

PLANNING
COMMITTEE
17th October 2013

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

AGENDA ITEM: 7

P/04551/013 - Elvian House, Nixey Close, Slough, SL1 1ND

A condition covering matters of land contamination was omitted from the Officers report in respect of the land to be developed for the 4 no. houses which is land currently laid out for car parking. The following condition is proposed:

Prior to the commencement of the development, an investigation and phased risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The assessment should be undertaken by competent persons in accordance with current government and Environment Agency Guidance and Approved Codes of Practice, such as CLR11, BS10175, BS5930 and CIRIA 665. Each phase shall be submitted in writing and approved by the LPA.

Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.

Phase 2 shall include a comprehensive intrusive investigation in order to characterise the extent, scale and nature of contamination present; an assessment of the potential risks to receptors identified in Phase 1. If significant contamination is found by undertaking the Phase 2 investigation then Phase 3 shall be undertaken.

Phase 3 requires that a detailed scheme of remediation and/or monitoring to ensure the site is brought to a condition suitable for its intended use by removing unacceptable risks identified in Phase 2, be submitted and approved in writing by the LPA.

Any approved remediation scheme must be carried out in accordance with the agreed terms prior to the commencement of the development, other than those works required to carry out the remediation, unless otherwise agreed in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of that remediation scheme must be produced and submitted in writing and is subject to the approval of the LPA. In the event that gas protection is required, all such measures shall be implemented in full and confirmation of satisfactory installation obtained in writing from a Building Control Regulator.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the LPA. Where further investigation and/or remediation is necessary a scheme must be prepared in accordance with the above requirements and which is subject to the approval in writing of the LPA.

Reason- To ensure that risks from land contamination to the future users and occupants of the land and neighbouring land are minimised, together with those to controlled waters,

property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

There are still a number of outstanding detailed issues regarding cycle parking, bin stores and the parking layout. Condition 11 details with cycle parking and condition 13 deals with bin stores. To address the outstanding issues on the car parking layout, it is proposed to amend the wording of condition 14 to read as follows:

Notwithstanding the deposited site plan (reference 1825 – 14) as hereby approved a further plan shall be submitted showing changes to the car parking layout to address the concerns of the local highway authority and tree officer and which shall be submitted to and approved in writing by the local planning authority before development commences on site. The development shall proceed in accordance with the details approved with the parking spaces and turning area provided prior to the 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 a workable car parking layout with adequate on site car parking provision to serve the development and to protect the amenities of the area in accordance with Policy T3 of the adopted Local Plan for Slough 2004

NO CHANGE IN RECOMMENDATION

AGENDA ITEM: 8

P/04888/016 - The Octagon Site, Brunel Way, Slough, SL1 1XW

Amended plans have been submitted for the basement and the ground floor dealing with the following issues:

Ground floor

1. Visibility splays and pavement dimensions added.
2. Door to cycle storage opens inwards and not onto pavement.
3. Cycle racks removed from rear, soft landscaping instead.

Basement

1. Details of shower / changing / drying areas added. These are broadly in compliance with the 2009 BCO guide to specification.
2. Cycle racks re-arranged using vertical racks and double stackers. The overall provision at basement level is now 224no (plus 4no at ground) cycle storage spaces, in excess of the 223 spaces indicated in the submitted Transport Technical Note.

The amendments are acceptable in transport and highway terms.

As part of the government's recent changes to the Town and Country Planning (General Permitted Development Order, a new Class J of Part 3 of Schedule 2 permits development consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from a use falling within Class B1(a) (offices) of that Schedule. Given the strategic commercial importance of the Octagon site in terms of its location and its importance to the wider Heart of Slough regeneration and contribution to the town, it proposed to remove these permitted development rights. As such it proposed to amend condition 20 to read:

The premises shall be used for Class B1(a) offices and for no other purpose in Class B1 of the Schedule to the Town and Country (use Class) Order 1987 and in any provision equivalent to the Class in any statutory instrument revoking or re-enacting that order nor shall the use of the building be permitted to change to Class C3 residential under Class J of Part 3 of Schedule 2 to the Town and Country (General Permitted Development Order) (Amendment) (England) Order 2013.

REASON: The site is considered to be of high strategic commercial importance the development of which will compliment the wider regeneration of the Heart of Slough and its loss as a commercial development would detract from these wider objectives in accordance with the National Planning Policy Framework

NO CHANGE IN RECCOMENDATION

AGENDA ITEM: 9

P/06651/075 - Unit 2C & Unit 3 Slough Retail Park, Twinches Lane, Slough, SL1 5AD

The applicant has responded to the list of recommended conditions set out in the officer report and has submitted comments in relation to the following conditions:

Condition 7

The applicant has stated that they consider that this condition regarding the type of goods to be sold should be omitted as they consider it to be unnecessary and not relevant to the development permitted.

It is considered that this condition is necessary given the nature of the proposed development when considered in the context of the original permission (P/06651/011). Whilst the red line application site area of this application differs from that of the original permission, condition 7 is recommended as worded in the interests of consistency.

In any event, based on the information provided, it would appear that condition 7 as recommended would not prevent the intended occupiers from taking up their respective occupation of Units 3a and 3b as proposed.

Condition 8

The applicant has requested that this condition is amended to allow for the units to close at 17:00 on Sundays, in line with other units on the retail park. There is considered to be no objection to this, and it is therefore recommended that the wording of Condition 8 is amended as follows:

The premises shall not be open to members of the public / customers outside the hours of 08:00 hours to 20:00 hours on Mondays-Saturdays, 10:00 hours to 17:00 hours on Sundays and Bank/Public Holidays.

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

Condition 10

The applicant has advised that they would propose to provide a customer service desk at mezzanine level within the unit with the proposed mezzanine to be used as room sets/showrooms, to allow for a member of staff to be seated to assist customers and look up and take orders. It has therefore been requested that this condition is amended and the following wording has been suggested:

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'The retail floorspace of the mezzanine hereby approved shall be used as room sets/showrooms solely for the display of items with no retail sales except for orders taken from the sales advisors desk'.

It is considered that the inclusion of 'except for orders taken from the sales advisors desk' would be acceptable and the condition would continue to provide appropriate control, as well as provide appropriate flexibility for the future occupier's operations.

It is therefore recommended that Condition 10 is amended as follows:

The retail floorspace of the mezzanine hereby approved shall be used as room sets/showrooms solely for the display of items with no retail sales except for orders taken from the sales advisors desk.

REASON To protect the vitality and viability of existing shopping centres within the Borough and to comply with Core Policy 6 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

NO CHANGE TO RECOMMENDATION

AGENDA ITEM: 10

P/02619/003 - 177, Farnham Road, Slough, SL1 4XP

Neighbour Notification

In addition to the addresses listed under paragraph 5.1 of the officer report, neighbour notification letters were also sent to the occupiers of the new properties to the rear of 165-175 Farnham Road, known as Silverhill Court and no objections have been received.

A representation has been received from the occupiers of 179 Farnham Road, objecting to the proposal on the following grounds in summary:

- The occupier is a funeral director. The day to day business relies on a peaceful and tranquil environment. The service requires privacy and confidentiality;
- The proposal would result in overlooking and a loss of privacy;
- The development will result in intensification in an already congested area – the rear access will be open to view.

The content of this representation is noted. It is not considered that the proposal would have an undue adverse impact on the area through noise or disturbance given the mixed commercial and residential character of the area and the district shopping centre location. With regard to overlooking and loss of privacy, the separation distances between the proposed development and the existing building are considered to be acceptable. Furthermore, the proposal is not considered to have an adverse impact through traffic generation or parking provision having regard to relevant parking standards as set out in the officer report.

Whilst the concerns raised in the objection are noted and have been taken into account, it is not considered that the proposal would give rise to unacceptable adverse impacts and accordingly, there is no change to the officer recommendation.

NO CHANGE TO RECOMMENDATION

AGENDA ITEM: 11

P/00437/085 - Langley Business Centre, 11-49, Station Road, Slough, Berkshire, SL3 8DS

The following comments have been received from the Thames Valley Police Crime Prevention Design Advisor:

There are no police objections to this application but concerns and comments regarding crime prevention and community safety are below:

I support the proposal for a secure gated service yard and gated entrance road as shown on the site plan. Open service yard areas can cause problems especially when the store is closed, and the proposed high wall, gate and anti climb device should prevent this.

Large open car parks can provide an ideal surface for vehicle displaying when the store is shut and as this anti social behaviour would occur throughout the night it can be very disruptive to any local residents as well as causing damage and encouraging crime. The provision of a gate on the entrance will allow the store to take control of the car park and prevent this. The gate doesn't need to be substantial, a metal barrier type gate, would suffice as long as it is lockable.

Automatic Number Plate Recognition is mentioned as a possibility for this car park and I would think this is a site that will definitely need this. As this is situated close to the college and railway station then without some timed control over length of stay then it will quickly be used by rail users and students for free parking. An ANPR system on the CCTV camera covering the car park would allow this to be controlled.

It is not completely clear from the plans but it appears that it is possible to drive directly at and ram the ATM machines. This type of offence still occurs and measures should be taken to prevent this. This can be done by installing bollards, concrete planters or similar on the road edge. There should be at least one dedicated CCTV camera covering these machines and privacy boxes should be painted on the ground. This will help to protect the users, deter crime and reduce the fear of crime.

My main concern is the petrol filling station as crime prevention doesn't appear as yet to be taken into account. Unless sensible and effective measures are put in place from the start then this will generate large levels of crime. A nearby petrol filling station in Langley, for the period 1/1/2013 to 2/10/2013, is shown as having 90 crimes recorded as occurring in its location. The majority of these are making off without payment and shoplifting. Apart from the financial cost and the possible effect on individual victims, the drain on police resources is considerable and it should be possible to greatly reduced or totally eliminate this. This design shows that the two end pumps cannot be properly observed by the pump authorisers. The end two pumps, adjacent to the jet wash will allow offenders to fill up and drive straight out of the exit. It also looks as though it may be possible to fill up and because of the short distance to the entrance road, quickly reverse out and drive off.

All pumps should be capable of being 'Pay at Pump' so that vulnerable pumps can be switched to this means of payment only at relevant times. If problems still persist then the appropriate pumps could be switched off at the really vulnerable times. There must be CCTV coverage on the entrance, exit and dedicated cameras for each filling point to capture vehicle registration and driver.

The cameras should record images to 'identification' level, i.e. images of a 1.7m person to 100% of screen height and the video signal should record at a minimum of 6 frames per second. Images should be stored for a minimum of 14 days and preferably for 31 days. These are Home Office recommended standards as historically, most CCTV in garages is found to be woefully inadequate in detecting crime because of poor installation and specification.

If offenders reversing away before paying does become a problem, the only answer I can think of in this small area, is that flow plates could be installed, which would prevent this. An important factor will be a robust management procedure coupled with internal CCTV to monitor and guide staff which will enable early recognition of possible training needs or mentoring.

RESPONSE – The matters would be able to be dealt with if planning permission was to be granted.

One further letter of objection has been received raising the following issues:

1) The response to the residents' petition says the LDP 2010 zoned the site retail. The previous LDP (2005??) tried to zone a different site on Station Road as retail or retail/residential. (Now a residential development on the East side, just north of Langley College). That suggestion for retail on Station Road was overturned by the Government inspection that reviewed the plan.

ALL THE REASONS WHY THE INSPECTOR OPTED AGAINST RETAIL ON STATION ROAD STILL STAND. I ask the planners and planning cte. councillors to look at her reasoning again.

2) Two additional planning approvals in recent years make the site even more unsuitable for heavy footfall retail.

a) a primary-school Academy has been opened on the junction of Langley Road and Station Road

b) The building line of Station Road West Side has in fact been moved forward by the permission of a new Frontage to Langley College.

Those involved in planning will be aware that teenagers are the demographic most often seriously injured as pedestrians - with the impact of young children being knocked down being unacceptable if it were avoidable.

3) I have read Morrisson's traffic impact report. Nothing in the study changes the facts that Station Road is narrow and meandering, with narrow footpaths considering the high density residential development on the road and the presence of two centres for education on a very short road. The line of sight from the proposed site is very poor. As it is, whenever Tefal had a large truck at the site, the security guards at the gates come out into the road to facilitate safe access. That wouldn't be feasible for the regular deliveries needed by a supermarket.

4) The lack of optional routes for supermarket delivery trucks is what I personally feel has not been addressed enough. Because of the railway bridge, all delivery traffic must come either along Langley Road from the Bath Road or along Langley High Street from M4/Bath Road, past the Village shopping malls and into Station Road.

Please consider the impact of those trucks before they reach the Station Road junction, as well as all the problems around that junction.

Both Langley Road and Langley High are residential - (Langley throughout and High for about two-thirds of their lengths) roads with homes directly facing the road. Delivery trucks at unsocial hours will have a huge night-time/overnight noise impact on both roads.

On Langley Road, a residential development site just behind Langley College has been delayed for many years because of a recognised road safety issue. Delivery as well as shopping traffic for that site would aggravate that problem.

Langley Road has the main entrances to St Bernard's Grammar and Langley Academy releasing that vulnerable teenage population.

Langley High Street has primary school traffic for Marish and Holy Family schools, existing traffic for the small local shops and the police station which might sometimes wish the roads clearer on emergency callouts.

Both routes leading to Station Road are meandering, with limited lines of sight at different points along the way. Both are single lane traffic with little opportunity for widening.

RESPONSE – These issues are considered in the Officers Report with the exception of the point raised with regards to delivery vehicles coming to the site as only impacts in the immediate vicinity can be considered rather than a wider area as stated.

NO CHANGE TO THE RECOMMENDATION