90 degrees there may be some overlooking from one flat to the next. This can be overcome with the use of inset windows. This issue is currently being discussed with the applicants to ensure that it will not impact upon the daylight and sunlight entering the room and any changes will be reported to Committee. There are no issues with regards to sunlight / day

light to the separate terrace.

- 11.4 From the details of the internal room layouts of the proposed flats that have been provided they would comply with the Council's recommended guidelines for room sizes as set out in the approved Guidelines for Flat Conversions save for some of the studio flats and bedrooms in the one bedroom flats second bedrooms which are between 0.3m² to 1.9m² short but is not considered sufficient enough to refuse the application on this basis. The internal lay out for the separate dwelling houses are considered to be acceptable.
- 11.5 The existing floors in Elvian House are made of reinforced concrete so that there is no issue with regards to stacking of the proposed flats with living accommodation on top of each other and any issues of noise transition will be dealt with at the building regulations stage of the development. Sound separation between dwellings and between dwellings and common parts for both the flats and houses will be covered under Building Regulations.
- 11.6 The proposed flats would have an amenity area to the south east of the site totalling approximately 1,350m² which when considered with the fact that the site is adjacent to Lascelles Park it is considered that the future occupiers of the flats would have the benefit of sufficient amenity areas and the proposal is therefore considered to comply with Core Policy 8 of the Council's Local Development Framework Core Strategy, which states that all development will be expected to provide appropriate amenity space as an integral part of the design, Policy H14 of the Adopted Local Plan for Slough, 2004 and the Council's guidelines for Amenity Space around Residential Properties, 1990. Furthermore as the units will be 1 bedroom or studio apartments the need for amenity space is reduced. The houses will have gardens with an area of 69m² which although falling below the required standard of 100m² for the five bedroom houses still provides useable amenity space and with its very close proximity to Lascelles Park would comply with the above mentioned policy and provide sufficient amenity space for future residents.
- 11.7 It is therefore considered that the scheme provides a suitable standard of amenity for future occupiers due to the nature of the occupation proposed.

12.0 Transport and Parking

- 12.1 "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.

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.

- 12.2 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.
- 12.3 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.
- 12.4 The access and egress will not be changed under these proposals and the Transport Statement that has been submitted demonstrates that the trip numbers will be reduced as a result of these proposals and that the site can be accessed by service vehicles so that there will be no detrimental impact with regards to highway safety
- 12.5 A total of 54 parking spaces are to be provided in relation to the development at Elvian House (47 for residents and 7 for visitors). And 11 for the dwellings (8 for residents and 3 for visitors). While the parking provision would fall short of that required under the Local Plan which would see a total of 63 for the flats and 10 for the houses it is considered that as the site is on the edge of the town centre and in a sustainable location the reduction of the parking spaces is considered to be acceptable. In a number of instances

and particularly on town centre fringe sites the Local Planning Authority has also accepted 1 car parking space for a 1 bedroom / studio flat and 1.5 spaces for a 2/3 bedroom making a total of 43 spaces which have been provided on site. The existing parking level is 86 spaces and the proposals would result in a reduction of spaces which is one of the aims of the Integrated Transport Strategy. Further more the provision of any additional parking will see more hardstanding in the area around the building and detract from the setting of this important building within the Conservation Area.

12.6 Cycle parking is proposed in accordance with the Local Plan

12.7 It is therefore considered that the scheme provides a suitable standard of car and cycle parking and will not be detrimental to highway safety and therefore meets the set requirements in this regard.

13.0 Contributions

13.1 A development of this size would require contributions towards affordable housing and education as per the Developers Guide. A development of this type would require on site affordable housing to be provided with 30% of dwellings in the development to be social housing. With regards to education contributions the total would come to £97,078 and negotiations are ongoing with regards to these issues to secure an appropriate Section 106 Agreement. Discussions are ongoing with the housing division to determine the best mix or package of housing. No viability assessment has been supplied as part of the application so there is no indication at this stage that the applicant is not amenable to providing these benefits.

PART C: RECOMMENDATION

14.0 Recommendation

14.1 Delegate the planning application to of Planning Policy and Projects for the consideration of outstanding consultations with statutory consults, completion of a Section 106 Agreement, finalising layout and conditions and final determination. In the event that the section 106 agreement can not be completed within the 13 week target date, or any other date as so agreed with the developers, that the head of Planning, Policy and Special Projects reserves the right to refuse planning permission.

15.0 PART D: CONDITIONS AND INFORMATIVES

15.1

CONDITIONS:

13. 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.

14. 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 Number: 1825-14, Dated: 04/07/2013, Received: 10/07/2013

(b) Drawing Number: 1825-29, Dated: 04/07/2013, Received: 10/07/2013

(c) Drawing Number: 1825-15, Dated: 04/07/2013, Received: 10/07/2013

(d) Drawing Number: 1825-14, Dated: 04/07/2013, Received: 10/07/2013

(e) Drawing Number: 1825-16, Dated: 04/07/2013, Received: 10/07/2013

(f) Drawing Number: 1825-27, Dated: 04/07/2013, Received: 10/07/2013

(g) Drawing Number: 1825-17, Dated: 04/07/2013, Received: 10/07/2013

(h) Drawing Number: 1825-18, Dated: 04/07/2013, Received: 10/07/2013

(i) Drawing Number: 1825-19, Dated: 04/07/2013, Received: 10/07/2013

(j) Drawing Number: 1825-20, Dated: 04/07/2013, Received: 10/07/2013

(k) Drawing Number: 1825-21, Dated: 04/07/2013, Received: 10/07/2013

(l) Drawing Number: 1825-22, Dated: 04/07/2013, Received: 10/07/2013

(m) Drawing Number: 1825-23, Dated: 04/07/2013, Received: 10/07/2013

(n) Drawing Number: 1825-25, Dated: 04/07/2013, Received: 10/07/2013

(o) Drawing Number: 1825-28, Dated: 04/07/2013, Received: 10/07/2013

15. 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. The development shall be implemented in accordance with the approved details.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

16. 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 Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

17. Prior to the commencement of works on site a strategy for the management of construction traffic to and from the site together with details of parking/ waiting for demolition/ construction site staff and for delivery vehicles shall be submitted to and approved writing by the Local Planning Authority.

REASON In the interests of amenity of nearby residents and so as not to prejudice the free flow of traffic along the neighbouring highway or in surrounding residential streets.

18. During the construction phase of the development hereby permitted, there shall be no deliveries to the site outside the hours of 08.00 hours to 18.00 hours Mondays - Fridays, 08.00 hours - 13.00 hours on Saturdays and at no time on Sundays and Bank/Public Holidays.

REASON To protect the amenity of residents within the vicinity of the site.

19. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of demolition and 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) proposed method of piling for foundations
- (vi) construction and demolition working hours, during the construction and demolition phase, when delivery vehicles taking materials are allowed to enter or leave the site.

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.

20. No development shall take place until a scheme has been 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 the amenities of the area and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

21. 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.

10. No development shall take place until a landscape management plan has been submitted to and approved in writing by the Local Planning Authority. This management plan shall set out the long term objectives, management responsibilities and maintenance schedule for the landscape areas other than the privately owned domestic gardens, shown on the approved landscape plan, and should include time scale for the implementation and be carried out in accordance with the approved details.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004.

22. 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 In the interests of the visual amenity of the area and accordance with Policy EN3 of The Local Plan for Slough 2004.

23. No development shall be begun until details of the cycle parking provision (including location, housing and cycle stand details) have been 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 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 Local Plan for Slough 2004, and to meet the objectives of the Slough Integrated Transport Strategy

12. All development shall occur in accordance with the Arboricultural Report by Keith Macgregor dated 25/06/2013, reference 13 650 and the Daylight and Sunlight Study by Right of Light Consulting dated 04/07/2013.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004.

24. Details of all replacement windows, including the provision of measures to reduce overlooking shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site. The development shall be implement in accordance with the approved details.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policy EN1 of the Adopted local Plan for Slough 2004

13. Notwithstanding the terms and provisions of the Town & Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that Order), Schedule 2, Part 1, Classes A, B, C, D, E & F, no extension to the house hereby permitted or buildings or enclosures shall be erected constructed or placed on the site without the express permission of the Local Planning Authority

REASON The scale of development as approved on the site is considered to be the maximum acceptable on this site, given the character and appearance of the surrounding area in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development Plan Document December 2008 and Policies H13, H14 and EN1 of the Slough

Adopted Local Plan 2004

13. No development shall commence until details of the proposed bin store (to include siting, design and external materials) and a management plan for site waste have been submitted to and approved in writing by the Local Planning Authority. The approved stores shall be completed prior to first occupation of the development and retained at all times in the future for this purpose.

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

14. The parking spaces and turning area shown on the approved plan shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles on a communal basis and not reserved for any users.

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

15. Prior to the commencement of works a detailed schedule of works, including materials to be used, method of repair / refurbishment and examples of any materials, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that development does not have an adverse impact upon the character and appearance of the Conservation Area.

16. No development shall commence until details of the measures to be incorporated into the development to demonstrate how compliance with Secured by Design Part 2 (physical security) will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until the Council has acknowledged in writing that it has received writing confirmation of the Secured by Design Part 2 (physical security) being awarded.

Reason: In the interests of the safety, crime prevention and amenity of future occupiers of the development.

17. No access gates shall be installed without getting written permission from the Local Planning Authority.

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.

INFORMATIVE(S):

2. 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 improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.